Ninety-Sixth General Assembly

Index

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STATE OF MISSOURI

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Missouri General Assembly

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Journal page numbers are given only in the numerical listing of SENATE BILLS INTRODUCED and HOUSE BILLS INTRODUCED. When using the TRULY AGREED TO and the CLASSIFIED INDEX, please refer to the numerical listing for journal page numbers.

Bill authors are not listed for substitute bills.

In the CLASSIFIED INDEX, bill captions (listed under SUBJECT) have been revised to take into account changes that occurred after introduction. Bills are classified in this portion of the index by the last version acted upon.

AUTHORITY FOR PUBLICATION

2.080. 1. Copies of the journals of the proceedings of each house of the general assembly shall be compiled under the superintendence and direction of the secretary of the senate and chief clerk of the house, in such number as may be determined to be necessary by the committee on legislative research, to be distributed as directed by the committee. After each session of the general assembly, the secretary of the senate and chief clerk of the house shall examine and correct the proof sheets of the journals of their respective chambers and prepare a table of the errata, if any errors have been made, and shall prepare an index of the journals. The secretary of the senate and chief clerk of the house shall develop and use a common indexing system for the journals.

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2.091. The secretary of the senate and chief clerk of the house shall deliver, upon request, one copy of the journal of their respective chambers to the judge of any court of record, any member of either house of the general assembly, the head of any state department, bureau or state institution, the state university, the Missouri state historical society and any public library in the state, two copies of each to the law library association of St. Louis, and three copies of each to the Library of Congress at Washington, D.C. The remaining copies shall be preserved, subject to the orders of the general assembly.

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Abbreviations are as follows:

SB	Senate Bill
HB	House Bill
SCR	Senate Concurrent Resolution
HCR	House Concurrent Resolution
SJR	Senate Joint Resolution
HJR	House Joint Resolution
SS	Senate Substitute
SCS	Senate Committee Substitute
HCS	House Committee Substitute
CCR	Conference Committee Report
CCS	Conference Committee Substitute

TRULY AGREED TO
AND FINALLY PASSED LEGISLATION

SECOND REGULAR SESSION

LEGISLATION SIGNED BY THE GOVERNOR

SENATE BILLS

No.	Author	Subject
SB 450	Rupp	Modifies the length of school board terms for certain school districts that became urban districts because of the 2010 census
SS SB 464		Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met
HCS SS SCS SB 469		Modifies provisions regarding administrative rules
CCS HCS SS SCS SB 470		Modifies various provisions relating to transportation
CCS HCS#2 SCS SB 480		Modifies law with respect to motor vehicles and outboard motor titles
HCS SCS SB 485		Modifies the law governing liens
SS SCS SBs 489 & 637		Modifies provisions relating to weapons
CCS HCS SCS SB 498		Prohibits cities from restricting veterans organizations from operating re-sale shops in certain areas
HCS SCS SB 562		Modifies provisions relating to the transfer of property by certain state universities
HCS SCS SB 563		Modifies provisions relating to higher education
CCS HCS SB 568		Modifies various provisions relating to transportation
SS SCS SB 576		Modifies provisions relating to charter schools
HCS SS SCS SB 595		Transfers the administration of special education due process hearings from the State Board of Education to the Administrative Hearing Commission
CCS SB 599		Modifies provisions relating to education
CCS SB 611		Modifies various provisions relating to the regulation of transportation
HCS SCS SB 625		Modifies fund transfers between retirement systems, modifies retirement for certain public officials, and sets interest paid on member contributions at T-Bill rate
CCS HCS SB 628		Modifies provisions relating to the judiciary
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture

No.	Author	Subject
CCS HCS SB 636		Modifies provisions relating to the judiciary
CCS SS SB 665		Authorizes the Governor to transfer certain pieces of real estate located throughout the state of Missouri to the State Highways and Transportation Commission
HCS SS SCS SB 682		Requires that certain pain management techniques be performed by licensed physicians
SS SCS SB 689		Modifies provisions relating to crimes committed against the elderly and disabled
CCS#2 SS SCS SB 719		Modifies various provisions relating to the regulation of transportation
SCS SB 729		Modifies provisions relating to county purchases
SB 736	Engler	Exempts St. Francois County from a requirement that certain amounts of money from the county's special road and bridge tax be spent in certain areas
SS SCS SB 755		Enacts the "House of Worship Protection Act"
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
SCS SB 789		Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
SCS SB 835		Modifies references to fireworks classifications

SENATE JOINT RESOLUTIONS

No.	Author	Subject
SCS SJR 51		Modifies the composition of Appellate Judicial Commission and number of nominees for vacancies

HOUSE BILLS

No.	Author	Subject
HB 1029	Flanigan	Requires the Oversight Division of the Committee on Legislative Research to conduct program evaluations of state agencies, including budget transparency and accountability
SCS HB 1036		Changes the laws regarding elections
HB 1037	Dugger	Authorizes commissioners of certain road districts, upon majority vote, to be compensated up to $100 per month for their services
HB 1039	Leara	Allows a retiree of the Missouri Local Government Employees' Retirement System to have his or her health insurance or long-term care insurance premium deducted from his or her retirement allowance
SCS HCS HB 1042		Changes the laws regarding higher education
SS SCS HCS HB 1094		Changes the laws regarding electronic payments to state agencies and departments and the electronic payment of funds received by a county health center
HB 1103	Crawford	Changes the laws regarding the maintenance of private roads and real estate appraisers and appraisal management companies
HB 1105	Day	Allows the Adjutant General to waive the maximum age requirement for a member of the state militia
SS HCS HB 1106		Changes the laws regarding certain public officials
HCS HB 1108		Requires telecommunications carriers and certain commercial mobile service providers to provide caller location information in certain emergency situations

No.	Author	Subject
SCS HB 1112		Allows an insurance company to issue life insurance policies outside of the United States under specified conditions as well as specified unemployment insurance in connection with group life insurance
SS HB 1128		Designates Vietnam Veterans Day and Veterans of Operation Iraq/ Enduring Freedom Day and authorizes the presentation of specified Missouri National Guard ribbons and an Order of the Minuteman Award
HB 1131	Fisher	Requires the date that services for remuneration were first performed by a newly hired employee to be included on his or her withholding form
CCS SCS HB 1135		Requires the termination of all administrative rules based on the time of promulgation and allows an agency to repromulgate a rule that is set to terminate
HB 1141	Gatschenberger	Changes the laws regarding the "Don't Tread on Me" special license plate
SS SCS HCS HB 1150		Changes the laws regarding salvage motor vehicle titles, scrap metal operators, and statutory liens
HCS HB 1171		Changes the age when the juvenile court will have jurisdiction over a child involving a traffic violation and authorizes Franklin County to prosecute county order violations in a county municipal court
HB 1172	Franz	Changes the laws regarding the Residential Treatment Agency Tax Credit Program and establishes the Developmental Disability Care Provider Tax Credit Program
HB 1179	Hampton	Prohibits a large water user from conveying water withdrawn or diverted from the Southeast Missouri Regional Water District to a location outside the district if it interferes with another major user
HB 1188	Allen	Allows a school nurse or other trained employee to administer asthma-related rescue medication to a student experiencing an asthma attack
HB 1231	Cauthorn	Requires the Commissioner of the Office of Administration or other state purchasing agent to give a preference for forest products and bricks produced in Missouri whenever bids are comparable
HB 1236	Entlicher	Changes the laws regarding the Fair Ballot Access Act by repealing the provision which requires a petition to form a new political party to contain the name of a resident of each Congressional district
SS SCS HB 1251		Changes the laws regarding natural resources
SS SCS HCS HB 1280		Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer
HCS HB 1308		Repeals the requirement that certain irrevocable standby letters of credit possess the highest rating issued by specified nationally recognized agencies to be acceptable collateral for public deposits
HB 1315	McCaherty	Requires a leave to be granted to state employees and certain other employees who are members of the United States Coast Guard Auxiliary when performing authorized military duties
SS HB 1318		Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health
SCS HCS#2 HB 1323		Establishes the Low-Wage Trap Elimination Act and Sam Pratt's Law and changes the laws regarding child abuse and neglect investigations and unlicensed child care providers
HCS HB 1340		Specifies that the county commission must appoint an interim county official when there is a vacancy in the office of county clerk, collector, or assessor
SS SCS HCS HB 1400		Changes the laws regarding the investment of certain public funds, perfection of security interests, Division of Finance examinations, and residential mortgage loan brokers
CCS SS SCS HCS HB 1402		Changes the laws regarding transportation
HB 1424	Marshall	Authorizes the State Highway Patrol to sell surplus watercraft, watercraft motors, and trailers as well as vehicles

No.	Author	Subject
SCS HB 1460		Extends the expiration date of the Statewide Court Automation Fund from September 1, 2013, to September 1, 2018, and the Court Automation Committee from September 1, 2015, to September 1, 2020
HCS#2 HB 1462		Extends the period of time that a biodiesel producer is eligible to receive payment from the Missouri Qualified Biodiesel Producer Incentive Fund due to a lack of appropriations
SCS HCS HB 1495		Changes the laws regarding liability for reporting insurance fraud
SS SCS HCS HB 1498		Changes the laws regarding liquor sales
SCS HB 1504		Changes the laws regarding sales taxes
SCS HCS HB 1525		Establishes the Sentencing and Corrections Oversight Commission and changes the laws regarding criminal offenders under the supervision of the Department of Corrections
HCS HB 1527		Changes the laws regarding property exempt from attachment
HB 1540	Jones	Changes the laws regarding workers' compensation
HCS HB 1549		Changes the laws regarding the state's No-call List by allowing a person to place his or her cell phone number on the list and prohibiting telemarketers from sending specified communications
SS SCS HCS HB 1563		Changes the laws regarding healthcare services
SS HCS HB 1576		Allows certain state-licensed foster parents to purchase health insurance from the Missouri Consolidated Health Care Plan at the premium rate established for state employees
HB 1577	Largent	Requires schools to implement specified criteria regarding the enrollment and educational success of foster care children
HCS HB 1608		Repeals provisions and sections of law regarding unfunded and obsolete programs and establishes expiration dates for specified provisions
HCS HB 1644		Changes the laws regarding excursion gambling boat licenses, occupational licenses to work in certain jobs on a gambling boat, and licenses of suppliers of gambling equipment
SS HCS HB 1647		Changes the laws regarding public safety
SCS HCS HB 1659 & 1116		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use
HCS HB 1661		Changes the laws regarding the income tax deduction for job creation by small businesses
HB 1680	Davis	Changes the name of the Heroes at Home Program to the Show-Me Heroes Program and adds spouses of active duty United States military personnel to those eligible to receive its services
SS SCS HCS HB 1731		Changes the laws regarding the use of gaming and tobacco settlement moneys
SS SCS HBs 1807,1093, 1107,1156, 1221,1261, 1269,1641, 1668,1737, 1782,1868 & 1878		Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates
HCS HB 1818		Changes the laws regarding property taxes
SS SCS HB 1820		Authorizes the Governor to convey specified state properties
SCS HCS HB 1827		Establishes the Missouri Electronic Prior Authorization Committee regarding national standards for the process of obtaining prior approval from an insurer for certain services or medications
HB 1909	Hoskins	Changes the laws regarding aircraft fuel, liens on aircraft, and anemometer towers

No.	Author	Subject
SS HCS HB 2001		Appropriates money to the Board of Fund Commissioners
CCS SS SCS HCS HB 2002		Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and Department of Elementary and Secondary Education
CCS SS SCS HCS HB 2003		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education
CCS SS SCS HCS HB 2004		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and Department of Transportation
CCS SS SCS HCS HB 2005		Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration, Department of Transportation, and Department of Public Safety
CCS SS SCS HCS HB 2006		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, and Department of Conservation
CCS SS SCS HCS HB 2007		Appropriates money for the expenses and distributions of the departments of Economic Development; Insurance, Financial Institutions and Professional Registration; and Labor and Industrial Relations
CCS SS SCS HCS HB 2008		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Public Safety
CCS SS SCS HCS HB 2009		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections
CCS SS SCS HCS HB 2010		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health and the Department of Health and Senior Services
CCS SS SCS HCS HB 2011		Appropriates money for the expenses, grants, and distributions of the Department of Social Services
CCS SS SCS HCS HB 2012		Appropriates money for the expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, Office of the State Public Defender, and General Assembly
CCS SS SCS HCS HB 2013		Appropriates money for real property leases and related services
HCS HB 2014		Appropriates money for supplemental purposes

HOUSE CONCURRENT RESOLUTIONS

No.	Author	Subject
HCR 8	Guernsey	Disapproves the State Tax Commission's proposed state regulation under Section 137.021, RSMo, establishing agricultural and horticultural land values for the 2013 and 2014 assessment years

LEGISLATION VETOED BY THE GOVERNOR

SENATE BILLS

No.	Author	Subject
SCS SB 566		Requires owners of dogs and cats under suspicion of carrying rabies to provide documentation of vaccination or else surrender the animal

No.	Author	Subject
CCS HCS SCS SB 569		Modifies the law relating to elections, law enforcement districts, and transit authority taxes
SS SCS SB 572		Modifies the law relating to workers' compensation
SS SB 607		Establishes procedure for resetting billboards during periods of highway construction
CCS HCS SCS SB 635		Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
SCS SB 715		Allows the Adjutant General to waive the age limit for service in the state militia and repeals a complaint procedure for the state militia
CCS HCS SS SB 749		Provides protection for the religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterlization
SCS SB 837		Modifies what is considered to be a franchise between alcohol wholesalers and suppliers

HOUSE BILLS

No.	Author	Subject
HB 1219	Elmer	Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 1250	Ruzicka	Changes the laws regarding elections
SS HCS HB 1329		Changes the laws regarding motor vehicles
SCS HCS HB 1758		Changes the laws regarding child custody, visitation rights, and adoption
SCS HCS HB 1789		Changes the laws regarding travel hardships for public school students
HCS HB 1900		Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act

INTRODUCED SENATE BILLS

SB No.	Author	Subject	Page Reference
434	Callahan	Modifies procedures for changes in school district boundary lines	**S**34, 59
435	Crowell	Requires authorization for certain labor unions to use dues and fees to make political contributions and bars them from withholding earnings from paychecks	**S**34, 59, 159
436	Crowell	Subjects all state tax credits to appropriation	**S**34, 59
437	Crowell	Requires the joint election of the Governor and Lieutenant Governor	**S**34, 59
438	Mayer	Bars employers from requiring employees to engage in or cease engaging in certain labor practices	**S**34, 59, 160, 172
439	Mayer	Suspends the prevailing wage laws in areas declared by the Governor to be natural disasters for 5 years following such a declaration	**S**34, 59, 159, 172, 403, 532-533, 541, 697-698, 704
440	Engler	Subjects 383 malpractice associations to stricter surplus and solvency regulations	**S**34, 59
441	Engler	Allows motorists to obtain Missouri Junior Golf Foundation specialized license plates under certain conditions	**S**34, 59, 431
442	Stouffer	Establishes identification requirements for voting	**S**35, 59, 191, 225

SB No.	Author	Subject	Page Reference
443	Stouffer	Modifies the law with respect to the regulation of motor vehicles	**S**35, 60, 87, 119-120, 127, 157-158, **H**177, 185, 194, 251
444	Stouffer	Repeals a provision of law that requires MoDOT to submit to binding arbitration in negligence actions and allows the commission to delegate to designated hearing examiners the authority to conduct hea	**S**35, 60
445	Goodman	Establishes the ?Joint Committee on the Missouri Criminal Code?	**S**35, 60
446	Goodman	Specifies that drug courts may be funded by the county law enforcement restitution fund	**S**35, 60
447	Goodman	Adds mail to the list of types of property that, when stolen, increase the classification of the crimes of stealing and receiving stolen property to Class C felonies	**S**35, 60
448	Rupp	Establishes "Sam Pratt's Law" and "Nathan's Law" and modifies provisions relating to child care providers	**S**35, 60, 674, 710, 712, 716, 726, **H**1142, 1148, 1295, 1532
449	Rupp	Requires the Department of Mental Health to develop a transition plan for services of residents of state developmental disabilities facilities to the most appropriate setting	**S**35, 60, 431, 478
450	Rupp	Modifies the length of school board terms for certain school districts that became urban districts because of the 2010 census	**S**35, 60, 192, 196-197, 234, 267, 268, 270, 282-283, **H**352, 359, 588, 689, 692, 744-746, **S**534, 535, **H**772, **S**537, 584
451	Cunningham	Establishes the "Sharing of Services and Increasing Efficiencies Act" to allow school districts and other entities to achieve efficiencies	**S**35, 60, 567, 611
452	Cunningham	Allows a pupil to enroll in an adjoining school district if the student's residence is located closer to a school in the adjoining district or in cases of transportation hardship	**S**35, 60
453	Cunningham	Establishes damage caps for Human Rights Act cases and workers' compensation discrimination cases	**S**35-36, 60
454	Pearce	Modifies the elementary and secondary education funding formula	**S**36, 60, 698, 710-711
455	Pearce	Modifies the duties prescribed to the Coordinating Board for Higher Education	**S**36, 60, 160, 172, 225, 226, 227, 277-278, **H**352, 359, 689, 732, 1293, 1295, 1517, 1568-1579, 1582-1585, **S**1162-1177, 1343, **H**1805, 1849, **S**1431, 1432, **H**1851, 1852, **S**1441, 2116-2117, **H**2506, 2575
456	Pearce	Establishes procedures for the transfer of students from an unaccredited school district to an accredited school district in the same or an adjoining county	**S**36, 60
457	Schmitt	Modifies provisions of mandatory reporting of child sexual abuse	**S**36, 60, 286, 293-294
458	Wright-Jones	Creates the Green Jobs-Green Missouri Act	**S**36, 60
459	Wright-Jones	Requires those engaging in public works projects to employ individuals from the locality in which the project is being constructed	**S**36, 60
460	Wright-Jones	Requires kindergarten attendance at the start of the school year for children who turn age five at any time during the calendar year	**S**36, 60
461	Keaveny	Allows the City of St. Louis to control its police force without state intervention	**S**36, 60
462	Keaveny	Amends laws relating to unsecured loans of $500 or less	**S**36, 60
463	Keaveny	Increases the fine for seat belt violations from $10 to $50	**S**36, 60

SB No.	Author	Subject	Page Reference
464	Schaaf	Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met	**S**36, 60, 119, 138, 139-140, 144-145, 147, 188-189, **H**220, 227, 386, 1777, 2024, 2342, 2353, 2659-2662, **S**2280, 2290, **H**2737, **S**2292
465	Schaaf	Allows Buchanan County and cities, towns, or villages within Buchanan County to establish a Theater, Cultural Arts, and Entertainment District	**S**37, 60, 234, 249
466	Munzlinger	Modifies how money in the Gaming Commission Fund is allocated	**S**37, 60
467	Munzlinger	Requires agencies that receive federal grants to track and disclose the usage of the funds	**S**37, 60, 87, 135-138, 158-159, **H**177, 185, 588, 1058, 1293, 1475-1500, **S**1071-1100, 1289, **H**1776, **S**1289, **H**1776, 1848, **S**1431, 1432, **H**1852, **S**1442
468	Munzlinger	Modifies the law relating to project labor agreements and the prevailing wage	**S**37, 60
469	Dixon	Requires the sunset of all administrative rules based on the time of promulgation, and allows an agency to repromulgate a rule that is set to sunset	**S**37, 60, 160, 173, 201-203, 207-219, 249, 256, 280-281, **H**353, 359, 588, 1140, 1433, 1984-1986, **S**1570, 1955-1956, **H**2417, **S**2290, **H**2737, **S**2292
470	Dixon	Modifies various provisions relating to the regulation of household goods movers	**S**37, 60, 192, 225, 391-392, 402, 425-426, **H**595, 602, 689, 895, 1046, 1269, 1433, 1586-1615, **S**1177-1212, 1289, **H**1776, 1851, **S**1434, 1441, **H**1928, **S**1519, **H**1942, 1960, **S**1536, 2117-2119, **H**2506, 2576, 2646-2647, **S**2280, 2290, **H**2737, **S**2292
471	Dixon	Extends the sunset on the Children in Crisis Tax Credit program	**S**37, 60
472	Kraus	Modifies the provisions of certain tax credit programs and requires the Department of Revenue to apply any increase in revenue generated to a decrease in the corporate income tax rate	**S**37, 60
473	Kraus	Requires the Attorney General to sue the federal government to enforce federal immigration laws	**S**37, 60
474	Kraus	Requires the Department of Social Services to take steps to mandate the use of photo identification for the food stamp program	**S**37, 60, 287, 339-340
475	Lamping	Requires the joint election of the Governor and Lieutenant Governor	**S**37-38, 61, 567, 612
476	Lamping	Amends laws relating to unsecured loans of $500 or less	**S**38, 61
477	Crowell	Modifies the state do-not-call list by allowing cell phone numbers on the list and banning certain automated calls	**S**38, 61, 234
478	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013	**S**38, 61
479	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013	**S**38, 61, 234, 249

SB No.	Author	Subject	Page Reference
480	Stouffer	Expands a sales and use tax exemption on certain motor vehicles and modifies the definition of the term "common carrier"	**S**38, 61, 286, 293, 392, 402, 425, **H**595, 602, 847, 1023, 1293, 1509, 1616, 1657, 2065-2098, **S**1641-1675, 1717, **H**2189, 2241-2242, **S**1848, **H**2334, **S**1952, 1953, **H**2417, **S**2119-2121, **H**2506, 2577, 2665-2666, **S**2280, 2290, **H**2737, **S**2292
481	Stouffer	Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program	**S**38, 61
482	Stouffer	Increases the statutory award amount for Alzheimer's disease research projects funded by the University of Missouri Board of Curators	**S**38, 61, 500, 535, 546, 564, **H**855, 864, 1042
483	Rupp	Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early	**S**38, 61
484	Rupp	Modifies the state do-not-call list and creates "paid for by" requirements for political phone calls	**S**38, 61, 234, 267, 307, 310, 323-324, **H**430, 435, 1042, 1510
485	Cunningham	Modifies the law governing liens on motor vehicles, trailers, vessels, outboard motors, and aircrafts	**S**38, 61, 192, 196-197, 234, 249, 256, 279-280, **H**353, 359, 1081, 1290, 1535, 1945-1948, **S**1537-1540, 1567, **H**2001, 2033, **S**1632, 1633, **H**2064A, 2099, **S**1640, 2115-2116, **H**2506, **S**2290, **H**2737, **S**2292
486	Wright-Jones	Modifies law relating to voter registration and election offenses	**S**38, 61
487	Wright-Jones	Establishes a committee and plans to increase the participation of minority and women's business enterprises in state contracting	**S**39, 61
488	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards	**S**39, 61
489	Munzlinger	Authorizes the use of certain otherwise unlawful weapons and adopts a grandfather clause for firearms safety training certificate prior to 2011	**S**39, 61, 499, 524, 525, 527, 558-559, **H**855, 864, 942, 1532, 1777, 2679-2680, **S**2284-2285, 2290, **H**2737, **S**2292
490	Munzlinger	Modifies the laws regarding certain private nuisance actions	**S**39, 61, 433, 515
491	Munzlinger	Modifies provisions pertaining to the Missouri Farmland Trust and ethanol-blended motor fuel	**S**39, 61, 631, 710
492	Crowell	Modifies the retirement benefits formula for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013	**S**39, 61, 234, 249, 307-308, 392, 402, 422, 424-425, **H**595, 602, 1042
493	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight	**S**39, 61
494	Wright-Jones	Creates the Medical Harm Disclosure Act	**S**39, 61
495	Wright-Jones	Establishes the Compassionate Assistance for Rape Emergencies Act	**S**39, 61
496	Wright-Jones	Enacts the Prevention First Act	**S**39, 61
497	Munzlinger	Increases the penalties for the crimes of trespassing and false impersonation and creates the crime of impersonating a public servant	**S**39, 61

SB No.	Author	Subject	Page Reference
498	Munzlinger	Prohibits cities from restricting veterans organizations from operating re-sale shops in certain areas	**S**39, 61, 192, 233, 241, 278, **H**353, 359, 588, 873, 1293, 1451-1457, **S**1148-1153, 1154-1156, 1289, **H**1776, 1848, **S**1431, 1432, **H**1852, **S**1441, 1819-1821, **H**2232, 2344, 2638-2640, **S**2279, 2290, **H**2737, **S**2292
499	Munzlinger	Imposes an additional admission fee for excursion gambling boat licensees to fund Veterans Commission capital improvements	**S**40, 61
500	Wright-Jones	Modifies state legal expense coverage of certain health professionals and modifies hospital patient safety policies	**S**40, 61
501	Wright-Jones	Creates the Council on Digital Inclusion	**S**40, 61
502	Wright-Jones	Allows elected officials to be excused from jury duty during their term of office	**S**40, 61
503	Wright-Jones	Allows the Special Administrative Board governing the St. Louis City School District to sponsor charter schools under certain circumstances	**S**40, 61
504	Wright-Jones	Requires official motor vehicle inspection and emission stations to have liability insurance to cover any possible damages to a vehicle during an inspection	**S**40, 61, 499, 517, 523, 554, **H**855, 864, 1081, 1509
505	Wright-Jones	Requires health carriers to devote a certain percentage of health insurance premiums to be used for the payment of health care services	**S**40, 61
506	Wright-Jones	Creates the crimes of assault of an employee of a mass transit system while in the scope of his or her duties in the first, second, and third degree	**S**40, 61
507	Wright-Jones	Requires health insurance policies to cover ultrasound screenings where mammograms demonstrate dense breast tissue	**S**40, 62
508	Wright-Jones	Requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution	**S**40, 62
509	Wright-Jones	Allows the governing body of St. Louis City to grant tax relief to certain properties to alleviate blight	**S**40-41, 62
510	Cunningham	Requires county assessors to consider market factors in determining value of real property for tax purposes	**S**41, 62, 566, 601, 656, 675-676, 723-724, **H**1143, 1148, 1295, 1510, 1924, 2242-2308, **S**1866-1951, 2094, **H**2506, 2548
511	Schaaf	Provides that no amendments shall be made to the Missouri State Medicaid Plan without first obtaining approval from the Joint Committee on MO HealthNet	**S**41, 62
512	Schaaf	Prohibits restrictive physician employment contracts	**S**41, 62
513	Crowell	Prohibits the approval of new applications under the Missouri Downtown Economic Stimulus Act after August 28, 2012	**S**41, 62
514	Crowell	Bars employers from requiring employees to engage in or cease engaging in certain labor practices	**S**41, 62
515	Schaaf	Requires Director of the Department of Insurance to prescribe by rule uniform application forms for group health insurance policies	**S**41, 62
516	Schaaf	Modifies provisions regarding gubernatorial appointments	**S**41, 62, 498, 515-517
517	Brown	Imposes an additional $1,500 fine for failing to drive in the right-hand lane	**S**41, 62
518	Engler	Creates a mental health assessment pilot program for criminal offenders	**S**41, 62

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519	Schaaf	Requires health carriers to provide Internet access to its standard fee schedules and prohibits carriers from refusing to contract with providers willing to meet certain provider participation terms and co	**S**41, 62
520	Schaaf	Requires a candidate who forms a committee to designate the office to which the candidate is seeking nomination or election	**S**41, 62
521	Curls	Requires a non-custodial parent to pay child support until the child reaches 22 years of age instead of 21 years of age	**S**42, 62
522	Curls	Modifies the eligibility requirements for food stamp assistance	**S**42, 62
523	Curls	Prohibits persons under the age of 18 from selling tobacco products	**S**42, 62
524	Curls	Modifies the membership qualifications for the Missouri Housing Development Commission	**S**42, 62
525	Engler	Provides for nonpartisan elections of judicial candidates and forbids certain judges and candidates from engaging in political activities	**S**42, 62
526	Schaaf	Requires health carriers to credential health care professionals within 60 calendar days of receipt of complete application	**S**42, 62
527	Schaaf	Provides that home school students will receive the same consideration as non-home school students for purposes of higher education financial aid	**S**42, 62
528	Wright-Jones	Allows motorists to obtain "I HAVE A DREAM" special license plates after making an annual contribution of $25 to the Martin Luther King Jr. State Celebration Commission Fund	**S**42, 62, 431
529	Schaaf	Prohibits hospitals from requiring physicians to agree to make patient referrals as a condition of receiving medical staff privileges	**S**42, 62
530	Schaaf	Makes authorizations for allocations of nonresident entertainer and athlete income tax revenues perpetual	**S**42, 62
531	Lamping	Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate	**S**42, 62
532	Schaefer	Extends the tax credit for donations to food pantries until August 2022	**S**42, 62
533	Schaaf	Allows for certain projects creating ten or more new full-time jobs to not have to obtain a certificate of need	**S**43, 62
534	Schaaf	Prohibits insurers from denying reimbursement for providing diagnostic imaging services based solely on the speciality or professional board certification of a licensed physician	**S**43, 62
535	Chappelle-Nadal	Allows the City of St. Louis to control its police force without state intervention	**S**43, 62
536	Chappelle-Nadal	Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents	**S**43, 62
537	Chappelle-Nadal	Increases the penalty for the crime of harassment	**S**43, 62
538	Chappelle-Nadal	Requires, subject to appropriations, an expansion of the variety of kosher foods approved under the Women, Infants and Children (WIC) Special Supplemental Food Program	**S**43, 62
539	Chappelle-Nadal	Creates a crime for employers who divulge certain personal information of employees and customers	**S**43, 63
540	Chappelle-Nadal	Bars discriminatory employers from receiving public works contracts and requires employers to provide cause to terminated employees	**S**43, 63
541	Chappelle-Nadal	Prohibits a workforce development agency from knowingly omitting from any bidding process an entity with whom it has a contract	**S**43, 63
542	Chappelle-Nadal	Establishes a paper ballot as the official ballot	**S**43, 63
543	Chappelle-Nadal	Modifies provisions relating to elementary and secondary education	**S**43, 63

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544	Chappelle-Nadal	Licenses clinical laboratory personnel	**S**43, 63
545	Chappelle-Nadal	Requires certain public officials and certain staff members of the executive branch and legislature to submit to drug tests	**S**44, 63
546	Purgason	Imposes campaign contribution limits	**S**44, 63
547	Purgason	Bars employers from requiring employees to engage in or cease engaging in certain labor practices	**S**44, 63, 160, 172
548	Purgason	Modifies the provisions of several tax credit programs and certain taxpayer's eligibility for particular tax credit programs	**S**44, 63, 566, 609
549	Lembke	Modifies how school districts maintain vacant or unused school buildings	**S**44, 63, 432, 513-514
550	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care	**S**44, 63
551	Brown	Exempts feed for captive wildlife and seed, limestone, and fertilizer used for crops to be fed to captive wildlife from state and local sales tax	**S**44, 63
552	Brown	Adds veterinarians to the statute of limitations for medical malpractice actions against certain health care providers	**S**44, 63
553	Brown	Requires authorization for certain labor unions to use dues and fees to make political contributions and bars them from withholding earnings from paychecks	**S**44, 63, 159, 171-172
554	Curls	Changes the notice requirement to a tenant in a foreclosure action from ten business days to ninety days	**S**44, 63
555	Curls	Regulates certain contracts for the sale of residential real estate	**S**44, 63
556	Curls	Allows courts to suspend imposition of an adult criminal sentence for certain juvenile offenders	**S**44, 63
557	Brown	Allows owners of certain rebuilt salvage vehicles to obtain prior salvage motor vehicle titles without repairing or restoring such vehicles to their original appearance	**S**45, 63, 431, 479, 485, 493, **H**694, 702, 1042, 1289, 1924, 2681-2685, **S**2280-2284
558	Curls	WITHDRAWN	**S**45
559	Curls	Allows petitions for expungement of certain criminal records	**S**45, 63
560	Ridgeway	Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met	**S**45, 63
561	Ridgeway	Imposes a sunset upon tax credit programs not currently subject to a sunset provision and requires the Department of Revenue to apply any increase in revenue generated to a decrease in the personal income ta	**S**45, 63
562	Dixon	Modifies provisions relating to the transfer of property by certain state universities	**S**45, 63, 299, 355, 357, 375-376, **H**481, 489, 588, 968, 1082, 1429-1431, **S**1010, 1060-1062, **H**1557, **S**2290, **H**2737, **S**2292
563	Dixon	Modifies the term lengths of the board of governors of Missouri State University so that no more than three members' terms expire in any given year	**S**45, 63, 299, 355-356, 357, 374-375, **H**481, 489, 689, 968, 1046, 1195, 1535, 1616, 1657, 1949-1960, **S**1540-1550, 1818-1819, **H**2232, **S**2290, **H**2737, **S**2292

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564	Brown	Waives the motorcycle roads skills test for members of the armed forces who have successfully completed certain military motorcycle rider training courses	**S**45, 63, 191, 225, 226, 232-233, **H**290, 297, 588, 1023, 1142, 1244-1264, **S**820-844, 916, **H**1395, 1467, **S**1055, 1056, **H**1474, 1586, **S**1161, **H**1791, **S**1843, **H**2309, 2548
565	Schaaf	Increases the membership of the Missouri Health Insurance Pool from 9 members to 13 members by adding 2 members of the Senate and 2 members of the House of Representatives	**S**45, 63, 499, 526, 527, 554-555, **H**856, 864, 1042
566	Brown	Requires dogs and cats to be vaccinated against rabies	**S**45, 63, 501,596-597, 602, 623-624, **H**971, 977, 1081, 1269, 1293, 1661-1665, **S**1246-1247, 1343, **H**1805, 1848, **S**1431, **H**1852, **S**1441, 2121-2122, **H**2506, **S**2290, **H**2737, **S**2292
567	Wright-Jones	Prohibits all drivers, regardless of age, from text messaging while operating moving motor vehicles on any highway in this state and prohibits anyone from being stopped solely to determine compliance wi	**S**45, 63
568	Parson	Expands Missouri's Move Over Law and Increases penalties for moving violations and traffic offenses occurring within an active emergency zone	**S**45, 63, 299, 347, 356-357, 373, **H**481, 489, 588, 690, 850, 1103, 1110, 1123, 1170-1191, **S**758-783, 813, **H**1268, 1289, **S**853, 856, **H**1304, **S**888, 1153-1154, 1156, **H**1616-1617, **S**1287-1289, **H**1776, 2235-2237, **S**1848, 2290, **H**2737, **S**2292
569	Kraus	Modifies the dates available for public elections	**S**46, 63, 380, 401, 411-412, 414, 430-431, **H**595, 602, 847, 894, 1142, 1311-1332, **S**889-916, 995, **H**1463, 1567, **S**1161, **H**1586, **S**1162, 1213, **H**1624, 1928, **S**1838-1840, **H**2232, 2636-2637, **S**2279, 2290, **H**2737, **S**2292
570	Kraus	Requires that only one license plate be issued for all motor vehicles instead of the current two plates	**S**46, 63
571	Kraus	Requires tax credit recipients to file campaign finance reports with the Missouri Ethics Commission	**S**46, 63
572	Dempsey	Modifies the law relating to workers' compensation	**S**46, 64, 192, 225, 257-258, 266-267, 270, 283-284, **H**353, 359, 386, 438, 480, 527-529, **S**413, 414, 438, **H**577, **S**438, 452, 564-565, **H**858-859
573	Dixon	Authorizes certain circuits to increase the civil court filing surcharge from the current $15.00 up to $20.00	**S**46, 64
574	Dixon	Allows associate circuit judges in Greene and Cass counties to hear and determine county ordinance violations	**S**46, 64
575	Dixon	Allows Greene County to enact nuisance abatement ordinances	**S**46, 64
576	Stouffer	Modifies provisions relating to charter schools	**S**46, 64, 567, 611-612, 649-651, 655-656, 661, 722-723, **H**1143, 1148, 1295, 1509, 1777, 1778, 1798, 1996-1998, **S**1584, 2290, **H**2737, **S**2292

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577	Goodman	Requires health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications	**S**46, 64, 286, 298
578	Parson	Conveys state property to the City of Sedalia	**S**46, 64, 286, 288, 299, 355, 357, 376, **H**482, 489, 847, 1103, 1293, 1665-1683, **S**1247-1263, 1343, **H**1805, 1849, **S**1431, 1432, **H**1852, **S**1441-1442, **H**2344-2345
579	Parson	Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission	**S**46, 64
580	Parson	Modifies the licensing period for certain licenses issued by the Missouri Gaming Commission	**S**47, 64
581	Callahan	Modifies provisions relating to school district boundary line changes, school accreditation, and employment of retired teachers under certain circumstances	**S**47, 64
582	Dempsey	Reauthorizes the pregnancy resource center tax credit	**S**47, 64
583	Wright-Jones	Allows employers to retain withholding taxes up to the amount spent on educational benefits for employees and unpaid interns or up to the amount spent on less than a year of job training for employees	**S**47, 64
584	Richard	Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business	**S**47, 64, 501, 596
585	Richard	Creates a tax credit to attract sporting events to Missouri	**S**47, 64, 501
586	Richard	Gives preference in the awarding of a fee office contract to a tax exempt organization whose primary administrative office is in the same county or legislative district as the fee office	**S**47, 64
587	Chappelle-Nadal	Allows school districts and charter schools to establish and implement an age-appropriate curriculum to educate students about domestic violence	**S**47, 64
588	Schmitt	Creates a tax credit to attract sporting events to the state	**S**47, 64, 501, 594-595
589	Kraus	Requires political subdivisions using automated traffic enforcement systems to distribute fines to local school districts	**S**47, 64, 192, 225
590	Kraus	Modifies the law relating to unlawfully present aliens	**S**47, 64
591	Parson	Allows county assessors to use any nationally recognized motor vehicle valuation guide to value motor vehicles for personal property tax purposes	**S**47-48, 64, 191, 196-197, 233, 249, 256-257, 392-393, 402, 423-424, **H**596, 602, 942, 1103, 1433, 1508, 1564, 1635-1649, **S**1220-1235
592	Lager	Modifies the law relating to the Missouri Human Rights Act and employment discrimination	**S**48, 73, 87, 127, 145, 148-149, 179-180, 192, 196, 225-226, **H**290, 297, 942, 1081
593	Parson	Prohibits health carriers from denying reimbursement to licensed athletic trainers who provide covered services within their scope of practice	**S**48, 87
594	Kraus	Modifies the state do-not-call list by allowing cell phone numbers on the list	**S**48, 87, 234, 250, 256, 279, **H**353, 359, 588, 1104, 1924

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595	Kraus	Modifies eligibility requirements for members serving on a special education due process panel	**S**48, 87, 500, 535-536, 546, 563-564, **H**856, 864, 1042, 1141, 1433, 1707-1709, **S**1294, 2137-2138, **H**2586, **S**2290, **H**2737, **S**2292
596	Brown	Suspends the prevailing wage laws in areas declared by the Governor to be natural disasters for 5 years following such a declaration	**S**48, 87, 159, 172
597	Dempsey	Changes the governance of the St. Louis International Airport	**S**50, 160
598	Dempsey	Modifies provisions related to tax increment financing so that school districts and library districts are reimbursed for tax revenue the districts would have received	**S**50, 160
599	Schaefer	Requires school districts to include in their school accountability report cards whether they have a gifted education program and the percentage and number of students enrolled	**S**50, 160, 500, 535, 546, 562-563, **H**856, 864, 1042, 1269, 1535, 1960-1970, **S**1551-1561, 1584, **H**2001, 2034, **S**1633, **H**2064A, 2099, **S**1640, 2124-2126, **H**2506, 2578, 2653-2655, **S**2280, 2290, **H**2737, **S**2292
600	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served	**S**50, 160
601	Lembke	Modifies provisions relating to school personnel	**S**50-51, 160
602	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees	**S**51, 160
603	Green	Creates an advance voting system for elections	**S**51, 160
604	Green	Prohibits a state agency from requesting an additional appropriation of state moneys to satisfy an award of attorney fees and other expenses	**S**51, 160
605	Green	Eliminates duplicate filing of campaign finance disclosure reports	**S**51, 160
606	Schmitt	Modifies the state do-not-call list by allowing cell phone numbers on the list and banning certain automated calls	**S**59, 160, 234
607	Stouffer	Establishes procedure for resetting billboards during periods of highway construction	**S**59, 160, 380, 412, 414, 429-430, **H**596, 602, 942, 1023, 1433, 1623, 1944-1945, **S**1530, 2290, **H**2737, **S**2292
608	Wasson	Establishes the Missouri Health Insurance Exchange, the "Direct Payment Stop Loss Fund", and creates administrative procedure to collect unpaid medical claims	**S**59, 160
609	Lembke	Modifies comparative fault by eliminating joint liability and allowing consideration of any nonparty's fault	**S**65, 160
610	Lembke	Prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations	**S**65, 160
611	Lembke	Modifies various provisions relating to the regulation of transportation	**S**65, 160, 234, 249, 256, 278-279, **H**354, 359, 588, 1024, 1142, 1353-1385, **S**923-965, 1040, **H**1468, 1566, **S**1153, **H**1586, **S**1161, 1213, **H**1624, 1929, **S**2139-2141, **H**2587, 2716-2718, **S**2286, 2290, **H**2737, **S**2292
612	Lembke	Allows the full deductibility of federal income tax liability for state income tax purposes	**S**65, 161

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613	Kehoe	Requires courts to award prevailing defendants their costs and attorney's fees	**S**65, 161
614	Kehoe	Requires courts to award costs and attorney's fees to a party when a case has no basis in law or an attorney acts in bad faith	**S**65, 161
615	McKenna	Allows most liquor license holders to apply for a license to sell liquor at retail on Sundays	**S**65, 161
616	Wasson	Requires homeowner insurance companies to offer sinkhole coverage	**S**69, 161
617	Schaaf	Requires the Department of Social Services to promulgate rules specifying the eligibility process for the MO HealthNet Spenddown Program	**S**69, 161
618	Schaaf	Requires auctioneers selling real estate to be licensed by the Real Estate Commission	**S**69, 161
619	Richard	Modifies Missouri's valued policy statute to cover all perils covered under a policy rather than just loss caused by fire	**S**69, 161
620	Rupp	Modifies various provisions related to health and life insurance	**S**69, 161, 381, 457-469, 470, 492-493, **H**694, 702, 1081, 1195, 1433, 1564
621	Brown	Amends various provisions regarding the licensure and inspection of hospitals	**S**69, 161, 286, 293, 357, 498
622	Cunningham	Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider	**S**69, 161
623	Cunningham	Allows certain financial institutions to transfer fiduciary obligations	**S**70, 161, 380, 401
624	Lembke	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2014	**S**70, 161
625	Kehoe	Modifies the amount of retirement benefits transferred when employees transfer between certain retirement systems	**S**70, 161, 498, 500, 566, 609, 714, 716, 844-845, **H**1295, 1301, 1432, 1650, 1924, 2388-2392, **S**2005-2006, 2138-2139, **H**2587, **S**2290, **H**2737, **S**2292
626	Kehoe	Restricts the time to file a products liability claim and when a manufacturer or seller of a product may be liable	**S**70, 192, 432, 482, 485, 495, **H**694, 702, 1081, 1924
627	Schaefer	Provides authority to the Office of Administration for the provision of waste management services for all state agencies	**S**70, 192
628	Schaefer	Expands the number of detention facilities which qualify for the Inmate Security Fund	**S**70, 192, 630, 644, 651, 669-670, **H**1063, 1069, 1081, 1333, 1433, 1564, 1709-1741, **S**1294-1337, 1377, **H**1805, 1849, **S**1431, 1432, **H**1852, **S**1441, 2126-2128, **H**2506, 2578-2579, 2641-2642, **S**2279, 2290, **H**2737, **S**2292
629	Schaefer	Modifies the formula for determining how much money certain tobacco product manufacturers who are not participating in the Tobacco Master Settlement Agreement receive back from escrow funds	**S**70, 193
630	Parson	Extends the sunset on rolling stock tax credits	**S**70, 193

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631	Parson	Exempts persons who purchase less than 50,000 bushels of grain a year from needing a grain dealer license	**S**70, 193, 501, 597, 609, 611, 627, **H**971, 977, 1042, 1140, 1535, 1616, 1657, 1971-1983, **S**1561-1566, 1584, **H**2001, 2033, **S**1633, **H**2064A, 2209, **S**1725, 2122-2124, **H**2506, 2579, 2651-2652, **S**2280, 2290-2291, **H**2737, **S**2292
632	Stouffer	Designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway"	**S**70, 193
633	Engler	Allows scrap metal operators to acquire vehicles or vehicle parts that are 10 years old or older without receiving the original certificates of title	**S**76, 193, 431, 479-480, 485, 493-494, **H**694, 702, 1081, 1533, 1778, 2470-2482, **S**2079-2094, 2139, **H**2587
634	Pearce	Requires insurer to provide coverage for eating disorders	**S**76, 193
635	Pearce	Repeals redundant provisions that allow certain securities to be acceptable collateral for public deposits	**S**76, 193, 320, 360, 411, 413, 428-429, **H**596, 602, 893, 1141, 1433, 1741-1774, **S**1343-1377, 1389, **H**1841, 1849, **S**1432, **H**1852, **S**1442, 1843-1845, **H**2309, 2345, 2643-2645, **S**2279, 2290-2291, **H**2737, **S**2292
636	Keaveny	Modifies the requirements for a spousal trust to include both property held in one trust for both spouses and property held in two separate shares	**S**76, 193, 499, 525, 527, 557-558, **H**856, 864, 1081, 1290, 1433, 1852-1913, **S**1448-1513, 1530, **H**1942, **S**1530, **H**1942, 2003, **S**1594, 1614, **H**2032, **S**1847-1848, **H**2309, 2346, 2548, **S**2229-2230, **H**2656, 2721-2722, **S**2287, 2290-2291, **H**2737, **S**2292
637	Brown	Specifies that certain training requirements only apply to applications for new concealed carry endorsements	**S**76, 193, 499
638	Lamping	Increases the tax on cigarettes by twenty-six cents and modifies the tax rates for state income taxes	**S**76, 193
639	Schaaf	Modifies provisions relating to breast-feeding	**S**80, 193
640	Schaaf	Modifies the Certificate of Need Program and amends the Health Facilities Review Committee	**S**80, 193
641	Pearce	Repeals the June 30, 2012 sunset clause for the Children's Vision Examination Program	**S**80, 193
642	Wasson	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone	**S**80, 193
643	Keaveny	Requires children in the St. Louis City School District and Kansas City School District to attend school at age five	**S**80, 193
644	Schaefer	Requires reimbursement amounts paid by health carriers to licensed physical therapists to be uniform regardless of the setting or venue in which the health care services are rendered	**S**81, 193
645	Schaefer	Modifies provisions relating to permits issued by environmental commissions	**S**81, 193, 499-500, 526
646	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants	**S**81, 193

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647	Richard	Provides for funding of the capitol complex revitalization project by modifying the historic preservation tax credit program	**S**81, 193
648	Dempsey	Expands the list of qualified persons who may accompany temporary instruction permit holders who are under 16 to include licensed persons who are 25 years of age or older who have been licensed for a	**S**81, 193, 299, 346-347, 354, 372-373, **H**482, 489, 1042, 1509, 1924, 2392-2406, **S**2006-2023
649	Ridgeway	Reauthorizes and revises the Children's Vision Examination Program and Commission	**S**81, 193
650	Ridgeway	Requires Senate approval for gubernatorial appointments to certain boards, commissions, and committees	**S**81, 193, 381, 473
651	Schaefer	Creates a home inspector licensing board and procedures for licensing home inspectors	**S**85, 193
652	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities	**S**85-86, 193, 432, 514
653	Lager	Designates a portion of Missouri Route 116 located in Clinton County as the "Sgt. Issac B. Jackson Memorial Highway"	**S**86, 193, 431
654	Lager	Requires the school board of each school district and charter school to establish an evaluation system for teachers and teaching	**S**86, 193
655	Green	Creates the Higher Education Capital Fund to provide matching funds to public colleges and universities for capital projects under certain circumstances	**S**86, 193, 287, 346, 354, 371-372, **H**482, 489, 689, 730, 944, 1650, 1829, 1848
656	Lager	Modifies the law with respect to how municipalities and the legal system treats the lawful use of motor vehicles on public roads	**S**86, 193, 499, 517
657	Rupp	Provides for the conscience rights of all individuals who provide medical services	**S**86, 193, 675, 710, 715-716
658	Rupp	Enacts provisions regarding safety procedures for the use of abortion-inducing drugs	**S**86, 193
659	Dempsey	Requires collectors in all counties, except for counties under township organization, to mail property tax bills thirty days before the taxes are delinquent and allows for a waiver of penalties and int	**S**86, 193, 629, 644
660	Schmitt	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2013, and requires it to transfer $127 million of its surplus to General Revenu	**S**92, 193
661	Schmitt	Creates a phased-in individual income tax deduction for business income and reduces the corporate income tax rate over a five-year period	**S**92, 194, 203, 567, 612
662	Schmitt	Requires all tax credit programs created on or after August 28, 2012 to comply with the Tax Credit Accountability Act of 2004	**S**92, 194
663	Chappelle-Nadal	Establishes Boulevard Brewery Company and Saint Louis Brewery, Inc. as the official breweries of the state	**S**92, 194
664	Chappelle-Nadal	Enacts a statewide smoking ban	**S**92, 194
665	Stouffer	Authorizes the governor to transfer certain pieces of real estate located throughout the state of Missouri to the State Highways and Transportation Commission	**S**92, 194, 499, 517, 537, 541, 546, 561-562, **H**856, 864, 1081, 1270, 1433, 1914-1920, **S**1513-1518, 1584, **H**2001, 2032, **S**1633, **H** 2064A, 2099, **S**1640, 1845-1847, **H**2309, 2346-2347, 2648-2650, **S**2280, 2291, **H**2737, **S**2292
666	Keaveny	Creates the Nonhuman Primate Act	**S**92, 194, 433, 514-515

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667	Wasson	Creates a peer review process for architects, landscape architects, land surveyors, and engineers	**S**92, 194, 431, 478, 481, 485, 496, **H**695, 702, 1042, 1290, 1535
668	Lembke	Requires the Collector in St. Louis County to mail resident taxpayers a statement of the property taxes the taxpayer owes by October 20th	**S**93, 194, 630, 644, 651, 668-669, **H**1063, 1069, 1081, 1509, 1924, 1925, 1936, 2135-2189, **S**1725-1780, 1813, **H**2221, 2341-2342, 2507
669	Lembke	Modifies the retirement plans for judges, statewide elected officials, and members of the General Assembly who first take office after January 1, 2013	**S**93, 194
670	Green	Allows debtors facing nonjudicial foreclosure to chose mediation or judicial foreclosure as alternatives	**S**93, 194
671	Parson	Modifies provisions relating to public offices that have statutory bond requirements	**S**93, 194, 500, 526-527, 533, 560, **H**857, 864, 1081, 1289, 1433
672	Brown	Modifies higher education course credit requirements and healthcare-related professional licensure requirements for members of the armed forces	**S**93, 194
673	Brown	Allows temporary motorcycle instruction permit holders to renew such permits only 2 additional times and applies permit restrictions to all holders, regardless of age	**S**93, 194, 566, 610, 611, 626-627, **H**971, 977, 1081, 1270, 1535, 1616, 1657, 2099-2123, **S**1675-1703, 1717, **H**2189, 2242, 2340, **S**1951, 1952, 1954, **H**2417
674	Schaaf	Requires insured to only pay usual and customary retail price of a prescription drug where the retail price is less than the applicable copayment	**S**93, 194
675	Crowell	Repeals the Missouri property tax credit	**S**93, 194, 566, 601
676	Nieves	Specifies how courts may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries	**S**93, 194, 432, 482
677	Pearce	Modifies provisions relating to school accreditation for failing school districts	**S**93, 194, 432, 513, 584-585, 593, 621, 727-728, **H**1143, 1148, 1295
678	Schaaf	Requires certain health care facilities to report adverse health events to the Department of Health and Senior Services	**S**109, 194
679	Dixon	Modifies the laws relating to advanced practice registered nurses and collaborative practice arrangements	**S**109, 194
680	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances incorporate statutory justifications	**S**109, 194
681	Lager	Provides that no more than two of the voting members of the Board of Regents of Northwest Missouri State University may be residents of the same county	**S**109, 194
682	Dempsey	Mandates that injections around the spine under certain guidance techniques be performed by licensed physicians	**S**109, 194, 565, 597, 684-685, 698-703, 704, 724, **H**1143, 1148, 1295, 1509, 1778, 1920-1923, **S**1519, 1956-1957, **H**2417, **S**2291, **H**2737, **S**2292
683	Crowell	Modifies the laws relating to property exempt from execution or attachment	**S**109, 194, 499, 525, 527, 557, **H**857, 864, 1081
684	Crowell	Places a one year moratorium on the authorization of certain tax credits	**S**110, 194

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685	Crowell	Modifies ex parte communication requirements involving the Public Service Commission	**S**110, 194
686	Schaaf	Prohibits the re-sale or lease of returned electronic devices and appliances unless subsequent customers are notified	**S**118, 194
687	Schmitt	Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians or osteopaths	**S**126, 194
688	Schmitt	Corrects a word that was mistakenly duplicated in a provision dealing with county commissions	**S**126, 194
689	Engler	Modifies provisions relating to crimes committed against the elderly and disabled	**S**133, 194, 381, 457, 470, 492, **H**695, 702, 713, 1269, 1433, 1942-1944, **S**1530, 2291, **H**2737, **S**2292
690	Engler	Allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers in the same manner as the highway patrol currently sells surplus vehicles	**S**133, 194, 286-287, 288, 299, 354, 357, 376-377, **H**480, 489, 1081, 1289
691	Engler	Expands eligibility and increases benefits for suppliers of automobile manufacturers under the Manufacturing Jobs Program	**S**133, 194
692	Stouffer	Establishes procedures for counties to decrease their annual budgets when unanticipated funding reductions occur	**S**133, 194, 501, 596, 602, 623, **H**971, 977, 1081, 1534, 1924, 1925, 1936, 2034-2062
693	Crowell	Prohibits state agencies from printing calendars representing the agency to public and private entities	**S**133, 195, 381, 473
694	Nieves	Modifies the use of the Capitol complex grounds by nonpublic entities	**S**133, 195
695	Parson	Requires farm employees who videotape suspected acts of animal abuse to turn over the recording to law enforcement within 24 hours	**S**133, 195, 433, 515
696	Kraus	Allows uninsured motor vehicles to be towed under certain circumstances and increases fines, suspensions and reinstatement fees for certain uninsured motorists	**S**133, 195
697	Wasson	Expands the civil immunity provided to insurers for furnishing information related to insurance fraud investigations	**S**133, 195
698	Richard	Establishes construction contract bidding standards for political subdivisions	**S**133, 195
699	Goodman	Modifies laws relating to criminal offenders under the supervision of the Department of Corrections	**S**139, 195, 321, 361-362, 381, 396, 422, 423, **H**596, 602, 713, 1043, 1082, 1683-1707, **S**1263-1287
700	Lamping	Repeals a provision requiring non-merit agencies to adopt dismissal procedures similar to merit procedures	**S**144, 195
701	Mayer	Allows certain motor vehicles to drive on public highways with dyed fuel during states of emergencies	**S**144, 195, 286, 293, 298, 322-323, **H**430, 435, 1081, 1510, 1924, 1925, 1936, 2406-2417, **S**2023-2033, 2128, **H**2506
702	Pearce	Renames the Heroes at Homes program the Show-Me Heroes program and modifies the provisions relating to it	**S**144, 195
703	Wright-Jones	Reinstates requirements that certain percentages of Lottery Commission contracts and subcontracts be awarded to minority and women owned businesses	**S**144, 195
704	Wright-Jones	Requires inverse condemnation or dangerous public property suits against municipal corporations be brought in the county where the land or any part lies	**S**144, 195

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705	Wright-Jones	Modifies the law with respect to the Breast Cancer Awareness Trust Fund and the issuance of Breast Cancer Awareness special license plates	**S**144, 195, 431
706	Cunningham	Modifies provisions relating to school operations	**S**155, 195, 713, 847
707	Cunningham	Restricts the authority of radiology benefit managers to deny diagnostic testing ordered and recommended by a physician	**S**155, 195
708	Wasson	Extends the sunset on the residential dwelling accessibility tax credit and modifies the allocation of tax credit cap from another tax credit program to this program	**S**155, 195
709	Schaaf	Disqualifies certain persons receiving public assistance from engaging in gaming activities	**S**155, 195
710	Engler	Establishes a Prescription Drug Monitoring Program	**S**155, 195, 320, 360, 394-395, 473-474, 536-537, 1136, 1147
711	Lamping	Modifies provisions relating to the prohibition of racial considerations in adoption preceedings	**S**155, 195, 380, 401, 403, 427, **H**596, 602, 1081, 1332, 1778, 1986-1987, **S**1570-1571, 1584, **H**2001, 2033, **S**1633, **H**2064A, 2099, **S**1640
712	Lamping	Modifies the criteria for determining that a child is a special needs child for the purposes of the special needs adoption tax credit	**S**155, 195
713	Lamping	Modifies provisions relating to adoption records	**S**155, 195
714	Lager	Allows recreational off-highway vehicles to be operated on highways under certain conditions	**S**155, 195, 380, 449, 453, 491-492, **H**695, 702, 1081, 1292
715	Kraus	Allows the Adjutant General to waive the age limit for service in the state militia	**S**165, 195, 498, 500, 566, 609-610, 611, 625-626, **H**971, 977, 1042, 1270, 1535, 1624-1631, **S**1213-1220, 1289, **H**1776, 2234-2235, **S**1848, 2291, **H**2737, **S**2292
716	Schaaf	Prohibits agreements between health carriers and health care providers from containing Most Favored Nation Clauses	**S**165, 195
717	Stouffer	Creates the traffic offense of distracted driving	**S**165, 195, 320, 360
718	Stouffer	Modifies provisions relating to the Department of Mental Health Employment Disqualification Registry	**S**165, 195
719	Kehoe	Authorizes the issuance of temporary boating safety identification cards to nonresidents under certain conditions	**S**165, 195, 286, 293, 306-307, 310, 324-325, **H**431, 435, 493, 847, 1142, 1412-1429, **S**995-1010, 1040, **H**1468, 1566, **S**1153, **H**1586, **S**1161, 1213, **H**1624, 1841, **S**1841-1843, **H**2309, 2633-2635, **S**2279, 2291, **H**2737, **S**2292
720	Kehoe	Requires defendants in counties with prisons that have average populations of 1,000 or more to follow a certain procedures for obtaining a change in venue	**S**165, 195
721	Rupp	Modifies provisions regarding the approval of redevelopment plans involving tax increment financing in St. Louis County, St. Charles County, and Jefferson County and cities, towns, and villages in those	**S**171, 195, 566, 597, 602, 622-623, **H**971, 977, 1081, 1924

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722	Lamping	Bars entities that invest in the energy sector in Iran from contracting with the state and political subdivisions	**S**171, 195, 380, 401, 412, 414, 429, **H**596, 602, 1081, 1533, 1924, 2549-2555, **S**2152-2159, 2228
723	Ridgeway	Modifies provisions of law regarding property tax assessment	**S**171, 195
724	Crowell	Prohibits the authorization of tax credit applications until the state agency finds that the applicant remedied delinquent taxes	**S**172, 195
725	Crowell	Prohibits a municipality from adopting a redevelopment plan involving tax increment financing without a finding that the developer does not owe delinquent taxes	**S**172, 196
726	Parson	Modifies provisions relating to mortgage loan brokers making loans on manufactured homes	**S**172, 196, 380, 401, 403, 426-427, **H**597, 602, 893, 1141, 1433, 2003-2023, **S**1594-1614, **H**2032, 2241, 2334 **S**1848, 1952, 1954, **H**2417
727	Schaaf	Creates a child care subsidy pilot program for parents to continue to receive subsidies while sharing in the costs of the benefits by enacting the Low-Wage Trap Elimination Act	**S**178, 196, 320, 360, 393-394, 482-483, 594, 596, 602, 618, 621-622, **H**972, 977, 1081, 1332, 2342
728	Pearce	Modifies provisions relating to the Veterans' Commission and veterans' affairs	**S**178, 196
729	Schaefer	Modifies provisions relating to county purchases	**S**178, 196, 501, 596, 602, 624, **H**972, 977, 1042, 1290, 1535, 1777, 2024, 2419-2443, **S**2040-2069, 2079, **H**2506, 2548, 2675-2677, **S**2284, 2291, **H**2737, **S**2292
730	Schaefer	Allows Boone County to adopt regulations to control the minimum standards of occupancy for residential units and to develop a program for licensing and inspecting the units	**S**178, 196
731	Brown	Establishes procedures to follow in child custody and visitation cases for military personnel	**S**178, 196
732	Curls	Makes the punishment for trafficking cocaine the same regardless of whether the substance is powder or crack	**S**178-179, 196
733	Richard	Revises statutes concerning the Missouri Science and Reinvestment Act and related statutes	**S**179, 196
734	Richard	Establishes the Missouri Works Training Program	**S**179, 196
735	Nieves	Allows students to enroll in another school district or charter school for purposes of attending virtual courses or programs	**S**179, 196
736	Engler	Exempts St. Francois County from a requirement that certain amounts of money from the county's special road and bridge tax be spent in certain areas	**S**179, 196, 287, 288, 299, 356,357, 373-374, **H**482, 489, 517, 1023, 1082, 1114-1119, **S**739-744, 1060, **H**1557, 1567, 2233-2234, **S**1849, 2291, **H**2737, **S**2292
737	Engler	Restricts the Department of Elementary and Secondary Education from including certain data from neglected children and delinquent children in the aggregate data of a school district	**S**179, 196
738	Stouffer	Allows the killing of mountain lions	**S**185, 235

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739	Keaveny	Modifies provison relating to administrative child support orders	**S**185, 235, 674, 710, 711, 712, 724-725, **H**1143, 1148, 1295, 1534, 1778, 1987-1996, **S**1576-1584, **H**2001, 2033, **S**1633, **H**2064A, 2099, **S**1640
740	Pearce	Extends the aviation jet fuel sales and use tax exemption and expands the use of the Aviation Trust Fund	**S**185, 235
741	Parson	Provides that law enforcement agencies only have to procure an independent audit of federal seizures if the proceeds from the federal seizures exceed $500,000	**S**185, 235
742	Brown	Requires health carriers to credential a health care practitioner within 60 days of receiving a completed application	**S**186, 235, 629, 643-644, 651, 667-668, **H**1064, 1069, 1269, 1533
743	Brown	Exempts motorcyclists age 21 and older from wearing a helmet when operating a motorcycle or motortricycle	**S**186, 235, 380, 449-452
744	Wright-Jones	Requires video camera surveillance of public spaces within the State Capitol building and authorizes private security within the State Capitol	**S**186, 235, 381, 391, 469-470
745	Lembke	Provides protections for Alternatives to Abortion Agencies to freely engage in religious practices	**S**186, 235, 1010
746	Schaefer	Allows for the extension of certain county taxes upon voter approval	**S**186, 236
747	Schaefer	Modifies the composition of the University of Missouri Board of Curators	**S**186, 236
748	Brown	Extends the sunset on the wood energy producers tax credit and caps the amount of tax credits available under the program each fiscal year	**S**186, 236
749	Lamping	Provides protections for religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization	**S**186, 236, 286, 298-299, 522-523, 524, 527, 556-557, **H**857, 864, 1103, 1829, 1925, 2124-2132, **S**1714-1717, 1725, **H**2221, 2340-2341, 2342, **S**1951-1952, 1957, **H**2418, 2580, **S**2141-2143, **H**2587, 2667-2670, **S**2284, 2291, **H**2737, **S**2292
750	Schmitt	Modifies provisions relating to advertisements by health care providers and delegation of authority	**S**200, 236
751	Schaaf	Allows school districts to adopt an eight-hour school day	**S**200, 236
752	Kehoe	Authorizes the Missouri Highways and Transportation Commission to form a Public-Private Partnership by contract with private partners to finance, develop and operate Interstate 70 as a toll facility	**S**201, 236
753	Green	Modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low-income customers	**S**201, 236
754	Mayer	Designates a portion of Missouri Route 25 in Stoddard County as the "Spc. James Burnett, Jr. Memorial Highway"	**S**201, 236, 431
755	Mayer	Creates the crime of disrupting a house of worship and allows for civil penalties for that crime and the crime of institutional vandalism	**S**201, 236, 431, 480-481, 485, 496-497, **H**695, 702, 1042, 1289, 2024, 2031, 2460-2470, 2507-2547, **S**2159-2208, 2229, **H**2656, 2723-2725, **S**2286, 2291, **H**2737, **S**2292
756	Engler	Modifies provisions regarding certain higher education employees' retirement	**S**206, 236

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757	Wasson	Eliminates the granting of new limited licenses for funeral directing after August 28, 2013	**S**206, 236
758	Wasson	Changes the laws regarding hotline calls and investigations of child abuse and neglect to the Children's Division	**S**206, 236, 674, 710, 714-715, 716, 725-726, **H**1143, 1148, 1295, 1532, 2024, 2031, 2555-2566, **S**2214-2227
759	Lager	Modifies provisions relating to utilities	**S**206, 236
760	Dempsey	Allows hunting privileges to be denied for up to 10 years for any person who kills someone else while hunting	**S**206, 236, 432, 514, 517, 553-554, **H**857, 864, 1081, 1650, 1925, 2189-2208, **S**1780-1803
761	Keaveny	Modifies the law regarding trusts to allow for appointment of a trust protector	**S**206, 236
762	Keaveny	Modifies provisions relating to alternative educational procedures for charter schools	**S**207, 236
763	Kehoe	Prohibits the charging of fee for releasing a lien or encumbrance from a certificate of ownership unless certain conditions are met	**S**207, 236
764	Schaefer	Modifies provisons regarding the Sunshine Law	**S**224, 236
765	Schaefer	Authorizes circuit clerks to collect a surcharge for processing garnishments	**S**224, 236, 1011
766	Schaefer	Extends the sunset on the Residential Treatment Agency Tax Credit program until August 2018 and modifies other provisions of the program	**S**224, 236
767	Goodman	Designates several highways and bridges and creates or modifies several special license plates	**S**224, 236, 431, 479, 485, 494-495, **H**695, 702, 1042, 1510, 1925, 2567-2574, **S**2208-2214, 2231, **H**2656
768	Kraus	Authorizes circuit courts to create veterans treatment courts	**S**224, 236
769	Kraus	Requires safety marking on certain anemometer towers	**S**224, 236, 432, 482, 485, 497, **H**695, 702, 1081, 1510, 1925, 2221-2232, **S**1855-1866, 1957, **H**2418, **S**2040, **H**2448, 2460, **S**2079, **H**2580-2581, **S**2143-2144, **H**2627, 2671-2672, **S**2284, 2291, **H**2737, **S**2292
770	Wright-Jones	Requires additional information to be included in the annual report submitted by Area Agencies on Aging	**S**224, 236
771	Nieves	Modifies the duties and liabilities of skiers and ski area operators	**S**224, 236
772	Brown	Enacts provisions regarding the prescribing and administering of abortion-inducing drugs	**S**225, 236
773	Parson	Establishes a March 27 to April 24 filing period for the 2012 state primary election	**S**225, 236, 267-268, 269-270, 277, 281-282, **H**354, 359, 373, 407, 415, 421-424, **S**331-332
774	Rupp	Requires the Secretary of State to post certain initiative and referendum material on its website	**S**232, 287, 674
775	Munzlinger	Requires the Governor to give thirty days notice to the General Assembly before an appointed official's term ends	**S**232, 287
776	Kraus	Eliminates a provision regarding how leases of commercial property at airports are assessed for property tax purposes	**S**232, 287

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777	Richard	Modifies the requirements of tax increment financing laws for certain redevelopment projects located in areas affected by certain natural disasters	**S**240, 287
778	Richard	Prohibits an annual adjustment for inflation for certain solid waste management fees	**S**240, 287
779	Munzlinger	Authorizes certain officials to charge six dollars for cases disposed of by a traffic violations bureau and creates the MODEX fund	**S**240, 287
780	Wasson	Modifies the composition of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects	**S**240, 287
781	Goodman	Requires Taney County to appoint an emergency services board upon approval of an emergency services sales tax	**S**241, 287, 432, 514, 517, 553, **H**857, 864, 942, 1290
782	Curls	Establishes the Lupus Research Trust Fund	**S**241, 287
783	Curls	Modifies provisions of the Distressed Areas Land Assemblage Tax Credit	**S**241, 287
784	Curls	Designates the month of May each year as Lupus Awareness Month	**S**241, 287
785	Parson	Modifies provisions relating to the dispensation of controlled substances	**S**241, 287
786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought	**S**241, 287
787	Curls	WITHDRAWN	**S**241, 254
788	Keaveny	Requires appointment of St. Louis City circuit clerk	**S**254, 287, 431, 478-479, 916, 922, 1018-1019, **H**1464, 1517, 1532, 1616, 1778, 2686-2690, **S**2285-2286
789	Kraus	Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund	**S**254, 287, 499, 525, 527, 533, 552, 555-556, **H**858, 864, 1081, 1290, 1535, 1616, 1657, 2353-2355, **S**1967, 2291, **H**2737, **S**2292
790	Crowell	Prohibits the Department of Revenue from redeeming certain tax credits until after June 30, 2013	**S**254, 288
791	Curls	Amends laws relating to small loans	**S**254, 288
792	Brown	Classifies a retailer with a machine that processes tobacco into a roll or tube as a manufacturer of cigarettes	**S**266, 288
793	Munzlinger	Modifies how funds from the lottery and the Gaming Commission Fund are distributed	**S**266, 288
794	Schmitt	Establishes the Missouri Works program that provides tax incentives for qualifying companies	**S**270, 329
795	Callahan	Authorizes the establishment of a land bank agency in Kansas City	**S**275, 329, 498, 517
796	Justus	Repeals provision making changes enacted by Senate Bill 7 (1st Ext. Sess. 2011) contingent on the passage of another act	**S**275, 329
797	Justus	Requires the Department of Elementary and Secondary Education to establish a voluntary prekindergarten program	**S**275, 329
798	Justus	Prohibits discrimination based upon a person's sexual orientation or gender identity	**S**275, 329
799	Justus	Changes the requirements for school anti-bullying policies	**S**275-276, 329
800	Justus	Modifies provisions relating to sexual education	**S**276, 329
801	Justus	Creates the Missouri Tuition Equity Act	**S**276, 329

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802	Justus	Requires school districts to contract with other agencies or entities for the provision of alternative education services for certain disruptive students	**S**276, 329
803	Rupp	Modifies provisions relating to behavior analysts and the Behavior Analyst Advisory Board	**S**276, 329, 674, 710, 715, 722, 846-847, **H**1295, 1301, 1432
804	Engler	Criminalizes the failure to vacate leased premises in a rent and possession case under chapter 535	**S**276, 329, 630, 644, 651, 668, **H**1064, 1069, 1081
805	Engler	Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances	**S**276, 329
806	Cunningham	Creates the Teacher Multiyear Contract Act	**S**276, 329, 500, 526, 593-594, 597-601, 618-621, 643, 667, 726-727
807	Dempsey	Modifies the law relating to the Second Injury Fund	**S**276, 329, 630-631, 644
808	Lembke	Implements recall elections for U.S. Senators	**S**276, 329
809	Lamping	Modifies provisions relating to public accommodations and service dogs for persons with mental disabilities	**S**276, 329, 1010
810	Lamping	Modifies current provisions relating to tuberculosis treatment and prevention	**S**276-277, 329
811	Dixon	Authorizes the Board of Governors of Missouri State University to convey certain real property to the City of Springfield	**S**277, 329, 500, 535, 546, 561, **H**858, 864, 1042
812	Schaefer	Establishes the Missouri Electronic Prior Authorization Committee and pilot program	**S**277, 329
813	Richard	Allows political subdivisions and other public entities to invest certain funds in deposit accounts rather than certificates of deposits	**S**292, 329, 567, 611, 612, 628, **H**972, 977, 1081, 1289, 1535, 2355-2387, **S**1967-2005, 2040, **H**2460, 2482, **S**2094, **H**2507
814	Brown	Modifies provisions relating to state land survey duties	**S**292, 329
815	McKenna	Allows Jefferson County to enter into contracts with municipalities in the county for the performance of local government duties in those cities by county officers	**S**292, 329
816	Kraus	Redefines "misconduct" and "good cause" for the purposes of disqualification from unemployment benefits	**S**293, 329, 675, 710
817	Parson	Modifies the laws relating to initiative and referendum petitions	**S**298, 329, 674, 710
818	Parson	Modifies the law regarding the issuance of temporary permit tags	**S**298, 329, 630, 644
819	Nieves	Prohibits state enforcement of provisions of the National Defense Authorization Act for Fiscal Year 2012	**S**305, 329
820	Nieves	Adds training requirements for 911 dispatch operators and provides certain civil immunity	**S**305, 330
821	McKenna	Allows council members in third class cities to serve four-year terms upon passage of an ordinance or ballot proposal	**S**305, 330
822	Munzlinger	Modifies a reference to the Missouri Agricultural and Small Business Development Authority	**S**305-306, 330
823	Munzlinger	Allows the Board of Probation and Parole to conduct hearings with offenders via videoconference	**S**306, 330
824	Schaefer	Designates the month of May as "Motorcycle Awareness Month"	**S**306, 330
825	Justus	Imposes campaign contribution limits	**S**306, 330
826	Crowell	Modifies the law relating to ethics	**S**306, 330

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827	Crowell	Modifies the law relating to workers' compensation co-employee liability	**S**306, 330
828	Crowell	Modifies the law relating to occupational disease under the workers' compensation system	**S**306, 330
829	Crowell	Modifies the law relating to the Second Injury Fund	**S**306, 330
830	Wasson	Modifies provisions relating to physician assistant supervision	**S**318, 384
831	Wasson	Designates a portion of Highway 5 between the city of Ava and Mansfield as the "Missouri Fox Trotting Highway"	**S**318, 384, 431
832	Wasson	Establishes a closed primary	**S**318-319, 384
833	Ridgeway	Designates the pedestrian and bicycle path on the Heart of America Bridge in Kansas City as the "Bob Watts Memorial Bicycle & Pedestrian Bridge"	**S**319, 384, 431
834	Mayer	Requires certain funds received by sheriffs to be placed in a special fund in the county treasury	**S**319, 384, 675, 710
835	Kehoe	Modifies references to fireworks classifications	**S**319, 384, 728-729, 863, 883, 994-995, **H**1464, 1517, 1532, 1924, 1925, 2677-2678, **S**2284, 2291, **H**2737, **S**2292
836	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to social service programs	**S**337, 384
837	Dempsey	Modifies what is a considered to be a franchise between alcohol wholesalers and suppliers	**S**337, 384, 567, 611, 612, 628-629, 643, 667, **H**1064, 1069, 1081, 1290, 1433, 1519-1520, **S**1131, 2291, **H**2737, **S**2292
838	Richard	Modifies provisions relating to funding for site remediation in certain municipal areas	**S**337, 384, 503
839	Lembke	Exempts certain school districts governed by a special administrative board from having to pay tuition and transportation for students who attend an accredited school under certain circumstances	**S**338, 384
840	Ridgeway	Requires certain businesses to use an automated system for the collection of sales and use taxes	**S**338, 384
841	Ridgeway	Allows farmers to sell up to 100 gallons of raw milk or cream per day at farmer's markets	**S**338, 384
842	Lamping	Modifies the Public School Retirement System of Missouri and the Public Education Employee Retirement System of Missouri	**S**338, 384, 566, 609, 610-611, 612, 628
843	Lamping	Allows motorists to purchase an additional third license plate to serve as a visible plate when a bicycle rack or other item obstructs the view of the mounted plate	**S**338, 384, 630, 644
844	Lamping	Modifies provisions relating to the Public Service Commission	**S**338, 384
845	Keaveny	Allows a city that adopts or has already adopted a local option economic development sales tax to increase the number of members on the economic development tax board	**S**345, 384
846	Engler	Modifies provisions of landlord and tenant law as they relate to bed bugs	**S**345, 384
847	Rupp	Designates a portion of Highway 64/40 in St. Charles County as the "Darrell B Roegner Memorial Highway"	**S**345, 384, 431
848	Rupp	Modifies numerous provisions of law that specify the application of a particular interest rate	**S**345, 384
849	Purgason	Modifies provisions relating to solid waste management	**S**345, 384

SB No.	Author	Subject	Page Reference
850	Purgason	Prohibits sterilization and disposition of seized or confiscated animals until the outcome of charges against the animals' owner have been determined	**S**345, 384
851	Crowell	Bars legislators from lobbying and serving on boards commissions and committees for two years after leaving office	**S**346, 385
852	Crowell	Places newly hired St. Louis City firemen into a new retirement system if the city adopts such a new system	**S**346, 385
853	Crowell	Removes St. Louis City firemen hired after August 28, 2012 from the current retirement system and places them in a new system	**S**346, 385
854	Mayer	Modifies provisions relating to the Employment Disqualification List for home care employees	**S**346, 385, 674, 710, 715, 722, 846, **H**1296, 1301, 1532, 1615, 1925, 1936, 2209-2218, **S**1804-1813, 1817, **H**2232, 2242, **S**1848-1849, **H**2340, **S**1952, 1954, **H**2418, **S**2229, **H**2656
855	Schaaf	Modifies the eligibility requirements for food stamps assistance as it relates to ineligible immigrants	**S**346, 385
856	Rupp	Establishes the "Senate Interim Committee on the Disposal of the Missouri Employers Mutual Insurance Company" to study whether MEMIC should be sold, privatized, or extinguished	**S**353, 385, 566, 610, 611, 625, **H**972, 977, 1081, 1432, 1535
857	Brown	Allows certain funds collected for a sheriff?s operating costs to be used to supplement the sheriff?s base salary	**S**353, 433
858	Schaaf	Modifies provisions relating to safety provisions in mental health facilities	**S**353, 433
859	Nieves	Authorizes the Division of Professional Registration to regulate mixed martial arts and creates rules for amateur contests	**S**353, 433
860	Nieves	Authorizes the State Fire Marshal to issue certificates to fire sprinkler contractors	**S**353, 433, 1011-1012
861	Purgason	Creates the "Task Force on Government Continuity"	**S**353, 433
862	Engler	Modifies the Missouri Public Prompt Payment Act	**S**353, 433
863	Wright-Jones	Requires parents to file parenting plans after paternity has been established in court	**S**353, 433
864	Wright-Jones	Modifies provisions regarding the data required as to the rehospitalizations of premature infants	**S**353, 433
865	Pearce	Allows University of Missouri Extension Councils to form extension districts made up of cooperating counties	**S**353-354, 433, 675, 710
866	Lembke	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2014	**S**354, 433
867	Lembke	Categorizes site consultants as executive lobbyists	**S**354, 433
868	Kehoe	Modifies the filing of reports and fees relating to hazardous materials	**S**354, 433
869	Kehoe	Modifies provisions pertaining to the Public Service Commission, Office of Public Counsel, and nuclear plant development cost recovery	**S**354, 433
870	Lamping	Authorizes a certification for school social workers	**S**354, 433
871	Lamping	Modifies provisions relating to domestic violence	**S**354, 433
872	Justus	Modifies provisions relating to criminal law	**S**358-360, 433
873	Lembke	Creates an exemption from real estate appraiser license requirement for persons representing property owners in appealing assessments	**S**360, 433
874	McKenna	Modifies record-keeping provisions in the Property Assessment Clean Energy (PACE) Act	**S**360, 433

SB No.	Author	Subject	Page Reference
875	Goodman	Allows $9,999 in an irrevocable trust for certain funeral expenses to not be considered an asset when determining eligibility for public assistance	**S**360, 433
876	Kehoe	Prohibits beer manufacturers and liquor wholesalers from owning certain interests in each other	**S**360, 433
877	Mayer	Requires each state department to quarterly report the number of department employees to the General Assembly	**S**360, 433, 500, 536, 546, 560-561, **H**858, 864, 1081
878	Mayer	Modifies the law relating to workers' compensation	**S**360, 434
879	Wasson	Allows insurers that purchase vehicles through the claims adjustment process to obtain salvage certificate of titles or junking certificates under certain conditions	**S**360, 434
880	Wasson	Modifies provisions relating to physician assistant supervision during declared emergencies	**S**360, 434
881	Pearce	Creates a tax credit for purchases of processed biomass engineered fiber fuel	**S**369, 434
882	Pearce	Expands eligibility for the small business income tax deduction for new job creation	**S**369, 434
883	Richard	Adopts an agreement to elect the president by national popular vote	**S**369, 434
884	Nieves	Modifies provisions related to firearms	**S**369, 434
885	Engler	Makes negligently casting flyrock onto property not under the responsibility of the person using explosives a violation of the Missouri Blasting Safety Act	**S**369, 434
886	Engler	Subjects 383 malpractice associations to stricter surplus and solvency regulations	**S**369-370, 434
887	Ridgeway	Authorizes North Kansas City to impose a sales tax for improving public safety, upon approval of the voters	**S**370, 434
888	Ridgeway	Authorizes Franklin County and Clay County to establish a municipal court if approved by the county commission	**S**370, 434
889	Lager	Modifies provisions relating to natural resources	**S**370, 434
890	Lager	Modifies the law relating to professional conduct during Division of Finance examinations and confidentiality agreements	**S**370, 434
891	Lager	Allows telecommunications providers and rural electric cooperatives to attach equipment to other utility poles for smart grid or broadband purposes	**S**370, 434
892	Kraus	Modifies the law relating to uniform military and overseas voters	**S**370, 434
893	Kraus	Requires certain offenders to undergo criminal history checks in order to have their driver's licenses reinstated or have limited driving privileges granted	**S**370, 434, 675, 710, 716, 722, 845-846, **H**1296, 1301, 1532, 1615, 1925, 2448-2455, **S**2069-2078, 2079, **H**2507, 2686, **S**2284
894	Curls	Modifies the type of information required from applicants for a motor vehicle registration and a concealed carry endorsement	**S**370, 434
895	Curls	Modifies provisions relating to school districts classified as provisionally accredited or unaccredited by the State Board of Education	**S**370, 434
896	Schaefer	Requires the General Assembly to consider youth smoking statistics when appropriating money from the Life Sciences Research Fund	**S**370, 434
897	Schaefer	Prohibits law enforcement agencies from establishing roadside checkpoint or road block patterns based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints	**S**370, 434
898	Schaefer	Provides an exemption to certain asbestos-related state requirements for certain entities	**S**371, 434

SB No.	Author	Subject	Page Reference
899	Green	Requires a one time transfer of certain fund balances to the State General Revenue Fund	**S**371, 434
900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail	**S**371, 434
901	Lembke	Modifies the requirements for a county, city, town, or village to issue revenue bonds and the ability of industrial development corporations to issue bonds	**S**371, 434
902	Lamping	Modifies provisions relating to funding for the Office of Public Counsel and temporary rate adjustments for regulated utilities	**S**371, 434
903	Lamping	Provides the process for disposition of dogs involved in the crime of dog fighting	**S**371, 434, 630, 644
904	Mayer	Allows under certain circumstances outpatient-only ambulatory surgical centers to operate under a hospital license	**S**371, 434
905	Mayer	Allows certain political subdivisions to contract out engineering, water quality management, and maintenance services on existing water storage tanks	**S**371, 434, 675, 710
906	Kraus	Prohibits certain taxpayers from receiving benefits under programs administered by the Department of Economic Development	**S**371, 434, 675, 710
907	Schaaf	Requires certain employers to post certain rights of employees with respect to labor organizations	**S**371, 434
908	Kehoe	Modifies provisions regarding the crime of trespass	**S**382, 434
909	Cunningham	Modifies provisions of evidence law relating to business records and hearsay	**S**382, 434, 631, 644
910	Ridgeway	Allows political subdivisions to apply to the Office of Administration to use the state's ".mo.gov" internet domain name	**S**382, 435
911	Ridgeway	Prohibits employers from using the last four digits of an employee's Social Security number as their employee identification number	**S**382, 435, 567, 611, 612, 627-628, **H**972, 977, 1081, 1333
912	McKenna	Authorizes the City of Pevely to impose a transient guest tax upon approval of the voters to fund the promotion of tourism	**S**382, 435

INTRODUCED SENATE CONCURRENT RESOLUTIONS

SCR No.	Author	Subject	Page Reference
14	Stouffer	Restates the mission of the Missouri-Israel Cooperative Agreement	**S**117-118, 127
15	Dempsey	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities	**S**126, 138, 235, 284, **H**351-352, 1080, 2024, 2714-2715, **S**2286
16	Stouffer	Urges the U.S. Army Corps of Engineers to modify its river management protocol to make flood control a top priority	**S**131-132, 147, 235, 670-672, **H**1060-1062, 1080, 1292, 1432
17	Lamping	Urges the use of the slogan "The Great Rivers State" by the State of Missouri	**S**132, 147, 484-485, 565, **H**854, 1080, 1292, 1433, 2711-2712, **S**2285
18	Rupp	Rescinds Missouri's 1983 call for a constitutional convention	**S**138-139, 147
19	Munzlinger	Disapproves the new values for agricultural and horticultural property filed by the State Tax Commission	**S**147-148, 161
20	Rupp	Authorizes the Department of Economic Development to approve certain investments under the New Markets Development Program	**S**223-224, 233, 613

SCR No.	Author	Subject	Page Reference
21	Pearce	Urges Congress to support greater domestic development of North American sources of oil and approve the Keystone XL pipeline project	**S**253-254, 268, 381, 412
22	Justus	Urges ratification of the Equal Rights Amendment to the United States Constitution	**S**264-265, 285
23	Munzlinger	Urges Congress to further address the issue of allowing the interstate sale of state-inspected meat and poultry	**S**265-266, 285
24	Stouffer	Urges the Federal Motor Carrier Safety Administration to rescind its newly published rule regarding hours of service and refrain from adopting regulations concerning sleep apnea and other measures affecting the trucking industry	**S**317-318, 340, 381, 413-414, **H**551-552, 1080, 1509, 1777, 2712-2714, **S**2286
25	Mayer	Urges the federal government to manage the Mississippi River to protect against devastating flood events	**S**319-320, 340, 613, 670, **H**1062-1063, 1080, 1292, 1433, 1632-1633, **S**1220
26	Stouffer	Establishes the Joint Interim Committee on Transportation Needs to study the transportation infrastructure needs of Missouri	**S**368-369, 395, 855, 1131, **H**1556-1557, 1829, 2342, 2574, 2715-2716, **S**2286
27	Ridgeway	Applies for a constitutional convention for proposing an amendment to the United States Constitution to require a balanced budget and restrict increases in taxes	**S**382, 395
28	Mayer	Establishes the Joint Committee on the Missouri Criminal Code to study the state's criminal laws	**S**608-609, **H**946-947, 980, 1082, 1466-1467, **S**1055

INTRODUCED SENATE JOINT RESOLUTIONS

SJR No.	Author	Subject	Page Reference
23	Crowell	Proposes a constitutional amendment to create term limits for all statewide elected officials	**S**48, 64
24	Crowell	Requires the joint election of the Governor and Lieutenant Governor beginning in the year 2016	**S**48, 64
25	Crowell	Lowers the number of State Representatives from 163 to 101	**S**48, 64, 500, 594
26	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials	**S**48, 64, 286, 293, 298, 300, 321, **H**430, 435, 1080
27	Munzlinger	Increases the number of commissioners on the Conservation Commission and provides term limits	**S**48, 64
28	Munzlinger	Amends the constitution to require the development and sale of a veterans lottery ticket	**S**49, 64
29	Lamping	Requires the legislative session to end in late March rather than mid-May, beginning with the 98th General Assembly	**S**49, 64, 160, 172, 219-220
30	Lamping	Requires the joint election of the Governor and Lieutenant Governor beginning in the year 2016	**S**49, 64, 567, 643
31	Chappelle-Nadal	Makes St. Louis City a part of St. Louis County	**S**49, 64
32	Chappelle-Nadal	Proposes a constitutional amendment to require the St. Louis Board of Freeholders to meet monthly and authorizes the people of St. Louis City and County to modify the Missouri Constitution regarding the Board	**S**49, 64
33	Chappelle-Nadal	Proposes a constitutional amendment replacing the Highways and Transportation Commission with a Director of Transportation	**S**49, 64
34	Purgason	Replaces all taxes on income with a sales and use tax	**S**49, 64

SJR No.	Author	Subject	Page Reference
35	Ridgeway	Replaces all taxes on income with sales and use taxes that are capped at certain rates	**S**49, 65
36	Ridgeway	Caps the tax on real property and freezes the property taxes on individuals 62 years old or older	**S**49, 65
37	Crowell	Requires all meetings of apportionment commissions to be conducted in public and prohibits commission members from serving in the General Assembly for six years after service on commission	**S**49-50, 65, 320-321, 360, 401, 403-404, 422, 428, **H**595, 602, 1042, 1534
38	Kraus	Requires refunds to taxpayers when state revenues grow by seven and a half percent or more	**S**50, 65
39	Cunningham	Prohibits laws interfering with freedom of choice in health care	**S**50, 65, 500, 526
40	Kraus	Amends the constitution to modify the ban on retrospective laws	**S**50, 65, 499, 526-527, 533, 552, 559, **H**855, 864, 1042
41	Lembke	Provides for election of certain judges and appointment by Governor of a Supreme Court judge	**S**50, 87
42	Lembke	Provides for appointment by the Governor of certain judges with Senate approval	**S**50, 87
43	Green	Limits the total service in the General Assembly to sixteen years in any proportion between the Senate and the House of Representatives	**S**51, 196
44	Green	Creates a two year budget cycle	**S**51, 196
45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government	**S**70, 196, 675, 710
46	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations	**S**110, 196
47	Rupp	Removes a portion of the constitution that prohibits distribution of public funds to religious organizations	**S**118, 196, 432, 482
48	Dixon	Modifies provisions regarding members and meetings of Missouri Senate and House of Representative apportionment commissions	**S**156, 196, 381, 478, 481-482, 485, 552, **H**855, 864, 942, 1534
49	Rupp	Prohibits laws interfering with religious beliefs	**S**207, 236
50	Curls	Increases the amount of time for repaying the Budget Reserve Fund, when funds from the Budget Reserve Fund are appropriated due to a disaster, or the Governor's reduction of the state's expenditures	**S**241, 288, 381, 478
51	Lembke	Modifies the composition of Appellate Judicial Commission and number of nominees for vacancies	**S**338, 385, 728, 847-850, 856, 863, 968-969, **H**1395, 1439, 1508, 1616, 1777-1778, 1797, 1800-1802, 1804, **S**1390, 2290, **H**2737, **S**2292

INTRODUCED HOUSE BILLS

HB No.	Author	Subject	Page Reference
1029	Flanigan	Requires the Oversight Division of the Committee on Legislative Research to conduct program evaluations of state agencies, including budget transparency and accountability	**H**13, 29, 342, 427, 510, 565, **S**437, 503, 1615, 2237, **H**2685, 2734, **S**2291, **H**2737
1030	Flanigan	Changes the laws regarding the collection of money owed to the state and establishes a state amnesty program	**H**13, 29, 124, 342, 427, 454-456, 469-470, **S**378, 436
1031	Flanigan	Establishes a tax amnesty program	**H**13, 29, 1294
1032	Allen	Adds a licensed professional counselor to the list of those authorized to conduct a full investigation into whether an individual is suitable as an adoptive parent	**H**13, 29, 165
1033	Allen	Requires health care providers to provide a mammography patient with a copy of the mammography report and information regarding the benefit of supplemental screenings for dense breast tissue patients	**H**13, 29, 165
1034	Allen	Requires the State Auditor to conduct a one-time comparative audit of at least five, but no more than 10, of the largest state agencies	**H**24
1035	Swinger	Authorizes a one-time income tax deduction to a taxpayer for the cost of the construction or $5,000, whichever is less, of a storm shelter which was made in America	**H**13, 29, 250
1036	Dugger	Changes the laws regarding elections	**H**13, 29, 67, 152, 185, 253, 265, **S**226-227, 385, 1136, 1243, 1434-1435, **H**1851, 2325-2326, **S**1953, **H**2734, **S**2291, **H**2737
1037	Dugger	Authorizes commissioners of certain road districts, upon majority vote, to be compensated up to $100 per month for their services	**H**13, 29, 67, 301, 343, 429, 489-490, **S**395, 436, 1615, 2247-2248, **H**2685, 2734, **S**2291, **H**2737
1038	Leara	Phases out the current distribution method of the St. Louis County sales tax over 10 years until all the tax revenue is distributed based upon the location in which the sales were deemed consumated	**H**13, 29, 67
1039	Leara	Allows a retiree of the Missouri Local Government Employees' Retirement System to have health insurance or long-term care insurance premiums deducted from his or her retirement allowance	**H**13, 29, 67, 152, 185, 253, 266, **S**227, 385, 853, 1019, **H**1461, 2734, **S**2291, **H**2737
1040	Hinson	Adds certain state-owned vehicles which are operated by Department of Transportation employees to the definition of "emergency vehicle" as it applies to Section 304.022, RSMo	**H**13, 29, 165
1041	Thomson	Authorizes the governing board of any state university to convey or transfer real property, except in fee simple, without an authorizing act of the General Assembly through August 28, 2017	**H**13, 29, 67, 251, 301, 338, 368-369, **S**294, 435
1042	Thomson	Changes the laws regarding higher education	**H**13, 29, 67, 287, 427, 541-545, 546, 560, 578-579, **S**449, 574, 729, 783, 853, 869-872, **H**1333-1335, 2313-2315, **S**1952, **H**2734, **S**2291, **H**2737
1043	Thomson	Changes the laws regarding the elementary and secondary school education funding formula	**H**13, 29
1044	Weter	Requires wholesalers to notify retailers and retailers to notify the general public of a price increase of three cents or more for a gallon of motor fuel at least 24 hours prior to the increase	**H**13, 29, 270

HB No.	Author	Subject	Page Reference
1045	Day	Specifies that the amendments to the requirements for obtaining a concealed carry endorsement enacted in 2011 do not apply to renewals of unexpired endorsements issued prior to August 28, 2011	**H**13, 29, 67, 426
1046	Rowland	Requires proof of identity and status as a United States natural born citizen for the office of President and Vice President to be submitted with other required certification documents to the Secretary of State	**H**13, 29, 204, 406, 590, 743, 839-840, **S**583, 634, 1614, 2232
1047	Rowland	Establishes the Common Interest Owners Bill of Rights Act	**H**13, 29, 204
1048	Schneider	Specifies that any district that becomes an urban school district as the result of the 2010 census will continue to have the same number of board members and hold elections on its current schedule	**H**14, 29, 67, 458, 630, 735, 764-765, **S**539, 632
1049	Allen	Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy	**H**14, 29, 67, 229, 968, 1044, 1342-1349, 1439-1441, 1526-1527, **S**1138, 1417, 1615, 2237
1050	Molendorp	Prohibits any contract between a health carrier or health benefit plan and a dentist or optometrist from requiring a fee schedule established by the insurer if the services are not covered under the plan	**H**14, 29, 270
1051	Allen	Requires the State Auditor to perform, on a one-time basis, a comparative audit of at least five, but no more than 10, of the largest state agencies and of each chamber of the General Assembly	**H**14, 29, 124, 287, 478, 651-653, 657, 711, 712, **S**517, 574, 854, 863, 1343, 1425, 1439-1441, 2146-2152, **H**2627-2631
1052	Allen	Establishes a closed primary election system	**H**14, 29, 318
1053	Lant	Establishes the Disaster Area Construction Act which exempts certain construction work done for a school district or a county, city, town, or village from the prevailing wage if it is in a disaster area	**H**14, 29, 216
1054	Lant	Changes the laws regarding unlawful picketing or protesting of a funeral	**H**14, 29, 67
1055	Lant	Authorizes a one-time income tax deduction to a taxpayer for the cost of the construction or $5,000, whichever is less, of a storm shelter which was made in America	**H**14, 29, 124
1056	Lant	Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county	**H**14, 29, 2730
1057	Brattin	Requires all inmates receiving on-site medical examination or treatment from correctional center personnel to be charged $1.50 per visit	**H**14, 29, 124
1058	Brattin	Establishes Chloe's Law which requires, subject to appropriations, the newborn screening requirements to include a pulse oximetry screening	**H**14, 29, 67
1059	Dugger	Changes the required percentage necessary to initiate a recount of the votes cast in an election	**H**14, 29, 67, 152, 185, 274, 301, 376, 397-398, **S**327, 435
1060	Dugger	Changes the laws regarding elections	**H**14, 29, 67, 447, 591, 882-884, 884-887, 954-955, **S**634-635, 676, 1954
1061	Flanigan	Specifies that an employee of the Department of Economic Development will be guilty of a class D felony if he or she authorizes, allocates, or recommends the issuance of bonds without all documentation	**H**14, 29, 33
1062	Dieckhaus	Requires a school district to include in its annual school accountability report card whether it has a state-approved gifted education program or services and the number of students served	**H**14, 29, 165, 548, 630, 735, 766, **S**540, 632, 1434, 2231

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1063	Conway (27)	Designates the exercise commonly known as "jumping jacks" as the official state exercise	**H**14, 29, 228, 427, 424, 631, 735, 766, 779-780, **S**543, 632
1064	McGhee	Allows a scrap metal operator to acquire a vehicle or parts of a vehicle that is 10 years old or older without receiving the original certificate or title	**H**14, 29, 688
1065	McGhee	Authorizes a corporation or unincorporated association to be represented in small claims court for certain actions by its president or vice-president for any claim of $500 or less	**H**14, 29, 425
1066	McGhee	Increases from $400 to $1,500 the minimum amount of gross wages that an employer must pay to an employee before the employer's unemployment compensation account will be charged	**H**14, 29, 457, 606, 848, 935
1067	McGhee	Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole	**H**15, 29, 318
1068	McGhee	Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program	**H**15, 29, 425
1069	McGhee	Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel	**H**15, 29, 270
1070	Sater	Allows a pharmacy to sell, purchase, or trade legend drugs to other retail pharmacies or authorized licensed practitioners under certain conditions	**H**15, 29, 187
1071	Sater	Establishes the Missouri Radon Awareness Act which requires the seller of residential real property to provide the buyer with a disclosure of information on radon hazards	**H**15, 29, 216
1072	Sater	Establishes the Volunteer Health Services Act to allow certain licensed health professionals to provide services without additional licensure requirements	**H**15, 29, 270, 359, 427, 456, 492-493, **S**396, 436, 1137, 1243, 1435-1436, **H**1851, 2418, **S**2040
1073	Sater	Changes the criteria for the exclusion of certain manufacturers and processors from the definition of "grain dealer" as it applies to the Missouri Grain Dealer Law	**H**15, 29, 204, 386, 478, 607, 749, **S**534, 631, 729, 917-922, 969-972, **H**1461-1463, 1567, **S**1161, **S**1289, **H**1775, 1777, **S**1343, 1377, **H**1805, 2343
1074	Sater	Allows an insured motorist to purchase supplemental property damage coverage not currently included in an uninsured motorist policy	**H**15, 29, 204
1075	Sater	Prohibits a licensed pharmacy from being required to carry or maintain in inventory any specific prescription or nonprescription drug or device	**H**15, 29, 124, 166, 229, 321, 329-330, **S**269, 435
1076	Wyatt	Changes the laws regarding renewable energy	**H**15, 29, 67, 733, 848, 1467
1077	Wyatt	Requires the Department of Mental Health to develop a transition plan for services to a resident of a state developmental disabilities facility to the most appropriate and least restrictive living setting	**H**15, 29, 67
1078	Sater	Authorizes the MO HealthNet Division to implement a statewide dental delivery system to ensure recipient participation and access to providers of dental services under MO HealthNet	**H**15, 29, 1100
1079	Sater	Allows the State Registrar to issue a heritage birth certificate	**H**15, 29, 270
1080	Kander	Changes the laws regarding ethics, lobbying, and campaign finance	**H**15, 29, 2730
1081	Wells	Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider	**H**15, 29, 270

HB No.	Author	Subject	Page Reference
1082	Wells	Specifies that licensed professional counseling includes the diagnosis of mental, emotional, and behavior disorders and requires these counselors to complete certain educational coursework	**H**15, 29, 457
1083	Wells	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting	**H**15, 29, 228
1084	White	Adds veterans' charitable organizations to the zoning exception regarding the establishment of a retail business selling donated goods in an area where other businesses engage in retail sales	**H**15, 29, 165, 320
1085	White	Adds an additional $1 to the excursion gambling boat entrance fee with the moneys to be deposited in the Veterans Commission Fund	**H**15, 29, 270
1086	White	Specifies certain employee rights as they relate to labor organizations	**H**16, 29, 2730
1087	White	Establishes the Adult Health Care Consent Act which specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care	**H**16, 29, 1041
1088	White	Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge	**H**16, 29, 165
1089	White	Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions	**H**16, 29, 1100
1090	White	Prohibits the Missouri Housing Development Commission from requiring a prevailing wage on a project eligible for a housing tax credit if it is located in a disaster area	**H**16, 29, 1100
1091	White	Requires a school district to exempt itself from the prevailing hourly wage for work done on behalf of a school located in a Governor-declared disaster area	**H**16, 29, 1294
1092	White	Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster	**H**16, 29, 1294
1093	Elmer	Allows for a special license plate for a person who has received the Navy Cross	**H**16, 29, 205, 229, 321, 330-331, **S**269, 435, 854
1094	Wieland	Changes the laws regarding electronic payments to state agencies and departments and the electronic payment of funds received by a county health center	**H**16, 29, 67, 517, 591, 728, 818, 825, 826-827, **S**572, 633, 854, 863, 1039-1040, 1059, 1438-1439, **H**1925-1926, 2330-2332, **S**1953, **H**2734, **S**2291, **H**2737
1095	Wieland	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance	**H**16, 29, 457
1096	Wieland	Allows a county health center to make authorized payments through an electronic funds transfer system	**H**16, 29, 250, 426, 478, 607, 750, **S**534, 631, 1434, 2232
1097	Shumake	Allows a person to apply for a veteran designation on his or her driver's license or identification card upon providing specified proof of service	**H**16, 29, 204, 447
1098	Shumake	Adds charitable veterans' organizations to the zoning exception regarding the establishment of a retail business selling donated goods in an area where other businesses engage in retail sales	**H**16, 29, 67, 320, 427, 518, 579-580, **S**448, 503
1099	Fitzwater	Designates March 26 of each year as "Veterans of Operation Iraq/Enduring Freedom Day"	**H**16, 29, 67, 153, 185, 253, 267, **S**227, 385
1100	Fitzwater	Designates March 30 of each year as "Vietnam Veterans Day"	**H**16, 29, 67, 153, 185, 253, 268, **S**227, 385

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1101	Brattin	Authorizes Missouri to enter into the multistate Streamlined Sales and Use Tax Agreement, eliminates all state tax credits, phases in a flat income tax rate, and increases the sales and use tax by .25%	**H**16, 29, 425, 690
1102	Swinger	Requires any person who observes a child being subjected to sexual abuse to immediately report or cause a report to be made to the Children's Division	**H**17, 29, 457
1103	Crawford	Changes the laws regarding the maintenance of private roads and real estate appraisers and appraisal management companies	**H**17, 29, 67, 251, 302, 331, 366-367, **S**294, 435, 728, 866, 1101-1127, **H**1536-1554, 2321-2323, **S**1953, **H**2734, **S**2291, **H**2737
1104	Schoeller	Changes the laws regarding elections by requiring a voter to provide photo identification	**H**17, 29, 152, 185, 204, 228, 242-244, 270, 280, 284-286, **S**249, 435, 630, 645, **S**729, 863
1105	Day	Allows the Adjutant General to waive the maximum age requirement for a member of the state militia	**H**17, 29, 68, 153, 185, 253, 269, **S**227, 385, 1010, 1128, **H**1554, 2734, **S**2291, **H**2737
1106	Dugger	Changes the laws regarding certain public officials	**H**17, 29, 68, 274, 343, 436, 472, **S**378, 436, 630, 656-658, **H**1024, 1657-1659, **S**1246, **H**2734, **S**2291, **H**2737
1107	Dugger	Designates a portion of State Highway 5 between the cities of Ava and Mansfield as the "Missouri Fox Trotting Highway"	**H**17, 29, 68, 274, 302, 376, 398-399, **S**327, 435, 854
1108	Lauer	Requires telecommunications carriers and certain commercial mobile service providers to provide caller location information in certain emergency situations	**H**17, 29, 165, 343, 427, 518, 580-581, **S**448, 503, 854, 1055, **H**1473, 2734, **S**2291, **H**2737
1109	Brattin	Prohibits any state or local governmental entity or public building, place, or setting from banning or restricting the practice, mention, celebration, or discussion of any federal holiday	**H**17, 29, 68, 660, 849, 935-936, 963-964, **S**636, 676
1110	Barnes	Allows a circuit court to establish a veterans treatment court to dispose of criminal cases which stem from substance abuse or mental illness of military veterans or current military personnel	**H**17, 29, 250, 630, 849, 936, 953, 965, **S**637, 676
1111	Gosen	Changes the laws regarding the release of towed abandoned property and requires the return of nonvehicular personal property within the towed vehicle regardless of payment arrangements	**H**17, 29, 250, 476, 691, 892, 956-957, **S**635, 676
1112	Gosen	Allows an insurance company to issue life insurance policies outside of the United States under specified conditions as well as specified unemployment insurance and credit business insurance	**H**17, 29, 68, 251, 302, 376, 399-400, **S**327, 435, 729, 868-869, **H**1335, 2311-2313, **S**1952, **H**2734, **S**2291, **H**2737
1113	Gosen	Changes the laws regarding contracts for public or private construction work	**H**17, 29, 68
1114	Weter	Requires Taney County, upon voter approval of a county sales tax, to appoint an emergency services board to administer the central dispatching of emergency services	**H**17, 29, 165, 301, 343, 429, 490-491, **S**395, 436, 1416, 1718, 2248-2250, **H**2685-2686
1115	McCaherty	Establishes the Paperless Documents and Forms Act which requires the Department of Revenue to develop and implement a method of providing to the public all department documents and forms electronically	**H**17, 29, 62

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1116	Brown (50)	Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use	**H**17, 29, 68, 386
1117	Brown (50)	Establishes the Missouri and Midwest Rail Integration and Improvement Commission Act and the Missouri and Midwest Rail Integration and Improvement Commission	**H**17, 29, 124, 848, 1044, 1151, 1276-1277, **S**850, 969
1118	Brown (50)	Requires vehicles to yield the right-of-way to all pedestrians and bicyclists crossing a city or neighborhood street in Kansas City in an appropriate crosswalk	**H**17, 29, 457
1119	Wells	Allows a vehicle weighing 85,500 pounds or less to haul milk from a farm to a processing facility on highways other than the interstate highway system	**H**17, 29, 68
1120	Wells	Requires the Department of Transportation to add the words "Missouri Expresses Its Gratitude To Military Personnel For Their Service" to the "Welcome to Missouri" signs located on interstate highways	**H**18, 29, 100
1121	Kander	Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission	**H**18, 29, 2730
1122	Frederick	Establishes the Prescription Drug Monitoring Program Act to monitor the prescribing and dispensing of controlled substances	**H**24
1123	Frederick	Changes the laws regarding the licensure and inspection of hospitals	**H**18, 29, 68, 287, 427, 514, 570, **S**437, 503, 728, 866, 2078
1124	Wieland	Requires an insurer to pay a claimant for the total face value amount of an insurance policy for any total loss or damage by any peril of covered property without claiming a diminished value of the property	**H**18, 29, 250
1125	McCaherty	Revises the crime of property damage in the first degree to include damaging a motor vehicle while making entry into it to steal or when the damage occurs while committing the crime within the vehicle	**H**18, 29, 124
1126	Largent	Changes the laws regarding a tax credit for a freight line company and the laws regarding certain vehicles owned by the State Highways and Transportation Commission and the Department of Transportation	**H**18, 29, 270, 590, 691, 746, 818, 825, 842, **S**583, 634
1127	Largent	Requires certain specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law	**H**18, 29, 204
1128	Largent	Designates Vietnam Veterans Day and Veterans of Operation Iraq/ Enduring Freedom Day and authorizes the presentation of specified Missouri National Guard ribbons and an Order of the Minuteman Award	**H**18, 29, 173, 252, 302, 376, 400-401, **S**327, 435, 728, 865, 1058-1059, **H**1501, 2319-2321, **S**1953, **H**2734, **S**2291, **H**2737
1129	Largent	Specifies that it is an unlawful merchandising practice to misrepresent the geographic location of a business	**H**18, 29, 425
1130	Brown (50)	Changes the laws regarding the Distressed Areas Land Assemblage Tax Credit	**H**18, 29, 124, 818
1131	Fisher	Requires the date that services for remuneration were first performed by a newly hired employee to be included on his or her withholding form	**H**18, 29, 124, 274, 343, 397, 420, **S**331, 435, 1416, 1718, 2107, **H**2483, 2734, **S**2291, **H**2737
1132	Barnes	Allows a person to obtain a Missouri Junior Golf Foundation special license plate	**H**18, 29, 1101
1133	Barnes	Authorizes an income tax deduction for educational expenses for educating a dependent enrolled in a public, private, or parochial elementary or secondary school or home school	**H**18, 29, 216

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1134	Scharnhorst	Changes the laws regarding insurance coverage for services provided by a licensed occupational, speech, or physical therapist	**H**18, 29, 204, 459, 591, 902, 988, 1030, **S**672, 730, 1954
1135	Smith (150)	Requires the termination of all administrative rules based on the time of promulgation and allows an agency to repromulgate a rule that is set to terminate	**H**18, 29, 58, 69, 142, 151, 151-152, 163-164, **S**145, 385, 855, 863, 1039-1040, 1060, 1069-1071, **H**1554-1555, 1567, **S**1161, 1343, **H**1805, 1390, **S**1417, **H**1829, 2024-2025, 2239-2240, **S**1848, 2128-2129, **H**2483, 2734, **S**2291, **H**2737
1136	Molendorp	Prohibits any person from smoking or using tobacco products in any area or on the grounds of a state correctional facility beginning July 1, 2013	**H**18, 29, 250
1137	Lauer	Changes the laws regarding adoptions	**H**18, 29, 124, 847, 1044, 1192-1195, 1281-1282, **S**851, 969
1138	Smith (150)	Prohibits any member of the General Assembly from accruing creditable service under the Year 2000 Plan of the Missouri State Employees' Retirement System	**H**18, 29, 124
1139	Gatschenberger	Establishes the 2012 State Employee Retirement Incentive Program which allows certain employees to receive a years of service benefit	**H**19, 29, 124, 301, 428, 454, 471, **S**378, 436
1140	Smith (150)	Requires the Office of Administration to maintain public school and municipal and county government accountability information on the Missouri Accountability Portal	**H**19, 29, 58, 69, 139-142, 164-165, **S**145, 385, 854, 1059
1141	Gatschenberger	Changes the laws regarding the "Don't Tread on Me" special license plate	**H**19, 29, 68, 205, 229, 321, 331-332, **S**269, 435, 1414, **S**1529-1530, **H**1937, 2734, **S**2291, **H**2737
1142	Gatschenberger	Changes the requirements for the use of private probation services	**H**19, 29, 250
1143	Gatschenberger	Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines	**H**19, 29, 68
1144	Gatschenberger	Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act	**H**19, 29, 68, 447, 1534
1145	Gatschenberger	Establishes Nathan's Law and Sam Pratt's Law which change the laws regarding child care providers	**H**19, 29, 124
1146	Gatschenberger	Specifies that the intrastate manufacturing of certain incandescent lightbulbs is not subject to federal law or regulation	**H**19, 29, 124
1147	Gatschenberger	Requires driver's license examinations to only be administered in English	**H**19, 29, 68, 174
1148	Gatschenberger	Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner	**H**19, 29, 204
1149	Gatschenberger	Requires an applicant taking the written portion of the driver's license examination to pay a $10 fee	**H**19, 29, 250
1150	Smith (150)	Changes the laws regarding salvage motor vehicle titles, scrap metal operators, and statutory liens	**H**19, 29, 165, 477, 631, 892, 957-958, **S**635, 676, 1136-1137, 1243, 1448, 1519-1525, **H**1937-1941, 2590-2591, **S**2152, **H**2734, **S**2291, **H**2737

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1151	Gatschenberger	Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors	**H**19, 29, 124
1152	Burlison	Extends the provisions regarding the Children in Crisis Tax Credit to August 28, 2018	**H**19, 29, 250, 547
1153	Cox	Changes the laws regarding the perfection of security interests	**H**30, 37, 204
1154	Brandom	Reduces the annual cumulative amount of tax credits that can be authorized for donations to a food pantry and extends the expiration date to December 31, 2020	**H**30, 37, 68
1155	Denison	Changes the laws regarding limited driving privileges and commercial driver's licenses	**H**30, 37, 68, 113, 142, 153, 185
1156	Rowland	Designates a portion of U.S. Highway 160 in the City of Gainesville as the "Matthew J. England Memorial Highway"	**H**30, 37, 124, 205, 229, 321, 332-333, **S**269, 435, 854
1157	Rowland	Changes the laws regarding the deadlines for the notification of reemployment and the offering of teacher contracts	**H**30, 37, 165
1158	Solon	Requires a health benefit plan to establish equal out-of-pocket requirements for an oral anticancer medication and an intravenously administered cancer medication	**H**30, 37, 286
1159	Solon	Establishes the Senior's Retirement Protection Act which specifies that up to $125,000 of the value of the primary residence of certain elderly persons will be exempt from attachment or execution	**H**30, 37, 586
1160	Solon	Requires an excursion boat licensee to pay an additional admission fee equal to 50% of the required fee to be deposited into the Veterans Commission Capital Improvement Trust Fund	**H**30, 37, 68
1161	Solon	Increases the annual amount of moneys to be transferred from the Gaming Commission Fund to the Veterans' Commission Capital Improvement Trust Fund	**H**30, 37, 68
1162	Solon	Requires a city or political subdivision which intends to expand solid waste collection services into certain areas to put the intent to a vote of the people in the expanded area	**H**30, 37, 713
1163	Solon	Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contract with mandated haulers of trash collection except in North Kansas City, Kansas City, and St. Louis	**H**30, 37, 713
1164	Solon	Changes the job retention provisions in the Missouri Quality Jobs Act	**H**30, 37, 124
1165	Diehl	Changes the requirements for qualified spousal trusts to allow the trust to consist of both property held in one trust for both spouses and property held in two shares on one trust for each spouse	**H**30, 37, 68, 373, 478, 607, 816, **S**571-572, 633
1166	Diehl	Allows a trust instrument to appoint a trust protector who is expressly granted one or more powers over the trust in the trust instrument	**H**31, 37, 68
1167	Wright	Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period	**H**31, 37, 125
1168	Franz	Repeals the provision authorizing state departments to directly purchase certain information technology products and services	**H**31, 37, 270
1169	Franz	Changes the laws regarding the investigation of a report of child abuse that arises from a spanking in a school	**H**31, 37, 173, 287, 478, 742, 838, **S**582, 634
1170	Franz	Allows any county collector to add and collect a special property tax assessment to the property's annual real estate tax bill	**H**31, 37, 270, 588, 631, 735, 767, **S**546, 632, 1011, 1243, 1530-1537, 1721-1725, **H**2219-2221, 2418, **S**2040, **H**2456, **S**2094, **H**2483, 2548, 2581

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1171	Franz	Changes the age when the juvenile court will have jurisdiction over a child involving a state or local traffic violation and authorizes Franklin County to prosecute county order violations	**H**31, 37, 425, 589, 631, 735, 768, **S**540, 632, 1415, 1567, 1585-1586, **H**1998-1999, 2601-2604, **S**2278, **H**2734, **S**2291, **H**2737
1172	Franz	Changes the laws regarding the Residential Treatment Agency Tax Credit Program and establishes the Developmental Disability Care Provider Tax Credit Program	**H**31, 37, 173, 270, 286, 550, 691, 746, 843, **S**583, 634, 1954, 2275, **H**2731, 2734, **S**2291, **H**2737
1173	Franz	Specifies that an employer, or his or her employee, will not be liable for any injury or death for which compensation is recoverable under provisions of the Workers' Compensation Law	**H**31, 37, 2730
1174	Lair	Changes the laws regarding school accreditation by authorizing the State Board of Education to establish an alternative governing structure for a failing school district	**H**31, 37, 68, 287, 376, 444, 473, **S**384, 436, 631, 658-661, 685-691, 813-815, 1428, 1717
1175	Lair	Requires certain offenders 60 years of age or older serving a sentence of life without parole for a minimum of 50 years to receive a parole hearing	**H**31, 37, 250
1176	Schoeller	Allows a school district or a county, city, town, or village to exempt itself from the prevailing hourly wage for certain work if it is in a disaster area	**H**31, 37, 216
1177	Phillips	Requires compensation paid by a municipality for certain services performed by a county officer to be paid directly to the county as provided in the contract	**H**31, 37, 68
1178	Phillips	Increases the number of members of the Missouri Conservation Commission from four to seven contingent upon the passage of a constitutional amendment authorizing the change	**H**31, 37, 1101
1179	Hampton	Prohibits a large water user from conveying water withdrawn or diverted from the Southeast Missouri Regional Water District to a location outside the district if it interferes with another major user	**H**31, 37, 165, 195, 229, 321, 333-335, **S**284, 435, 631, 864-865, **H**1335, 2734, **S**2291, **H**2737
1180	Parkinson	Changes the determination of a defendant's liability in a tort action for damages by specifying that the liability of each defendant for compensatory or punitive damages must be several and cannot be joint	**H**31, 37, 58, 205
1181	Parkinson	Establishes the Transparency in Private Attorney Contracts Act	**H**31, 37, 250
1182	Parkinson	Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for all income earned as a temporary election staff member	**H**31, 37, 125
1183	Parkinson	Excludes the year 2012 from the requirement that a statewide presidential preference primary be held on the first Tuesday after the first Monday in February of each presidential election year	**H**31, 37, 846
1184	Parkinson	Specifies that any person who fails to provide proof of motor vehicle financial responsibility will have the vehicle he or she is operating impounded until valid proof is provided and all fees are paid	**H**32, 37, 125
1185	Parkinson	Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry	**H**32, 37, 68, 174, 229, 321, 336-337, **S**284-285, 435
1186	Parkinson	Requires Missouri driver's license examinations to only be administered in English	**H**32, 37, 58, 174, 229, 312-314, 370-371, 417, **S**330, 435
1187	Parkinson	Requires all purchases made with Temporary Assistance for Needy Families benefits by a Missouri recipient to be limited to only in-state purchases	**H**32, 37, 68

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1188	Allen	Allows a school nurse or other trained employee to administer asthma-related rescue medication to a student experiencing an asthma attack	**H**32, 37, 165, 274, 302, 376, 401-402, **S**327-328, 435, 631, 634, 863-864, **H**1335, 1659-1660, **S**1246, **H**2734, **S**2291, **H**2737
1189	Allen	Specifies that a pawnbroker must require a valid proof of identification from each person from whom he or she receives sold or pledged property	**H**32, 37, 1041
1190	Allen	Repeals provisions regarding the maintaining of police records in municipalities located within Jackson County, Jefferson County, St. Charles County, and St. Louis County	**H**32, 37, 125, 436, 479, 607, 751, **S**534, 631
1191	Ruzicka	Changes the laws regarding the State Park Earnings Fund and establishes the Renewable Energy Pilot Program for State Parks	**H**32, 37, 125, 288, 428, 647-650, 671-672, **S**502, 574
1192	Koenig	Changes the laws regarding investment contracts of the Missouri Higher Education Savings Program	**H**32, 37, 58, 217, 302, 335-336, 367-368, **S**294, 435, 854, 1059
1193	Frederick	Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding the prescribing and dispensing of controlled substances	**H**32, 37, 68, 288, 343, 436, 508-509, 563-564, **S**436, 503, 630, 656, 1132-1136
1194	Cauthorn	Changes the laws regarding agricultural crimes	**H**32, 37, 165
1195	Cauthorn	Changes the laws regarding agricultural crimes	**H**32, 37, 165
1196	Cauthorn	Changes the laws regarding a landowner's liability as it applies to an individual trespassing on the owner's land	**H**32, 37, 250
1197	Kelly	Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions	**H**38, 47, 250
1198	Fisher	Changes the laws regarding prevailing wages	**H**38, 47, 165, 252, 302, 509, 1306-1311
1199	Sifton	Prohibits an insurer from requiring any waiting period for health insurance coverage for maternity benefits and requires coverage to begin immediately from the effective date of the policy or plan	**H**38, 47, 68
1200	Sifton	Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016	**H**38, 47, 68
1201	Sifton	Corrects the name of the organization referred to in the provisions regarding the Compact for Education from the Educational Commission of the States to the Education Commission of the States	**H**38, 47, 216
1202	Franz	Allows a juvenile court employee to receive compensation from a county or city in addition to his or her state salary	**H**38, 47, 457
1203	Franz	Allows money from the county law enforcement restitution fund to be used for county inmate work and service programs and limits the amount a county can assess an individual for certain offenses to $10	**H**38, 47, 250
1204	Franz	Changes the laws regarding unlawful picketing or protesting of a funeral	**H**38, 47, 68
1205	Franz	Specifies certain employee rights as they relate to labor organizations	**H**38, 47, 2730
1206	Barnes	Allows a student who has been denied the privilege to participate in an interscholastic activity under certain conditions to petition the court for a restraining order prohibiting enforcement of the denial	**H**38, 47, 216
1207	Barnes	Establishes the criteria to be followed by landlords and tenants of multifamily rental dwelling units regarding the control of bed bugs	**H**38, 47, 2730

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1208	Barnes	Specifies that the termination of parental rights in the case of rape cannot extinguish or bar the ordering or enforcement of a child support obligation for a child born as a result of the rape	**H**38, 47, 204
1209	Cox	Specifies that the tax credit for qualified film production projects will expire December 31, 2012	**H**38, 47, 228
1210	Gatschenberger	Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received	**H**38, 47, 68, 732, 1044, 1160-1163
1211	Dieckhaus	Changes the laws regarding local courts	**H**39, 47, 125, 690, 849, 1070, 1113-1114, **S**736, 855
1212	Smith (150)	Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways and regarding vehicles hauling milk from a farm to a processing facility	**H**39, 47, 68, 373, 479, 511, 546, 561, 567-568, **S**438, 503
1213	Franklin	Changes the laws regarding the Bi-State Development Agency, vacation leave for state employees, Department of Revenue fee offices, advisory board association, and conveyance of state property	**H**39, 47, 68, 980, 1044, 1152, 1293
1214	Torpey	Establishes the Missouri Entrepreneur Resource Virtual Network to provide resources for the development of businesses	**H**39, 47, 58, 459, 496, 530, 573, **S**438, 503, 1615, 2232
1215	McNeil	Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions	**H**39, 47, 165
1216	McNeil	Increases the maximum annual grant amount that the University of Missouri Board of Curators can award for a research project on Alzheimer's disease and related disorders	**H**39, 47, 216
1217	McNeil	Changes the laws regarding the lapse of a school district when it has been unaccredited by the State Board of Education for two successive school years	**H**39, 47, 250
1218	McNeil	Increases from $14,300 to $16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker	**H**39, 47, 270
1219	Elmer	Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act	**H**47, 57, 58, 153, 185, 204, 245-249, 282-284, **S**248-249, 385, 403-404, 414, 422, **H**577, **S**439, **H**577, 608-609
1220	Hubbard	Requires the Department of Corrections to establish a two-year pilot project to increase the access that children have to their incarcerated mothers	**H**48, 57, 152, 288, 343, 509, 546, 561, 564-565, **S**437, 503
1221	Black	Designates a portion of State Highway 8 in St. Francois County as the "Chief of Police Jerry E. Hicks Memorial Highway"	**H**48, 57, 341, 407, 631, 735, 769, **S**540, 632, 854
1222	Brattin	Requires a two-year itemized zero-based budget analysis to be submitted by each state department to the chairs of the House Budget Committee and the Senate Appropriations Committee	**H**48, 57, 270
1223	Brattin	Changes the laws regarding certain policies and practices at correctional facilities	**H**48, 57, 68
1224	Brattin	Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing unauthorized aliens	**H**48, 57, 216
1225	Brattin	Requires members of the General Assembly to be subject to random drug testing during the legislative session	**H**48, 57, 165

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1226	Brattin	Prohibits a member of the General Assembly from being eligible to receive a retirement benefit based on his or her service unless he or she has served 16 years in the General Assembly	**H**48, 57, 68
1227	Brattin	Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design	**H**48, 57, 204
1228	Jones (63)	Changes the laws regarding charter schools	**H**48, 57, 125, 319
1229	Curtman	Specifies that a student at certain institutions of higher education has the right to record public classroom lectures for his or her personal use	**H**48, 57, 125
1230	Schoeller	Allows an employer or labor organization to obtain a political contribution through a payroll deduction if the employee or member consents to the contribution in writing annually	**H**48, 57, 2730
1231	Cauthorn	Requires the Commissioner of the Office of Administration or other state purchasing agent to give a preference for forest products and bricks produced in Missouri whenever bids are comparable	**H**48, 57, 228, 386, 479, 607, 752, **S**534, 631, 1415, 1567, **S**1586-1587, **H**2032, 2734, **S**2291, **H**2737
1232	McManus	Specifies that any person who impersonates another actual person through or on a website for specified harmful purposes will be guilty of a class A misdemeanor	**H**48, 57, 270
1233	McManus	Reauthorizes the income tax credit for a donation to a food pantry and repeals its sunset provisions	**H**48, 57, 457
1234	Berry	Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet	**H**49, 57, 125
1235	Berry	Requires an election authority to conduct a record check to determine whether a person is prohibited from filing as a candidate for the election for which he or she is filing a declaration of candidacy	**H**49, 57, 125
1236	Entlicher	Changes the laws regarding the Fair Ballot Access Act by repealing the provision which requires a petition to form a new political party to contain the name of a resident of each Congressional distict	**H**49, 57, 204, 319, 428, 518, 581-582, **S**448, 503, 1011, **S**1129-1130, **H**1556, **H**2734, **S**2291, **H**2737
1237	Nance	Requires the Lottery Commission to promulgate rules establishing criteria to allow a licensee who has been convicted of a class C or class D felony to sell lottery tickets	**H**49, 57, 157
1238	Nance	Specifies that certain felons must be eligible for food stamp program benefits	**H**49, 57, 271
1239	Nance	Exempts the residential property of individuals 70 years of age or older from increases in assessed valuation that are not from new construction or improvements and from rate increases	**H**49, 57, 68
1240	Pace	Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant	**H**49, 57, 216, 1650
1241	Wells	Adds an additional $1 to the excursion gambling boat entrance fee with the moneys to be deposited in the Veterans Commission Fund	**H**49, 57, 68
1242	Day	Specifies that the motorcycle road skills test is not required for a member of the armed forces who has successfully completed a military motorcycle rider training course that meets specified standards	**H**49, 57, 1041
1243	Lauer	Requires the Department of Economic Development to establish the MO Jobs Training Program	**H**49, 57, 125
1244	Lauer	Allows a governmental entity to engage in projects involving a technology business facility used for specified purposes	**H**49, 57, 125

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1245	Lauer	Changes the laws regarding tax credits and the Missouri Quality Jobs Act	**H**49, 57, 125, 1043, 1141, 1406-1412, 1507, 1517-1518, **S**1131, 1417
1246	Lauer	Changes the laws regarding municipal technology business facility projects, the MO Jobs Training Program, and the Missouri Quality Jobs Act	**H**49, 57, 173
1247	Webber	Repeals the provisions which allow a member of the General Assembly to apply for a special license plate	**H**49, 57, 2731
1248	Webber	Authorizes a check-off box for the Missouri Veterans' Medical Research Trust Fund to be added to the individual and corporate income tax forms and allows for a separate donation to be sent in with the taxes	**H**49, 57, 216
1249	Franz	Changes the laws regarding the taxation and sale of billboards and wireless transmission towers	**H**50, 57, 341
1250	Ruzicka	Changes the laws regarding elections	**H**50, 57, 68, 195, 229, 321, 337-338, **S**285, 435, 854, 1042-1045, **H**1473-1474, 2317-2319, **S**1952, **H**2734, **S**2291, **H**2737
1251	Ruzicka	Changes the laws regarding natural resources	**H**50, 57, 68, 218, 229, 321, 338-339, **S**285, 435, 1433, 1441, 1721, 1957-1960, 2106-2107, **H**2484-2485, 2615-2618, **S**2278, **H**2734, **S**2291, **H**2737
1252	Ruzicka	Increases the penalty for making a false report if the crime which was falsely reported was a felony	**H**50, 57, 68
1253	Ruzicka	Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs	**H**50, 57, 68
1254	Ruzicka	Changes the laws regarding agriculture	**H**50, 57, 68, 1021, 1141, 1236-1240, 1275-1276, 1288, **S**853, 969
1255	Lant	Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county	**H**50, 57, 68
1256	Diehl	Changes the laws regarding judicial procedures	**H**59, 66, 125, 589, 849, 979, 988-1002, 1031, **S**672, 730
1257	Kelly	Changes the composition of the University of Missouri Board of Curators	**H**59, 66, 194
1258	Kelly	Changes the laws regarding the acknowledgment of paternity and consent to an adoption	**H**59, 66, 125, 318, 428, 518, 582-583, **S**447, 503
1259	Kelly	Specifies that consent to the adoption of a child is not required of a man who has not provided consistent prenatial support to the mother and baby or who is not required under Section 453.030, RSMo	**H**59, 66, 125, 318
1260	Kelly	Waives a man's right to intervene in a termination of parental rights or adoption action unless he has had a previous and consistent relationship with the child	**H**59, 66, 125, 318
1261	Swearingen	Designates the pedestrian and bicycle path on the Heart of America Bridge in Kansas City as the "Bob Watts Memorial Bicycle and Pedestrian Bridge"	**H**59, 66, 250, 407, 631, 735, 770, **S**540, 632, 854
1262	Brown (50)	Requires the State Board of Education to establish a coordinated health program board to develop a program designed to prevent student obesity, cardiovascular disease, and type II diabetes	**H**59, 66, 1101

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1263	Fallert	Requires anyone requesting 10 or more voter registration applications to provide certain information to the Office of the Secretary of State	**H**59, 66, 250
1264	Fallert	Prohibits the assessment of any penalty or the issuance of a ticket for failing to renew a motor vehicle registration prior to the last day of the month following the expiration of the registration period	**H**59, 66, 216, 407, 631, 735, 771, **S**541, 632
1265	Kander	Establishes the Veteran Workforce Act which requires the Office of Administration to develop rules and regulations ensuring a uniform hiring preference for veterans, disabled veterans, and their spouses	**H**59, 66, 425
1266	Denison	Designates the regal fritillary as the official state butterfly	**H**59, 66, 125, 4257 479, 607, 752, 779, 804-806, **S**570, 633
1267	Denison	Requires all children over 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri	**H**59, 66, 271, 547, 631, 735, 772-773, **S**541, 632
1268	Nance	Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue	**H**59, 66, 125
1269	Brattin	Revises the laws regarding the Cass County -- The Burnt District special license plate	**H**59, 66, 125, 205, 230, 321, 339-340, **S**285, 435, 854
1270	Houghton	Designates the third full week in October as Missouri School Bus Safety Week	**H**60, 66, 125
1271	Houghton	Changes the laws regarding the penalty for certain crimes	**H**60, 66, 216
1272	Kelley (126)	Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate	**H**60, 66, 216, 286, 591, 917, 918-919, 986-987, **S**654, 676
1273	Kelley (126)	Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses	**H**60, 66, 173, 660, 849, 939-941, 966-967, **S**637, 676
1274	Koenig	Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs	**H**60, 66, 165, 894, 970, 1071, 1076-1078, 1137-1138, **S**738, 856, 1615, 2237
1275	Koenig	Specifies the timeframe for the resubmission of a ballot issue in certain instances and the necessary percentage of approval for it to become effective	**H**60, 66, 300, 478, 691, 726-727
1276	Koenig	Requires the State Board of Education and other public school entities to encourage students to explore scientific questions and to assist teaching of scientific theories of biological or chemical evolution	**H**60, 66, 425
1277	Long	Allows the Missouri Highways and Transportation Commission to enter into infrastructure improvement agreements	**H**60, 66, 125, 152, 185, 210, 244-245, 1467
1278	Long	Changes the laws regarding certain tax credits and establishes the Developmental Disability Care Provider Tax Credit Program	**H**60, 66, 216, 547, 691, 729-730, 818, 825, 832-833, **S**573, 633, 1414, 1432, 1957, 2227-2228
1279	Smith (71)	Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed	**H**69, 80, 1101
1280	Korman	Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer	**H**69, 80, 165, 702, 1044, 1169-1170, 1279-1280, **S**851, 969, 1414, 1528-1529, **H**1941, 2596-2599, **S**2278, **H**2734, **S**2291, **H**2737

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1281	Meadows	Allows an honorably discharged veteran to apply to obtain a sticker to be placed on his or her driver's license or identification card indicating veteran status	**H**69, 80, 125
1282	Houghton	Requires the Department of Conservation to provide an applicant or licensee for a hunting, trapping, or fishing license or permit with a copy of its current violation code and point system list	**H**70, 80, 425
1283	Barnes	Prohibits any person younger than 15 years of age from using a tanning device or his or her guardian from allowing the use of a tanning device	**H**70, 80, 271
1284	Smith (71)	Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees	**H**70, 80, 1101
1285	Higdon	Specifies that any person who uses a device to read electric usage off of a meter without the homeowner's consent will be guilty of class D felony	**H**70, 80, 216
1286	Higdon	Changes the laws regarding a landowner's liability as it applies to an individual trespassing on the owner's land	**H**70, 80, 165
1287	Higdon	Requires the Missouri Gaming Commission to develop rules to allow patrons of excursion gambling boats to donate winnings to the newly created Missouri Veterans Fund to support veterans homes	**H**70, 80, 125
1288	Higdon	Requires the Missouri Supreme Court to establish by rule the specific language to be included in all child support orders detailing the specific rights and obligations of the parents and the child	**H**70, 80, 216
1289	Higdon	Prevents the use of electronic records from a smart meter as evidence in a criminal prosecution and imposes a civil penalty on a utility for transferring these records to anyone for any purpose	**H**70, 80, 250
1290	McNeil	Establishes requirements for environmentally sustainable construction for certain state-funded buildings	**H**70, 80, 350
1291	Nance	Requires a person conducting a home inspection to be licensed by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration	**H**70, 80, 173
1292	Kelley (126)	Specifies that a person commits the crime of false identification if he or she falsely represents or identifies himself or herself as another person to a law enforcement officer	**H**70, 80, 173
1293	Leara	Requires suits in inverse condemnation or involving dangerous conditions of public property against a municipal corporation to be brought only in the county where the land or any part of the land lies	**H**70, 80, 1101
1294	Still	Changes the laws regarding consumer credit interest rates	**H**71, 80, 2731
1295	Hough	Requires a municipality to allow at least one street to be used by commercial vehicles to access any state highway and prohibits a civil action for the legal use of a motor vehicle on a public street	**H**71, 80, 165
1296	Davis	Establishes the custody and visitation rights of a deploying military parent	**H**71, 80, 250, 387, 479, 711, 825-826, **S**572, 633
1297	Davis	Changes the laws regarding the professional licensure and certification requirements of current and former military personnel	**H**71, 80, 250
1298	Franz	Changes the laws regarding a defendant's liability in a tort action and establishes the Agritourism Promotion Act	**H**71, 80, 125, 205, 230, 314-318, 454
1299	Franz	Adds the construction, reconstruction, repair, and maintenance of sidewalks to the definition of "transportation purposes" as it applies to expenditures of the transportation sales tax	**H**71, 80, 425
1300	Franz	Requires county assessors to use a specified single nationally recognized guide to determine the value of a motor vehicle for personal property tax assessment purposes	**H**71, 80, 173, 342, 428, 602-604, 672-673, **S**502, 574, 1414, 1567

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1301	McCaherty	Changes the laws regarding the licensure requirements as an emergency medical technician for a honorably discharged veteran	**H**71, 80, 271
1302	Holsman	Establishes the Capital Green Program to provide funding to the state for energy efficiency improvements to certain state buildings and for geothermal, wind, and solar energy resources	**H**71, 80, 125, 733
1303	Kelly	Creates the Missouri Veterans Fund within the Missouri Gaming Commission to accept certain donations by patrons of excursion gambling boats to support Missouri veterans homes	**H**71, 80, 194
1304	Kelly	Prohibits any political subdivision from incurring any indebtedness through the issuance of a bond unless it has been approved by the voters	**H**71, 80, 194
1305	Berry	Changes the laws regarding environmental standards	**H**71, 80, 173, 734
1306	Berry	Prohibits caffeinated malt beverages from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state	**H**71, 80, 457
1307	Wells	Authorizes a county to amend its budget to reflect any increases or decreases in revenues that could not have been estimated or anticipated when the budget was adopted	**H**72, 80, 271
1308	Wells	Repeals the requirement that certain irrevocable standby letters of credit possess the highest rating issued by specified nationally recognized agencies to be acceptable collateral for public deposits	**H**72, 80, 165, 251, 302, 395, 397, 418, **S**330, 435, 853, **S**1041-1042, **H**1468, 2734, **S**2291, **H**2737
1309	Wells	Changes the laws regarding residential mortgage loan brokers	**H**72, 80, 194
1310	Brattin	Authorizes an exemption for motor fuel used exclusively for watercraft in this state from the motor fuel tax	**H**72, 80, 425
1311	Silvey	Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities	**H**72, 80, 125, 174, 230, 262, 270, 280, 280-281, **S**235, 385
1312	Koenig	Prohibits General Assembly members who have not served at least three full biennial assemblies from accruing creditable service under the Year 2000 Plan in the Missouri State Employees' Retirement System	**H**72, 80, 1041
1313	Nolte	Limits the increase in assessed valuation of residential property by the percentage of increase in the Social Security benefits for the elderly and disabled who own and live in their principal residence	**H**72, 80, 250
1314	Still	Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions	**H**72, 80, 846
1315	McCaherty	Requires a leave to be granted to state employees and certain other employees who are members of the United States Coast Guard Auxiliary when performing authorized military duties	**H**72, 80, 271, 588, 631, 735, 773, **S**541, 632, 1434, **S**2231-2232, **H**2662, 2734, **S**2291, **H**2737
1316	Riddle	Changes the laws regarding public utilities and creates the Public Counsel Fund	**H**100, 105, 165, 590
1317	Riddle	Specifies that a person commits the crime of child abuse if he or she knowingly causes physical injury to a child which results in abusive head trauma	**H**97, 105, 165, 342, 428, 458, 479, 505, 561-562, **S**436, 503, 1011, 1130
1318	Riddle	Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health	**H**97, 105, 173, 342, 428, 453, 457, 466, 467-468, **S**377, 1010, 1037, 1622, 2033-2040, **H**2456-2460, 2482, **S**2094, **S**2129-2130, **H**2485, 2673-2674, **S**2284, **H**2734, **S**2291, **H**2737

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1319	Riddle	Changes the laws regarding weapons	**H**97, 105, 166, 426, 496, 537-541, 577-578, **S**449, 574
1320	Still	Changes the laws regarding campaign contributions	**H**97, 105, 1294
1321	Guernsey	Creates an exemption from the state and local sales and use tax on the purchase of feed for captive wildlife that will be ultimately sold at retail	**H**97, 105, 1101
1322	Black	Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process for certain offenders	**H**97, 105, 2731
1323	Black	Establishes the Low-Wage Trap Elimination Act and Sam Pratt's Law and changes the laws regarding child abuse and neglect investigations and unlicensed child care providers	**H**98, 105, 204, 406, 591, 847, 970, 1094-1099, 1134-1135, **S**738, 856, 1414, 1527-1528, **H**1941, 2623-2624, **S**2279, **H**2734, **S**2291, **H**2737
1324	Loehner	Affirms the right of Missouri citizens to raise livestock in a manner adhering to state and local laws and ordinances as enacted on August 28, 2012, or at the commencement of operations	**H**98, 105, 125, 286, 428, 651, 670-671, **S**502, 574, 1416-1417, 1718
1325	Cox	Authorizes the Governor to vacate an existing easement and to grant a new easement on and over certain state-owned property for the construction of a fire station in the City of Sedalia	**H**98, 105, 173, 426, 479, 549, 631, 735, 774, **S**542, 632
1326	Cox	Establishes the Business Premises Safety Act	**H**98, 105, 166, 476, 591, 643-647, 669-670, **S**501, 574
1327	Cox	Authorizes a public body to close certain foster care licensure data and requires the Children's Division to prepare a detailed report of specific information obtained in the licensure process	**H**98, 105, 166
1328	Cox	Changes the laws regarding the sale and possession of controlled substances	**H**98, 105, 250, 944, 1044, 1467
1329	Silvey	Changes the laws regarding motor vehicles	**H**98, 105, 125, 205, 230, 262-264, 281-282, **S**235, 385, 1415, 1432, 1622, 1633-1635, **H**2062, 2334-2337, **S**1953, **H**2735, 2737, **S**2291
1330	Jones (117)	Lowers the population requirement of a Department of Corrections center in the county in determining the procedure to obtain a change of venue for a misdemeanor or felony	**H**98, 105, 173
1331	Jones (117)	Revises the computation of the accrued benefits when an employee transfers creditable service between the State Employees' Retirement System and the Department of Transportation Retirement System	**H**98, 105, 166, 427, 479, 514, 569, **S**438, 503, 728, 865, 1343
1332	Schoeller	Changes the laws regarding the infrastructure replacement surcharge for water corporations	**H**98, 105, 166
1333	Sater	Changes the laws regarding vision examinations for school students	**H**98, 105, 286
1334	Meadows	Establishes the Fair Fare Passenger Safety Act of 2012 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device	**H**98, 105, 216
1335	Leara	Changes the distribution of certain local sales taxes in St. Louis County	**H**98, 105, 341
1336	Cierpiot	Allows cities and counties to adopt tax and fee amnesty provisions	**H**98, 105, 173
1337	Stream	Requires each high school to provide instruction in cardiopulmonary resuscitation and the instruction to be a graduation requirement	**H**98, 105, 166, 342, 406, 479, 607, 753, **S**537, 631, 1137, 1243, 1584-1585

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1338	Wells	Requires the Department of Transportation to add the words "Thank You Troops" to the "Welcome to Missouri" signs located on interstate highways	**H**99, 105, 204
1339	Wells	Removes the June 30, 2012 expiration date of the provisions requiring every child enrolling in kindergarten or first grade in a public school to receive a comprehensive vision examination	**H**99, 105, 166, 287
1340	Dugger	Specifies that the county commission must appoint an interim county official when there is a vacancy in the office of county clerk, collector, or assessor	**H**99, 105, 204, 319, 428, 518, 583-584, **S**447, 503, 1010-1011, **S**1129, **H**1556, 2734, **S**2291, **H**2737
1341	Dugger	Specifies that the exclusion from eligibility in any demand-side program offered by an electrical corporation of certain tax credits will not apply to low-income programs and their participants	**H**99, 105, 204, 343, 448, 713, 760, **S**538-539, 632
1342	Smith (150)	Changes the laws regarding the recovery of costs and attorney fees by the prevailing defendant in a civil action	**H**99, 105, 125, 426, 980, 1073-1074, 1123-1124, **S**737, 855
1343	Scharnhorst	Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services	**H**113, 125, 1101
1344	Nasheed	Authorizes a person to apply to a court for the closure of certain criminal records	**H**113, 125, 319, 343, 387, 691, 729, 818, 825, 834
1345	Cauthorn	Allows the Secretary of State to enter into an agreement with a nonprofit organization to print and distribute the Official State Manual	**H**113, 125, 216, 386, 631, 735, 775, **S**542, 632
1346	Talboy	Changes the laws regarding student athlete agents	**H**113, 125, 1101
1347	Franz	Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri	**H**113, 125, 173, 252, 302, 376, 402-403, **S**328, 435
1348	Neth	Allows any public school to offer courses in ballroom, square, or country dance which must be treated as a qualified fine arts and a physical education activity for academic credit	**H**113, 125, 216
1349	Jones (117)	Changes the laws regarding irrevocable life insurance trusts	**H**113, 125, 166, 251, 302, 436, 491-492, **S**395, 436
1350	Schupp	Establishes Nathan's Law which changes the laws regarding child care facilities	**H**113, 125, 425
1351	Schupp	Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor	**H**114, 125, 586
1352	Schupp	Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places	**H**114, 125, 846
1353	Schupp	Allows the Governor, with the advice and consent of the Senate, to appoint a student to the University of Missouri Board of Curators who will have full voting rights	**H**114, 125, 425
1354	Schupp	Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product	**H**114, 125, 250
1355	Lichtenegger	Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapist for rendering the same services regardless of the setting or venue	**H**114, 125, 457
1356	Funderburk	Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions	**H**114, 125, 173, 660

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1357	Gatschenberger	Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference	**H**114, 125, 173, 1140, 1293, 1632, 1936-1937, **S**1530, 1622
1358	Gatschenberger	Changes the laws regarding political subdivisions	**H**114, 125, 457, 549, 849, 944, 1104
1359	Smith (150)	Changes the laws regarding state contracts and statewide student assessment results	**H**114, 125, 216, 607, 955-956, 1075-1076, 1100, 1109, 1124-1125, **S**737, 855
1360	Rizzo	Authorizes the Kansas City Chief of Police to determine whether city parks should remain open between specified times in the interest of public safety	**H**114, 125, 2731
1361	Pollock	Allows telecommunications and broadband service providers or rural electric cooperatives to attach, maintain, and operate their equipment on another's pole under specified terms and conditions	**H**114, 125, 166, 319, 479, 724, 735, 887-890, 890-892, 970, **S**635, 676, 1137, 1243, 1427-1428, 1817
1362	Schieffer	Reauthorizes the tax credit for a donation to a food pantry	**H**114, 125, 425
1363	Schieffer	Requires the Missouri State Fair Commission and the governing bodies of fairs and exibitions which exhibit livestock to permit specified persons to exhibit livestock	**H**114, 125, 250, 446, 631, 735, 776, **S**542, 632
1364	Schieffer	Guarantees the right to conduct and participate in rodeos in this state and prohibits a restriction on the conducting of or participating in rodeos	**H**115, 125, 250, 446, 849, 1079-1080, 1127, **S**737, 856
1365	Lasater	Prohibits a felon from qualifying as a candidate for elected office in cities of the fourth classification	**H**115, 125, 173
1366	Fitzwater	Requires the school board of each school district and charter school to establish and maintain an evaluation system for teachers and teaching	**H**115, 125, 204
1367	Fitzwater	Specifies that any state employee performance review, if conducted, must be done by the employer or supervisor	**H**115, 125, 216, 898, 970, 1088, 1129, **S**737, 856
1368	Fitzwater	Allows certain types of field tests for controlled substances to be admissible as evidence in certain preliminary hearings and in an application for an arrest warrant	**H**115, 125, 271
1369	Fitzwater	Allows any person with a valid concealed carry endorsement to openly carry firearms on or about his or her person or in a vehicle regardless of any other state law or local ordinance	**H**115, 125, 166, 426
1370	Burlison	Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state	**H**115, 125, 174
1371	Weter	Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses	**H**115, 125, 216
1372	Jones (117)	Changes the laws regarding the dispensing of controlled substances and establishes the Prescription Drug Monitoring Program Act	**H**115, 123, 125
1373	Asbury	Authorizes a county to amend its budget twice during a fiscal year when there are certain specified circumstances	**H**126, 139, 166, 426, 479, 607, 754, **S**537, 631
1374	Neth	Changes the laws regarding school accreditation and establishes a transformational school district upon the second declaration of unaccredited status of certain school districts	**H**126, 139, 1101
1375	Schad	Adds deer to the definition of "livestock" for specified purposes	**H**126, 139, 425
1376	Cauthorn	Specifies that gold and silver issued by the federal government is legal tender in Missouri	**H**126, 139, 216
1377	Cauthorn	Changes the laws regarding condemnation proceedings	**H**126, 139, 250

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1378	Denison	Prohibits the transportation of a manufactured home unless the owner of the home has paid all property taxes on the home	**H**126, 139, 216
1379	Bahr	Allows a business subscriber to place its telephone number on the state's No-call List	**H**126, 139, 204, 377
1380	Bahr	Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property	**H**126, 139, 586
1381	Bahr	Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax	**H**126, 139, 216
1382	Cox	Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account	**H**126, 139, 228
1383	Cox	Changes the laws regarding information that must be made available on the Missouri Accountability Portal	**H**126, 139, 204, 607, 849, 1004, 1032-1033, **S**672, 730, 1416, 1718
1384	Cox	Changes the laws regarding consent to the adoption of a child	**H**126, 139, 204
1385	Cox	Requires any entity performing or assisting in certain abortions or counseling a woman to have an abortion to file an annual report regarding moneys received under the federal Public Health Service Act	**H**126, 139, 166
1386	Aull	Establishes a system for distributing school funding in years when the school funding formula is not fully funded and when it is overfunded	**H**127, 139, 250
1387	Aull	Allows a school district to use a calendar based on hours of attendance, rather than hours and days of attendance, if the minimum number of hours is at least 1,073	**H**127, 139, 216
1388	Aull	Changes the laws regarding teacher tenure	**H**127, 139, 271
1389	Kirkton	Allows a residential subscriber to have his or her wireless telephone number added to the state's No-call List and prohibits sending unsolicited faxes or text messages to anyone on the list	**H**127, 139, 234
1390	Curtman	Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance	**H**127, 139, 216
1391	Elmer	Changes the laws regarding the charging of a surcharge in civil court cases	**H**127, 139, 250
1392	Higdon	Requires a purchaser of commodity metals to register with the scrap theft alert system maintained by the Institute of Scrap Recycling Industries and establishes the Commodity Metals Theft Task Force	**H**127, 139, 688
1393	Gosen	Changes the laws regarding unsecured loans of $500 or less, commonly known as payday loans	**H**127, 139, 474
1394	Brandom	Specifies that no public assistance benefits can be used by a recipient to purchase liquor or tobacco products	**H**127, 139, 657, 1060, 1534
1395	Korman	Changes the laws regarding the Department of Natural Resources	**H**127, 139, 204, 476, 591, 723, 724-725, 828-829, **S**572-573, 633
1396	Gatschenberger	Prohibits certain entities in St. Charles County that do not process or treat their own sewage or wastewater from increasing its customer fee by a specified amount without a majority vote of the voters	**H**127, 139, 204
1397	Gatschenberger	Changes the laws regarding political subdivisions	**H**127, 139, 204, 818, 1104
1398	Gatschenberger	Requires collectors in all counties except for counties under township organization to mail property tax bills 30 days before the taxes are delinquent	**H**127, 139, 425

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1399	Richardson	Requires the injection of therapeutic substances around the spine or spinal cord for the treatment of certain pain syndromes to be performed only by a licensed physician	**H**127, 139, 217
1400	Richardson	Changes the laws regarding the investment of certain public funds, perfection of security interests, Division of Finance examinations, and residential mortgage loan brokers	**H**128, 139, 217, 386, 479, 654-657, 673-674, **S**502, 574, 853, 1040-1041, **H**1468, 2315-2317, **S**1952, **H**2734, **S**2291, **H**2737
1401	Richardson	Renames the Missouri Certificate of Need Law as the Missouri Long-term Care Certificate of Need law and limits the provisions of the law to only apply to long-term care facilities and services	**H**128, 139, 2731
1402	Burlison	Changes the laws regarding road use	**H**128, 139, 166, 478, 691, 728-729, 835, **S**574, 634, 1011, 1130, 1289-1294, 1377-1389, **H**1829-1841, 1850-1851, **S**1434, 1441, **H**1926, **S**1519, **H**1941, **H**1960, **S**1536, **H**2574-2575, 2587-2590, **S**2152, 2245-2247, **H**2686, **H**2734, **S**2291, **H**2737
1403	Schatz	Changes the laws regarding workers' compensation and the Second Injury Fund	**H**128, 139, 204, 518, 591, 879-882, 941, 953, 985-986, **S**654, 676, 854, 863, 1343, 1425-1427
1404	Reiboldt	Designates the month of December as "Pet Breeders Appreciation Month"	**H**128, 139, 166, 318, 428, 518, 584-585, **S**448, 503
1405	Brown (50)	Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state	**H**128, 139, 1101
1406	Walton Gray	Changes the laws regarding the use of credit information when underwriting insurance contracts and prohibits insurers from taking adverse actions based on a person's credit report or insurance score	**H**128, 139, 457
1407	Walton Gray	Establishes the Sickle Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs	**H**128, 139, 271, 549, 631, 735, 777, **S**542, 632, 1614, 2232
1408	Walton Gray	Designates July 3 of each year as "Organ Donor Recognition Day"	**H**128, 139, 341, 589, 631, 735, 778, **S**542, 632
1409	Walton Gray	Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan	**H**128, 139, 1101
1410	Walton Gray	Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits	**H**128, 139, 1101
1411	Walton Gray	Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety	**H**128, 139, 1101
1412	Walton Gray	Allows certain organizations who sell intoxicating liquor by the drink at retail or on their premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.	**H**128, 139, 1101
1413	Stream	Changes the laws regarding injury or death to a service dog and harassing a service dog	**H**129, 139, 657
1414	Colona	Removes the provision limiting the annual surcharge paid by employers to the Second Injury Fund to 3% of the employer's workers' compensation net deposits, premiums, or assessments	**H**129, 139, 425

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1415	Colona	Allows an individual at a general election to vote a straight party line ticket by voting for all candidates of the same political party with a single punch or mark	**H**129, 139, 457
1416	Colona	Specifies that an attorney who presents a current valid Missouri Bar membership card to St. Louis County Courthouse security must not be subject to any security screening	**H**129, 139, 341
1417	Colona	Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer	**H**129, 139, 250
1418	Colona	Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment	**H**129, 139, 846
1419	Colona	Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance	**H**129, 139, 228
1420	Colona	Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2015	**H**129, 139, 250
1421	Colona	Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions	**H**129, 139, 657
1422	Marshall	Revises the laws regarding DNA profiling analysis	**H**129, 139, 425
1423	Marshall	Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit	**H**129, 139, 457
1424	Marshall	Authorizes the State Highway Patrol to sell surplus watercraft, watercraft motors, and trailers as well as vehicles	**H**129, 139, 425, 496, 631, 735, 781, **S**543, 632, 1416, 1718, 1960-1966, **H**2443-2447, 2455, **S**2079, 2144-2145, **H**2631, 2734, **S**2291, **H**2737
1425	McNary	Requires each school district to establish a comprehensive program for student academic progression	**H**129, 139, 166, 548
1426	Kratky	Specifies that a person commits the crime of unlawful use of weapons if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance	**H**129, 139, 318
1427	Kratky	Authorizes an income tax credit for certain small businesses who hire a person who is disabled or recently discharged from a correctional facility	**H**130, 139, 250
1428	Kratky	Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm	**H**130, 139, 657
1429	Kratky	Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence	**H**130, 139, 657
1430	Kratky	Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting	**H**130, 139, 228
1431	Hoskins (121)	Extends the expiration of the provisions regarding the sales tax exemption on the sale of aviation jet fuel and authorizes the City of Columbia to impose a transient guest tax	**H**130, 139, 204, 301, 428, 510-511, 546, 561, 1467
1432	Hoskins (121)	Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person	**H**130, 139, 271

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1433	Hoskins (121)	Establishes the Show-me Green Initiative which allows a person or entity to submit a bid to the Department of Transportation to mow grass or vegetation along state roadways	**H**130, 139, 1101
1434	McGhee	Changes the laws regarding the termination of water and sewer service due to delinquency of payment	**H**130, 139, 425
1435	Schoeller	Repeals the provisions which allow a pregnancy resource center tax credit to be transferred and the provisions regarding its sunset on August 28, 2012	**H**130, 139, 166, 342
1436	Newman	Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disablities in public places and the right to be accompanied by a service dog	**H**130, 139, 286, 447
1437	Newman	Changes the laws regarding domestic violence	**H**131, 139, 1041
1438	Newman	Allows a voter to cast an advance ballot	**H**131, 139, 846
1439	Newman	Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program	**H**131, 139, 1041
1440	Newman	Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay	**H**131, 139, 846
1441	Fisher	Changes the laws regarding workers' compensation and unemployment benefits	**H**131, 139, 217, 301, 343, 429, 445-446, **S**347, 436
1442	Smith (150)	Fills a vacancy in the office of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, or State Treasurer by appointment by the Governor or a special election	**H**131, 139, 166, 251, 302, 405, 414, 419, **S**331, 435, 1433, 1718, 2248
1443	McGhee	Designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway"	**H**131, 139, 1101
1444	Smith (150)	Changes the laws regarding the confiscation of animals	**H**131, 139, 166, 406, 849, 1004-1006, 1034, **S**673, 730
1445	Smith (71)	Changes the funding mechanism for the tax credit for residential renovations for disability access and extends its expiration from December 31, 2013, to December 31, 2016	**H**131, 139, 271
1446	McNeil	Authorizes an income tax deduction for 100% of tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college	**H**131, 139, 457
1447	McNeil	Changes the laws regarding telemarketing practices	**H**131, 139, 271
1448	Guernsey	Establishes the School Construction Act which exempts construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval	**H**131, 139, 1294
1449	Berry	Prohibits the use of economic incentives to attract jobs from Kansas to Missouri if Kansas does likewise or requires Missouri to exceed Kansas's economic development funding in the metropolitan area	**H**132, 139, 250, 477, 496, 541, 586, 602, 605-606, **S**453, 574
1450	Bernskoetter	Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers	**H**142, 151, 2731
1451	Denison	Requires a window sticker to show current motor vehicle registration instead of a license plate tab	**H**142, 151, 173
1452	Denison	Requires any person younger than 14 years of age to wear an approved personal flotation device when on a watercraft on Missouri waters unless the person is in a fully enclosed part of the watercraft	**H**143, 151, 173
1453	Denison	Adds Greene County to the list of counties authorized to enact certain nuisance abatement ordinances	**H**143, 151, 217

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1454	Stream	Requires a person convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution	**H**143, 151, 457
1455	Gatschenberger	Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development	**H**143, 151, 286, 458, 849, 1201-1219, 1523-1524, **S**1138, 1417
1456	Black	Authorizes the Department of Corrections to establish a mental health assessment pilot program for certain criminal offenders	**H**143, 151, 457, 689, 1534
1457	Crawford	Requires, except in a charter county, a candidate for county treasurer to file a signed affidavit stating that the candidate meets the minimum bond requirements for the office of county treasurer	**H**143, 151, 166, 274, 302, 376, 403-404, **S**328, 435
1458	Hinson	Changes the laws regarding public safety, fire protection, and emergency services	**H**143, 151, 217, 690, 849, 1007-1020, 1035-1036, **S**673, 730
1459	Cierpiot	Disqualifies a person from becoming a candidate for a school board if he or she has a substantiated report of child abuse or neglect on the Child Abuse and Neglect Registry	**H**143, 151, 217
1460	Jones (117)	Extends the expiration date of the Statewide Court Automation Fund to September 1, 2018, and requires the Court Automation Committee to complete its duties by September 1, 2020	**H**143, 151, 228, 589, 632, 735, 780, **S**543, 632, 1011, 1130-1131, **H**1556, 2323-2324, **S**1953, **H**2734, **S**2291, **H**2737
1461	Weter	Changes the laws regarding the security deposit of renters	**H**143, 151, 967
1462	Cauthorn	Extends the period of time that a biodiesel producer is eligible to receive payment from the Missouri Qualified Biodiesel Producer Incentive Fund due to a lack of appropriations	**H**143, 151, 271, 446, 479, 517, 632, 735, 782, **S**543, 632, 855, 1127-1128, **H**1556, 2734, **S**2291, **H**2737
1463	Montecillo	Changes the laws regarding the distribution of certain local sales tax revenues in St. Louis County	**H**143, 151, 250
1464	Torpey	Prohibits statewide elected officials and legislators elected to their first term on or after November 2, 2012, from acting, serving, or registering as a lobbyist within one year of leaving office	**H**143, 151, 2731
1465	Torpey	Changes the laws regarding the compulsory school attendance of certain students	**H**143, 151, 271
1466	Nasheed	Establishes the Math and Science Tutoring Act which establishes a pilot program for tutoring certain students in any St. Louis City public school	**H**144, 151, 173, 387, 479, 514-516, 546, 602, 604-605, **S**452-453, 574
1467	Nasheed	Requires the Missouri Higher Education Loan Authority to reserve $30 million for loan forgiveness when the state unemployment rate exceeds a certain level in the previous fiscal year	**H**144, 151, 217
1468	Higdon	Requires the Amber Alert System Oversight Committee to adopt criteria to expand the Amber Alert System to provide peace officer safety alerts	**H**153, 163, 250
1469	Cross	Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises	**H**153, 163, 688
1470	Taylor	Expands the list of mandatory reporters of child abuse and neglect to include a coach, scout leader, youth leader, and any volunteer who has direct contact with children	**H**154, 163, 457
1471	Frederick	Changes the laws regarding the requirements for the testing of persons with tuberculosis	**H**154, 163, 586

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1472	Carter	Allows a teacher within the Public School Retirement System of St. Louis to retire when the teacher's age added to the number of years of credited service is not less than 80 instead of 85	**H**154, 163, 1101
1473	Jones (117)	Specifies that filing a petition for trial de novo results in the stay of the driver's license suspension or revocation order and the issuance of a temporary license until a final order is issued	**H**154, 163, 217
1474	Hubbard	Prohibits the Department of Corrections from charging an intervention fee to an inmate when he or she leaves prison	**H**154, 163, 250
1475	Cross	Requires the parent or guardian of any person younger than 17 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of a device	**H**154, 163, 217, 458, 591, 878-879, 903, 1045, 1157-1160, 1277, 1301-1302, **S**889, 1132, 1433, 2230
1476	Leara	Establishes the Freight Forwarders Incentive Act to encourage foreign trade through the Lambert-St. Louis International Airport	**H**154, 163, 173, 818, 970, 1078-1079, 1100, 1109, 1125-1126, **S**737, 855
1477	Brown (116)	Exempts a person who purchases 50,000 bushels or less of grain a year from obtaining a grain dealer license	**H**154, 163, 217, 546, 632, 735, 783, **S**543, 632
1478	Still	Increases the tax on tobacco products and the excise tax on cigarettes of $.17 per pack of 20 cigarettes to $.89 per pack to be used for public education purposes	**H**154, 163, 1101
1479	Schieffer	Requires a landlord to disclose the presence of mold to prospective and current tenants	**H**154, 163, 657
1480	Schieffer	Changes the laws regarding the state's No-call List and political telephone solicitations	**H**154, 163, 425
1481	Schieffer	Requires the governing body of all national, state, and local fairs and exposes conducted in this state which exhibit livestock or domestic animals to permit breeders and owners to exhibit	**H**154, 163, 425
1482	Schieffer	Specifies that the provisions regarding the crime of unlawful possession of a firearm will not apply to the possession of rifles or shotguns by a person who has not been convicted of a violent felony	**H**154, 163, 341
1483	Schieffer	Specifies that a political subdivision cannot prohibit a person with a valid concealed carry endorsement from carrying a concealed firearm onto a train or public bus	**H**155, 163, 586
1484	McCaherty	Establishes the Paperless Documents and Forms Act which authorizes the Department of Revenue to use technology to allow the filing of certain forms and the sending of certain notifications	**H**155, 163, 271, 447, 632, 735, 762, **S**539, 632
1485	Parkinson	Prohibits any person who is in violation of a court order to pay specified monetary judgments from qualifying as a candidate for an elective office and his or her name from appearing on a ballot	**H**155, 163, 173
1486	Nasheed	Increases the excise tax on cigarettes from 17 cents to 33 cents per pack of 20 cigarettes to be deposited, less a 3% collection fee, into the General Revenue Fund	**H**155, 163, 657
1487	Pollock	Changes the laws regarding renewable energy mandates enacted by Proposition C in 2008	**H**155, 163, 173
1488	Pollock	Changes the laws regarding the regulation of public utilities	**H**155, 163, 194, 518, 591
1489	McCaherty	Freezes the assessed valuation of residential property owned by certain taxpayers 67 years of age or older and limits increases in their property taxes	**H**155, 163, 271
1490	Frederick	Changes the laws regarding health care	**H**155, 163, 271, 660, 970, 1023
1491	Haefner	Requires a mandatory reporter of child abuse and neglect to make a report and removes the option of causing a report to be made	**H**155, 163, 341

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1492	Molendorp	Authorizes Cass County to establish a county municipal court	**H**155, 163, 271, 426, 479, 607, 755, **S**538, 631
1493	Fraker	Changes the laws regarding how the prevailing hour wage requirement for a given occupational title is determined for a county	**H**155, 163, 217
1494	Schoeller	Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity	**H**167, 172, 271
1495	Nance	Changes the laws regarding liability for reporting insurance fraud	**H**167, 172, 217, 319, 428, 511, 566, **S**439, 503, 729, 867-868, **H**1335, 2309-2311, **S**1952, **H**2734, **S**2291, **H**2737
1496	Hubbard	Prohibits the imposition of the death penalty, halts pending executions, provides for resentencing of offenders sentenced to death, and changes the laws regarding the death penalty	**H**167, 172, 586
1497	Hubbard	Establishes the Parent Time For Missouri Program in the Department of Elementary and Secondary Education to allow parents paid leave from work to help their children in their school	**H**167, 172, 217
1498	Hough	Changes the laws regarding liquor sales	**H**167, 172, 228, 477, 691, 744, 844, **S**583, 634, 1011, 1037, 1343, 1525-1526, **H**1941, 2592-2593, **S**2152, **H**2734, **S**2291, **H**2737
1499	Webber	Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours	**H**167, 172, 1101
1500	Webber	Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation or gender identity unlawful	**H**167, 172, 517
1501	Jones (117)	Establishes the Missouri Commission on Workforce Preparedness within the Department of Economic Development to study how higher education is meeting the needs of Missouri employers	**H**167, 172, 688
1502	Jones (117)	Creates the Higher Education Capital Fund to provide matching funds to public colleges and universities for capital projects under certain circumstances	**H**167, 172, 250
1503	Pace	Creates the crimes of assault of a utility worker or an employee of a mass transit system in the first, second, and third degrees	**H**167, 172, 271
1504	Richardson	Changes the laws regarding sales taxes	**H**167, 172, 446, 477, 497, 533-537, 546, 561, 575-576, **S**448-449, 574, 729, 783, 853, 872-883, **H**1386-1392, 1580-1581, **S**1161, **H**2734, **S**2291, **H**2737
1505	Richardson	Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity as Evidence Law and specifies what documents are not excluded by the hearsay rule of evidence	**H**167, 172, 217
1506	Schad	Requires a health benefit plan to establish equal out-of-pocket requirements for an orally administered anti-cancer medication and an intravenously administered or injected cancer medication	**H**168, 172, 341
1507	Webb	Requires the State Board of Education to limit a student's participation in and practice for extracurricular activities to during the school day and week to the extent possible	**H**168, 172, 1041

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1508	Webb	Allows certain cottage food production operations to sell baked goods from their home without being subject to the state health and food laws and regulations	**H**168, 172, 586
1509	Stream	Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders	**H**168, 172, 341
1510	Riddle	Changes the laws regarding an exemption from state and local sales and use taxes on certain items relating to motor vehicles and common carriers	**H**168, 172, 228
1511	Schieffer	Changes from six months to 60 days the period of time that a temporary motorcycle permit is valid	**H**168, 172, 341
1512	Curtman	Establishes the Civil Liberties Defense Act which specifies how courts may rule in contractual disputes involving the laws of other countries and in jurisdictional issues involving other countries	**H**168, 172, 217, 373, 591, 722-723, 829-830, **S**573, 633
1513	Franz	Prohibits any state law from providing an animal a right, privilege, or legal status that is equivalent to or exceeds those of a human being	**H**168, 172, 204, 287, 428, 514, 571, **S**437, 503
1514	Wieland	Allows for the establishment of a series limited liability company	**H**168, 172, 1101
1515	Schad	Changes the laws regarding crimes and criminal procedures	**H**168, 172, 341, 658, 691, 919-934, 941, 953, 961-962, **S**636, 676
1516	Schad	Changes the laws regarding the crime of assaulting a law enforcement officer, corrections officer, emergency personnel, or highway worker to include a utility worker	**H**168, 172, 341
1517	Nolte	Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents	**H**168, 172, 205, 252, 302, 376, 404-405, **S**328, 435
1518	Grisamore	Authorizes the licensure of a provisionally licensed behavior analyst and assistant behavior analyst and a temporary licensed behavior analyst and assistant behavior analyst	**H**168, 172, 205, 447, 632, 735, 784, **S**544, 632
1519	McGhee	Requires any remaining cash assets of a closed charter school to be returned to the Department of Elementary and Secondary Education	**H**168, 172, 425
1520	McGhee	Repeals the provisions which allow for the use of the death penalty and specifies that certain persons sentenced to death must be sentenced to life without eligibility for parole	**H**169, 172, 300
1521	Sommer	Requires collectors in all counties, except for counties under township organization, to mail or electronically send property tax bills 30 days before the taxes are delinquent	**H**169, 172, 228, 848, 970, 1080, 1127-1128, **S**738, 856
1522	Meadows	Authorizes the licensure of a provisionally licensed behavior analyst and assistant behavior analyst and a temporary licensed behavior analyst and assistant behavior analyst	**H**169, 172, 205, 447
1523	Meadows	Specifies that, beginning January 1, 2013, certain specified building codes will be deemed the official state codes	**H**169, 172, 271
1524	Phillips	Specifies that the owners of property abutting a private road in the absence of any other agreement may petition the court to establish a plan of maintenance or improvement	**H**169, 172, 318, 386, 448, 518, 591, 713, 761, **S**539, 632, 1615, 2232
1525	Fuhr	Establishes the Sentencing and Corrections Oversight Commission and changes the laws regarding criminal offenders under the supervision of the Department of Corrections	**H**169, 172, 173, 373, 480, 505-508, 562-563, **S**436, 503, 728, 783, 853, 866-867, **H**1335, 1459-1461, **S**1038-1039, **H**1468, **H**2734, **S**2291, **H**2737

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1526	Dieckhaus	Changes the laws regarding school personnel	**H**175, 184, 185, 1023, 1293, 1468-1472, 1520-1522, **S**1137, 1417, 1433, 1718-1721, 2276-2277
1527	Elmer	Changes the laws regarding property exempt from attachment	**H**175, 184, 204, 477, 632, 735, 815, **S**571, 633, 854, 1054-1055, **H**1474, 2734, **S**2291, **H**2737
1528	Wieland	Establishes the Intersection Safety Act regarding automated traffic enforcement systems	**H**175, 184, 1101
1529	Jones (117)	Restricts the authority of a radiology benefit manager to deny coverage for diagnostic testing ordered and recommended by a licensed physician	**H**175, 184, 286
1530	Gosen	Changes the laws regarding the resale of certain scrap metals	**H**175, 184, 2731
1531	Kirkton	Requires the newborn screening requirements to include severe combined immune deficiency disease (SCID), also known as bubble boy disease	**H**175, 184, 250
1532	Schoeller	Establishes the House of Worship Act, creates the crime of disrupting a house of worship, and enhances the penalty for the crime of institutional vandalism	**H**175, 184, 205
1533	Schoeller	Requires licensed chiropractors to be reimbursed under the MO HealthNet Program for providing services currently covered and within the scope of chiropractic practice	**H**175, 184, 205
1534	Bahr	Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act	**H**175, 184, 205, 660, 849, 1053-1055, 1080, 1110, 1110-1111, **S**730, 855, 1433, 1441, 1622, 2230
1535	Burlison	Exempts from state sales and use taxes certain business donations of tangible personal property held as inventory given to a sales tax exempt organization	**H**175, 184, 425
1536	Burlison	Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes	**H**175, 184, 425
1537	Burlison	Establishes the Show-Me Harvest Initiative which allows persons or entities to submit bids to the Department of Transportation to mow grass or vegetation along state roadways	**H**175, 184, 425
1538	Burlison	Prohibits employers from requiring employees to engage in or cease engaging in certain labor practices as a condition or continuation of employment	**H**175, 184, 2731
1539	Jones (89)	Establishes the Parent Empowerment and Choice Act or the Parent Trigger Act which allows parents under certain circumstances to invoke interventions for a struggling school	**H**176, 184, 217
1540	Jones (89)	Changes the laws regarding workers' compensation	**H**176, 184, 228, 607, 849, 1226, 1284-1285, **S**852, 969, 1415, 1567-1570, **H**1999-2000, 2001-2003, **S**1594, **H**2734, **S**2291, **H**2737
1541	Jones (89)	Specifies that anyone providing or participating in a medical procedure or research cannot be required to provide or participate in the activity if it violates his or her conscience or principles	**H**176, 184, 204, 458, 591, 724, 830-832, **S**573, 633
1542	Koenig	Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation	**H**176, 184, 300, 690, 1141
1543	Franz	Revises the death benefit amount for an active member of the County Employees' Retirement System	**H**176, 184, 493, 1043

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1544	Kirkton	Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed	**H**176, 184, 1101
1545	Kirkton	Designates December 4 of each year as "PKS Day" in Missouri for awareness and educational activities regarding Pallister-Killian Syndrome	**H**176, 184, 425, 458, 632, 735, 786, **S**544, 632
1546	Kirkton	Requires every health carrier to file its premium rates and classification of risks with the Department of Insurance, Financial Institutions and Professional Registration	**H**176, 184, 271
1547	Marshall	Permits county assessors to use the Kelly Blue Book or other credible resources when determining the trade-in value of a motor vehicle for personal property tax assessment purposes	**H**176, 184, 425
1548	Scharnhorst	Requires organizations wanting to sponsor certain events and activities that are held in a state park or on a historic site to obtain liability insurance	**H**176, 184, 425
1549	Richardson	Changes the laws regarding the state's No-call List by allowing a person to place his or her cell phone number on the list and prohibiting telemarketers from sending specified communications	**H**176, 184, 217, 426, 480, 1006-1007, 1037, **S**673, 730, 1415, 1572-1573, **H**2000, 2734, **S**2291, **H**2737
1550	Cookson	Establishes the Capitalism Education and Awareness Act and the Capitalism Education and Awareness Commission within the Department of Elementary and Secondary Education	**H**176, 184, 271
1551	Cookson	Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more	**H**176, 184, 318
1552	Cookson	Authorizes the governing body of Carter County to impose, upon voter approval, a transient guest tax on additional sites	**H**177, 184, 318
1553	Hughes	Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation	**H**177, 184, 586
1554	Hughes	Establishes the Economic Development Grant Program to be used to reopen a closed manufacturing factory	**H**177, 184, 586
1555	Hughes	Makes it an improper employment practice for an employer to refuse to hire or to discharge, reduce compensation, or modify any condition of a person's employment based on his or her credit score or history	**H**177, 184, 586
1556	Hughes	Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts	**H**177, 184, 586
1557	Hughes	Limits the amount of interest a title lender can charge on a loan and requires the average interest rate being charged by credit unions to be made available to the public at least quarterly	**H**177, 184, 846
1558	Hughes	Removes the provision allowing the Board of Probation and Parole to charge an offender an intervention fee as a condition of parole	**H**177, 184, 586
1559	Hughes	Increases, from no later than 15 days to no later than 60 days, after a child's birth that the father has to file an action to establish paternity prior to an adoption or file with Putative Father Registry	**H**177, 184, 457
1560	Diehl	Changes the selection of the circuit clerk in the 22nd Judicial Circuit in St. Louis City from being elected by the qualifed voters to being appointed by a majority of the circuit judges of the circuit	**H**186, 193, 341, 589, 632, 735, 814, **S**571, 633
1561	Diehl	Allows for the organization of a low-profit limited liability company or L3C	**H**186, 193, 1101

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1562	Higdon	Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court	**H**186, 193, 271
1563	Sater	Changes the laws regarding healthcare services	**H**186, 193, 457, 589, 632, 735, 787, **S**544, 632, 1137, 1243, 1428-1431, 1436-1438, **H**1926-1928, 2326-2330, **S**1953, **H**2734, **S**2291, **H**2737
1564	Hummel	Specifies that any personal identifying information that is utilized in a voluntary registry of persons with health-related ailments to assist them during an emergency is not considered a public record	**H**186, 193, 457
1565	Cauthorn	Requires mandatory reporters of child abuse to report when they are working or acting in their official capacity and allows them to report when they are not	**H**195, 204, 425
1566	Nichols	Changes the laws regarding contractors who perform home exterior and roof work	**H**195, 204, 271
1567	Nichols	Requires a scrap metal dealer purchasing catalytic converters or a person refining platinum from catalytic converters to keep a record of each purchase and limits the number that he or she can buy per day	**H**195, 204, 1294
1568	McManus	Changes the laws regarding the disclosure of certain foster care licensure information and the provisions regarding the Safe Place for Newborns Act	**H**195, 204, 425, 547
1569	Funderburk	Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri	**H**195, 204, 300, 477
1570	Oxford	Changes the laws regarding early childhood services	**H**196, 204, 341
1571	Oxford	Establishes the Good Jobs First Act which provides development subsidies to certain corporations	**H**196, 204, 341
1572	Weter	Changes the laws regarding bullying in schools	**H**196, 204, 425
1573	Schneider	Changes the laws regarding political subdivisions	**H**196, 204, 300
1574	Meadows	Allows a person to apply for a veteran designation on his or her driver's license or identification card upon providing specified proof of service	**H**196, 204, 271, 447, 849, 1100, 1135-1136, **S**738, 856
1575	Guernsey	Designates a portion of U.S. Highway 136 in Harrison and Gentry counties as the "Corporal Frank Buckles Memorial Highway"	**H**196, 204, 1101
1576	Largent	Allows certains state-licensed foster parents to purchase health insurance from the Missouri Consolidated Health Care Plan at the premium rate established for state employees	**H**196, 204, 228, 350, 428, 518, 585-586, **S**447, 503, 1415, 1570, 1591-1593, **H**2032, 2604-2607, **S**2278, **H**2734, **S**2291, **H**2737
1577	Largent	Requires schools to implement specified criteria regarding the enrollment and educational success of foster care children	**H**196, 204, 271, 406, 480, 607, 756, **S**538, 631, 1416, 1718, 1814, **H**2232, 2734, **S**2291, **H**2737
1578	Largent	Exempts reimbursement payments made under a contract to provide respite care for children in foster care from individual and corporate income tax	**H**196, 204, 271
1579	Davis	Requires institutions of higher education to award educational credits to a veteran for certain courses that were a part of his or her military training or service	**H**196, 204, 446
1580	Hodges	Requires certain group health insurance policies to provide coverage for the diagnosis and treatment of infertility	**H**196, 204, 341

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1581	Hodges	Requires all health carriers and health benefit plans providing prescription drug coverage to allow insureds to fill a mail order prescription at a participating in-network retail pharmacy	**H**196, 204, 586
1582	Hodges	Changes the laws regarding filling vacancies in certain county offices	**H**196, 204, 291
1583	Carter	Authorizes the juvenile court to order psychiatric evaluations of a juvenile and to order admittance to a mental health facility upon the recommendation of specified evaluations	**H**197, 204, 1101
1584	Carter	Adds a motor vehicle owned by a licensed funeral establishment and used exclusively for funeral services to the list of vehicles that are exempt from the motor carrier provisions of Chapter 390, RSMo	**H**197, 204, 446
1585	Cross	Changes the laws regarding landlord-tenant actions	**H**197, 204, 688, 1103, 1293
1586	White	Authorizes any public library district to impose, upon voter approval, a sales tax to operate and maintain public libraries within the library district	**H**197, 204, 1294
1587	Wyatt	Requires that one voting member of the University of Missouri Board of Curators be a student	**H**197, 204, 228
1588	Harris	Changes the laws regarding the notice of the relocation of a child by the custodial parent	**H**206, 215, 341
1589	Schieffer	Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires a local ordinance regulating the discharge of firearms to incorporate statutory justifications	**H**206, 215, 587
1590	Gatschenberger	Authorizes the conveyance of specified properties owned by the state to the State Highways and Transportation Commission	**H**206, 215, 457
1591	Flanigan	Adds Jasper County to the list of counties authorized to impose, upon voter approval, a sales tax to operate and maintain public libraries within the library district	**H**206, 215, 2731
1592	Jones (89)	Changes the laws regarding county collectors and a county's special road and bridge levy and establishes the STAR Bonds Financing Act	**H**206, 215, 350, 942, 1045, 1163-1165, 1277-1278, **S**851, 916
1593	Jones (89)	Changes the laws regarding the Missouri New Markets Development Program and establishes the Missouri Angel Investment Incentive Act	**H**206, 215, 250, 658, 691, 746-748, 818, 871, 872-873, **S**588, 634
1594	Shively	Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance	**H**206, 215, 341
1595	Lampe	Establishes the Advisory Council on the Education of Gifted and Talented Children	**H**206, 215, 425
1596	Lampe	Requires the State Board of Education to designate a staff member to be in charge of educational programs for gifted and talented children	**H**206, 215, 425
1597	Lampe	Changes the laws regarding bullying in schools	**H**207, 215, 587
1598	Hubbard	Changes the criteria for domestic assault in the third degree to include three responses by law enforcement for alleged abuse or violation of an order of protection by the same person	**H**207, 215, 457
1599	Webber	Changes the criteria for determining that the sentence for first degree murder will be life imprisonment without eligibility for parole instead of the death penalty	**H**207, 215, 1101
1600	Webber	Changes the retirement eligibility requirements for any person who becomes a member of the General Assembly on or after January 1, 2013	**H**207, 215, 341
1601	Webber	Designates the first Tuesday after the first Monday in November as a public holiday known as "Election Day"	**H**207, 215, 1101

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1602	Wyatt	Requires a school district to establish a "green" cleaning policy to promote environmentally sensitive cleaning products which meet guidelines of the Department of Elementary and Secondary Education	**H**207, 215, 457
1603	Hough	Prohibits a health carrier or health benefit plan from denying reimbursement to a licensed athletic trainer who provides covered benefit services within the scope of an athletic trainer	**H**207, 215, 1101
1604	Oxford	Establishes class sizes for school districts in St. Louis City and St. Louis County that are smaller than the minimum and desirable standards of the Department of Elementary and Secondary Education	**H**207, 215, 341
1605	Oxford	Prohibits a lender from imposing a fine, fee, or penalty for the prepayment of any loan and repeals the provision allowing a prepayment fee to be charged on a second mortgage loan	**H**207, 215, 846
1606	Oxford	Establishes the Missouri Earned Income Tax Credit Act authorizing an individual income tax credit equal to 20% of any earned income tax credit claimed by the taxpayer on his or her federal income tax return	**H**207, 215, 587
1607	Oxford	Establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires hospitals and health care facilities to provide emergency contraception to sexual assault victims	**H**207, 215, 457
1608	McNary	Repeals provisions and sections of law regarding unfunded and obsolete programs and establishes expiration dates for specified provisions	**H**208, 215, 271, 548, 692, 934-935, 962-963, **S**636, 676, 1416, 1639, **H**2133, 2734, **S**2291, **H**2737
1609	Nasheed	Requires each school district to ensure that every student develops a personal plan of study prior to the end of the student's seventh grade year	**H**208, 215, 228, 588, 1534
1610	Nasheed	Raises the compulsory school attendance age from 17 to 18 in all school districts unless the student has successfully completed 16 credits toward high school graduation	**H**208, 215, 228
1611	Nasheed	Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure	**H**208, 215, 271
1612	Burlison	Changes the laws regarding the resetting of a sign for any phase or portion of construction or reconstruction of any street or highway and requires the words "Thank You Troops" to be added to specified signs	**H**208, 215, 341, 550, 1534
1613	Franklin	Requires any not-for-profit entitiy which has been awarded a Department of Revenue fee office contract to submit an annual report on its receipts, expenditures, and contributions	**H**208, 215, 250
1614	Sifton	Requires at least 10% of any drug testing of violent offenders placed on probation, parole, or conditional release to be completed by the use of hair follicle testing	**H**208, 215, 657
1615	Oxford	Changes the laws regarding actions against a person for conduct or speech at a public hearing or meeting	**H**208, 215, 318, 406, 632, 735, 788, **S**544, 632
1616	Oxford	Changes the laws regarding the Missouri individual income tax	**H**208, 215, 1041, 1042
1617	Oxford	Eliminates the state income tax deduction for federal income tax liability beginning January 1, 2013	**H**208, 215, 587
1618	Schieffer	Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires a local ordinance regulating the discharge of firearms to incorporate statutory justifications	**H**208, 215, 587
1619	McNeil	Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates	**H**208, 215, 271

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1620	McNeil	Requires the Governor when selecting appointees to state boards, commissions, committees, and councils to ensure that the membership reflects racial and gender equity based on population if possible	**H**209, 215, 1101
1621	Brown (116)	Specifies that it will be an unlawful employment practice to discriminate against an individual because he or she has a concealed carry endorsement or uses a firearm for a lawful purpose	**H**209, 215, 228, 477, 497, 530-532, 574, **S**439, 503
1622	Jones (117)	Requires any advertisements for health care services to include specified information and prohibits it from containing any misleading or false statements	**H**209, 215, 2731
1623	Ellinger	Changes the laws regarding the membership of a city economic development tax board	**H**209, 215, 372, 548, 632, 735, 789, **S**545, 632, 729, 916, 972-994, 1019-1037
1624	Ellinger	Changes the laws regarding clemency in death penalty cases	**H**209, 215, 425
1625	Ellinger	Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty cases	**H**209, 215, 425
1626	Sommer	Specifies that any district that becomes an urban school district as the result of a federal census will continue to hold elections on its current schedule	**H**209, 215, 425
1627	Jones (117)	Expands the restriction on the release of the home address or other information contained in Department of Revenue motor vehicle or driver registration records to include state and federal judges	**H**209, 215, 457
1628	Barnes	Prohibits, upon voter approval, the Secretary of State from preparing a ballot summary statement if any family member of the secretary has a financial interest in the measure in excess of $50,000	**H**209, 215, 271
1629	Barnes	Allows a student to enroll in a school district other than the student's school district of residence for the purpose of attending virtual courses or programs	**H**209, 215, 271
1630	Franz	Changes the laws regarding the composition of the Missouri Highways and Transportation Commission	**H**219, 227, 271, 550, 632, 735, 790, **S**545, 632
1631	Walton Gray	Allows any public school to offer dating abuse information in its health curriculum in grades seven through twelve	**H**219, 227, 341
1632	Walton Gray	Specifies that a state employee who works 10-hour days and 40 hours per week cannot be required to take two hours of vacation leave for paid holidays	**H**219, 227, 341
1633	Walton Gray	Changes the laws regarding delinquent real estate taxes or mortgage notes	**H**219, 227, 1041
1634	Ruzicka	Repeals the provisions requiring certain newspaper publishers to meet targeted recycled content usage each year	**H**219, 227, 318, 427, 480, 607, 757, **S**538, 631
1635	Still	Allows a person to pay the $25 emblem-use fee to the Missouri State Humane Association for a I'm Pet Friendly special license plate for deposit in the Missouri Pet Spay-Neuter Fund	**H**219, 227, 1294
1636	Fuhr	Allows certain cities, town, and villages to elect to have only certain municipal ordinance violations heard by an associate circuit court or county municipal court	**H**219, 227, 341, 459, 632, 735, 791, **S**545, 633
1637	Curtman	Establishes the Missouri Sound Money Act of 2012 which changes the laws regarding legal tender and Sahara's Law which authorizes a tax form check-off box for the Pediatric Cancer Research Trust Fund	**H**219, 227, 286, 478, 1045, 1092-1094, 1100, 1110, 1130, 1132-1134, **S**738, 856, 1414, 1432, 1622, 1637
1638	Curtman	Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires local ordinances regarding the discharge of firearms to incorporate statutory justifications	**H**219, 227, 271

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1639	Nolte	Establishes the Broad-Based Tax Relief Act of 2012, reduces the tax on business income and corporate income, and changes the laws regarding the collection of money owed to the state	**H**219, 227, 457, 818, 1045, 1464-1466, 1507, 1517, 1528-1529, **S**1138, 1417, 2130, 2131, 2227
1640	Denison	Changes the laws regarding motor vehicles	**H**219, 227, 271, 550, 692, 903-917, 941, 953, 959-961, **S**635-636, 676, 1011, 1037
1641	Pollock	Allows a person to obtain a Missouri Chapter American Red Cross specialty personalized license plate	**H**219, 227, 300, 407, 480, 607, 758, **S**538, 632, 854
1642	Fitzwater	Establishes minimum salary requirements for all corrections officers and supervisors	**H**220, 227, 457
1643	Fitzwater	Requires any state employee to receive a salary increase equal to the increased cost of health insurance premiums from the previous year	**H**220, 227, 657
1644	Barnes	Changes the laws regarding excursion gambling boat licenses	**H**220, 227, 271, 477, 591, 647, 674-675, **S**502, 574, 1010, 1128, 1377, 1593-1594, 2130, **H**2485-2486, 2625-2626, **S**2279, **H**2734, **S**2291, **H**2737
1645	Fisher	Allows a person to file a verified petition for the expungement of certain misdemeanor offense records	**H**220, 227, 1101
1646	Brown (116)	Allows a person or company that rents or sells vessels to issue a temporary boating safety identification card to certain non-residents	**H**232, 242, 300
1647	Riddle	Changes the laws regarding public safety	**H**232, 242, 271, 496, 632, 711, 827-828, **S**572, 633, 1415, 1432, 1622, 1637, 1813, 1821-1838, 2094-2105, 2109-2111, **H**2486-2505, 2619-2622, 2734, **S**2291, **H**2737
1648	Nasheed	Allows the board of election commissioners in Kansas City and St. Louis to establish voter centers on election days for a person to vote without going to his or her precinct voting location	**H**232, 242, 341
1649	McGhee	Establishes the Certified Home Inspection Profession Title Protection Act which prohibits anyone from representing himself or herself as a certified inspector unless he or she has met certain certification	**H**232, 242, 372
1650	Spreng	Allows each school district or charter school to establish and implement an age-appropriate curriculum to educate students about domestic violence	**H**233, 242, 425
1651	McGeoghegan	Designates the month of October as "Spinal Cord Injury Month" in Missouri	**H**233, 242, 341, 447, 632, 735, 792, **S**545, 633
1652	McGeoghegan	Designates the month of May as "Fibromyalgia Month" in Missouri	**H**233, 242, 341, 448, 633, 735, 792, 793, **S**545-546, 633
1653	Kelly	Requires certain tax records to be disclosed to the Missouri Ethics Commission by certain entities who make more than $25,000 in campaign contributions during a year	**H**233, 242, 1101
1654	Kirkton	Exempts animal shelters from the licensure fees for animal care facilities	**H**233, 242, 730, 848
1655	Riddle	Restricts the time to file a product liability claim and when a manufacturer or seller of a product may be liable	**H**233, 242, 341
1656	Webber	Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund	**H**233, 242, 457

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1657	Webber	Prohibits a state agency from awarding a state contract to a contractor or subcontractor who performs the work outside of the United States	**H**233, 242, 1101
1658	Molendorp	Changes the penalty for a person who fails to maintain motor vehicle financial responsibility	**H**233, 242, 271
1659	Torpey	Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use	**H**233, 242, 250, 386, 480, 529-530, 572, **S**437-438, 503, 1414, 1528, 1635-1637, **H**2133-2134, 2338-2339, **S**1953, **H**2734, **S**2291, **H**2737
1660	Holsman	Allows for the establishment of an urban agriculture zone	**H**234, 242, 271
1661	Hoskins (121)	Changes the laws regarding the income tax deduction for job creation by small businesses	**H**234, 242, 286, 690, 849, 1055-1057, 1080, 1110, 1112-1113, **S**736, 855, 1954, **S**2275-2276, **H**2731, 2734, **S**2291, **H**2737
1662	Weter	Creates a county drinking water supply lake authority in Christian County	**H**253, 262, 425, 518, 633, 735, 794-795, **S**567-568, 633
1663	Kirkton	Authorizes an advanced practice registered nurse in a collaborative practice arrangement with a licensed physician to determine whether the restraint of a patient in a mental health facility is necessary	**H**253, 262, 2731
1664	Pollock	Establishes requirements for the taking of real property by adverse possession	**H**253, 262, 1101
1665	Jones (63)	Designates the month of May each year as "Lupus Awareness Month" in Missouri	**H**253, 262, 341, 606, 633, 735, 795-796, **S**568, 632
1666	Jones (63)	Authorizes a tax return check-off box on individual and corporate income tax forms for the newly created Lupus Revolving Research Trust Fund	**H**253, 262, 846
1667	Hough	Authorizes a $20 civil court filing surcharge for certain circuits	**H**253, 262, 1101
1668	Denison	Allows a person to obtain a United States Olympic Committee special license plate to benefit the Springfield Olympic Community Development Program	**H**254, 262, 341, 407, 480, 607, 759, **S**538, 632, 854
1669	Day	Allows a temporary motorcycle instruction permit holder to renew the permit two additional times for up to a total of 18 months and applies the current permit restrictions to all holders, regardless of age	**H**254, 262, 1101
1670	Day	Requires only persons younger than 21 years of age to wear protective headgear when operating or riding as a passenger on any motorcycle or motortricycle	**H**254, 262, 1101
1671	Stream	Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wages	**H**254, 262, 474
1672	Fuhr	Changes the auditing requirement for a law enforcement agency on the proceeds from federal forfeitures to only a reporting requirement	**H**254, 262, 271
1673	Ellinger	Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 4 cents per pack per year for four years until the excise tax on cigarettes reaches 33 cents per pack	**H**254, 262, 1041
1674	Scharnhorst	Allows the Department of Revenue to disclose information to the public regarding the annual number of cigarettes sold by each tobacco product manufacturer	**H**254, 262, 457

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1675	Ruzicka	Establishes the MODEX Fund and deposits one-half of the charges collected by traffic violation bureaus for law enforcement services into the fund to support the operational costs of the MODEX system	**H**254, 262, 286
1676	Nichols	Requires a homeowner and community improvement association to be organized as a nonprofit corporation and to comply with those liability insurance and alternative dispute resolution provisions	**H**254, 262, 457
1677	Ellinger	Authorizes a person to apply to a court for the expungement of certain criminal records	**H**254, 262, 341
1678	Long	Changes the laws regarding midwifery	**H**254, 262, 587
1679	Franz	Establishes the Sales Tax Technology Act regarding the electronic submission of sales tax data and payments	**H**254, 262, 300, 318
1680	Davis	Changes the name of the Heroes at Home Program to the Show-Me Heroes Program and adds spouses of active duty United States military personnel to those eligible to receive its services	**H**272, 280, 341, 447, 633, 735, 796-797, **S**568, 633, 728, 865-866, **H**1335, 2734, **S**2291, **H**2737
1681	Neth	Increases the penalty for the crime of assault on a police animal from a classs C misdemeanor to a class A misdemeanor	**H**272, 280, 425
1682	Wyatt	Prohibits any state department from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state	**H**272, 280, 657
1683	Brattin	Requires emergency dispatch operators to receive training on state laws regarding self defense and defense of others	**H**272, 280, 425
1684	Fallert	Specifies that a person who is permanently disabled, regardless of age, is not required to provide a physician's statement when renewing a disabled license plate or windshield placard	**H**272, 280, 341
1685	Fallert	Changes provisions regarding the Missouri preference in state purchasing	**H**272, 280, 1041
1686	Talboy	Establishes Blair's Law which specifies that a person commits the crime of unlawful use of a weapon if she or she discharges a firearm within or into the limits of a municipality with criminal negligence	**H**272, 280, 1101
1687	Schieffer	Designates the portion of State Route C that crosses over U. S. Highway 79 in Lincoln County as the "LCPL Patrick W. Schimmel Memorial Highway"	**H**273, 280, 341, 407, 633, 735, 797-798, **S**568, 633
1688	Guernsey	Specifies that any organization or entity that reintroduces any species of animal into this state must be financially responsible for any damage caused by the animal	**H**273, 280, 341
1689	Sommer	Changes the laws regarding the crime of abuse of a child	**H**273, 280, 425
1690	May	Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport	**H**273, 280, 425, 1060, 1432
1691	Dugger	Allows an applicant for a salvage dealer license to list a wireless telephone number as the means for the public to contact the place of business	**H**273, 280, 318, 518, 633, 902, 958-959, **S**635, 676
1692	Entlicher	Revises the oath that an election judge takes prior to being commissioned or beginning duties by requiring them to swear to support and defend the Constitution of the United States and Missouri	**H**273, 280, 341, 447, 633, 735, 798-799, **S**568, 633
1693	Zerr	Changes the laws regarding the approval of a redevelopment plan involving tax increment financing in St. Louis County, St. Charles County, and Jefferson County and its cities, towns, and villages	**H**273, 280, 474
1694	Jones (63)	Changes the fee for a Breast Cancer special license plate from going to the Friends of the Missouri Women's Council to going to the Department of Health and Senior Services	**H**273, 280, 341

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1695	Cookson	Requires an annual 2% increase for Department of Revenue fee office contracts awarded to specified federal tax exempt organizations	**H**273, 280, 1101
1696	Cookson	Requires the State Highway Patrol to waive any state fees associated with obtaining a concealed carry endorsement for an applicant who is a veteran	**H**273, 280, 1101
1697	Sommer	Designates the first week of August each year as Animal Rescue Week in Missouri	**H**289, 297, 587
1698	Redmon	Specifies that a person commits the crime of obstruction of justice when he or she knowingly does certain specified acts with the intent to prevent the apprehension or obstruct the prosecution of any person	**H**289, 297, 517
1699	Schad	Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities	**H**289, 297, 457
1700	Schad	Changes the laws regarding sexual offender registration	**H**289, 297, 300, 658, 692, 727-728, 836, **S**573-574, 634
1701	Gatschenberger	Exempts St. Francois County from the requirement that certain amounts of money from the county's special road and bridge tax be spent on specified purposes	**H**289, 297, 341
1702	Fuhr	Changes the laws regarding the prompt pay of public works contracts	**H**289, 297, 425
1703	Higdon	Adds Buchanan County to the list of counties authorized to impose a civil fine for a violation of a county rule, regulation, or ordinance	**H**289, 297, 587
1704	Kirkton	Requires a health insurance carrier to provide coverage for the initial device deemed necessary to treat a newborn who has been screened and assessed for a hearing impairment	**H**289, 297, 341
1705	Kirkton	Allows a residential subscriber to have his or her wireless telephone number added to the state's No-call List and prohibits sending unsolicited faxes or text messages to anyone on the list	**H**289, 297, 341
1706	McGhee	Changes the laws regarding contract carriers that transport railroad employees, tools, and supplies	**H**290, 297, 1294
1707	Jones (117)	Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle	**H**290, 297, 457
1708	Bahr	Prohibits the State Board of Education from adopting and the implementation of the standards for public schools developed by the Common Core Standards Initiative	**H**290, 297, 426
1709	Hough	Establishes the Missouri Works Program	**H**290, 297, 405, 942, 1045
1710	Hough	Changes the laws regarding tax credits and requires the Department of Economic Development to establish the Missouri Works Training Program	**H**290, 297, 405, 942, 1045, 1398-1403, 1507, 1517, 1524-1526, **S**1138, 1417
1711	McNeil	Requires every health carrier to file its premium rates and classification of risks with the Department of Insurance, Financial Institutions and Professional Registration for approval	**H**290, 297, 350
1712	Grisamore	Establishes a telephone tracking system pilot project for in-home services providers in Jackson, Cass, and Clay counties	**H**290, 297, 341
1713	Grisamore	Adds, subject to appropriations, prescribed, medically necessary hearing aids to the list of services covered under the MO HealthNet Program	**H**290, 297, 341

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1714	Grisamore	Adds, subject to appropriations, comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairment to the list of services covered under MO HealthNet benefits	**H**290, 297, 342
1715	Riddle	Prohibits the charging of a fee for releasing a lien or encumbrance from a certificate of ownership with specified exceptions	**H**303, 312, 493
1716	Cox	Establishes the Political Subdivision Construction Bidding Standards Act which creates bidding standards for contracts of $25,000 or more by certain political subdivisions	**H**303, 312, 657
1717	Kelley (126)	Changes the laws regarding the withholding tax filing requirements and income tax deductions for certain small businesses	**H**303, 312, 457, 590, 633, 734, 1050-1053, 1080, 1110, 1111-1112, **S**730, 855
1718	Scharnhorst	Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return	**H**321, 329, 426, 689, 1045, 1069
1719	Scharnhorst	Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act	**H**321, 329, 587
1720	Ruzicka	Changes the laws regarding the powers of park rangers	**H**321, 329, 1101
1721	Colona	Allows certain offenders who were younger than 18 years of age at the time the offense was committed to be eligible for parole after 15 years of imprisonment under specified conditions	**H**321, 329, 1101
1722	Thomson	Changes the laws regarding proprietary schools	**H**321, 329, 342, 477, 591, 744, 841, **S**583, 634, 1137, 1243
1723	Torpey	Changes the laws regarding the Distressed Areas Land Assemblage Tax Credit	**H**322, 329, 350, 818
1724	Wright	Allows certain motor vehicles to operate on public highways with dyed fuel during any Governor-declared state emergency	**H**322, 329, 587
1725	Fitzwater	Extends the provisions regarding the tax credit for a Missouri wood energy producer and limits the total amount of tax credits to $4.5 million in any fiscal year	**H**322, 329, 457
1726	Shively	Specifies that any person who had, prior to August 28, 2011, successfully completed the concealed carry training requirements will be deemed to have met the current training requirements	**H**322, 329, 587
1727	McCreery	Changes the laws regarding taxation	**H**322, 329, 941
1728	Johnson	Establishes the Missouri Jobs for Education Program	**H**322, 329, 426, 1269, 1432
1729	Elmer	Transfers Taney County from the 38th Judicial Circuit to the newly established 46th Judicial Circuit and specifies that the 38th Judicial Circuit will consist only of Christian County	**H**322, 329, 1101
1730	Cox	Establishes protections for the religious beliefs and moral convictions of certain persons and entities regarding specified health care coverage	**H**322, 329, 657
1731	Day	Changes the laws regarding the use of gaming and tobacco settlement moneys	**H**322, 329, 342, 387, 428, 444-445, 468-469, **S**377-378, 436, 1242, 1243-1246, **H**1775-1776, 1798, 1799, **S**1377, **H**1799-1800, 2734, **S**2291, **H**2737, 2738
1732	Cookson	Changes the laws regarding the required number of days and hours in a school calendar, the earliest opening and latest closing day of a school year, and the testing window for state assessments	**H**322, 329, 1101

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1733	Kelley (126)	Allows a municipality to adopt a resolution or ordinance that allows all-terrain and utility vehicles to operate on the streets and highways under its jurisdiction	**H**322, 329, 457
1734	Kelley (126)	Requires a motor vehicle dealer to give a purchaser the option of completing specified paperwork on his or her own and not having to pay an administrative fee or having the dealer to do it and pay the fee	**H**323, 329, 587
1735	Dieckhaus	Establishes the Passport Scholarship Program to grant scholarships to students residing in an unaccredited school district to attend a qualified nonpublic school	**H**344, 349, 372
1736	Dieckhaus	Changes the laws regarding school operations	**H**344, 349, 372
1737	Gatschenberger	Designates a portion of Interstate 64/U.S. Route 40 in St. Charles County as the "Darrell B. Roegner Memorial Highway"	**H**344, 349, 436, 590, 633, 735, 799, **S**568-569, 633, 854
1738	Grisamore	Changes the laws regarding accessible parking	**H**344, 349, 426, 496, 633, 735, 800, 812-813, **S**571, 633
1739	Holsman	Prohibits a homeowners' association from restricting the installation of solar panels if a member of the association obtains a petition signed by 50% plus one members agreeing to the installation	**H**344, 349, 587
1740	Dieckhaus	Changes the laws regarding school operations	**H**344, 349, 372, 406
1741	Leara	Changes the laws regarding the death benefit for members of the County Employees' Retirement System and the defined contribution plan for employees of certain higher education institutions	**H**344, 349, 457, 1043, 1141, 1192, 1280-1281, **S**851, 969
1742	Rowland	Recognizes the Northern Chickamauga Cherokee Nation as a tribe within the State of Missouri	**H**344, 349, 457
1743	Kelley (126)	Requires a convicted sex offender to be told of his or her obligation to register as a sex offender at the time of adjudication instead of the current requirement of prior to release or discharge	**H**344, 349, 457
1744	Kelley (126)	Designates the month of November as Pancreatic Cancer Awareness Month in Missouri	**H**344, 349, 457, 590, 633, 735, 800, **S**569, 633
1745	Gosen	Specifies that an insurer has the right to intervene in any civil case in which it may be obligated to provide a defense to the action or indemnity for any judgment rendered in the action	**H**344, 349, 846
1746	Wells	Requires any person who files a court challenging the issuance of a license for a commercial livestock or poultry slaughter or processing plant to post a surety bond	**H**344, 349, 1041
1747	Wells	Changes the laws regarding weapons	**H**344, 349, 446
1748	Walton Gray	Changes the laws regarding abandoned property	**H**345, 349, 2731
1749	Lasater	Changes the laws regarding failure to yield the right-of-way	**H**345, 349, 426
1750	Webber	Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund	**H**345, 349, 457
1751	Pollock	Requires the Department of Natural Resources to annually assess an electric utility in an amount not to exceed .005 of 1% of its annual intrastate operating revenues to encourage biomass energy projects	**H**345, 349, 426
1752	Cauthorn	Authorizes the Hazardous Waste Management Commission to adopt rules and regulations to ensure that Missouri is in compliance with the federal Resource Conservation and Recovery Act	**H**345, 349, 458
1753	Cauthorn	Specifies that aliens and foreign businesses may hold agricultural real estate in Missouri if it is owned on or before August 28, 2012	**H**345, 349, 458

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1754	Cox	Changes the laws regarding judicial circuits	**H**345, 349, 350, 630, 1141
1755	Weter	Requires homeowner insurance companies to offer coverage for sinkhole losses	**H**345, 349, 846
1756	Kander	Reenacts various ethics provisions held to be unconstitutional	**H**345, 349, 2731
1757	Grisamore	Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period	**H**345, 349, 1294
1758	Long	Changes the laws regarding child custody, visitation rights, and adoption	**H**350, 359, 372, 732, 1045, 1167-1169, 1278-1279, **S**851, 969, 1059, 1413, 1526-1527, **H**1942, 2593-2596, **S**2277-2278, **H**2736, **S**2291, 2737
1759	Brown (116)	Requires that the "Year Manufactured" on an outboard motor title reflect the year the dealer purchased it from the manufacturer	**H**350, 359, 688
1760	Anders	Allows the board of aldermen in the City of Sugar Creek to provide by ordinance that the city marshal or chief of police be appointed instead of elected	**H**350, 359, 587
1761	Ellington	Removes the 10-year statute of limitation for certain actions to recover damages regarding child abuse and sexual offenses committed against a child	**H**350, 359, 446
1762	Ellington	Prohibits the state, as an employer or provider of public or housing assistance, from requiring an applicant to disclose any prior felony plea or conviction	**H**351, 359, 446
1763	Ellington	Establishes the Malcolm X Day Commission to organize activities and events in honor of the civil rights leader	**H**351, 359, 446
1764	Bernskoetter	Authorizes the Director of the Department of Corrections to prescribe policies providing for salary increases for corrections officers	**H**351, 359, 1101
1765	Smith (71)	Establishes the Rosa Parks Observance Day Commission within the Governor's Office to organize and coordinate activities and events to celebrate her life and raise awareness of her legacy	**H**351, 359, 657
1766	Schneider	Specifies that any person who has a real estate appraisal ordered will have standing to file a complaint with the Real Estate Appraisers Commission	**H**351, 359, 846
1767	Allen	Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund from June 5, 2012, to August 28, 2022	**H**360, 366, 458
1768	Hinson	Changes the laws regarding county and statewide emergency 911 service boards	**H**376, 384, 458
1769	Jones (117)	Changes the criteria for a person applying for a license as a funeral director after August 27, 2015	**H**376, 384, 446
1770	Jones (117)	Requires, on or after August 28, 2015, any person applying for licensure as a preneed funeral contract agent to hold a valid Missouri funeral director's license	**H**376, 384, 1294
1771	Solon	Requires a political subdivision to hold a public hearing on the issuance of any bond that has a pledge of future appropriations securing the bond's debt service before issuing the bond	**H**376, 384, 385
1772	Parkinson	Specifies that the Department of Economic Development must require applicants for economic development asistance to provide specified information	**H**376, 384, 385
1773	Barnes	Specifies that the underwriter and the rating agency for any bond issued by a local government must investigate any company or project benefitting from the bond	**H**376, 384, 385

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1774	Barnes	Requires to the Department of Economic Develop to develop a system to apprise local governments of the department's opinion on certain proposals for economic development incentives	**H**376, 384, 385
1775	Barnes	Requires the Department of Economic Development to share its information on a company seeking economic development incentives with local governments and economic development officials	**H**376, 384, 385
1776	Barnes	Requires the governing body of any local government that issues an appropriation bond to provide insurance that repays the bond in the event of default	**H**376, 384, 385
1777	Barnes	Requires any new consulting contract for services in a foreign country to contain a provision that the consultant refrain from representing companies from that country in certain negotiations	**H**377, 384, 385
1778	Hoskins (121)	Designates "Old Drum" as the official state historical dog	**H**377, 384, 458
1779	Flanigan	Authorizes tax increment financing in certain blighted areas that have sustained severe damage as the result of a natural disaster	**H**377, 384, 587, 943, 1045
1780	Hinson	Changes the laws regarding county and statewide emergency 911 service boards	**H**377, 384, 458
1781	Nasheed	Changes the laws requiring a candidate for public office to file disclosure reports and assessed fees by the Missouri Ethics Commission before filing for and taking office	**H**377, 384, 1294
1782	Fitzwater	Designates a portion of State Highway 21 in Iron County as the "Staff Sergeant Norman J. Inman Memorial Highway"	**H**377, 384, 458, 550, 633, 735, 801, **S**569, 633, 854
1783	Brown (50)	Establishes the Missouri Commission on Prevention and Management of Obesity	**H**377, 384, 1294
1784	Bahr	Adds an exemption to the real estate agent licensing laws for any communication regarding real estate made by an unlicensed entity which is not proven to be false or misleading	**H**387, 393, 657
1785	Burlison	Allows a member of the National Rifle Association to obtain a National Rifle Association special license plate	**H**387, 393, 1294
1786	Burlison	Allows a member of the National Wild Turkey Federation to obtain a National Wild Turkey Federation special license plate	**H**387, 393, 1294
1787	Rizzo	Requires every merchant to develop and maintain a list of suppliers for each product it sells and provide it to any law or drug enforcement officer or agency upon request	**H**387, 393, 1294
1788	Elmer	Changes the laws regarding the awarding of a contract for projects by any officer or agency of this state or any of its political subdivisions	**H**387, 393, 517
1789	Schad	Changes the laws regarding travel hardships for public school students	**H**387, 393, 426, 588, 850, 937-938, 953-954, **S**634, 676, 1416, 2105, 1573-1576, 2107-2109, 2145-2146, **H**2631-2633, 2656-2659, **S**2280, **H**2734, **S**2291, **H**2737
1790	Torpey	Changes the laws regarding the court admissibility of the hearsay statement of a child	**H**387, 393, 587, 1043, 1432
1791	Sater	Allows the Division of Facilities Management, Design, and Construction to provide waste management services for any state agency with specified exceptions	**H**388, 393, 2731
1792	Franz	Requires each school district to adopt a policy on how student records and communications are provided to parents who have joint legal or physical custody of a student	**H**388, 393, 1101

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1793	Johnson	Establishes the Missouri International Agriculture Exchange website to allow Missouri agricultural producers to market Missouri-produced goods to international buyers	**H**388, 393, 587
1794	Grisamore	Clarifies the definition of "employment" as it relates to employment security laws regarding in-home or community-based services for clients of a county board for developmental disability services	**H**388, 393, 474, 733, 970
1795	Ruzicka	Changes the laws regarding newspaper recycling, solid waste and safe drinking water fees, environmental control, and asbestos abatement and establishes the Renewable Energy Pilot Program for State Parks	**H**388, 393, 436, 970, 1045
1796	Houghton	Changes the laws regarding crimes involving agricultural operations	**H**388, 393, 1101
1797	Johnson	Requires out-of-state persons or groups who wish to protest a funeral in this state to pay, prior to the protest, a $15,000 fee to the local law enforcement agency in the area where the protest will be held	**H**407, 414, 1101
1798	Johnson	Authorizes a tax credit for the cost of labor and materials to construct or improve a data center	**H**407, 414, 1101
1799	Colona	Requires all custodial interrogations to be recorded by removing the current exemption when it is not feasible	**H**407, 414, 587
1800	Johnson	Authorizes a state and local sales and use tax exemption for specified farm products sold at a farmers' market	**H**408, 414, 1101
1801	Johnson	Establishes the Missouri International Business Advertising Fund to be used exclusively for advertising the benefits of relocating an international business to Missouri	**H**408, 414, 1101
1802	Swearingen	Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements	**H**408, 414, 587
1803	Korman	Specifies the requirements for recognition as a certified school social worker	**H**408, 414, 474, 732, 1045, 1349, 1522-1523, **S**1137, 1417
1804	Molendorp	Authorizes the City of Kansas City to collect, upon voter approval, its existing convention and tourism tax from certain exempt transient guests and patrons of food establishments	**H**408, 414, 426, 550, 633, 735, 802, **S**569, 633, 1416, 1718
1805	Brandom	Establishes an income tax credit for the stipend or salary paid to certain interns	**H**408, 414, 475
1806	Scharnhorst	Specifies the duties and liabilities of ski area operators and skiers regarding the risk and legal responsibility for any injury, death, or loss to person or property resulting from the inherent risks of skiing	**H**408, 414, 1294
1807	Marshall	Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates	**H**408, 414, 436, 550, 633, 735, 804, **S**569-570, 633, 854, 1045-1054, 1056-1058, **H**1501-1507, 1849, **S**1432, 1717, **H**2189, 2718-2720, **S**2286, **H**2734, **S**2291, **H**2737
1808	Carter	Repeals the provision prohibiting the operation of certain vehicles transporting passengers in intrastate and interstate commerce unless the vehicle is equipped and operated according to federal regulations	**H**408, 414, 1294
1809	Wyatt	Changes the laws regarding cleaning supplies for state buildings and schools, county building codes, and energy audits of public schools	**H**408, 414, 587, 1023
1810	Jones (89)	Establishes the Iran Energy Divestment Act which bars any person or entity that invests in the energy sector in Iran from contracting with the state and political subdivisions	**H**408, 414, 475
1811	Carter	Corrects a typographical error in the statutory language regarding the unsuitability of an anatomical gift for transplantation or therapy by changing the word "transportation" to "transplantation"	**H**408, 414, 493, 549, 633, 735, 817, **S**572, 633

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1812	Webber	Changes the laws regarding the requirement to obtain competitive bids on certain county purchases	**H**408, 414, 1101
1813	Sommer	Designates Seaman, the dog accompanying Lewis and Clark on their expedition of the Louisiana Purchase territory, as the official state historical dog	**H**408, 414, 493
1814	Scharnhorst	Prohibits the Department of Health and Senior Services from enforcing or enacting a rule or regulation relating to lead abatement that is stricter than those required by federal law	**H**408, 414, 1101
1815	Pollock	Exempts the normal and customary use of state park trails and roads from the prohibition on the use of the trails and roads without written permission from the Department of Natural Resources	**H**409, 414, 587, 968, 1142
1816	White	Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals	**H**409, 414, 1294
1817	Cox	Specifies that the provisions regarding the Sentencing Advisory Commission cannot be construed to allow the commission to recommend a sentence in a specific pending court case	**H**409, 414, 458
1818	Schad	Changes the laws regarding property taxes	**H**409, 414, 517, 968, 1045, 1200, 1283-1284, **S**852, 969, 1414, 1528, 1966-1967, **H**2447-2448, 2611-2614, **S**2278, **H**2734, **S**2291, **H**2737
1819	Jones (63)	Specifies that a high risk or alternative charter school may allow a student to obtain credit to satisfy graduation requirements by alternative arrangements in the charter application and charter	**H**429, 435, 1101
1820	Asbury	Authorizes the Governor to convey specified state properties	**H**429, 435, 475, 549, 634, 735, 785, **S**544, 632, 1416, 1637-1639, **H**2134, 2607-2609, **S**2278, **H**2734, **S**2291, **H**2737
1821	Long	Repeals the provision requiring non-merit agencies to adopt dismissal procedures substantially similar to the dismissal procedures for merit employees	**H**429, 435, 587
1822	Lampe	Changes the laws regarding domestic violence orders of protection	**H**429, 435, 657
1823	Brown (85)	Prohibits specified companies from benefitting from a tax increment financing project	**H**429, 435, 1294
1824	Johnson	Prohibits a person from operating a warehouse, commissary, or mobile food unit without first obtaining a license from the Department of Health and Senior Services	**H**429, 435, 846
1825	Hinson	Allows a fire truck to be used for specified patient transport under certain conditions	**H**429, 435, 587
1826	Fitzwater	Allows the Board of Probation and Parole to conduct a hearing with an offender by means of a videoconference and authorizes the establishment of a mental health assessment process as a pilot program	**H**429, 435, 587, 689, 850, 1070-1071, 1120, **S**736, 855
1827	Richardson	Establishes the Missouri Electronic Prior Authorization Committee regarding national standards for the process of obtaining prior approval from an insurer for certain services or medications	**H**429, 435, 458, 589, 634, 735, 803, **S**569, 633, 1415, 1571-1572, **H**2000, 2599-2601, **S**2278, **H**2234, **S**2291, **H**2737
1828	Franz	Changes the font size of the required notice that a licensed lender has to provide the borrower from at least 10-point bold type to at least 14-point bold type	**H**429, 435, 587

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1829	McNeil	Requires the Department of Elementary and Secondary Education to establish a grant program for unaccredited and provisionally accredited districts that commit to extended school time	**H**429, 435, 587
1830	Stream	Changes the laws regarding a student transfer in an unaccredited district that is governed by a special administrative board	**H**430, 435, 587
1831	Stream	Prohibits spanking from being used in a public school on any student with an individualized education plan receiving special education services	**H**430, 435, 587
1832	Brown (116)	Specifies a form which any sheriff must accept as proof of firearms safety instructor qualification and that an applicant has passed a firearms safety course for a concealed carry endorsement	**H**430, 435, 587
1833	Brown (116)	Allows switchblades to be regulated in the same way as knifes and exempts the concealed carry of hunting knives from the provisions regarding the unlawful use of a weapon	**H**430, 435, 587
1834	Funderburk	Establishes the Extracurricular and Interscholastic Opportunities Anti-Discrimination Act	**H**430, 435, 606, 1532
1835	Silvey	Removes the exemption from sales tax on the sales of newspaper supplies and equipment and requires that revenue to be used to pay for health care costs of certain blind individuals	**H**430, 435, 493
1836	Shively	Authorizes the Governor to convey state property located in the City of Macon to the State Highways and Transportation Commission	**H**438, 444, 587
1837	Molendorp	Requires employers using medical needles in the routine course of business to use commercially available engineered injury protection devices to reduce the risk of needlestick injuries, with exceptions	**H**438, 444, 493
1838	Jones (117)	Specifies that nonexempt state employees can retain up to 80 compensatory hours at any time during the year	**H**448, 453, 846
1839	Jones (117)	Allows for the issuance of a temporary third license plate to be placed in a vehicle's back window when the view of the rear license plate is obstructed by a bicycle rack or other item	**H**448, 453, 1102
1840	Jones (117)	Requires any person certified and providing midwifery services to present each client proof of malpractice insurance coverage in an amount of at least $1 million prior to providing services	**H**448, 453, 1041
1841	Jones (117)	Changes the laws regarding pyramid sales schemes	**H**448, 453, 475, 549, 634, 735, 807, **S**570, 633
1842	Lant	Establishes the Joint Committee on Child Abuse and Neglect to make a continuing study and analysis of the state child abuse and neglect reporting and investigation system	**H**448, 453, 587, 1043, 1142
1843	Morgan	Requires children in the St. Louis City School District and Kansas City School District to enroll in a school by age five	**H**448, 453, 587
1844	Reiboldt	Requires specified disclosures on new credit card processing service contracts	**H**448, 453, 713
1845	Reiboldt	Authorizes the clerk of the circuit court to charge and collect a surcharge of up to $10 in cases where a garnishment is granted	**H**448, 453, 587
1846	Long	Changes the laws regarding referrals for MO HealthNet-funded home- and community-based care	**H**448, 453, 606, 1152, 1293
1847	Jones (117)	Changes the admittance requirements for assisted-living facilities	**H**449, 453, 458
1848	Webb	Repeals the provisions regarding judges in the existing eastern, southern, and western circuits and replaces them with first, second, and third appellate judicial districts based on legislative districts	**H**449, 453, 475
1849	McGhee	Establishes the criteria to be followed by landlords and tenants of multifamily rental dwelling units regarding the control of bed bugs	**H**449, 453, 1102

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1850	Wyatt	Establishes the Missouri Energy Efficiency Performance Standard	**H**459, 465, 1102
1851	Jones (117)	Requires a person to hold a valid peace officer license in order to be eligible for the office of county sheriff with the exception of the office of sheriff of St. Louis City	**H**459, 465, 1102
1852	Brandom	Changes the laws regarding the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects	**H**459, 465, 475
1853	Newman	Prohibits a vasectomy from being performed on a man unless it is to prevent the death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function of the man	**H**460, 465, 587
1854	Grisamore	Changes the laws regarding services for individuals	**H**460, 465, 587, 733, 970, 1442-1451, 1507, 1564, 1565-1566, **S**1148, 1417, 1615, 1622, 2231, 2232-2237, **H**2662-2664
1855	Wallingford	Establishes the Missouri Science, Technology, Engineering and Mathematics Initiative within the Department of Higher Education	**H**460, 465, 475
1856	Hampton	Authorizes Stoddard County to change the office of the county prosecutor to a full-time position on January 1 of the year following approval by the voters	**H**460, 465, 493
1857	Leara	Changes the laws regarding the Firemen's Retirement System of St. Louis for persons hired on or after August 29, 2012	**H**460, 465, 517
1858	Cox	Prohibits a beer brewer from having any financial interest in a beer wholesaler or from serving as a director, manager, employee, or agent of a beer wholesaler with specified exceptions	**H**460, 465, 688
1859	Barnes	Specifies that a political subdivision cannot incur any indebtedness through the issuance of a conduit bond for the benefit of a for-profit entity unless specified conditions are met	**H**460, 465, 475
1860	Guernsey	Changes the laws regarding agricultural education in private schools, grain dealers, and agricultural crimes	**H**460, 465, 493, 689, 850, 1071-1073, 1121-1122, **S**736, 855, 1417, 1432
1861	Nolte	Establishes the Broad-Based Tax Relief Act of 2012 which reduces the tax on business income and corporate income for sole proprietors, partners, and shareholders in S corporations	**H**460, 465, 1102
1862	Newman	Requires the Department of Labor and Industrial Relations to establish the Equal Pay Commission	**H**460, 465, 475, 496
1863	Aull	Designates Jim the Wonder Dog as the official state historical dog	**H**460, 465, 493
1864	Johnson	Allows a person to obtain a Pony Express special license plate	**H**460, 465, 475, 550, 634, 735, 808, **S**570, 633
1865	Barnes	Changes the laws regarding economic development incentives	**H**460, 465, 475, 607, 970, 1140, 1226-1236, 1287, **S**852-853, 969, 1414, 1528, 1587-1591, 1640, 1703-1713
1866	Largent	Exempts the sales tax on the receipt of a motor vehicle as a fishing or golfing tournament prize if the winner of the vehicle transfers the vehicle title within seven days and the purchaser pays the sales tax	**H**460, 465, 1102
1867	Denison	Allows a court to accept, in lieu of a cash only bond, a guarantee from a surety who is in compliance with the general laws regulating bail bondsmen	**H**460, 465, 493
1868	Cauthorn	Designates the portion of Business Route 54 within the city limits of Mexico as the "Christopher S. 'Kit' Bond Highway"	**H**461, 465, 475, 550, 634, 735, 809, **S**570, 633, 854

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1869	Dugger	Changes the laws regarding elections	**H**461, 465, 475, 731, 850, 1219-1225, 1285-1286, **S**852, 969, 1433, 1718
1870	Entlicher	Specifies that by January 1, 2014, the official ballot will be a paper ballot and requires all voting methods to produce the election results from paper ballots	**H**480, 489, 587
1871	Rizzo	Prohibits the issuance of a tax credit under certain programs for an otherwise qualifying job under certain circumstances when the jobs are relocated from a contiguous state	**H**480, 489, 1102
1872	Funderburk	Clarifies the current exemptions from sales and use tax on specified items used in manufacturing, processing, compounding, mining, or producing any product	**H**480, 489, 587
1873	Berry	Requires the Commissioner of Administration to procure a blanket bond or crime insurance policy to protect the state against loss from the acts or omissions of specified state-compensated persons	**H**480, 489, 1294
1874	Long	Establishes a seven-tenths of 1% sales tax on gasoline and increases the current sales tax on other goods by seven-tenths of 1% for transportation purposes and increases the excise tax on diesel fuel	**H**480, 489, 587
1875	Nance	Establishes a procedure by which insurers who purchase vehicles through the claims adjustment process can obtain a salvage title or junking certificate when they are unable to obtain a negotiable title	**H**480, 489, 517, 589, 634, 735, 810, **S**570-571, 633
1876	Long	Requires the establishment of a process by which a student in an unaccredited district who is enrolled in a public school that is not A+ designated can receive reimbursment under the A+ Schools Program	**H**480, 489, 587
1877	Sommer	Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years	**H**481, 489, 587, 1532, 1777
1878	Riddle	Designates a portion of State Route 94 in Callaway County as the "AMVETS Memorial Highway"	**H**481, 489, 517, 590, 634, 735, 811, **S**571, 633, 854
1879	McNeil	Requires all elementary and high schools to conduct an energy audit and report the results to the Office of Administration	**H**481, 489, 587
1880	Pollock	Requires the Department of Transportation to erect a sign at 1078 South Jefferson Street in the City of Lebanon recognizing the Independent Stave Company as a centennial business	**H**481, 489, 493, 590, 634, 735, 763, **S**539, 632
1881	Richardson	Changes the laws regarding the Second Injury Fund	**H**481, 489, 1041
1882	Brown (116)	Changes the eligibility requirements for food stamp assistance as it relates to an ineligible immigrant	**H**481, 489, 587
1883	Bernskoetter	Changes the laws regarding the regulation of fireworks	**H**481, 489, 941
1884	Marshall	Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving while intoxicated offense	**H**497, 505, 1294
1885	Schneider	Specifies that any person who has a real estate appraisal ordered will have standing to file a complaint with the Real Estate Appraisers Commission	**H**497, 505, 1102
1886	Grisamore	Requires the Department of Elementary and Secondary Education to establish a work group to assess available resources needed for effective work experiences for youth with disabilities	**H**497, 505, 587
1887	Grisamore	Prohibits a sheltered workshop's board of directors from holding in reserve any general operating moneys in excess of one year's estimated annual general operating costs with specified exceptions	**H**497, 505, 1102

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1888	Grisamore	Establishes the Office of Protection and Advocacy for Persons with Disabilities within the Office of Administration to protect the rights of individuals with disabilities and developmentally disabled persons	**H**497, 505, 587
1889	Denison	Changes the laws regarding towing companies operating tow trucks	**H**497, 505, 1102
1890	Molendorp	Changes the laws regarding health insurance coverage and contracts	**H**497, 505, 517, 589, 850, 1088-1091, 1100, 1110, 1151-1152, **S**754, 856
1891	Diehl	Establishes minimum standards that a municipality in St. Louis County must meet in the provision of municipal and financial services and reports	**H**497, 505, 1021
1892	Asbury	Allows a person who purchases a vehicle in another state with a a certificate of destruction, junking certificate, or equivalent issued by the other state to apply for a salvage certificate of title	**H**518, 527, 2731
1893	Carter	Changes the laws regarding teacher and employee tenure in the City of St. Louis School District	**H**518, 527, 1102
1894	Carter	Changes the laws regarding the crime of trafficking drugs in the first and second degrees	**H**519, 527, 1102
1895	Loehner	Allows University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming	**H**519, 527, 587
1896	Cauthorn	Changes the laws regarding sexual offenses	**H**519, 527, 657
1897	Cox	Modifies provisions relating to criminal law	**H**519, 527, 657
1898	Brown (50)	Creates the Missouri Juneteenth Heritage Memorial Fund and changes the distribution of funds from the nonresident entertainer and professeional athletic team income tax to provide moneys to the fund	**H**519, 527, 587
1899	Curtman	Allows a motor vehicle dealer selling a new motor vehicle up to 30 days to deliver the manufacturer's statement of origin to a purchaser if agreed upon by the dealer and the purchaser	**H**519, 527, 1102
1900	Redmon	Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act	**H**519, 527, 588, 1058, 1142, 1349-1353, 1403-1406, 1564-1565, **S**1148, 1417, 1615, 1622, 1954, 2237-2245, 2248, 2250-2275,**H**2690-2711, 2726-2728, **S**2286, **H**2734, **S**2291, **H**2737
1901	Grisamore	Requires each polling place for a federal, state, local, or school district election to have at least one accessible voting system that conforms to federal regulations for disabled voters	**H**519, 527, 1102
1902	Grisamore	Establishes the Purchasing from Disabilities Advisory Board regarding the procurement of goods and services by state agencies from persons who are disabled or have a disability	**H**519, 527, 688
1903	Koenig	Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state	**H**519, 527, 1102
1904	Wells	Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal	**H**551, 560, 588
1905	Ruzicka	Changes the laws regarding solid waste management	**H**551, 560, 688
1906	Nolte	Designates the portion of Interstate 70 in the state of Missouri as the "Purple Heart Trail"	**H**551, 560, 588
1907	Jones (117)	Changes the laws regarding vulnerable persons, child abuse and neglect, and the crime of domestic assault	**H**551, 560, 1102

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1908	Ruzicka	Exempts certain businesses from specified state asbestos-related requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos	**H**551, 560, 1294
1909	Hoskins	Changes the laws regarding aircraft fuel, liens on aircraft, and anemometer towers	**H**551, 560, 588, 630, 692, 722, 818, 825, 837, **S**582, 634, 1414, 1432, 1622, 1622-1632, **H**2062-2064, 2332-2333, **S**1953, **H**2734, **S**2291, **H**2737
1910	McNeil	Prohibits any product containing bisphenol-A for a child under three years of age from being sold in this state	**H**551, 560, 1041
1911	Shumake	Establishes the Missouri Advisory Boards and Commissions Association	**H**551, 560, 657
1912	McGeoghegan	Allows the Department of Revenue to create an emergency contact database for the holder of an instruction permit, driver's license, or non-driver's identification card	**H**593, 601, 662
1913	McGeoghegan	Requires the words "Allow 8' For Lift Deployment" to be added to van accessible parking signs	**H**593, 601, 941
1914	Kirkton	Changes the laws regarding child support for higher education	**H**593, 601, 846
1915	Kirkton	Allows the probate court to consider and grant visitation to the natural parents of a child with guardianship if it is in the best interest of the child	**H**593, 601, 941
1916	McManus	Revises the definition of "emergency vehicle" to include any vehicle operated by an authorized member of specified groups while responding to an emergency or in route to a fire station or ambulance garage	**H**593, 601, 1102
1917	Black	Changes the laws regarding candidate filing dates for primary elections	**H**593, 601, 1102
1918	Richardson	Specifies higher education course delivery priorities and the ability of community colleges to offer lower division courses	**H**593, 601, 688
1919	Schatz	Establishes new requirements for reporting underground infrastructure under the excavation safety requirements of Chapter 319, RSMo	**H**593, 601, 657
1920	McNary	Allows an unaccredited school district to use specified funding to support early childhood education and the establishment of a pilot project for awarding teacher credentials in an unaccredited district	**H**593, 601, 1102
1921	Torpey	Requires a safety study to be conducted before specified entities decrease the number of firefighters or first responders assigned to a fire apparatus pump operation	**H**593, 601, 1294
1922	Molendorp	Establishes the Missouri Department of Transportation and Highway Patrol Health Care Plan	**H**594, 601, 657, 1023, 1142, 1467
1923	Holsman	Requires a student wanting to drop out of high school to attend a dropout prevention seminar	**H**594, 601, 1102
1924	Holsman	Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for specified protected places	**H**594, 601, 1102
1925	Holsman	Prohibits a higher education institution from charging a Missouri resident who is a full-time student a tuition rate that exceeds the amount charged when the student first enrolled for the next five years	**H**594, 601, 1102
1926	Holsman	Establishes the Solar Water Heating System Incentive Program which provides financial incentives for the purchase and installation of solar water heating systems in private residences	**H**594, 601, 1102
1927	Holsman	Requires any school district designated as unaccredited or provisionally accredited to meet certain attendance requirements on its calendar	**H**594, 601, 1102

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1928	Holsman	Adds home nursing visits and follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program	**H**594, 601, 1102
1929	Holsman	Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding	**H**594, 601, 1102
1930	Holsman	Increases the number of students the Missouri Preschool Plus Grant Program may serve and expands the list of those who may receive a grant	**H**594, 601, 1102
1931	Holsman	Establishes the KidCare Co-op Program within the Department of Social Services to provide affordable health insurance to children through 18 years of age	**H**594, 601, 1102
1932	Holsman	Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education	**H**594, 601, 1102
1933	McCaherty	Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2012 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis	**H**594, 601, 688
1934	Torpey	Exempts, effective January 1, 2014, an animal shelter from the payment of any licensing and other fees under the provisions of the Animal Care Facilities Act	**H**594, 601, 730, 848, 1045, 1087, 1099-1100, 1136-1137, **S**739, 856, 1416, 1718, 1817-1818
1935	Franz	Changes the laws regarding the application of a specific interest rate for specified late payments, repayments, loans, bonds, overpayments, and judgments	**H**594, 601, 657, 968, 1142
1936	Molendorp	Changes the laws regarding the accreditation requirements for reinsurance companies and specifies when an insurance company can take credit or reduce liability due to reinsurance	**H**595, 601, 658
1937	Cauthorn	Requires every person riding a bicycle on a state road or highway to wear a reflective vest	**H**607, 614, 846
1938	Wallingford	Designates March 27 of each year as Medical Radiation Safety Awareness Day in Missouri	**H**607, 614, 846
1939	Jones (63)	Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance	**H**607, 614, 2731
1940	Barnes	Requires the Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company before January 1, 2014	**H**634, 642, 688
1941	Barnes	Requires the Office of Administration to maintain specified financial records of the Missouri Employers Mutual Insurance Company on the Missouri Accountability Portal	**H**634, 642, 689
1942	Molendorp	Changes the laws regarding captive insurance companies to allow the formation of a sponsored captive insurance company	**H**634, 642, 658
1943	Harris	Changes the laws regarding the management and maintenance of museum donations and collections	**H**634, 642, 2731
1944	Wallingford	Authorizes an income tax return check-off box for the designation of a donation from an income tax refund to the newly created Pediatric Cancer Research Trust Fund	**H**635, 642, 846
1945	Burlison	Removes the provision that requires fire protection districts located in Greene County to have an audit performed every two years	**H**635, 642, 1102
1946	Neth	Establishes a procedure by which a school district may increase its bonded indebtedness to 20% of the district's assessed valuation rather than the current limit of 15%	**H**635, 642, 846

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1947	Gatschenberger	Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines	**H**635, 642, 846
1948	Korman	Requires an installer of modular units to be licensed by the Missouri Public Service Commission	**H**635, 642, 1294
1949	Shively	Requires each of the farmer members of the State Soil and Water Districts Commission to have soil and water conservation district board experience at the time of appointment to the commission	**H**635, 642, 2731
1950	Scharnhorst	Requires health insurance issuers to pay an annual assessment which is to be placed in the Missouri Poison Center Funding Pool to support the Missouri Poison Center	**H**635, 642, 730
1951	Schoeller	Removes the for gross negligence exception from personal liability for members of the State Board of Chiropractic Examiners for acts committed in the performance of their official duties	**H**635, 642, 846
1952	Schatz	Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from Schedule IV and V controlled substances to Schedule III requiring a prescription	**H**635, 642, 689
1953	Hinson	Requires the State Board of Education to establish standards for agricultural vocational education that a private school may adopt to qualify to apply for a local chapter of the Future Farmers of America	**H**635, 642, 658
1954	Higdon	Requires an applicant for a new or renewal liquor license for a period of more than 30 days to pay an additional $100 transaction fee for deposit into the Alcohol and Tobacco Control Trust Fund	**H**635, 642, 846
1955	Richardson	Removes the required date of by January 1, 1994, for the appointment of the Missouri Employers Mutual Insurance Company Board of Trustees	**H**661, 669, 689
1956	White	Requires a tax increment financing plan, project, designation, or amendment to be approved by at least two-thirds of the voters of the taxing entities that would be affected by the proposal	**H**661, 669, 2731
1957	McGeoghegan	Allows the Department of Revenue to create an emergency information database for holders of instruction permits, driver's licenses, and non-driver's identification cards	**H**661, 669, 847
1958	Schupp	Allows for the issuance of a temporary third license plate to be placed in a vehicle's back window when the view of the rear license plate is obstructed by a bicycle rack or other item	**H**661, 669, 1041
1959	Gatschenberger	Prohibits specified increases in premiums or fees charged for sewage or wastewater treatment in St. Charles County without approval by the voters	**H**661, 669, 847
1960	Korman	Increases the fee for an alternative fuel decal and requires the moneys from the fee to be deposited into the State Highways and Transportation Department Fund instead of the Motor Fuel Tax Fund	**H**661, 669, 847
1961	May	Prohibits an insurance company using a consumer's zip code as a factor in underwriting from taking any adverse action based on that factor without consideration of another factor not related to the zip code	**H**661, 669, 941
1962	Parkinson	Changes the presidential primary election date from the first Tuesday after the first Monday in February to the general municipal day on the first Tuesday after the first Monday in April	**H**661, 669, 1041
1963	Parkinson	Establishes a closed primary election system	**H**661, 669, 1041
1964	Schneider	Adds residential and commercial alarm and security entities to the list of businesses from which a third class city may collect a license tax	**H**661, 669, 818
1965	Elmer	Changes the deadline for filing as a candidate for all primary elections held in August for any county or state office from the last Tuesday in March to the second Tuesday in March	**H**692, 702, 1041

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1966	Burlison	Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity and specifies what documents are not excluded by any hearsay rule	**H**692, 702, 968, 1045, 1236, 1396-1397
1967	Parkinson	Authorizes the governing body of any county located within a metropolitan park and recreation district that has passed a sales tax to submit the issue of repealing the sales tax to the voters	**H**692, 702, 2731
1968	Parkinson	Increases the size requirements for a sign posting private property as off-limits to concealed firearms	**H**692, 702, 1102
1969	Schneider	Changes the laws regarding the termination of water service	**H**693, 702, 818
1970	Jones (117)	Changes the laws regarding the Open Meetings and Records Law	**H**693, 702, 941, 1289, 1432
1971	Schneider	Changes the laws regarding political subdivisions	**H**693, 702, 818, 1082, 1293
1972	McCreery	Requires the county office that administers the lateral sewer service line repair fee program to bill each condominium unit separately for its proportionate share of the fee	**H**693, 702, 847
1973	Meadows	Repeals the provisions authorizing the City of St. Louis to a have a reserve police force	**H**693, 702, 847
1974	Oxford	Prohibits an investor-owned utility from including any costs associated with a settlement from a whistle-blower case in its rate case request to the Missouri Public Service Commission	**H**693, 702, 2731
1975	Oxford	Requires a professional sports team to make its financial records and ownership public if it is going to receive any state funds	**H**693, 702, 847
1976	Oxford	Increases, upon voter approval, the excise tax on cigarettes from 17 cents to 75% of the national average with a specified amount to be used for tobacco use prevention and cessation purposes	**H**693, 702, 1041
1977	Oxford	Changes the laws regarding the reporting of cruelty, abuse, or neglect of the elderly, children, or animals	**H**693, 702, 1041
1978	Oxford	Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health	**H**693, 702, 2731
1979	Brattin	Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant	**H**693, 702, 1294
1980	Richardson	Changes the laws regarding property ownership restrictions on community college districts	**H**693, 702, 967
1981	Sommer	Changes the presidential primary election to the general municipal election day on the first Tuesday after the first Monday in April of each presidential election year	**H**693, 702, 1041
1982	Parkinson	Requires a business to separately state on each sales receipt a breakdown of each tax paid by the purchaser on a retail sale	**H**693, 702, 1294
1983	Korman	Authorizes a state sales and use tax exemption on all retail sales of any "Made in USA" product except a motor vehicle for a seven-day period in July 2013 and July 2014	**H**694, 702, 941
1984	Flanigan	Requires the Division of the Budget to report any expenditure of state funds in excess of $100,000 to the chairs of the House Budget Committee and the Senate Ways and Means and Fiscal Oversight Committee	**H**694, 702, 847
1985	Zerr	Changes the laws regarding the Historic Structures Rehabilitation Tax Credit	**H**694, 702, 847
1986	Barnes	Requires the State Board of Education to contract for the analysis of statewide assessment results and requires each district to develop a policy on actions regarding employee tampering of assessment results	**H**713, 721, 847

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1987	Leara	Changes the laws regarding mental health screenings in schools and establishes the Administration of Psychotripic Medications to Children Act	**H**713, 721, 2731
1988	Brandom	Changes the laws regarding real estate appraisers and real estate appraisal management companies	**H**713, 721, 873, 1043, 1293, 1467, 1529-1531, **S**1138-1139, 1417
1989	Riddle	Designates the Hawken Rifle as the official state rifle of Missouri	**H**735, 742, 941
1990	Phillips	Requires all parents and legal guardians of children less than seven years of age to be informed of the ingredients contained in a vaccination prior to the administration of the vaccination	**H**735, 742, 941
1991	Phillips	Requires a sewer district to notify the landowner of any delinquent charges owed and that he or she has 30 days to correct the delinquency or a lien will be placed on the property	**H**735, 742, 1041, 1080
1992	Phillips	Specifies that a person commits the offense of refusing to submit to a chemical test when he or she refuses a law enforcement officer's request for a chemical test for blood alcohol content	**H**735, 742, 1294
1993	Lampe	Extends the provisions regarding the Children in Crisis Tax Credit from August 28, 2012, to August 28, 2018	**H**735, 742, 1102
1994	Carlson	Allows prospective adoptive parents and the parents of a prospective adoptee to enter into a post adoption contract agreement to allow contact between the former parents and the adoptee	**H**735, 742, 1041
1995	Bernskoetter	Excludes services performed by a licensed mortgage loan originator from the definition of "employment" as it relates to unemployment compensation under specified conditions	**H**735, 742, 1102
1996	Weter	Changes the laws regarding collaborative practice arrangements between physicians and advanced practice registered nurses	**H**735, 742, 2731
1997	McNeil	Specifies that a school or school district cannot be required to admit any pupil from an unaccredited school district in the same or adjoining county	**H**735, 742, 941
1998	Franz	Changes the laws regarding health services and fees and moving violations and traffic offenses occurring within an active emergency zone	**H**735, 742, 846, 1060
1999	Zerr	Changes the laws regarding the Missouri Science and Innovation Reinvestment Act	**H**735, 742, 818
2000	Webb	Changes the laws regarding the licensure of hearing instrument specialists	**H**819, 825, 847
2001	Silvey	Appropriates money to the Board of Fund Commissioners	**H**230, 242, 270, 546, 592, 615, 616, 628, 675-676, **S**508, 523, 713, 785-786, **H**1264, 1302-1303, **S**888, **H**2734, **S**2291, **H**2737
2002	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and Department of Elementary and Secondary Education	**H**230, 242, 270, 546, 592, 615, 616-617, 628, 676-677, **S**508-509, 523, 713, 786-788, **H**1265, 1304, **S**888, 922, 965, **H**1393, 1395, **S**967, **H**1779, 1805-1807, **S**1390-1392, **H**1840, 2734, **S**2291, **H**2737

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2003	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education	**H**230, 242, 270, 546, 592, 615, 617, 628, 677-678, **S**509, 523, 713, 788-790, **H**1265, 1304, **S**888, 922, 965, **H**1393, 1395, **S**967, **H**1665, **S**1246, **H**1776, 1780, 1807-1809, **S**1392, **S**1393-1394, **H**1840, 2734, **S**2291, **H**2737
2004	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and Department of Transportation	**H**230, 242, 270, 546, 592, 615, 617, 628-629, 678-679, **S**509, 523, 713, 790-791, **H**1265, 1304, **S**888, 922, 965, **H**1393, 1395, **S**967, **H**1781, 1809-1811, **S**1392, 1394-1396, **H**1840, 2734, **S**2291, **H**2737
2005	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration, Department of Transportation, and Department of Public Safety	**H**231, 242, 270, 546, 592, 615, 617, 629, 679-680, **S**509-510, 523, 713, 791-793, **H**1265, 1304, **S**888, 922, 965, **H**1393, 1395, **S**967, **H**1782, 1811-1812, **S**1392, 1396-1398, **H**1840, 2734, **S**2291, **H**2737
2006	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, and Department of Conservation	**H**231, 242, 270, 546, 592, 615, 618-619, 629, 680-681, **S**510, 523, 713, 793-795, **H**1265, 1305, **S**888, **S**922, 965, **H**1393, 1395, **S**967, **H**1783, 1813-1814, **S**1392, 1398-1400, **H**1840, 2734, **S**2291, **H**2737
2007	Silvey	Appropriates money for the expenses and distributions of the departments of Economic Development; Insurance, Financial Institutions and Professional Registration; and Labor and Industrial Relations	**H**231, 242, 270, 547, 592, 615, 619-620, 621-622, 622-623, 629, 681-682, **S**510, 523, 713, 795-796, **H**1266, 1305, **S**889, **S**922, 965, **H**1393, 1395, **S**967, **H**1784, 1815-1816, **S**1392, 1400-1402, **H**1840, 2734, **S**2291, **H**2737
2008	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Public Safety	**H**231, 242, 270, 547, 592, 615, 623, 629, 682-683, **S**510-511, 523, 713, 796-798, **H**1266, 1305, **S**889, **S**922, 965, **H**1394, 1395, **S**967, **H**1785, 1817-1818, **S**1392, 1402-1403, **H**1840, 2734, **S**2291, **H**2737
2009	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections	**H**231, 242, 270, 547, 592, 615, 623-624, 629, 683-684, **S**511, 523, 713-714, 798-799, **H**1267, 1305, **S**889, **S**922, 965, **H**1394, 1395, **S**967-968, **H**1786, 1819-1820, **S**1392, 1403-1405, **H**1840, 2734, **S**2291, **H**2737

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2010	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health, Board of Public Buildings, and Department of Health and Senior Services	**H**231, 242, 270, 547, 592, 615, 624-626, 629, 684-685, **S**511, 523, 714, 799-800, **H**1267, 1305, **S**889, 922, 965, **H**1394, 1395, **S**968, **H**1787, 1821-1822, **S**1392-1393, 1405-1407, **H**1840, 2734, **S**2291, **H**2737
2011	Silvey	Appropriates money for the expenses, grants, and distributions of the Department of Social Services	**H**231, 242, 270, 547, 592, 615, 622, 627-628, 629-630, 685-686, **S**511, 523, 714, 800-803, **H**1267-1268, 1305, **S**889, 922, 965, **H**1394, 1395, **S**968, **H**1788, 1823, 1824, **S**1407, 1407-1409, **H**1840, 2734, **S**2291-2292, **H**2737
2012	Silvey	Appropriates money for the expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, Office of the State Public Defender, and General Assembly	**H**232, 242, 270, 547, 592, 615-616, 620-621, 626-627, 630, 686-687, **S**511-512, 523, 714, 803-805, **H**1268, 1306, **S**889, 923, 965, **H**1394, 1395, **S**968, **H**1789, 1825-1826, **S**1407, **S**1409-1411, **H**1840, 2734, **S**2291, **H**2737
2013	Silvey	Appropriates money for real property leases and related services	**H**232, 242, 270, 547, 593, 616, 627, 630, 687-688, **S**512, 523, 714, 805-806, **H**1268, 1306, **S**889, 922, 965-966, **H**1394, 1395, **S**968, **H**1790, 1827-1828, **S**1407, 1412-1413, **H**1841, 2734, **S**2291, **H**2737
2014	Silvey	Appropriates money for supplemental purposes for several departments, offices of state government, payment of various claims for refunds, for persons, firms, corporations, other purposes, transfer money among funds	**H**218, 227, 228, 273, 343, 385, 415, **S**328-329, 340, 631, 744-745, 784-785, **H**1268, 1269, **S**813, **H**1336
2019	Silvey	Appropriates money for planning,expenses,and capital improvements, including additions,renovations,new structures and land improvements or acquisitions	**H**232, 242, 270, 942, 1045, 1088, 1138-1139, **S**739, 856
2026	Leach	Requires anyone participating in a caucus to be registered to vote by the fourth Wednesday before the caucus	**H**819, 820-821
2027	Leach	Requires candidates for election to the board of the Springfield School District in which more than one seat is open to declare their candidacy for a specific seat	**H**819, 825, 847
2028	Leach	Requires a summary and a description of a research project funded by the Spinal Cord Injury Fund to be submitted before or with the request for an appropriation to the appropriate appropriations committee	**H**819, 825, 847
2029	Curtman	Allows a motor vehicle dealer 21 days after the sale or transfer of a motor vehicle or trailer to deliver the certificate of ownership to the buyer	**H**819, 825, 941
2030	Curtman	Specifies that any person who has a valid concealed carry endorsement may openly carry a firearm on or about his or her person	**H**819, 825, 941

HB No.	Author	Subject	Page Reference
2031	Flanigan	Specifies that the presidential primary will be held in February and requires presidential preference primary results to take precedence over any presidential preference caucus	**H**819, 825, 1102
2032	Neth	Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax to be used for specified purposes	**H**819, 825, 1102
2033	Jones (117)	Specifies that no finding of blight under Chapter 135, RSMo, can be used to meet the conditions for blight under any other state statute	**H**819, 825, 941
2034	Jones (117)	Changes the definition of "blighted area" as it relates to an enhanced enterprise zone to include areas that are identified as distressed by specified federal designations	**H**819, 825, 941
2035	Swearingen	Exempts motorcyclists 21 years of age and older from wearing protective headgear when operating or riding a motorcycle or motortricycle on any state highway	**H**819, 825, 1102
2036	Barnes	Prohibits a public school from joining an association that governs interscholastic sports and activities unless the association sanctions the disciplines of archery, pistol, rifle, shotgun, and muzzleloading	**H**819, 825, 1102
2037	Kratky	Adds to the powers and duties of the special administrative board of the St. Louis City Transitional School District the authority to divide the district into four subdistricts upon voter approval	**H**819, 825, 1102
2038	Wallingford	Establishes Jonathan's Law which changes the requirements for the certification and transfer of a juvenile case to a court of general jurisdiction	**H**819, 825, 1041, 1332, 1535
2039	Torpey	Allows the State Board of Education to approve one pilot program school for accelerated reading instruction in early childhood and early elementary grades in each district with a charter school	**H**819, 825, 1102
2040	Johnson	Specifies that the requirement that every person operating or riding on a motorcycle on any state highway wear protective headgear will not apply from August 1 through August 21 of each year	**H**820, 825, 1102
2041	Johnson	Specifies that certain companies that provide telecommunications infrastructure will be eligible for linked deposit loans and authorizes a tax credit for the cost of Internet broadband equipment	**H**820, 825, 1102
2042	Stream	Changes the laws regarding the granting of grandparent visitation	**H**820, 825, 1102
2043	Neth	Specifies that no further Kansas City school district board elections will be held after July 1, 2013, and allows certain unaccredited school districts to be administered as a renewed school district	**H**820, 825, 873
2044	Holsman	Establishes the Incentives Regionalization Act to provide economic incentives to induce employers to relocate from Kansas to Missouri or from Missouri to Kansas	**H**820, 825, 941
2045	Shively	Establishes requirements for the interstate and intrastate movement of cervids	**H**820, 825, 1041
2046	Phillips	Specifies that any vehicle repaired by a body shop authorized by the owner's insurance company following a traffic accident must be deemed adequately repaired without diminished value for resale	**H**850, 864, 941
2047	Davis	Establishes the Uniform Military and Overseas Voters Act	**H**850, 864, 1294
2048	Schad	Prohibits any animal inside the State Capitol Building except for a service dog or other service animal	**H**851, 864, 1041
2049	Torpey	Increases the penalty for child molestation in the first degree when the victim is a child younger than 13 years of age to a class A felony	**H**851, 864, 1103
2050	Scharnhorst	Specifies that a school district will no longer have the authority to contract with a superintendent and requires it to be an elective office with specified exceptions	**H**851, 864, 1041

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2051	Cookson	Prohibits the discussion of sexual orientation in public school instruction, material, or extracurricular activity except in scientific instruction on human reproduction	**H**851, 864, 1103
2052	Johnson	Allows a person 21 years of age or older to operate a motorcycle on any state highway without protective headgear if he or she has obtaned a helmet-free endorsement from the Department of Revenue	**H**851, 864, 1103
2053	Aull	Changes the laws regarding a school district annexation petition	**H**851, 864, 1295
2054	Aull	Changes the laws regarding the Joint Committee on Education's review of the Commissioner of Education's proposed expenditures on statewide areas of critical need for learning and development	**H**851, 864, 1103
2055	Aull	Requires the certification of school food service directors and menu planners in public and private schools which receive funding through the federal school lunch program	**H**851, 864, 1103
2056	Aull	Requires an insurer to obtain approval from the Department of Insurance, Financial Institutions and Professional Registration before changing any insurance premium rate by 15% or more	**H**851, 864, 1295
2057	Brown (116)	Changes the laws regarding illegal aliens and immigration status verification for public assistance benefit purposes	**H**851, 864, 942
2058	Brown (116)	Allows any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from the service to obtain a "Women Veterans" special license plate	**H**851, 864, 942
2059	Brown (116)	Allows fourth class cities to make the offices of city collector and chief of police appointed positions without requiring approval of the voters	**H**851, 864, 942
2060	Davis	Prohibits an employer from requesting or requiring an employee or applicant to disclose any user name, password, or other means for accessing a personal account or service through an electronic device	**H**851, 864, 1103
2061	Swearingen	Requires that only one license plate be issued for all motor vehicles instead of the current two plates with the exception of property-carrying commercial motor vehicles	**H**851, 864, 1103
2062	Guernsey	Makes technical changes to the definitions of "adult," "minor," and "real estate" as they relate to the conveyance of real estate	**H**851, 864, 1532
2063	Denison	Requires the Department of Revenue to issue a special driver's license to a person required to use an ignition interlock device	**H**851, 864, 942, 1043, 1142, 1441-1442
2064	Schneider	Requires collection agencies to obtain a signed contract from the client prior to beginning collection services and to provide the client a copy of the contract	**H**851, 864, 1295
2065	Schneider	Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months	**H**851, 864, 1295
2066	Curtman	Establishes the Missouri Liberty Preservation Act which prohibits state enforcement of specified sections of the National Defense Authorization Act for Fiscal Year 2012	**H**852, 864, 1041
2067	Hampton	Prohibits the council of a third or fourth class city from condemning property to manage wastewater runoff without exhausting all other possible remedies	**H**852, 864, 1295
2068	Bahr	Prohibits the payment of any professional membership dues of any school administrator or superintendent from the incidental fund or teachers fund of a school district	**H**852, 864, 979
2069	Cierpiot	Changes the name, number of members, and the composition of the Board of Cosmetology and Barber Examiners and the educational requirement for a licensee	**H**852, 864, 1295

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2070	Lichtenegger	Changes the laws regarding mechanic's liens on residential real property	**H**852, 864, 1041
2071	Gosen	Allows a person to apply for a veteran designation on his or her driver's license or identification card upon providing specified proof of service	**H**852, 864, 1295
2072	Richardson	Requires the Director of Revenue to report to the Speaker of the House of Representatives and the President Pro Tem of the Senate a list of jurisdictions that have adopted a local use tax on specified items	**H**852, 864, 1295
2073	McCann Beatty	Repeals the provisions regarding nonjudicial foreclosure proceedings and requires all foreclosure proceedings to be handled judicially beginning August 28, 2012	**H**852, 864, 1295
2074	McCann Beatty	Changes the laws regarding a lien of certain health care entities and practictioners	**H**852, 864, 1295
2075	Johnson	Establishes the Daylight Saving Time Elimination Act	**H**852, 864, 1103
2076	Sommer	Establishes a preference in governmental contracts for a person or organization who contributes to an alternatives to abortion agency or the Alternatives to Abortion Support Fund	**H**852, 864, 1042
2077	Lampe	Establishes the Missouri Yellow Dot Program within the Department of Revenue to provide emergency responders with health and emergency contact information when an individual is in an accident	**H**852, 864, 1295
2078	Oxford	Requires the Children's Division to establish rules to modify the income eligibility criteria for individuals receiving a child care subsidy benefit	**H**852, 864, 942
2079	Oxford	Changes the laws regarding the structure and conditions for the transitional school district that has the same boundaries as the City of St. Louis	**H**853, 864, 942
2080	Keeney	Changes the laws regarding the sales and use tax on a trade-in or exchange transaction	**H**853, 864, 1295
2081	Marshall	Changes the laws regarding political activities of a member of the Kansas City Police Department	**H**853, 864, 942
2082	Marshall	Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed	**H**853, 864, 1042
2083	Kelley (126)	Requires the Department of Transporation to issue emergency utility response permits for the transporting of equipment and material needed following a disaster where utility service has been disrupted	**H**853, 864, 873
2084	Meadows	Designates the new Interstate 70 bridge over the Mississippi River connecting Missouri and Illinois as the "Stan 'The Man' Musial Mississippi River Expressway Bridge"	**H**853, 864, 1042
2085	Sommer	Requires every applicant for a motorcycle license or endorsement to show proof that he or she has successfully completed an approved motorcycle training course	**H**853, 864, 1042
2086	Hodges	Requires each elected county official to appoint a deputy to serve as the interim county official in the event of a vacancy in the office until the vacancy is filled by the Governor as provided by law	**H**853, 864, 1103
2087	Hughes	Requires all food or food products sold in Missouri which are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals	**H**853, 864, 1103
2088	Hughes	Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products	**H**853, 864, 1103

HB No.	Author	Subject	Page Reference
2089	Hughes	Allows certain small businesses to be eligible to claim any state tax credit, deduction, and other exemption from tax that specified corporations are allowed to claim	**H**853, 864, 1295
2090	Hughes	Establishes the Missouri Supporting Families Income Tax Holiday Act which allows an exemption from state withholding taxes for state employees in a specified month determined by the Department of Revenue	**H**853, 864, 1103
2091	Hughes	Specifies that a title lender is liable for the actions of the persons employed or contracted by him or her to take possession of titled personal property upon the expiration or default of a title loan	**H**853, 864, 1295
2092	Kirkton	Changes the laws regarding the distribution of county sales taxes in certain counties	**H**853, 864, 1021
2093	Marshall	Specifies that any issue to increase any tax, license, fee, or levy requiring voter approval under Article X of the Missouri Constitution must be placed on the ballot only on the general election day	**H**853, 864, 2731
2094	Frederick	Changes the laws regarding physician assistants	**H**853, 864, 1295
2095	Smith (150)	Establishes the Animal Ecological Terrorim Act	**H**853, 864, 1103
2096	Korman	Repeals the provisions allowing certain counties to establish an alternative county highway commission	**H**865, 871, 1103
2097	Korman	Specifies that for purposes of qualifying for waiting week credit and unemployment compensation benefits, good cause cannot include voluntarily quitting work to accept a job with equal or lesser wages	**H**865, 871, 1103
2098	Elmer	Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law	**H**865, 871, 1042
2099	Elmer	Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person	**H**865, 871, 942, 1044, 1142, 1240-1243, 1282-1283, **S**852, 969, 1415, 1573, 1717
2100	Jones (117)	Changes the laws regarding motor vehicles	**H**865, 871, 893, 1043, 1142
2101	Gatschenberger	Prohibits a fire protection district from enforcing its residential construction regulatory system when a municipality located within the district adopts, implements, and enforces a regulatory system	**H**865, 871, 1103
2102	Gatschenberger	Allows a person licensed to sell liquor at retail by the drink for consumption on the premises where sold to use a table tap dispensing system to allow a patron of the licensee to dispense beer at a table	**H**865, 871, 2731
2103	Leach	Changes the laws regarding smoking in public places	**H**865, 871, 1021
2104	Elmer	Changes the laws regarding workers' compensation and the Second Injury Fund	**H**865, 871, 1042
2105	Meadows	Allows the governing body of a county or municipality to require a gated community to have gate-operating devices that activate at the sound of an emergency vehicle siren	**H**865, 871, 1042
2106	Marshall	Changes the laws regarding the responsibilities of the Office of the State Auditor	**H**865, 871, 1103, 1509
2107	Marshall	Changes the laws regarding blighted areas and eminent domain	**H**865, 871, 1103
2108	Jones (117)	Allows charges of up to $50,000 in any year collected by a sheriff in civil cases to also be used to supplement the sheriff's base salary	**H**865, 871, 1295
2109	Schoeller	Changes the laws regarding voter registration	**H**865, 871, 942
2110	Nolte	Changes the laws regarding county special road and bridge levies	**H**865, 871, 1103

INTRODUCED HOUSE CONCURRENT RESOLUTIONS

HCR No.	Author	Subject	Page Reference
1	Jones (89)	House of Representatives and Senate convene in Joint Session in Hall of House of Representatives at 7:00p.m.,Tuesday, January 17, 2012, to receive a message from the Honorable Jeremiah W. Nixon, Governor	**H**11, **S**52, **S**70-71, 81, **H**66, 67, 81, **S**93
2	Jones (89)	House of Representatives and Senate convene in Joint Session in Hall of House of Representatives at 10:30 a.m., Wednesday, January 18, 2012, to receive message from Honorable Richard B. Teitelman, Chief Justice	**H**11-12, **S**52, 71, 81, **H**67 **S**94
3	Scharnhorst	Submits to Congress a proposed federal balanced budget amendment to the United States Constitution	**H**12, 28, 29, 194, 229, 298-300, **S**255, 268
4	Gatschenberger	Submits an official application by the State of Missouri for the calling of a convention for proposing amendments to the United States Constitution	**H**12, 28, 340
5	Rowland	Strongly urges all employers in this state to give all veterans in their employ a day off for Veterans Day	**H**28, 318
6	Rowland	Strongly urges Congress and the Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs in this country	**H**28, 688, 894-895, 970, 1151, **S**751-752, 812
7	Rowland	Claims sovereignty for the State of Missouri under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government	**H**28, 216, 658-659, 848, 979, **S**651-652, 676
8	Guernsey	Disapproves the State Tax Commission's proposed state regulation regarding the value of each grade of agricultural and horticultural land for the 2013, 2014 assessment years under Section 137.021 RSMo	**H**47, 57, 173, 288, 301, 372, 384-385, **S**300, 310, 354, 378-379, **H**483, **S**385
9	Curtman	Urges the United States Congress to pass the Federal Reserve Transparency Act to require a complete audit of the Federal Reserve	**H**46, 193
10	Smith (71)	Urges Congress to address the pervasiveness of sickle cell trait and disease and the need to increase public awareness of the available programs and screenings	**H**66, 1294
11	Kelley (126)	Designates October 3, 2012, as "Missouri Animal Agriculture Day"	**H**66, 216, 494, 590, 872, **S**587-588, 595
12	Davis	Designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice of service men and women who have given their lives in the line of duty	**H**66, 124, 251, 301, 393, **S**308, 1068, 2113, **H**2483
13	Loehner	Supports the use of unbiased scientific research and data regarding the management practices for rivers and streams	**H**80, 124, 217, 229, 298, **S**255-256, 268
14	Shively	Opposes the FCC reforms regarding broadband deployment in rural and hard-to-reach areas and urges the Missouri Congressional delegation to support to expand broadband and DSL in rural areas	**H**104, 2730
15	Cauthorn	Urges the United States Congress to protect citizens from the financial hardships caused by the Federal Reserve System of paper money unbacked by gold and silver	**H**122, 1041
16	Walton Gray	Requests the Missouri Congressional delegation to support the efforts of the National Women's History Museum to secure a permanent home in the nation's capital at the National Mall	**H**122, 2730
17	Walton Gray	Designates the week of March 25, 2012, as "Colon Cancer Awareness Week" in Missouri	**H**122, 2730
18	Walton Gray	Designates April 2012 as "Donate Life Month" in Missouri	**H**122, 688, 943-944, 1044, 1166, **S**755, 812

HCR No.	Author	Subject	Page Reference
19	Walton Gray	Designates the week of May 13 - 19, 2012, as "Sickle Cell Awareness Week" in the State of Missouri	**H**122, 586
20	Walton Gray	Designates August 1, 2012, as "Minority Organ Donor Awareness Day" in Missouri	**H**122, 340
21	Walton Gray	Designates December 15, 2012, as "American Red Cross Minority Blood Drive Day" in Missouri	**H**122, 340
22	Walton Gray	Encourages the Missouri Veterans Commission to work with the United States Department of Veterans Affairs to address the needs of women veterans and formally honors the heroic service of women veterans	**H**122, 270, 319-320, 478, 616, **S**470-471, 1068, 2114, **H**2483
23	Zerr	Granting authority to the department of economic development to approve qualified equity investments	**H**142, 150, 340
24	Newman	Recognized the week of January 22-28, 2012, as "Reproductive Rights Awareness Week" in Missouri	**H**162, 2730
25	Allen	Recognizes the important services provided by professional school nurses and strongly urges school districts to recognize their dedication and valuable role by compensating them as like-degreed professional	**H**184, 340, 548-549, 691, 872, **S**586-587, 595, 1242-1243, **S**2111-2112, **H**2483
26	Oxford	Urges the State of Missouri to recognize the yellow with three stripes heritage and freedom flag as the official flag of the Vietnamese-American community	**H**193, 340
27	Hubbard	Congratulates the students and teachers of the St. Louis Public Schools for the progress the school district has made toward re-accreditation	**H**203, 270
28	Oxford	Urges the United States Congress to enact the Improved and Expanded Medicare for All Act	**H**203, 688
29	Oxford	Requests the Adjutant General of the Missouri National Guard to establish a voluntary reporting program for Missouri National Guard members and veterans who have been exposed to depleted uranium	**H**203, 586
30	Hampton	Strongly urges the U.S. Army Corps of Engineers to re-examine the flood plan, manage the rivers to avoid devastating flooding, and rebuild damaged levies	**H**242, 270, 494, 590, 872, **S**585-586, 595
31	Schieffer	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities	**H**242, 493, 730-731, 848, 979, **S**651-652, 676, 855, 2113-2114, **H**2483
32	Cookson	Calls on the United States Congress to allocate at least 40% of the Land and Water Conservation Fund moneys to the State Assistance program for state and local capital parks projects	**H**262, 318, 437, 478, 511-512, **S**402-403, 415
33	Bernskoetter	Reauthorizes the Joint Interim Committee on State Employee Wages	**H**272, 279, 586, 896-897, 970, 1149-1150, **S**749-751, 812, 1566-1567, 1840-1841, **H**2309, 2610-2611, **S**2278
34	Bahr	Rejects any policies and procedures that would be incumbent on Missouri based on the Common Core Standards Initiative required for participation in Race to the Top	**H**279, 586
35	McNeil	Urges the Department of Natural Resources to consider the need to require groundwater monitoring at all new and existing coal ash ponds and require cleanup for ponds that are leaking dangerous chemicals	**H**279, 1041
36	Asbury	Reaffirms economic development projects of mutual benefit between the United States and Israel	**H**311, 340, 659-660, 848, 979, **S**652-653, 676, 855, 1131-1132

HCR No.	Author	Subject	Page Reference
37	Barnes	Supports the approval of the Keystone XL Pipeline to ensure America's oil independence, improve our national security, reduce the cost of gasoline, and create new jobs	**H**311, 340, 475-476, 590, 616, **S**471-472, 478, 613, 670, **H**1060
38	McCreery	Urges Congress to propose an amendment to the United States Constitution to clearly state that corporations are not human beings and do not have the same rights as citizens of the United States	**H**311, 846
39	Nasheed	Strongly urges Congress to pass the Community Access Preservation (CAP) Act to ensure that public, educational, and governmental (PEG) programming channels continue to be available to the entire community	**H**311, 846
40	McNeil	Establishes Missouri's ratification of the Equal Rights Amendment to the United States Constitution	**H**321, 328, 688
41	Curtman	Declares the General Assembly's strong oppostion to the newest regulation under the federal Patient Protection and Affordable Care Act which is contrary to the laws of Missouri	**H**328, 350, 373-375, 393-395, 395-397, **S**325-326, 340
42	Rowland	Endorses the "Deaf and Hard of Hearing Children's Bill of Rights"	**H**328, 517, 732-733, 848, 979, **S**653-654, 676, 1069, 2114, **H**2483
43	Franklin	Encourages every school district and school in Missouri to promote and include trap shooting as a high school sport	**H**414, 586, 1058-1059, 1141, 1165-1166, **S**755-756, 812, 1242, 2112, **H**2483
44	Sommer	Urges Congress and the Administration to seek solutions to rapidly rising fuel costs, and create and maintain our energy independence	**H**443, 586
45	Sommer	Petitions the United States Congress to propose a federal balanced budget amendment to the United States Constitution	**H**443, 586
46	Franklin	Strongly urges Ameren, FERC, and affected property owners at the Lake of the Ozarks to cooperate and coordinate a swift resolution to the shoreline management plan that respects the rights of property owners	**H**533, 713, 944-946, 1044, 1151, **S**752-753, 812, 1242, 2112, **H**2483
47	Allen	Strongly urges the Department of Defense and the Missouri Congressional delegation to protect, promote, and leverage Missouri's military bases and agencies during the upcoming federal defense budget	**H**650, 846, 1021-1022, 1141, 1166, **S**756-757, 812
48	Houghton	Opposes the passage of the Egg Products Inspection Act of 2012, H.R. 3798, which would nullify existing state law and deny states the ability to enact laws to regulate egg factory production	**H**650, 1100
49	Fallert	Calls on Congress to disapprove the EPA's Mercury and Air Toxics Standards regulation and ensure that the EPA replaces it with a sensible regulation	**H**650, 846, 968-969, 1044, 1151, **S**753-754, 812, 1242, 2113, **H**2483
50	Bahr	Urges the United States Congress to propose the Parental Rights Amendment to the United States Constitution to the states for ratification	**H**650, 846
51	Lampe	Recognizes "Whole Child Month" in Missouri and encourages every school to celebrate by identifying at least one of the whole child tenets to promote and encourage during the month of March	**H**727, 2730
52	Cookson	Strongly urges the National Park Service to draft its final General Management Plan for the Ozark National Scenic Riverways to recognize the importance the riverways provides to the state	**H**824, 941, 1059-1060, 1141, 1166-1167, **S**757-758, 812
53	Schoeller	Submits a revised Summary Statement for House Committee Substitute No. 2 for Senate Joint Resolution No. 2 to the Secretary of State	**H**850, 864, 893-894, 970, 1003, **S**655, 676
54	Brown (116)	Strongly urges Congress to modify the eligibility requirements for SNAP food stamp benefits which result in less benefits for our citizen households than comparable noncitizen households	**H**824, 1100

HCR No.	Author	Subject	Page Reference
55	Nolte	Strongly urges strict enforcement of federal trade laws to protect domestic information technology and urges use all state powers to protect manufacturers and state agencies from illegal software	**H**918, 1294, 1533-1534, 1777, 2729
56	Nasheed	Strongly urges the MO HealthNet Division to allow all qualified managed care providers to participate in the MO HealthNet program and the Commissioner of Administration to award contracts to such provider	**H**918, 2730
57	McNary	Establishes the Committee on Fiscal Responsibility and Realignment of Political Subdivisions to evaluate the fiscal benefit of realigning the distribution of public fiscal, capital, and personnel resources	**H**988, 1100, 1508-1509, 1777
58	Shumake	Encourages local school districts to educate themselves on the authority they have under state law to develop and implement policies and procedures to address the issues in their school districts	**H**1075, 2730
59	Schatz	Opposes the proposed United States Department of Labor regulations which would prohibit certain youth agricultural labor and employment	**H**1225, 2730
60	Oxford	Recognizes October 11, 2012 as the "Day of the Girl" in Missouri	**H**1935, 2730

INTRODUCED HOUSE JOINT RESOLUTIONS

HJR No.	Author	Subject	Page Reference
39	Schoeller	Proposes a constitutional amendment prohibiting any change by the General Assembly to a statute as approved by voters through the initiative petition process without a certain percentage of votes	**H**12, 28, 165
40	Schoeller	Proposes a constitutional amendment authorizing the establishment of a Fair Ballot Commission to determine the propriety and correctness of proposed ballot language submitted by initiative or referendum	**H**12, 28, 2730
41	Nasheed	Proposes a constitutional amendment prohibiting any member of the General Assembly from serving more than 16 years in any one house nor more than 16 years total in both houses	**H**12, 28, 124, 273, 343, 385, 414, 416, **S**328, 435, 1136, 1212
42	Sater	Proposes a constitutional amendment changing the dates that specified actions can take place on bills filed in a legislative session	**H**12, 28, 586
43	Burlison	Proposes a constitutional amendment prohibiting state appropriations in any fiscal year from exceeding certain limits	**H**12, 28, 29, 58, 69, 105-106, 109, 112, 123-124, **S**120, 385
44	Cox	Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increasing the number of candidates nominated to the Governor for certain judicial vacancies	**H**29, 37, 216, 690
45	Solon	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans Commission Capital Improvement Trust Fund	**H**29, 37, 58, 166, 229, 435, 446, 466, 466-467, **S**377, 436
46	Day	Proposes a constitutional amendment changing the composition of the State Board of Education	**H**38, 46, 688
47	Dugger	Proposes a constitutional amendment changing the number of voter signatures that are required to place an initiative petition or a referendum on a ballot	**H**38, 46, 228, 342, 478, 977-978, 1021, 1029, 1038, **S**673, 730
48	Phillips	Proposes a constitutional amendment requiring the composition of the Missouri Conservation Commission to be fixed by law instead of specified in the Missouri Constitution	**H**47, 57, 1294
49	Brattin	Proposes a constitutional amendment specifying that the right of every citizen to possess or purchase ammunition and articles for the proper functioning of arms must not be infringed or limited	**H**47, 57, 124, 660, 848, 978, 1021, 1029, 1039, **S**673-674, 730

HJR No.	Author	Subject	Page Reference
50	Cauthorn	Proposes a constitutional amendment authorizing an additional sales and use tax to be deposited into the Veterans' Trust Fund	**H**47, 57, 586
51	Ruzicka	Proposes a constitutional amendment increasing the number and establishing term limits for members of the Missouri Conservation Commission	**H**47, 57, 1294
52	Ruzicka	Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources	**H**47, 57, 228, 427, 478, 711, 730, 825, 845, **S**582, 634
53	Neth	Proposes a constitutional amendment allowing a person to serve any proportion of the 16-year limit between the House of Representatives and the Senate	**H**47, 57, 586
54	Hinson	Proposes a constitutional amendment restricting appropriations to the Life Sciences Research Board from being used for specified types of projects	**H**58, 66, 2730
55	Dugger	Proposes a constitutional amendment requiring the approval of both a majority of voters statewide and a majority of voters in a majority of the Congressional districts for an amendment to take effect	**H**58, 66, 688
56	Cauthorn	Proposes a constitutional amendment reauthorizing the Department of Conservation sales and use tax until a general election in 2022 or a special election called by the Governor for that purpose	**H**69, 80, 2730
57	Kelly (24)	Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, constructions, landscaping, and land or building purchases	**H**69, 80, 340
58	Kelly (24)	Proposes a constitutional amendment specifying that the General Assembly has no power or authority to contract any liability or to issue certain bonds if repayment is dependent on appropriations	**H**69, 80, 688
59	Pollock	Proposes a constitutional amendment guaranteeing citizens the right to hunt, fish, trap, and harvest wildlife using traditionally approved devices or methods	**H**69, 80, 340
60	Black	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 102 beginning with the 102nd General Assembly	**H**97, 105, 586, 1140
61	Loehner	Proposes a constitutional amendment affirming the right of persons to raise livestock in a manner adhering to state and local laws and ordinances as enacted at a specified time	**H**97, 105, 124, 287, 301, 372, 385, 414
62	Schupp	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate	**H**113, 122, 586
63	Loehner	Proposes a constitutional amendment requiring a four-sevenths voter majority approval of an initative petition related to crop production, livestock, or agriculture in order for it to take effect	**H**125, 139, 228
64	Curtman	Proposes a constitutional amendment prohibiting any person, employer, or health care provider from being compelled to participate in any health care system	**H**125, 139, 228, 660, 848, 1532, 1777
65	Walton Gray	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate	**H**125, 139, 340
66	Colona	Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate	**H**126, 139, 340
67	Denison	Proposes a constitutional amendment which freezes the level of tax liability on residential property owned by a person who is 65 years of age or older	**H**142, 150, 688

HJR No.	Author	Subject	Page Reference
68	Nasheed	Proposes a constitutional amendment authorizing state bonding authority for certain higher education capital improvements in the City of St. Louis and St. Louis County	**H**142, 150, 340
69	Funderburk	Proposes a constitutional amendment phasing out the state individual income tax and replaces the current sales and use tax with a sales tax on retail sales of new personal property and services	**H**153, 162, 2730
70	Schoeller	Proposes a constitutional amendment eliminating the prohibition on the use of public funds for the benefit of any religious or sectarian educational purpose	**H**162, 172, 216
71	Elmer	Proposes a constitutional amendment authorizing an exemption for certain property from personal property tax for active-duty military personnel stationed outside the country	**H**174, 184, 340, 660, 848, 979, 1021, 1029, 1040, **S**674, 730
72	Bahr	Proposes a constitutional amendment specifying that each citizen has an inherent liberty that includes being able to make decisions regarding lawful health care-related services or products	**H**174, 184, 688
73	Smith (150)	Proposes a constitutional amendment prohibiting the design or construction of toll roads or facilities in the state or from entering into a public-private partnership or agreement for a new toll road	**H**206, 215, 300
74	Koenig	Proposes a constitutional amendment relating to income, earnings, and sales taxes	**H**253, 262, 846
75	Neth	Proposes a constitutional amendment allowing a citizen who is 17 years old to vote in a presidential primary election if he or she will be 18 years old prior to the general election	**H**253, 262, 340
76	Wyatt	Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability	**H**272, 280, 586
77	Funderburk	Proposes a constitutional amendment repealing the provisions regarding the selection of judges and requires all judges to be elected	**H**272, 280, 286
78	Schad	Proposes a constitutional amendment requiring all meetings of a redistricting apportionment commission to be open to the public	**H**289, 297, 424
79	Schieffer	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans' Lottery Ticket to support the Veterans' Commission Capital Improvements Trust Fund	**H**289, 297, 340
80	Hoskins	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Tickety to support the Veterans Commission Capital Improvement Trust Fund	**H**303, 312, 941
81	Kelley (126)	Proposes a constitutional amendment exempting from taxation all real and personal property of any citizen with a total service-connected disability or that person's surviving spouse if she is not remarried	**H**321, 329, 688
82	Wyatt	Proposes a constitutional amendment changing the composition of the Commission on Retirement, Removal, and Discipline which investigates complaints regarding members of the judiciary	**H**376, 383, 846
83	Kelley (126)	Proposes a constitutional amendment allowing a law to be retrospective in its operation with respect to a new obligation, duty, or disability imposed upon sexual offenders	**H**459, 465, 688
84	Neth	Proposes a constitutional amendment allowing a qualified school district to become indebted in an amount up to an additional 5% above the current 15% of the value of its taxable tangible property	**H**634, 642, 846
85	Solon	Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell electronic pull-tab cards to support the Veterans' Commission Capital Improvements Trust Fund	**H**661, 669, 688, 946, 1044, 1088-1088, 1100, 1109, 1139-1140, **S**739, 856

HJR No.	Author	Subject	Page Reference
86	Gatschenberger	Proposes a constitutional amendment repealing the automatic submission of a proposal every 20 years to convene a state constitutional convention and provisions regarding the procedures of the convention	**H**692, 702, 846
87	McCaherty	Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 101	**H**692, 702, 941
88	Riddle	Proposes a constitutional amendment reducing the length of time a person must be a member of an organization before participating in the operation of a bingo game and removes the advertising restrictions	**H**713, 751, 846
89	Schoeller	Proposes a constitutional amendment regarding advance voting and photo identification and allowing different requirements for certain absentee voting	**H**818, 824, 846, 943, 1044
90	Aull	Proposes a constitutional amendment raising the allowable level of bonded indebtedness of a school district from 15% to 20% of the value of the tangible property in the district	**H**850, 864, 941
91	Aull	Proposes a constitutional amendment prohibiting a person from participating in the actual operation of a bingo game unless he or she has been a member of the licensed organization for at least one year	**H**850, 864, 941
92	Cox	Proposes a constitutional amendment regarding advance voting, required use of a government-issued photo identification to vote, and voting procedures based on physical presence or by absentee ballot	**H**850, 864, 941

COMMITTEE, CONFERENCE – REQUESTS, MOTIONS AND REPORTS

HCS SB 455

Senate requests House recede or grant conference . . . . . **S**1343 . . . . . **H**1805
House refuses to recede and grants conference . . . . . **H**1849 . . . . . **S**1431
Senate conferees appointed: Pearce, Brown, Dixon, Wright-Jones, Keaveny **S**1432 **H**1851
House conferees appointed: Thomson, Jones (89), Zerr, McCann-Beatty, Jones (63) **H**1852 **S**1441
Senate offers and adopts CCR **S**2116-2117 **H**2506
Senate Third Read and Passed CCS **S**2117 **H**2506
House submits CCR **H**2575

HCS SS SCS SB 467

Senate requests House recede or grant conference . . . . . **S**1289 . . . . . **H**1776
House refuses to recede and grants conference . . . . . **H**1848 . . . . . **S**1431
Senate conferees appointed: Munzlinger, Kraus, Lamping, Callahan, Justus **S**1432 **H**1852
House conferees appointed: Cox, Smith (150), Torpey, Rizzo, Holsman **H**1852 **S**1442

CCS HCS SS SCS SB 470

House refueses to recede and requests Senate grant conference **H**1851 **S**1434
Senate grants conference **S**1441 **H**1928
Senate conferees appointed: Dixon, Mayer, Goodman, Justus, McKenna **S**1519 **H**1942
House conferees appointed: Burlison, Smith (150), Denison, Meadows, Fallert **H**1960 **S**1536
Senate offers and adopts CCR **S**2117-2118 **H**2506
Senate Third Read and Passed CCS **S**2118-2119 **H**2506
House submits CCR **H**2576
House adopts CCR **H**2646 **S**2280
House Third Read and Passed CCS **H**2647 **S**2280

CCS HCS#2 SCS SB 480

Senate requests House recede or grant conference . . . . . **S**1717 . . . . . **H**2189
House refuses to recede and grants conference . . . . . **H**2242 . . . . . **S**1848
House conferees appointed: Burlison, Jones (117), Denison, McCreery, Fallert **H**2334 **S**1952
Senate conferees appointed: Stouffer, Kehoe, Engler, McKenna, Wright-Jones **S**1953 **H**2417
Senate offers and adopts CCR **S**2119-2020 **H**2506
Senate Third Read and Passed CCS **S**2120-2121 **H**2506
House submits CCR **H**2577
House adopts CCR **H**2665 **S**2280
House Third Read and Passed CCS **H**2666 **S**2280

HCS SCS SB 485

Senate requests House recede or grant conference . . . . . **S**1567 . . . . . **H**2001
House refuses to recede and grants conference . . . . . **H**2033 . . . . . **S**1632
Senate conferees appointed: Cunningham, Ridgeway, Nieves, McKenna, Wright-Jones **S**1633 **H**2064
House conferees appointed: Wells, Cierpoit, Richardson, Kelly (24), Atkins **H**2099 **S**1640
Senate dissloves conference **S**2115 **H**2506

CCS HCS SCS SB 498

Senate requests House recede or grant conference . . . . . **S**1289 . . . . . **H**1776
House refuses to recede and grants conference . . . . . **H**1848 . . . . . **S**1431
Senate conferees appointed: Munzlinger, Crowell, Brown, Callahan, McKenna **S**1432 **H**1852
House conferees appointed: Shumake, Davis, Day, Talboy, Kelly (24) **H**1852 **S**1441
Senate offers and adopts CCR **S**1819-1820 **H**2232

Senate Third Read and Passed CCS **S**1820 **H**2232
House submits CCR **H**2344
House adopts CCR **H**2638 **S**2279
House Third Read and Passed CCS **H**2639 **S**2279

HCS SCS SB 510
Senate requests House recede or grant conference **S**2094
. . . . . **H**2506
House refuses to recede and grants conference **H**2548

SB 564, as amended
Senate requests House recede or grant conference **S**916
. . . . . **H**1395
House refuses to recede and grants conference **H**1467
. . . . . **S**1055
Senate conferees appointed: Brown, Wasson, Richard, McKenna, Wright-Jones **S**1056 **H**1474
House conferees appointed: Davis, Day, Long, Meadows, Fallert **H**1586 **S**1161
Senate offers CCR **S**1843
House submits CCR **H**1791

CCS HCS SB 568
Senate requests House recede or grant conference **S**813
. . . . . **H**1268
House refuses to recede and grants conference **H**1289
. . . . . **S**853
Senate conferees appointed: Parson, Stouffer, Richard, McKenna, Wright-Jones **S**856 **H**1304
House conferees appointed: Franz, Silvey, Brown (116), Webber, Meadows **H**1304 **S**888
Senate offers CCR **S**1153-1154
Senate adopts CCR **S**1287-1288 **H**1776
Senate Third Read and Passed CCS **S**1288-1289 **H**1776
House submits CCR **H**1616-1617
House adopts CCR **H**2235-2236 **S**1848
House Third Read and Passed CCS **H**2236-2237 **S**1848

CCS HCS SCS SB 569
Senate requests House recede or grant conference **S**995
. . . . . **H**1463
House refuses to recede and grants conference **H**1567
. . . . . **S**1161
House conferees appointed: Dugger, Smith (150), Neth, Fallert, Conway (27) **H**1586 **S**1162
Senate conferees appointed: Kraus, Engler, Ridgeway, Justus, Wright-Jones **S**1213 **H**1624
Senate offers and adopts CCR **S**1838-1839 **H**2232
Senate Third Read and Passed CCS **S**1839-1840 **H**2232
House submits CCR **H**1928
House adopts CCR **H**2636 **S**2279
House Third Read and Passed CCS **H**2637 **S**2279

HCS SB 578
Senate requests House recede or grant conference **S**1343
. . . . . **H**1805
House refuses to recede and grants conference **H**1849
. . . . . **S**1431
Senate conferees appointed: Parson, Munzlinger, Engler, Wright-Jones, Chappelle-Nadal **S**1432 **H**1852
House conferees appointed: Cox, Gatschenberger, Jones (117), Hummel, McManus **H**1852 **S**1441-1442
House submits CCR **H**2344-2345

CCS SB 599
Senate requests House recede or grant conference **S**1584
. . . . . **H**2001
House refuses to recede and grants conference **H**2034
. . . . . **S**1633
Senate conferees appointed: Schaefer, Pearce, Kehoe, Keaveny, Chappelle-Nadal **S**1633 **H**2064
House conferees appointed: Dieckhaus, Stream, Fitzwater, Lampe, Aull **H**2099 **S**1640
Senate offers and adopts CCR **S**2124-2125 **H**2506
Senate Third Read and Passed CCS **S**2125-2126 **H**2506
House submits CCR **H**2578
House adopts CCR **H**2653 **S**2280
House Third Read and Passed CCS **H**2654 **S**2280

CCS SB 611
Senate requests House recede or grant conference **S**1040
. . . . . **H**1468
House refuses to recede and grants conference **H**1566
. . . . . **S**1153
House conferees appointed: Stream, Silvey, Flanigan, Kelly (24), Lampe **H**1586 **S**1161
Senate conferees appointed: Lembke, Stouffer, Kehoe, McKenna and Wright-Jones **S**1213 **H**1624
Senate offers and adopts CCR **S**2139-2140 **H**2587
Senate Third Read and Passed CCS **S**2140-2141 **H**2587
House submits CCR **H**1929
House adopts CCR **H**2716-2717 **S**2286
House Third Read and Passed CCS **H**2717-2718 **S**2286

CCS HCS SB 628
Senate requests House recede or grant conference **S**1377
. . . . . **H**1805
House refuses to recede and grants conference **H**1849
. . . . . **S**1431
Senate conferees appointed: Schaefer, Kehoe, Dixon, Justus, Keaveny **S**1432 **H**1852
House conferees appointed: Cox, Diehl, Elmer, Carlson, Kelly (24) **H**1852 **S**1441
Senate offers and adopts CCR **S**2126-2127 **H**2506
Senate Third Read and Passed CCS **S**2127-2128 **H**2506
House submits CCR **H**2578-2579
House adopts CCR **H**2641 **S**2279
House Third Read and Passed CCS **H**2642 **S**2279

CCS HCS SCS SB 631
Senate requests House recede or grant conference **S**1584
. . . . . **H**2001
House refuses to recede and grants conference . . . **H**2033-2034
. . . . . **S**1633
Senate conferees appointed: Parson, Munzlinger, Stouffer, Callahan, Justus **S**1633 **H**2064
House conferees appointed: Reiboldt, Guernsey, Loehner, Schieffer, Taylor **H**2209 **S**1725
Senate offers and adopts CCR **S**2122-2123 **H**2506
Senate Third Read and Passed CCS **S**2123-2124 **H**2506
House submits CCR **H**2579
House adopts CCR **H**2651 **S**2280
House Third Read and Passed CCS **H**2652 **S**2280

CCS HCS SCS SB 635
Senate requests House recede or grant conference **S**1389
. . . . . **H**1841
House refuses to recede and grants conference **H**1849
. . . . . **S**1432
Senate conferees appointed: Pearce, Engler, Wasson, Justus, Wright-Jones **S**1432 **H**1852
House conferees appointed: Phillips, Wells, Smith (150), Mott-Oxford, Nichols **H**1852 **S**1442
Senate offers and adopts CCR **S**1843-1844 **H**2309
Senate Third Read and Passed CCS **S**1844-1845 **H**2309
House submits CCR **H**2345
House adopts CCR **H**2643 **S**2279
House Third Read and Passed CCS **H**2644 **S**2279

CCS HCS SB 636
Senate requests House recede or grant conference **S**1530
. . . . . **H**1942
House refuses to recede and grants conference **H**2003
. . . . . **S**1594
House conferees appointed: Diehl, Cox, Elmer, Hummel, Colona **H**2003 **S**1594
Senate conferees appointed: Keaveny, Justus, Goodman, Dixon, Lamping **S**1614 **H**2032

Senate offers CCR **S**1847-1848
Senate adopts CCR **S**2229 **H**2656
Senate Third Read and Passed CCS **S**2229-2230 **H**2656
House submits CCR **H**2346
House adopts CCR **H**2721 **S**2287
House Third Read and Passed CCS **H**2722 **S**2287

CCS SS SB 665
Senate requests House recede or grant conference . . . . . **S**1584 . . . . . **H**2001
House refuses to recede and grants conference . . . . . **H**2032 . . . . . **S**1633
Senate conferees appointed: Stouffer, Engler, Wasson, McKenna, Wright-Jones **S**1633 **H**2064
House conferees appointed: Cox, Asbury, Richardson, McManus, Hummel **H**2099 **S**1640
Senate offers and adopts CCR **S**1845-1846 **H**2309
Senate Third Read and Passed CCS **S**1846-1847 **H**2309
House submits CCR **H**2346-2347
House adopts CCR **H**2648 **S**2280
House Third Read and Passed CCS **H**2649 **S**2280

HCS SB 668
Senate requests House recede or grant conference . . . . . **S**1813 . . . . . **H**2221
House refuses to recede and grants conference **H**2342
House conferees appointed: Diehl, Jones-89, Tilley, Talboy, Swearingen **H**2507

HCS SCS SB 673
Senate requests House recede or grant conference . . . . . **S**1717 . . . . . **H**2189
House refuses to recede and grants conference . . . . . **H**2242 . . . . . **S**1951
Senate conferees appointed: Brown, Richard, Wasson, McKenna, Wright-Jones **S**1954 **H**2417
House conferees appointed: Day, Pollock, Barnes, Schupp, Black **H**2340 **S**1952

HCS SCS SB 711
Senate requests House recede or grant conference . . . . . **S**1584 . . . . . **H**2001
House refuses to recede and grants conference . . . . . **H**2033 . . . . . **S**1633
Senate conferees appointed: Lamping, Kehoe, Richard, Justus, Keaveny **S**1633 **H**2064
House conferees appointed: Largent, Cox, Long, Carlson, Colona **H**2099 **S**1640

CCS#2 SS SCS SB 719
Senate requests House recede or grant conference . . . . . **S**1040 . . . . . **H**1468
House refuses to recede and grants conference . . . . . **H**1566 . . . . . **S**1153
House conferees appointed: Brown (116), Jones-117, Ruzicka, Meadows, McDonald **H**1586 **S**1161
Senate conferees appointed: Kehoe, Schmitt, Goodman, McKenna, Wright-Jones **S**1213 **H**1624
Senate offers and adopts CCR#2 . . . . . **S**1841 **H**2309
Senate Third Read and Passed CCS#2 . . . . . **S**1842 **H**2309
House submits CCR#2 . . . . . **H**1841
House adopts CCR#2 . . . . . **H**2633-2634 **S**2279
House Third Read and Passed CCS#2 . . . . **H**2634-2635 **S**2279

HCS SCS SB 726
Senate requests House recede or grant conference . . . . . **S**1614 . . . . . **H**2032
House refuses to recede and grants conference . . . . . **H**2241 . . . . . **S**1848
House conferees appointed: Wells, Jones (89), Molendorp, Swinger, Talboy **H**2334 **S**1952
Senate conferees appointed: Parson, Kehoe, Engler, Callahan, McKenna **S**1954 **H**2417

HCS SB 739
Senate requests House recede or grant conference . . . . . **S**1584 . . . . . **H**2001
House refuses to recede and grants conference . . . . . **H**2033 . . . . . **S**1633
Senate conferees appointed: Keaveny, Justus, Ridgeway, Schaaf, Schmitt **S**1633 **H**2064
House conferees appointed: Cox, Diehl, Jones (89), McManus, Kelly (24) **H**2099 **S**1640

CCS HCS SS SB 749
Senate requests House recede or grant conference . . . . . **S**1725 . . . . . **H**2221
House refuses to recede and grants conference . . . **H**2340-2341 . . . . . **S**1951
House conferees appointed: Jones (89), Crawford, Cox, McCreery Black **H**2342 **S**1951-1952
Senate conferees appointed: Lamping, Dempsey, Richard, Justus, Curls **S**1957 **H**2418
Senate offers and adopts CCR **S**2141-2142 **H**2587
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		ABORTION
SB 496	Wright-Jones	Enacts the Prevention First Act
SB 582	Dempsey	Reauthorizes the pregnancy resource center tax credit
SCS SB 657		Provides for the conscience rights of all individuals who provide medical services
SB 658	Rupp	Enacts provisions regarding safety procedures for the use of abortion-inducing drugs
SB 745	Lembke	Provides protections for Alternatives to Abortion Agencies to freely engage in religious practices
CCS HCS SS SB 749		Provides protection for religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
SB 772	Brown	Enacts provisions regarding the prescribing and administering of abortion-inducing drugs
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SJR 49	Rupp	Prohibits laws interfering with religious beliefs
HCS HB 1274		Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 1357		Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference
HCS HB 1383		Changes the laws regarding information that must be made available on the Missouri Accountability Portal
HB 1385		Requires any entity performing or assisting in certain abortions or counseling a woman to have an abortion to file an annual report regarding moneys received under the federal Public Health Service Act
HB 1439		Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HCS HB 1541		Specifies that anyone providing or participating in a medical procedure or research cannot be required to provide or participate in the activity if it violates his or her conscience or principles
HB 1730		Establishes protections for the religious beliefs and moral convictions of certain persons and entities regarding specified health care coverage
HCS HB 1890		Changes the laws regarding health insurance coverage and contracts
HB 1933		Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2012 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HB 2076		Establishes a preference in governmental contracts for a person or organization who contributes to an alternatives to abortion agency or the Alternatives to Abortion Support Fund
HJR 54		Proposes a constitutional amendment restricting appropriations to the Life Sciences Research Board from being used for specified types of projects
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SB 487	Wright-Jones	Establishes a committee and plans to increase the participation of minority and women's business enterprises in state contracting
SB 488	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards
SB 501	Wright-Jones	Creates the Council on Digital Inclusion

No.	Author	Subject
SB 540	Chappelle-Nadal	Bars discriminatory employers from receiving public works contracts and requires employers to provide cause to terminated employees
HCS SCS SB 562		Modifies provisions relating to the transfer of property by certain state universities
HCS SCS SB 563		Modifies provisions relating to higher education
SB 627	Schaefer	Provides authority to the Office of Administration for the provision of waste management services for all state agencies
CCS HCS SCS SB 635		Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
SCS SB 744		Requires video camera surveillance of public spaces within the State Capitol building and authorizes private security within the State Capitol
SB 910	Ridgeway	Allows political subdivisions to apply to the Office of Administration to use the state's ".mo.gov" internet domain name
HCS HB 1030		Changes the laws regarding the collection of money owed to the state and establishes a state amnesty program
SS SCS HCS HB 1094		Changes the laws regarding electronic payments to state agencies and departments and the electronic payment of funds received by a county health center
CCR CCS SCS HB 1135		Requires the termination of all administrative rules based on the time of promulgation and allows an agency to repromulgate a rule that is set to terminate
HCS HB 1139		Establishes the 2012 State Employee Retirement Incentive Program which allows certain employees to receive a years of service benefit
SCS HCS HB 1140		Requires the Office of Administration to maintain public school and municipal and county government accountability information on the Missouri Accountability Portal
HB 1168		Repeals the provision authorizing state departments to directly purchase certain information technology products and services
HB 1231		Requires the Commissioner of the Office of Administration or other state purchasing agent to give a preference for forest products and bricks produced in Missouri whenever bids are comparable
HB 1265		Establishes the Veteran Workforce Act which requires the Office of Administration to develop rules and regulations ensuring a uniform hiring preference for veterans, disabled veterans, and their spouses
HB 1290		Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HCS HB 1305		Changes the laws regarding environmental standards
HB 1347		Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri
HCS HB 1383		Changes the laws regarding information that must be made available on the Missouri Accountability Portal
HB 1556		Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
SCS HCS HB 1639		Establishes the Broad-Based Tax Relief Act of 2012, reduces the tax on business income and corporate income, and changes the laws regarding the collection of money owed to the state
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HB 1685		Changes provisions regarding the Missouri preference in state purchasing
HB 1702		Changes the laws regarding the prompt pay of public works contracts

No.	Author	Subject
HB 1756		Changes the laws regarding ethics
HB 1768		Changes the laws regarding county and statewide emergency 911 service boards
HB 1779		Authorizes tax increment financing in certain blighted areas that have sustained severe damage as the result of a natural disaster
HB 1791		Allows the Division of Facilities Management, Design, and Construction to provide waste management services for any state agency with specified exceptions
HB 1861		Establishes the Broad-Based Tax Relief Act of 2012 which reduces the tax on business income and corporate income for sole proprietors, partners, and shareholders in S corporations
HB 1873		Requires the Commissioner of Administration to procure a blanket bond or crime insurance policy to protect the state against loss from the acts or omissions of specified state-compensated persons
HB 1879		Requires all elementary and high schools to conduct an energy audit and report the results to the Office of Administration
HB 1888		Establishes the Office of Protection and Advocacy for Persons with Disabilities within the Office of Administration to protect the rights of individuals with disabilities and developmentally disabled persons
HCS HB 1900		Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act
HB 1902		Establishes the Purchasing from Disabilities Advisory Board regarding the procurement of goods and services by state agencies from persons who are disabled or have a disability
HB 1941		Requires the Office of Administration to maintain specified financial records of the Missouri Employers Mutual Insurance Company on the Missouri Accountability Portal
HB 1948		Requires an installer of modular units to be licensed by the Missouri Public Service Commission
HB 1984		Requires the Division of the Budget to report any expenditure of state funds in excess of $100,000 to the chairs of the House Budget Committee and the Senate Ways and Means and Fiscal Oversight Committee
HB 2076		Establishes a preference in governmental contracts for a person or organization who contributes to an alternatives to abortion agency or the Alternatives to Abortion Support Fund
SCS HCS HCR 33		Reauthorizes the Joint Interim Committee on State Employee Wages
HCR 56		Strongly urges the MO HealthNet Division to allow all qualified managed care providers to participate in the MO HealthNet Program and the Commissioner of Administration to award contracts to such providers
HCS HJR 44		Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increasing the number of candidates nominated to the Governor for certain judicial vacancies
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HCS SS SCS SB 469		Modifies provisions regarding administrative rules
SB 604	Green	Prohibits a state agency from requesting an additional appropriation of state moneys to satisfy an award of attorney fees and other expenses
SB 618	Schaaf	Requires auctioneers selling real estate to be licensed by the Real Estate Commission
SB 645	Schaefer	Modifies provisions relating to permits issued by environmental commissions
SB 651	Schaefer	Creates a home inspector licensing board and procedures for licensing home inspectors
SB 676	Nieves	Specifies how courts may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries
SB 685	Crowell	Modifies ex parte communication requirements involving the Public Service Commission

No.	Author	Subject
HCS SB 739		Modifies provisons relating to administrative child support orders and the Sentencing Advisory Commission
HB 1103		Changes the laws regarding the maintenance of private roads and real estate appraisers and appraisal management companies
HB 1151		Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
SS SCS HB 1251		Changes the laws regarding natural resources
HCS HB 1256		Changes the laws regarding judicial procedures
HB 1291		Requires a person conducting a home inspection to be licensed by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration
HB 1473		Specifies that filing a petition for trial de novo results in the stay of the driver's license suspension or revocation order and the issuance of a temporary license until a final order is issued
HB 1512		Establishes the Civil Liberties Defense Act which specifies how courts may rule in contractual disputes involving the laws of other countries and in jurisdictional issues involving other countries
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HB 1904		Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HCS HB 1988		Changes the laws regarding real estate appraisers and real estate appraisal management companies
		ADMINISTRATIVE RULES
HCS SS SCS SB 469		Modifies provisions regarding administrative rules
SB 617	Schaaf	Requires the Department of Social Services to promulgate rules specifying the eligibility process for the MO HealthNet Spenddown Program
SCS SB 621		Amends various provisions regarding the licensure and inspection of hospitals
CCR CCS SCS HB 1135		Requires the termination of all administrative rules based on the time of promulgation and allows an agency to repromulgate a rule that is set to terminate
HB 1814		Prohibits the Department of Health and Senior Services from enforcing or enacting a rule or regulation relating to lead abatement that is stricter than those required by federal law
HB 1948		Requires an installer of modular units to be licensed by the Missouri Public Service Commission
HB 1952		Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from Schedule IV and V controlled substances to Schedule III requiring a prescription
		AGRICULTURE AND ANIMALS
SCS SB 491		Modifies provisions pertaining to agriculture
SB 551	Brown	Exempts feed for captive wildlife and seed, limestone, and fertilizer used for crops to be fed to captive wildlife from state and local sales tax
SCS SB 566		Requires owners of dogs and cats under suspicion of carrying rabies to provide documentation of vaccination or else surrender the animal
CCS SB 599		Modifies provisions relating to education
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
CCS HCS SCS SB 635		Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences

No.	Author	Subject
SCS SB 666		Modifies provisions relating to the Large Carnivore Act and creates the Nonhuman Primate Act
SB 695	Parson	Requires farm employees who videotape suspected acts of animal abuse to turn over the recording to law enforcement within 24 hours
SB 738	Stouffer	Allows the killing of mountain lions
SCS SB 809		Modifies provisions relating to public accommodations and service dogs for persons with mental disabilities
SB 822	Munzlinger	Modifies a reference to the Missouri Agricultural and Small Business Development Authority
SB 841	Ridgeway	Allows farmers to sell up to 100 gallons of raw milk or cream per day at farmers markets
SB 850	Purgason	Prohibits sterilization and disposition of seized or confiscated animals until the outcome of charges against the animals' owner have been determined
SB 881	Pearce	Creates a tax credit for purchases of processed biomass engineered fiber fuel
SB 903	Lamping	Provides the process for disposition of dogs involved in the crime of dog fighting
SCR 19	Munzlinger	Disapproves the new values for agricultural and horticultural property filed by the State Tax Commission
SCR 23	Munzlinger	Urges Congress to further address the issue of allowing the interstate sale of state-inspected meat and poultry
HB 1069		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel
CCR SS SCS HB 1073 AND HCS HB 1477		Changes the criteria for the exclusion of certain manufacturers and processors from the definition of "grain dealer" as it applies to the Missouri Grain Dealer Law
HB 1119		Allows a vehicle weighing 85,500 pounds or less to haul milk from a farm to a processing facility on highways other than the interstate highway system
HB 1194		Changes the laws regarding agricultural crimes
HB 1195		Changes the laws regarding agricultural crimes
HB 1231		Requires the Commissioner of the Office of Administration or other state purchasing agent to give a preference for forest products and bricks produced in Missouri whenever bids are comparable
HCS HB 1254		Changes the laws regarding agriculture
HB 1266		Designates the regal fritillary as the official state butterfly
HB 1271		Changes the laws regarding the penalty for certain crimes
HCS HB 1298 & 1180		Changes the laws regarding a defendant's liability in a tort action and establishes the Agritourism Promotion Act
HB 1321		Creates an exemption from the state and local sales and use tax on the purchase of feed for captive wildlife that will be ultimately sold at retail
SCS HCS HB 1324		Affirms the right of Missouri citizens to raise livestock in a manner adhering to state and local laws and ordinances as enacted on August 28, 2012, or at the commencement of operations
HCS HB 1363		Requires the Missouri State Fair Commission and the governing bodies of fairs and exhibitions which exhibit livestock to permit specified persons to exhibit livestock
HCS HB 1364		Guarantees the right to conduct and participate in rodeos in this state and prohibits a restriction on the conducting of or participating in rodeos
HB 1375		Adds deer to the definition of "livestock" for specified purposes
HB 1404		Designates the month of December as "Pet Breeders Appreciation Month"
HB 1413		Changes the laws regarding injury or death to a service dog and harassing a service dog

No.	Author	Subject
HB 1432		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
HB 1433		Establishes the Show-me Green Initiative which allows a person or entity to submit a bid to the Department of Transportation to mow grass or vegetation along state roadways
HB 1436		Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HCS HB 1444		Changes the laws regarding the confiscation of animals
HCS#2 HB 1462		Extends the period of time that a biodiesel producer is eligible to receive payment from the Missouri Qualified Biodiesel Producer Incentive Fund due to a lack of appropriations
HB 1481		Requires the governing body of all national, state, and local fairs and exposes conducted in this state which exhibit livestock or domestic animals to permit breeders and owners to exhibit
HB 1508		Allows certain cottage food production operations to sell baked goods from their home without being subject to the state health and food laws and regulations
HB 1513		Prohibits any state law from providing an animal a right, privilege, or legal status that is equivalent to or exceeds those of a human being
HB 1537		Establishes the Show-Me Harvest Initiative which allows persons or entities to submit bids to the Department of Transportation to mow grass or vegetation along state roadways
HCS HB 1585		Changes the laws regarding landlord-tenant actions
HB 1635		Allows a person to pay the $25 emblem-use fee to the Missouri State Humane Association for a I'm Pet Friendly special license plate for deposit in the Missouri Pet Spay-Neuter Fund
HB 1660		Allows for the establishment of an urban agriculture zone
HB 1681		Increases the penalty for the crime of assault on a police animal from a class C misdemeanor to a class A misdemeanor
HB 1688		Specifies that any organization or entity that reintroduces any species of animal into this state must be financially responsible for any damage caused by the animal
HB 1697		Designates the first week of August each year as Animal Rescue Week in Missouri
HB 1746		Requires any person who files a court challenging the issuance of a license for a commercial livestock or poultry slaughter or processing plant to post a surety bond
HB 1753		Specifies that aliens and foreign businesses may hold agricultural real estate in Missouri if it is owned on or before August 28, 2012
HB 1778		Designates "Old Drum" as the official state historical dog
HB 1793		Establishes the Missouri International Agriculture Exchange website to allow Missouri agricultural producers to market Missouri-produced goods to international buyers
HB 1796		Changes the laws regarding crimes involving agricultural operations
HB 1800		Authorizes a state and local sales and use tax exemption for specified farm products sold at a farmers' market
HB 1813		Designates Seaman, the dog accompanying Lewis and Clark on their expedition of the Louisiana Purchase territory, as the official state historical dog
SCS HCS HB 1860 & HCS HB 1254		Changes the laws regarding agricultural education in private schools, grain dealers, and agricultural crimes
HB 1863		Designates Jim the Wonder Dog as the official state historical dog
HCS HB 1900		Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act

No.	Author	Subject
HCS HB 1934 & 1654		Exempts, effective January 1, 2014, an animal shelter from the payment of any licensing and other fees under the provisions of the Animal Care Facilities Act
HCS HB 1935		Changes the laws regarding the application of a specific interest rate for specified late payments, repayments, loans, bonds, overpayments, and judgments
HB 1949		Requires each of the farmer members of the State Soil and Water Districts Commission to have soil and water conservation district board experience at the time of appointment to the commission
HB 1953		Requires the State Board of Education to establish standards for agricultural vocational education that a private school may adopt to qualify to apply for a local chapter of the Future Farmers of America
HB 1977		Changes the laws regarding the reporting of cruelty, abuse, or neglect of the elderly, children, or animals
HB 2045		Establishes requirements for the interstate and intrastate movement of cervids
HB 2048		Prohibits any animal inside the State Capitol Building except for a service dog or other service animal
HB 2087		Requires all food or food products sold in Missouri which are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals
HB 2088		Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products
HB 2095		Establishes the Animal Ecological Terrorism Act
HCR 8		Disapproves the State Tax Commission's proposed state regulation under Section 137.021, RSMo, establishing agricultural and horticultural land values for the 2013 and 2014 assessment years
HCR 11		Designates October 3, 2012, as "Missouri Animal Agriculture Day"
HCS HCR 30		Strongly urges the U.S. Army Corps of Engineers to re-examine the flood plan, manage the rivers to avoid devastating flooding, and rebuild damaged levies
HCR 48		Opposes the passage of the Egg Products Inspection Act of 2012, H.R. 3798, which would nullify existing state law and deny states the ability to enact laws to regulate egg factory production
HCR 59		Opposes the proposed United States Department of Labor regulations which would prohibit certain youth agricultural labor and employment
HJR 52		Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources
HCS HJR 61		Proposes a constitutional amendment affirming the right of persons to raise livestock in a manner adhering to state and local laws and ordinances as enacted at a specified time
HJR 63		Proposes a constitutional amendment requiring a four-sevenths voter majority approval of an initiative petition related to crop production, livestock, or agriculture in order for it to take effect
		AGRICULTURE DEPT.
SCS SB 491		Modifies provisions pertaining to agriculture
SCS SB 566		Requires owners of dogs and cats under suspicion of carrying rabies to provide documentation of vaccination or else surrender the animal
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
SCS SB 666		Modifies provisions relating to the Large Carnivore Act and creates the Nonhuman Primate Act
HCS SB 701		Modifies various provisions relating to road use
HCS SCS SB 726		Modifies provisions relating to financial transactions
SB 822	Munzlinger	Modifies a reference to the Missouri Agricultural and Small Business Development Authority

No.	Author	Subject
SB 841	Ridgeway	Allows farmers to sell up to 100 gallons of raw milk or cream per day at farmers markets
SB 850	Purgason	Prohibits sterilization and disposition of seized or confiscated animals until the outcome of charges against the animals' owner have been determined
SB 861	Purgason	Creates the Task Force on Government Continuity
SCR 23	Munzlinger	Urges Congress to further address the issue of allowing the interstate sale of state-inspected meat and poultry
SCS HCS HB 1324		Affirms the right of Missouri citizens to raise livestock in a manner adhering to state and local laws and ordinances as enacted on August 28, 2012, or at the commencement of operations
HB 1375		Adds deer to the definition of "livestock" for specified purposes
HB 1724		Allows certain motor vehicles to operate on public highways with dyed fuel during any Governor-declared state emergency
HB 1793		Establishes the Missouri International Agriculture Exchange website to allow Missouri agricultural producers to market Missouri-produced goods to international buyers
SCS HCS HB 1860 & HCS HB 1254		Changes the laws regarding agricultural education in private schools, grain dealers, and agricultural crimes
HCS HB 1934 & 1654		Exempts, effective January 1, 2014, an animal shelter from the payment of any licensing and other fees under the provisions of the Animal Care Facilities Act
HB 1977		Changes the laws regarding the reporting of cruelty, abuse, or neglect of the elderly, children, or animals
HB 2045		Establishes requirements for the interstate and intrastate movement of cervids
		AIRCRAFT AND AIRPORTS
HCS SCS SB 485		Modifies the law governing liens
SB 597	Dempsey	Changes the governance of the St. Louis International Airport
SB 740	Pearce	Extends the aviation jet fuel sales and use tax exemption and expands the use of the Aviation Trust Fund
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
HB 1431		Extends the expiration of the provisions regarding the sales tax exemption on the sale of aviation jet fuel and authorizes the City of Columbia to impose a transient guest tax
HCS HB 1476		Establishes the Freight Forwarders Incentive Act to encourage foreign trade through the Lambert-St. Louis International Airport
SCS HB 1504		Changes the laws regarding sales taxes
HB 1909		Changes the laws regarding aircraft fuel, liens on aircraft, and anemometer towers
		ALCOHOL
SB 615	McKenna	Modifies provisions relating to liquor
SB 663	Chappelle-Nadal	Establishes Boulevard Brewery Company and Saint Louis Brewery, Inc. as the official breweries of the state
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SCS SB 837		Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
SB 876	Kehoe	Prohibits beer manufacturers and liquor wholesalers from owning certain interests in each other
HB 1238		Specifies that certain felons must be eligible for food stamp program benefits

No.	Author	Subject
HB 1306		Prohibits caffeinated malt beverages from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state
HB 1394		Specifies that no public assistance benefits can be used by a recipient to purchase liquor or tobacco products
HB 1412		Allows certain organizations who sell intoxicating liquor by the drink at retail or on their premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 1473		Specifies that filing a petition for trial de novo results in the stay of the driver's license suspension or revocation order and the issuance of a temporary license until a final order is issued
SS SCS HCS HB 1498		Changes the laws regarding liquor sales
HB 1551		Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 1858		Prohibits a beer brewer from having any financial interest in a beer wholesaler or from serving as a director, manager, employee, or agent of a beer wholesaler with specified exceptions
HB 1884		Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving while intoxicated offense
HB 1897		Changes the laws regarding the criminal code
HB 1954		Requires an applicant for a new or renewal liquor license for a period of more than 30 days to pay an additional $100 transaction fee for deposit into the Alcohol and Tobacco Control Trust Fund
HB 1992		Specifies that a person commits the offense of refusing to submit to a chemical test when he or she refuses a law enforcement officer's request for a chemical test for blood alcohol content
HB 2063		Requires the Department of Revenue to issue a special driver's license to a person required to use an ignition interlock device
HB 2102		Allows a person licensed to sell liquor at retail by the drink for consumption on the premises where sold to use a table tap dispensing system to allow a patron of the licensee to dispense beer at a table
HB 2103		Changes the laws regarding smoking in public places
		AMBULANCES AND AMBULANCE DISTRICTS
SB 642	Wasson	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HCS SCS SB 692		Modifies provisions relating to political subdivisions
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
HB 1056		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HB 1114		Requires Taney County, upon voter approval of a county sales tax, to appoint an emergency services board to administer the central dispatching of emergency services
HCS HB 1210		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 1255		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county

No.	Author	Subject
HB 1284		Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees
HB 1334		Establishes the Fair Fare Passenger Safety Act of 2012 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HCS HB 1458		Changes the laws regarding public safety, fire protection, and emergency services
HB 1516		Changes the laws regarding the crime of assaulting a law enforcement officer, corrections officer, emergency personnel, or highway worker to include a utility worker
HB 1707		Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 1825		Allows a fire truck to be used for specified patient transport under certain conditions
HB 1916		Revises the definition of "emergency vehicle" to include any vehicle operated by an authorized member of specified groups while responding to an emergency or in route to a fire station or ambulance garage
HB 1998		Changes the laws regarding health services and fees and moving violations and traffic offenses occurring within an active emergency zone
		ANNEXATION
HB 1162		Requires a city or political subdivision which intends to expand solid waste collection services into certain areas to put the intent to a vote of the people in the expanded area
HB 1197		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1197		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1215		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1314		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS HB 1356		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS#2 HB 1358		Changes the laws regarding political subdivisions
HCS HB 1542 & 1101		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HCS HB 1900		Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act
HCS HB 1971		Changes the laws regarding political subdivisions
HB 2053		Changes the laws regarding a school district annexation petition
		APPROPRIATIONS
SB 436	Crowell	Subjects all state tax credits to appropriation
SB 604	Green	Prohibits a state agency from requesting an additional appropriation of state moneys to satisfy an award of attorney fees and other expenses
SB 896	Schaefer	Requires the General Assembly to consider youth smoking statistics when appropriating money from the Life Sciences Research Fund
SB 899	Green	Requires a one time transfer of certain fund balances to the State General Revenue Fund
SJR 44	Green	Creates a two year budget cycle

No.	Author	Subject
SJR 46	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations
SJR 50	Curls	Increases the amount of time for repaying the Budget Reserve Fund, when funds from the Budget Reserve Fund are appropriated due to a disaster, or the Governor's reduction of the state's expenditures
HB 1029		Requires the Oversight Division of the Committee on Legislative Research to conduct program evaluations of state agencies, including budget transparency and accountability
HB 1043		Changes the laws regarding the elementary and secondary school education funding formula
HB 1222		Requires a two-year itemized zero-based budget analysis to be submitted by each state department to the chairs of the House Budget Committee and the Senate Appropriations Committee
HB 1304		Prohibits any political subdivision from incurring any indebtedness through the issuance of a bond unless it has been approved by the voters
HB 1386		Establishes a system for distributing school funding in years when the school funding formula is not fully funded and when it is overfunded
HB 1455		Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development
HCS HB 1608		Repeals provisions and sections of law regarding unfunded and obsolete programs and establishes expiration dates for specified provisions
HB 1643		Requires any state employee to receive a salary increase equal to the increased cost of health insurance premiums from the previous year
SS SCS HCS HB 1731		Changes the laws regarding the use of gaming and tobacco settlement moneys
HB 1776		Requires the governing body of any local government that issues an appropriation bond to provide insurance that repays the bond in the event of default
HB 1874		Establishes a seven-tenths of 1% sales tax on gasoline and increases the current sales tax on other goods by seven-tenths of 1% for transportation purposes and increases the excise tax on diesel fuel
HB 1975		Requires a professional sports team to make its financial records and ownership public if it is going to receive any state funds
HB 1978		Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health
SS HCS HB 2001		Appropriates money to the Board of Fund Commissioners
CCS SS SCS HCS HB 2002		Appropriates money for the expenses, grants, refunds, and distributions of the State Board of Education and Department of Elementary and Secondary Education
CCS SS SCS HCS HB 2003		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Higher Education
CCS SS SCS HCS HB 2004		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Revenue and Department of Transportation
CCS SS SCS HCS HB 2005		Appropriates money for the expenses, grants, refunds, and distributions of the Office of Administration, Department of Transportation, and Department of Public Safety
CCS SS SCS HCS HB 2006		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, and Department of Conservation
CCS SS SCS HCS HB 2007		Appropriates money for the expenses and distributions of the departments of Economic Development; Insurance, Financial Institutions and Professional Registration; and Labor and Industrial Relations

No.	Author	Subject
CCS SS SCS HCS HB 2008		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Public Safety
CCS SS SCS HCS HB 2009		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Corrections
CCS SS SCS HCS HB 2010		Appropriates money for the expenses, grants, refunds, and distributions of the Department of Mental Health and the Department of Health and Senior Services
CCS SS SCS HCS HB 2011		Appropriates money for the expenses, grants, and distributions of the Department of Social Services
CCS SS SCS HCS HB 2012		Appropriates money for the expenses, grants, refunds, and distributions of statewide elected officials, the Judiciary, Office of the State Public Defender, and General Assembly
CCS SS SCS HCS HB 2013		Appropriates money for real property leases and related services
HCS HB 2014		Appropriates money for supplemental purposes
HCS HB 2019		Appropriates money for planning, expenses, and capital improvements, including additions, renovations, new structures, and land improvements or acquisitions
HB 2028		Requires a summary and a description of a research project funded by the Spinal Cord Injury Fund to be submitted before or with the request for an appropriation to the appropriate appropriations committee
HCR 45		Petitions the United States Congress to propose a federal balanced budget amendment to the United States Constitution
HCR 57		Establishes the Committee on Fiscal Responsibility and Realignment of Political Subdivisions to evaluate the fiscal benefit of realigning the distribution of public fiscal, capital, and personnel resources
HCS HJR 43		Proposes a constitutional amendment prohibiting state appropriations in any fiscal year from exceeding certain limits
HJR 54		Proposes a constitutional amendment restricting appropriations to the Life Sciences Research Board from being used for specified types of projects
		ARCHITECTS
HCS SB 667		Modifies provisions relating to design professionals, school social workers, real estate appraising, and residential construction
SB 780	Wasson	Modifies the composition of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects
SS SCS HCS HB 1280		Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer
HB 1852		Changes the laws regarding the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects
HB 2082		Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
		ARTS AND HUMANITIES
SB 465	Schaaf	Allows Buchanan County and cities, towns, or villages within Buchanan County to establish a theater, cultural arts, and entertainment district
SB 530	Schaaf	Makes authorizations for allocations of nonresident entertainer and athlete income tax revenues perpetual

No.	Author	Subject
HB 1898		Creates the Missouri Juneteenth Heritage Memorial Fund and changes the distribution of funds from the nonresident entertainer and professional athletic team income tax to provide moneys to the fund
HB 2032		Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax to be used for specified purposes
		ATTORNEY GENERAL, STATE
SB 445	Goodman	Establishes the Joint Committee on the Missouri Criminal Code
SB 473	Kraus	Requires the Attorney General to sue the federal government to enforce federal immigration laws
HCS SCS SBs 484, 477 & 606		Modifies provisions relating to telecommunications
SB 523	Curls	Prohibits persons under the age of 18 from selling tobacco products
HCS SB 594		Modifies provisions relating to utility uses and service
SB 686	Schaaf	Prohibits the re-sale or lease of returned electronic devices and appliances unless subsequent customers are notified
SB 695	Parson	Requires farm employees who videotape suspected acts of animal abuse to turn over the recording to law enforcement within 24 hours
CCS HCS SS SB 749		Provides protection for religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
SB 764	Schaefer	Modifies provisons regarding the Sunshine Law
SB 786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 829	Crowell	Modifies the law relating to the Second Injury Fund
SCS SB 837		Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
SB 841	Ridgeway	Allows farmers to sell up to 100 gallons of raw milk or cream per day at farmers markets
SB 861	Purgason	Creates the Task Force on Government Continuity
SJR 23	Crowell	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 26	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
HB 1080		Changes the laws regarding ethics, lobbying, and campaign finance
HB 1179		Prohibits a large water user from conveying water withdrawn or diverted from the Southeast Missouri Regional Water District to a location outside the district if it interferes with another major user
HB 1181		Establishes the Transparency in Private Attorney Contracts Act
HB 1185		Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 1315		Requires a leave to be granted to state employees and certain other employees who are members of the United States Coast Guard Auxiliary when performing authorized military duties
SCS HCS HB 1324		Affirms the right of Missouri citizens to raise livestock in a manner adhering to state and local laws and ordinances as enacted on August 28, 2012, or at the commencement of operations
SCS HB 1331		Revises the computation of the accrued benefits when an employee transfers creditable service between the State Employees' Retirement System and the Department of Transportation Retirement System
HB 1346		Changes the laws regarding student athlete agents
HB 1379		Allows a business subscriber to place its telephone number on the state's No-call List

No.	Author	Subject
HB 1389		Allows a residential subscriber to have his or her wireless telephone number added to the state's No-call List and prohibits sending unsolicited faxes or text messages to anyone on the list
HB 1420		Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2015
HCS HB 1442		Fills a vacancy in the office of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, or State Treasurer by appointment by the Governor or a special election
HB 1464		Prohibits statewide elected officials and legislators elected to their first term on or after November 2, 2012, from acting, serving, or registering as a lobbyist within one year of leaving office
HB 1480		Changes the laws regarding the state's No-call List and political telephone solicitations
HB 1485		Prohibits any person who is in violation of a court order to pay specified monetary judgments from qualifying as a candidate for an elective office and his or her name from appearing on a ballot
HCS HB 1549		Changes the laws regarding the state's No-call List by allowing a person to place his or her cell phone number on the list and prohibiting telemarketers from sending specified communications
HB 1566		Changes the laws regarding contractors who perform home exterior and roof work
HB 1705		Allows a residential subscriber to have his or her wireless telephone number added to the state's No-call List and prohibits sending unsolicited faxes or text messages to anyone on the list
HB 1881		Changes the laws regarding the Second Injury Fund
HB 1897		Changes the laws regarding the criminal code
HB 1943		Changes the laws regarding the management and maintenance of museum donations and collections
HB 2091		Specifies that a title lender is liable for the actions of the persons employed or contracted by him or her to take possession of titled personal property upon the expiration or default of a title loan
HB 2095		Establishes the Animal Ecological Terrorism Act
HB 2104		Changes the laws regarding workers' compensation and the Second Injury Fund
HCR 41		Declares the General Assembly's strong opposition to the newest regulation under the federal Patient Protection and Affordable Care Act which is contrary to the laws of Missouri
		ATTORNEYS
SB 614	Kehoe	Requires courts to award costs and attorney's fees to a party when a case has no basis in law or an attorney acts in bad faith
HB 1181		Establishes the Transparency in Private Attorney Contracts Act
HCS HB 1316		Changes the laws regarding public utilities and creates the Public Counsel Fund
HB 1416		Specifies that an attorney who presents a current valid Missouri Bar membership card to St. Louis County Courthouse security must not be subject to any security screening
HB 1469		Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises
HCS HB 1488		Changes the laws regarding the regulation of public utilities
HB 1562		Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court
HB 1856		Authorizes Stoddard County to change the office of the county prosecutor to a full-time position on January 1 of the year following approval by the voters

No.	Author	Subject
HB 1873		Requires the Commissioner of Administration to procure a blanket bond or crime insurance policy to protect the state against loss from the acts or omissions of specified state-compensated persons
HB 1897		Changes the laws regarding the criminal code
HB 2070		Changes the laws regarding mechanic's liens on residential real property
		AUDITOR, STATE
SS SCS SB 576		Modifies provisions relating to charter schools
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
SB 786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 890	Lager	Modifies the law relating to professional conduct during Division of Finance examinations and confidentiality agreements
SJR 23	Crowell	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 26	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
HB 1034		Requires the State Auditor to conduct a one-time comparative audit of at least five, but no more than 10, of the largest state agencies
SS SCS HB 1051		Requires the State Auditor to perform, on a one-time basis, a comparative audit of at least five, but no more than 10, of the largest state agencies and of each chamber of the General Assembly
HB 1080		Changes the laws regarding ethics, lobbying, and campaign finance
HCS HB 1228		Changes the laws regarding charter schools
HB 1239		Exempts the residential property of individuals 70 years of age or older from increases in assessed valuation that are not from new construction or improvements and from rate increases
SS SCS HB 1251		Changes the laws regarding natural resources
HB 1287		Requires the Missouri Gaming Commission to develop rules to allow patrons of excursion gambling boats to donate winnings to the newly created Missouri Veterans Fund to support veterans homes
HB 1303		Creates the Missouri Veterans Fund within the Missouri Gaming Commission to accept certain donations by patrons of excursion gambling boats to support Missouri veterans homes
HCS HB 1305		Changes the laws regarding environmental standards
SCS HB 1331		Revises the computation of the accrued benefits when an employee transfers creditable service between the State Employees' Retirement System and the Department of Transportation Retirement System
SS SCS HCS HB 1400		Changes the laws regarding the investment of certain public funds, perfection of security interests, Division of Finance examinations, and residential mortgage loan brokers
HCS HB 1442		Fills a vacancy in the office of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, or State Treasurer by appointment by the Governor or a special election
HB 1464		Prohibits statewide elected officials and legislators elected to their first term on or after November 2, 2012, from acting, serving, or registering as a lobbyist within one year of leaving office
HB 1672		Changes the auditing requirement for a law enforcement agency on the proceeds from federal forfeitures to only a reporting requirement
HCS HB 1869		Changes the laws regarding elections
HB 1943		Changes the laws regarding the management and maintenance of museum donations and collections
HB 2106		Changes the laws regarding the responsibilities of the Office of the State Auditor

No.	Author	Subject
		AUTISM
SS SCS SB 803		Modifies provisions relating to behavior analysts and the Behavior Analyst Advisory Board
SS SCS HCS HB 1563		Changes the laws regarding healthcare services
		BANKS AND FINANCIAL INSTITUTIONS
SB 462	Keaveny	Amends laws relating to unsecured loans of $500 or less
SB 476	Lamping	Amends laws relating to unsecured loans of $500 or less
SB 579	Parson	Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission
SCS SB 623		Allows certain financial institutions to transfer fiduciary obligations
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
CCS HCS SCS SB 635		Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
SB 670	Green	Allows debtors facing nonjudicial foreclosure to chose mediation or judicial foreclosure as alternatives
HCS SCS SB 726		Modifies provisions relating to financial transactions
SB 791	Curls	Amends laws relating to small loans
HCS SB 813		Modifies provisions relating to financial transactions
SB 890	Lager	Modifies the law relating to professional conduct during Division of Finance examinations and confidentiality agreements
HB 1153		Changes the laws regarding the perfection of security interests
HB 1294		Changes the laws regarding consumer credit interest rates
HCS HB 1308		Repeals the requirement that certain irrevocable standby letters of credit possess the highest rating issued by specified nationally recognized agencies to be acceptable collateral for public deposits
HB 1309		Changes the laws regarding residential mortgage loan brokers
HB 1349		Changes the laws regarding irrevocable life insurance trusts
HB 1376		Specifies that gold and silver issued by the federal government is legal tender in Missouri
HB 1393		Changes the laws regarding unsecured loans of $500 or less, commonly known as payday loans
SS SCS HCS HB 1400		Changes the laws regarding the investment of certain public funds, perfection of security interests, Division of Finance examinations, and residential mortgage loan brokers
HB 1409		Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 1544		Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HB 1557		Limits the amount of interest a title lender can charge on a loan and requires the average interest rate being charged by credit unions to be made available to the public at least quarterly
HB 1605		Prohibits a lender from imposing a fine, fee, or penalty for the prepayment of any loan and repeals the provision allowing a prepayment fee to be charged on a second mortgage loan
HB 1611		Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure

No.	Author	Subject
SCS HCS HB 1637		Establishes the Missouri Sound Money Act of 2012 which changes the laws regarding legal tender
HB 1897		Changes the laws regarding the criminal code
HB 2065		Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months
HB 2073		Repeals the provisions regarding nonjudicial foreclosure proceedings and requires all foreclosure proceedings to be handled judicially beginning August 28, 2012
		BINGO
HJR 91		Proposes a constitutional amendment prohibiting a person from participating in the actual operation of a bingo game unless he or she has been a member of the licensed organization for at least one year
		BOARDS, COMMISSIONS, COMMITTEES, COUNCILS
SB 434	Callahan	Modifies procedures for changes in school district boundary lines
SB 445	Goodman	Establishes the Joint Committee on the Missouri Criminal Code
SB 450	Rupp	Modifies the length of school board terms for certain school districts that became urban districts because of the 2010 census
SCS SB 451		Modifies provisions relating to school operations
SB 452	Cunningham	Allows a pupil to enroll in an adjoining school district if the student's residence is located closer to a school in the adjoining district or in cases of transportation hardship
CCS HCS SB 455		Modifies provisions relating to higher education
SB 456	Pearce	Establishes procedures for the transfer of students from an unaccredited school district to an accredited school district in the same or an adjoining county
SB 501	Wright-Jones	Creates the Council on Digital Inclusion
SB 503	Wright-Jones	Allows the Special Administrative Board governing the St. Louis City School District to sponsor charter schools under certain circumstances
HCS SCS SB 510		Modifies the laws regarding municipal annexations, the taxation of security companies, assessment of real estate, the termination of water and sewer services, and complaints about real estate appraisals
SCS SB 516		Modifies provisions regarding gubernatorial appointments
SB 543	Chappelle-Nadal	Modifies provisions relating to elementary and secondary education
SB 544	Chappelle-Nadal	Licenses clinical laboratory personnel
HCS SCS SB 562		Modifies provisions relating to the transfer of property by certain state universities
HCS SCS SB 563		Modifies provisions relating to higher education
SS SCS SB 576		Modifies provisions relating to charter schools
SB 579	Parson	Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission
SB 581	Callahan	Modifies provisions relating to school district boundary line changes, school accreditation, and employment of retired teachers under certain circumstances
HCS SS SCS SB 595		Transfers the administration of special education due process hearings from the State Board of Education to the Administrative Hearing Commission
CCS SB 599		Modifies provisions relating to education

No.	Author	Subject
SB 601	Lembke	Modifies provisions relating to school personnel
SB 640	Schaaf	Modifies the Certificate of Need Program and amends the Health Facilities Review Committee
SB 645	Schaefer	Modifies provisions relating to permits issued by environmental commissions
SB 649	Ridgeway	Reauthorizes and revises the Children's Vision Examination Program and Commission
SB 650	Ridgeway	Requires Senate approval for gubernatorial appointments to certain boards, commissions, and committees
SB 651	Schaefer	Creates a home inspector licensing board and procedures for licensing home inspectors
SB 654	Lager	Requires the school board of each school district and charter school to establish an evaluation system for teachers and teaching
HCS SCS SB 655		Creates the Higher Education Capital Fund to provide matching funds to public colleges and universities for capital projects under certain circumstances
SB 672	Brown	Modifies higher education course credit requirements and healthcare-related professional licensure requirements for members of the armed forces
SS SCS SB 677		Modifies provisions relating to school accreditation for failing school districts
SB 681	Lager	Provides that no more than two of the voting members of the Board of Regents of Northwest Missouri State University may be residents of the same county
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SCS SB 706		Modifies provisions relating to school operations
HCS SB 721		Modifies provisions of the tax increment financing law and authorizes the imposition of a transient guest tax for the city of Liberty
SCS SB 729		Modifies provisions relating to county purchases
HCS SB 739		Modifies provisons relating to administrative child support orders and the Sentencing Advisory Commission
SB 747	Schaefer	Modifies the composition of the University of Missouri Board of Curators
SB 751	Schaaf	Allows school districts to adopt an eight-hour school day
SB 762	Keaveny	Modifies provisions relating to alternative educational procedures for charter schools
SB 770	Wright-Jones	Requires additional information to be included in the annual report submitted by Area Agencies on Aging
SB 775	Munzlinger	Requires the Governor to give thirty days notice to the General Assembly before an appointed official's term ends
SB 780	Wasson	Modifies the composition of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 782	Curls	Establishes the Lupus Research Trust Fund
SB 797	Justus	Requires the Department of Elementary and Secondary Education to establish a voluntary prekindergarten program
SB 799	Justus	Changes the requirements for school anti-bullying policies
SS SCS SB 803		Modifies provisions relating to behavior analysts and the Behavior Analyst Advisory Board
SS#2 SCS SB 806		Modifies the teacher tenure systems
SB 811	Dixon	Authorizes the Board of Governors of Missouri State University to convey certain real property to the City of Springfield

No.	Author	Subject
SB 812	Schaefer	Establishes the Missouri Electronic Prior Authorization Committee and pilot program
SB 814	Brown	Modifies provisions relating to state land survey duties
SB 823	Munzlinger	Allows the Board of Probation and Parole to conduct hearings with offenders via videoconference
SB 839	Lembke	Exempts certain school districts governed by a special administrative board from having to pay tuition and transportation for students who attend an accredited school under certain circumstances
SCS SB 842		Modifies the Public School Retirement System of Missouri and the Public Education Employee Retirement System of Missouri
SB 849	Purgason	Modifies provisions relating to solid waste management
SB 851	Crowell	Bars legislators from lobbying and serving on boards commissions and committees for two years after leaving office
SCS SB 865		Allows University of Missouri Extension Councils to form extension districts made up of cooperating counties
SB 874	McKenna	Modifies record-keeping provisions in the Property Assessment Clean Energy (PACE) Act
SB 895	Curls	Modifies provisions relating to school districts classified as provisionally accredited or unaccredited by the State Board of Education
SJR 27	Munzlinger	Increases the number of commissioners on the Conservation Commission and provides term limits
SCS SJR 51		Modifies the composition of Appellate Judicial Commission and number of nominees for vacancies in the Supreme Court and Court of Appeals
HB 1029		Requires the Oversight Division of the Committee on Legislative Research to conduct program evaluations of state agencies, including budget transparency and accountability
HB 1037		Authorizes commissioners of certain road districts, upon majority vote, to be compensated up to $100 per month for their services
HB 1041		Authorizes the governing board of any state university to convey or transfer real property, except in fee simple, without an authorizing act of the General Assembly through August 28, 2017
SCS HCS HB 1042		Changes the laws regarding higher education
HB 1047		Establishes the Common Interest Owners Bill of Rights Act
SCS HCS HB 1049		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy
HB 1068		Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
HCS HB 1076 & 1302		Changes the laws regarding renewable energy
HB 1082		Specifies that licensed professional counseling includes the diagnosis of mental, emotional, and behavior disorders and requires these counselors to complete certain educational coursework
HB 1085		Adds an additional $1 to the excursion gambling boat entrance fee with the moneys to be deposited in the Veterans Commission Fund
HB 1090		Prohibits the Missouri Housing Development Commission from requiring a prevailing wage on a project eligible for a housing tax credit if it is located in a disaster area
HB 1114		Requires Taney County, upon voter approval of a county sales tax, to appoint an emergency services board to administer the central dispatching of emergency services
HCS HB 1117		Establishes the Missouri and Midwest Rail Integration and Improvement Commission Act and the Missouri and Midwest Rail Integration and Improvement Commission
HB 1121		Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission

No.	Author	Subject
CCR CCS SCS HB 1135		Requires the termination of all administrative rules based on the time of promulgation and allows an agency to repromulgate a rule that is set to terminate
HB 1151		Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 1161		Increases the annual amount of moneys to be transferred from the Gaming Commission Fund to the Veterans' Commission Capital Improvement Trust Fund
HB 1163		Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contract with mandated haulers of trash collection except in North Kansas City, Kansas City, and St. Louis
SS#2 SCS HCS HB 1174		Changes the laws regarding school accreditation by authorizing the State Board of Education to establish an alternative governing structure for a failing school district
HB 1178		Increases the number of members of the Missouri Conservation Commission from four to seven contingent upon the passage of a constitutional amendment authorizing the change
HB 1182		Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for all income earned as a temporary election staff member
HB 1192		Changes the laws regarding investment contracts of the Missouri Higher Education Savings Program
HB 1201		Corrects the name of the organization referred to in the provisions regarding the Compact for Education from the Educational Commission of the States to the Education Commission of the States
HCS HB 1211		Changes the laws regarding local courts
HCS#2 HB 1213		Changes the laws regarding the Bi-State Development Agency, vacation leave for state employees, Department of Revenue fee offices, advisory board association, and conveyance of state property
HB 1216		Increases the maximum annual grant amount that the University of Missouri Board of Curators can award for a research project on Alzheimer's disease and related disorders
HB 1217		Changes the laws regarding the lapse of a school district when it has been unaccredited by the State Board of Education for two successive school years
HB 1219		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HCS HB 1228		Changes the laws regarding charter schools
HB 1237		Requires the Lottery Commission to promulgate rules establishing criteria to allow a licensee who has been convicted of a class C or class D felony to sell lottery tickets
HB 1243		Requires the Department of Economic Development to establish the MO Jobs Training Program
SS SCS HB 1251		Changes the laws regarding natural resources
HB 1257		Changes the composition of the University of Missouri Board of Curators
HB 1262		Requires the State Board of Education to establish a coordinated health program board to develop a program designed to prevent student obesity, cardiovascular disease, and type II diabetes
HB 1273		Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 1277		Allows the Missouri Highways and Transportation Commission to enter into infrastructure improvement agreements
SS SCS HCS HB 1280		Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer
HB 1287		Requires the Missouri Gaming Commission to develop rules to allow patrons of excursion gambling boats to donate winnings to the newly created Missouri Veterans Fund to support veterans homes

No.	Author	Subject
HB 1291		Requires a person conducting a home inspection to be licensed by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration
HB 1297		Changes the laws regarding the professional licensure and certification requirements of current and former military personnel
HB 1303		Creates the Missouri Veterans Fund within the Missouri Gaming Commission to accept certain donations by patrons of excursion gambling boats to support Missouri veterans homes
HCS HB 1316		Changes the laws regarding public utilities and creates the Public Counsel Fund
HB 1320		Changes the laws regarding campaign contributions
HB 1333		Changes the laws regarding vision examinations for school students
HB 1353		Allows the Governor, with the advice and consent of the Senate, to appoint a student to the University of Missouri Board of Curators who will have full voting rights
HCS HB 1363		Requires the Missouri State Fair Commission and the governing bodies of fairs and exhibitions which exhibit livestock to permit specified persons to exhibit livestock
HB 1366		Requires the school board of each school district and charter school to establish and maintain an evaluation system for teachers and teaching
HCS HB 1370		Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 1371		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
HB 1374		Changes the laws regarding school accreditation and establishes a transformational school district upon the second declaration of unaccredited status of certain school districts
HB 1380		Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property
HB 1392		Requires a purchaser of commodity metals to register with the scrap theft alert system maintained by the Institute of Scrap Recycling Industries and establishes the Commodity Metals Theft Task Force
HB 1401		Renames the Missouri Certificate of Need Law as the Missouri Long-term Care Certificate of Need law and limits the provisions of the law to only apply to long-term care facilities and services
HB 1403		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 1405		Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
SCS HCS HB 1407		Establishes the Sickle Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs
HB 1411		Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
HB 1420		Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2015
HB 1455		Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development
HCS HB 1458		Changes the laws regarding public safety, fire protection, and emergency services
HB 1459		Disqualifies a person from becoming a candidate for a school board if he or she has a substantiated report of child abuse or neglect on the Child Abuse and Neglect Registry
HB 1467		Requires the Missouri Higher Education Loan Authority to reserve $30 million for loan forgiveness when the state unemployment rate exceeds a certain level in the previous fiscal year

No.	Author	Subject
HB 1468		Requires the Amber Alert System Oversight Committee to adopt criteria to expand the Amber Alert System to provide peace officer safety alerts
HB 1481		Requires the governing body of all national, state, and local fairs and exposes conducted in this state which exhibit livestock or domestic animals to permit breeders and owners to exhibit
HB 1500		Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation or gender identity unlawful
HB 1501		Establishes the Missouri Commission on Workforce Preparedness within the Department of Economic Development to study how higher education is meeting the needs of Missouri employers
HB 1519		Requires any remaining cash assets of a closed charter school to be returned to the Department of Elementary and Secondary Education
HB 1523		Specifies that, beginning January 1, 2013, certain specified building codes will be deemed the official state codes
SCS HCS HB 1525		Establishes the Sentencing and Corrections Oversight Commission and changes the laws regarding criminal offenders under the supervision of the Department of Corrections
HB 1550		Establishes the Capitalism Education and Awareness Act and the Capitalism Education and Awareness Commission within the Department of Elementary and Secondary Education
HB 1556		Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 1587		Requires that one voting member of the University of Missouri Board of Curators be a student
HB 1593		Changes the laws regarding the Missouri New Markets Development Program and establishes the Missouri Angel Investment Incentive Act
HB 1595		Establishes the Advisory Council on the Education of Gifted and Talented Children
HB 1596		Requires the State Board of Education to designate a staff member to be in charge of educational programs for gifted and talented children
HB 1619		Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HB 1620		Requires the Governor when selecting appointees to state boards, commissions, committees, and councils to ensure that the membership reflects racial and gender equity based on population if possible
HB 1629		Allows a student to enroll in a school district other than the student's school district of residence for the purpose of attending virtual courses or programs
HB 1630		Changes the laws regarding the composition of the Missouri Highways and Transportation Commission
HB 1631		Allows any public school to offer dating abuse information in its health curriculum in grades seven through twelve
HB 1648		Allows the board of election commissioners in Kansas City and St. Louis to establish voter centers on election days for a person to vote without going to his or her precinct voting location
HB 1653		Requires certain tax records to be disclosed to the Missouri Ethics Commission by certain entities who make more than $25,000 in campaign contributions during a year
HB 1656		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund
SCS HCS HB 1659 & 1116		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use
HB 1662		Creates a county drinking water supply lake authority in Christian County

No.	Author	Subject
HB 1693		Changes the laws regarding the approval of a redevelopment plan involving tax increment financing in St. Louis County, St. Charles County, and Jefferson County and its cities, towns, and villages
HB 1706		Changes the laws regarding contract carriers that transport railroad employees, tools, and supplies
SS SCS HCS HB 1731		Changes the laws regarding the use of gaming and tobacco settlement moneys
HB 1736		Changes the laws regarding school operations
HCS HB 1740		Changes the laws regarding school operations
HB 1750		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund
HB 1752		Authorizes the Hazardous Waste Management Commission to adopt rules and regulations to ensure that Missouri is in compliance with the federal Resource Conservation and Recovery Act
HB 1756		Changes the laws regarding ethics
HB 1763		Establishes the Malcolm X Day Commission to organize activities and events in honor of the civil rights leader
HB 1765		Establishes the Rosa Parks Observance Day Commission within the Governor's Office to organize and coordinate activities and events to celebrate her life and raise awareness of her legacy
HB 1767		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund from June 5, 2012, to August 28, 2022
HB 1768		Changes the laws regarding county and statewide emergency 911 service boards
HB 1780		Changes the laws regarding county and statewide emergency 911 service boards
SCS HCS HB 1789		Changes the laws regarding travel hardships for public school students
HCS HB 1794		Clarifies the definition of "employment" as it relates to employment security laws regarding in-home or community-based services for clients of a county board for developmental disability services
HCS HB 1809		Changes the laws regarding cleaning supplies for state buildings and schools, county building codes, and energy audits of public schools
HB 1817		Specifies that the provisions regarding the Sentencing Advisory Commission cannot be construed to allow the commission to recommend a sentence in a specific pending court case
HB 1819		Specifies that a high risk or alternative charter school may allow a student to obtain credit to satisfy graduation requirements by alternative arrangements in the charter application and charter
SCS HCS HB 1827		Establishes the Missouri Electronic Prior Authorization Committee regarding national standards for the process of obtaining prior approval from an insurer for certain services or medications
HB 1830		Changes the laws regarding a student transfer in an unaccredited district that is governed by a special administrative board
HB 1842		Establishes the Joint Committee on Child Abuse and Neglect to make a continuing study and analysis of the state child abuse and neglect reporting and investigation system
HB 1850		Establishes the Missouri Energy Efficiency Performance Standard
HB 1852		Changes the laws regarding the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects
HB 1862		Requires the Department of Labor and Industrial Relations to establish the Equal Pay Commission
SS SCS HCS HB 1865		Changes the laws regarding economic development incentives

No.	Author	Subject
HCS HB 1869		Changes the laws regarding elections
HB 1881		Changes the laws regarding the Second Injury Fund
HB 1887		Prohibits a sheltered workshop's board of directors from holding in reserve any general operating moneys in excess of one year's estimated annual general operating costs with specified exceptions
HB 1888		Establishes the Office of Protection and Advocacy for Persons with Disabilities within the Office of Administration to protect the rights of individuals with disabilities and developmentally disabled persons
HCS HB 1890		Changes the laws regarding health insurance coverage and contracts
HB 1895		Allows University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming
HB 1905		Changes the laws regarding solid waste management
HB 1911		Establishes the Missouri Advisory Boards and Commissions Association
HCS HB 1922		Establishes the Missouri Department of Transportation and Highway Patrol Health Care Plan
HB 1924		Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for specified protected places
HB 1929		Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1939		Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 1949		Requires each of the farmer members of the State Soil and Water Districts Commission to have soil and water conservation district board experience at the time of appointment to the commission
HB 1951		Removes the for gross negligence exception from personal liability for members of the State Board of Chiropractic Examiners for acts committed in the performance of their official duties
HB 1955		Removes the required date of by January 1, 1994, for the appointment of the Missouri Employers Mutual Insurance Company Board of Trustees
HB 1964		Adds residential and commercial alarm and security entities to the list of businesses from which a third class city may collect a license tax
HCS HB 1971		Changes the laws regarding political subdivisions
HB 1978		Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health
HB 1986		Requires the State Board of Education to contract for the analysis of statewide assessment results and requires each district to develop a policy on actions regarding employee tampering of assessment results
HCS HB 1988		Changes the laws regarding real estate appraisers and real estate appraisal management companies
HB 2000		Changes the laws regarding the licensure of hearing instrument specialists
HB 2027		Requires candidates for election to the board of the Springfield School District in which more than one seat is open to declare their candidacy for a specific seat
HB 2050		Specifies that a school district will no longer have the authority to contract with a superintendent and requires it to be an elective office with specified exceptions
HB 2069		Changes the name, number of members, and the composition of the Board of Cosmetology and Barber Examiners and the educational requirement for a licensee
HB 2079		Changes the laws regarding the structure and conditions for the transitional school district that has the same boundaries as the City of St. Louis
HB 2094		Changes the laws regarding physician assistants

No.	Author	Subject
HB 2096		Repeals the provisions allowing certain counties to establish an alternative county highway commission
HB 2099		Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person
HCR 8		Disapproves the State Tax Commission's proposed state regulation under Section 137.021, RSMo, establishing agricultural and horticultural land values for the 2013 and 2014 assessment years
SCS HCS HCR 33		Reauthorizes the Joint Interim Committee on State Employee Wages
HCR 57		Establishes the Committee on Fiscal Responsibility and Realignment of Political Subdivisions to evaluate the fiscal benefit of realigning the distribution of public fiscal, capital, and personnel resources
HCR 58		Encourages local school districts to educate themselves on the authority they have under state law to develop and implement policies and procedures to address the issues in their school districts
HJR 40		Proposes a constitutional amendment authorizing the establishment of a Fair Ballot Commission to determine the propriety and correctness of proposed ballot language submitted by initiative or referendum
HCS HJR 44		Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increasing the number of candidates nominated to the Governor for certain judicial vacancies
HJR 46		Proposes a constitutional amendment changing the composition of the State Board of Education
HJR 48		Proposes a constitutional amendment requiring the composition of the Missouri Conservation Commission to be fixed by law instead of specified in the Missouri Constitution
HJR 51		Proposes a constitutional amendment increasing the number and establishing term limits for members of the Missouri Conservation Commission
HJR 54		Proposes a constitutional amendment restricting appropriations to the Life Sciences Research Board from being used for specified types of projects
HJR 57		Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, constructions, landscaping, and land or building purchases
HJR 78		Proposes a constitutional amendment requiring all meetings of a redistricting apportionment commission to be open to the public
HJR 82		Proposes a constitutional amendment changing the composition of the Commission on Retirement, Removal, and Discipline which investigates complaints regarding members of the judiciary
HJR 85		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell electronic pull-tab cards to support the Veterans' Commission Capital Improvements Trust Fund
		BOATS AND WATERCRAFT
HCS SB 690		Modifies provisions related to public safety
CCS#2 SS SCS SB 719		Modifies various provisions relating to the regulation of transportation
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
SB 872	Justus	Modifies provisions relating to criminal law
HB 1085		Adds an additional $1 to the excursion gambling boat entrance fee with the moneys to be deposited in the Veterans Commission Fund
HB 1160		Requires an excursion boat licensee to pay an additional admission fee equal to 50% of the required fee to be deposited into the Veterans Commission Capital Improvement Trust Fund

No.	Author	Subject
HB 1234		Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 1241		Adds an additional $1 to the excursion gambling boat entrance fee with the moneys to be deposited in the Veterans Commission Fund
HB 1310		Authorizes an exemption for motor fuel used exclusively for watercraft in this state from the motor fuel tax
SS HCS HB 1329		Changes the laws regarding motor vehicles
HB 1423		Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit
HB 1424		Authorizes the State Highway Patrol to sell surplus watercraft, watercraft motors, and trailers as well as vehicles
HB 1452		Requires any person younger than 14 years of age to wear an approved personal flotation device when on a watercraft on Missouri waters unless the person is in a fully enclosed part of the watercraft
HB 1463		Changes the laws regarding the distribution of certain local sales tax revenues in St. Louis County
HCS HB 1515		Changes the laws regarding crimes and criminal procedures
HB 1551		Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 1552		Authorizes the governing body of Carter County to impose, upon voter approval, a transient guest tax on additional sites
HB 1646		Allows a person or company that rents or sells vessels to issue a temporary boating safety identification card to certain non-residents
HB 1759		Requires that the "Year Manufactured" on an outboard motor title reflect the year the dealer purchased it from the manufacturer
HCS HB 1815		Exempts the normal and customary use of state park trails and roads from the prohibition on the use of the trails and roads without written permission from the Department of Natural Resources
HB 1897		Changes the laws regarding the criminal code
HB 2072		Requires the Director of Revenue to report to the Speaker of the House of Representatives and the President Pro Tem of the Senate a list of jurisdictions that have adopted a local use tax on specified items
HB 2080		Changes the laws regarding the sales and use tax on a trade-in or exchange transaction
HCS HB 2100		Changes the laws regarding motor vehicles
		BONDS - BAIL
HB 1867		Allows a court to accept, in lieu of a cash only bond, a guarantee from a surety who is in compliance with the general laws regulating bail bondsmen
		BONDS - GENERAL OBLIGATION AND REVENUE
SB 901	Lembke	Modifies the requirements for a county, city, town, or village to issue revenue bonds and the ability of industrial development corporations to issue bonds
SCS HB 1036		Changes the laws regarding elections
HB 1061		Specifies that an employee of the Department of Economic Development will be guilty of a class D felony if he or she authorizes, allocates, or recommends the issuance of bonds without all documentation
HB 1250		Changes the laws regarding elections

No.	Author	Subject
HCS HB 1275		Specifies the timeframe for the resubmission of a ballot issue in certain instances and the necessary percentage of approval for it to become effective
HB 1304		Prohibits any political subdivision from incurring any indebtedness through the issuance of a bond unless it has been approved by the voters
HB 1592		Changes the laws regarding county collectors and a county's special road and bridge levy and establishes the STAR Bonds Financing Act
HB 1771		Requires a political subdivision to hold a public hearing on the issuance of any bond that has a pledge of future appropriations securing the bond's debt service before issuing the bond
HB 1773		Specifies that the underwriter and the rating agency for any bond issued by a local government must investigate any company or project benefitting from the bond
HB 1774		Requires to the Department of Economic Development to develop a system to apprise local governments of the department's opinion on certain proposals for economic development incentives
HB 1776		Requires the governing body of any local government that issues an appropriation bond to provide insurance that repays the bond in the event of default
SS SCS HCS HB 1865		Changes the laws regarding economic development incentives
HB 1946		Establishes a procedure by which a school district may increase its bonded indebtedness to 20% of the district's assessed valuation rather than the current limit of 15%
HJR 57		Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, constructions, landscaping, and land or building purchases
HJR 58		Proposes a constitutional amendment specifying that the General Assembly has no power or authority to contract any liability or to issue certain bonds if repayment is dependent on appropriations
HJR 68		Proposes a constitutional amendment authorizing state bonding authority for certain higher education capital improvements in the City of St. Louis and St. Louis County
HJR 84		Proposes a constitutional amendment allowing a qualified school district to become indebted in an amount up to an additional 5% above the current 15% of the value of its taxable tangible property
HJR 90		Proposes a constitutional amendment raising the allowable level of bonded indebtedness of a school district from 15% to 20% of the value of the tangible property in the district
		BONDS - SURETY
SCS HCS HB 1042		Changes the laws regarding higher education
SS HCS HB 1106		Changes the laws regarding certain public officials
HCS HB 1457		Requires, except in a charter county, a candidate for county treasurer to file a signed affidavit stating that the candidate meets the minimum bond requirements for the office of county treasurer
HB 1746		Requires any person who files a court challenging the issuance of a license for a commercial livestock or poultry slaughter or processing plant to post a surety bond
HB 1859		Specifies that a political subdivision cannot incur any indebtedness through the issuance of a conduit bond for the benefit of a for-profit entity unless specified conditions are met
HB 1873		Requires the Commissioner of Administration to procure a blanket bond or crime insurance policy to protect the state against loss from the acts or omissions of specified state-compensated persons
		BUSES
HB 1270		Designates the third full week in October as Missouri School Bus Safety Week

No.	Author	Subject
HB 1273		Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 1483		Specifies that a political subdivision cannot prohibit a person with a valid concealed carry endorsement from carrying a concealed firearm onto a train or public bus
		BUSINESS AND COMMERCE
SB 462	Keaveny	Amends laws relating to unsecured loans of $500 or less
SB 476	Lamping	Amends laws relating to unsecured loans of $500 or less
SB 523	Curls	Prohibits persons under the age of 18 from selling tobacco products
HCS SCS SB 563		Modifies provisions relating to higher education
SB 571	Kraus	Requires tax credit recipients to file campaign finance reports with the Missouri Ethics Commission
SCS SB 584		Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
CCS SB 611		Modifies various provisions relating to the regulation of transportation
SB 615	McKenna	Modifies provisions relating to liquor
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
SB 645	Schaefer	Modifies provisions relating to permits issued by environmental commissions
SB 686	Schaaf	Prohibits the re-sale or lease of returned electronic devices and appliances unless subsequent customers are notified
SB 733	Richard	Revises statutes concerning the Missouri Science and Reinvestment Act and related statutes
SB 734	Richard	Establishes the Missouri Works Training Program
SB 778	Richard	Prohibits an annual adjustment for inflation for certain solid waste management fees
SB 791	Curls	Amends laws relating to small loans
SB 792	Brown	Classifies a retailer with a machine that processes tobacco into a roll or tube as a manufacturer of cigarettes
SB 796	Justus	Repeals provision making changes enacted by Senate Bill 7 (1st Ext. Sess. 2011) contingent on the passage of another act
SCS SB 816		Redefines "misconduct" and "good cause" for the purposes of disqualification from unemployment benefits
SCS SB 837		Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
SB 840	Ridgeway	Requires certain businesses to use an automated system for the collection of sales and use taxes
SB 876	Kehoe	Prohibits beer manufacturers and liquor wholesalers from owning certain interests in each other
SB 882	Pearce	Expands eligibility for the small business income tax deduction for new job creation
SB 898	Schaefer	Provides an exemption to certain asbestos-related state requirements for certain entities
SCS SB 906		Prohibits certain taxpayers from receiving benefits under certain programs administered by the Department of Economic Development
SB 909	Cunningham	Modifies provisions of evidence law relating to business records and hearsay
SCR 21	Pearce	Urges Congress to support greater domestic development of North American sources of oil and approve the Keystone XL pipeline project

No.	Author	Subject
SCR 23	Munzlinger	Urges Congress to further address the issue of allowing the interstate sale of state-inspected meat and poultry
HB 1044		Requires wholesalers to notify retailers and retailers to notify the general public of a price increase of three cents or more for a gallon of motor fuel at least 24 hours prior to the increase
HB 1075		Prohibits a licensed pharmacy from being required to carry or maintain in inventory any specific prescription or nonprescription drug or device
HB 1096		Allows a county health center to make authorized payments through an electronic funds transfer system
HCS HB 1098 & 1084		Adds charitable veterans' organizations to the zoning exception regarding the establishment of a retail business selling donated goods in an area where other businesses engage in retail sales
HB 1129		Specifies that it is an unlawful merchandising practice to misrepresent the geographic location of a business
CCR CCS SCS HB 1135		Requires the termination of all administrative rules based on the time of promulgation and allows an agency to repromulgate a rule that is set to terminate
HB 1146		Specifies that the intrastate manufacturing of certain incandescent lightbulbs is not subject to federal law or regulation
HB 1153		Changes the laws regarding the perfection of security interests
HB 1164		Changes the job retention provisions in the Missouri Quality Jobs Act
HB 1179		Prohibits a large water user from conveying water withdrawn or diverted from the Southeast Missouri Regional Water District to a location outside the district if it interferes with another major user
HB 1197		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1209		Specifies that the tax credit for qualified film production projects will expire December 31, 2012
HCS HB 1214		Establishes the Missouri Entrepreneur Resource Virtual Network to provide resources for the development of businesses
HB 1215		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1224		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing unauthorized aliens
HB 1243		Requires the Department of Economic Development to establish the MO Jobs Training Program
HB 1244		Allows a governmental entity to engage in projects involving a technology business facility used for specified purposes
HCS HB 1245		Changes the laws regarding tax credits and the Missouri Quality Jobs Act
HB 1246		Changes the laws regarding municipal technology business facility projects, the MO Jobs Training Program, and the Missouri Quality Jobs Act
HB 1283		Prohibits any person younger than 15 years of age from using a tanning device or his or her guardian from allowing the use of a tanning device
HB 1294		Changes the laws regarding consumer credit interest rates
HB 1295		Requires a municipality to allow at least one street to be used by commercial vehicles to access any state highway and prohibits a civil action for the legal use of a motor vehicle on a public street
HCS HB 1298 & 1180		Changes the laws regarding a defendant's liability in a tort action and establishes the Agritourism Promotion Act
HB 1306		Prohibits caffeinated malt beverages from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state

No.	Author	Subject
HCS HB 1311		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HB 1314		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1321		Creates an exemption from the state and local sales and use tax on the purchase of feed for captive wildlife that will be ultimately sold at retail
SCS HCS HB 1324		Affirms the right of Missouri citizens to raise livestock in a manner adhering to state and local laws and ordinances as enacted on August 28, 2012, or at the commencement of operations
HB 1326		Establishes the Business Premises Safety Act
HB 1347		Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri
HB 1352		Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 1354		Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product
HCS HB 1356		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1359		Changes the laws regarding state contracts and statewide student assessment results
HB 1389		Allows a residential subscriber to have his or her wireless telephone number added to the state's No-call List and prohibits sending unsolicited faxes or text messages to anyone on the list
HB 1390		Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance
HB 1393		Changes the laws regarding unsecured loans of $500 or less, commonly known as payday loans
HB 1404		Designates the month of December as "Pet Breeders Appreciation Month"
HB 1412		Allows certain organizations who sell intoxicating liquor by the drink at retail or on their premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 1427		Authorizes an income tax credit for certain small businesses who hire a person who is disabled or recently discharged from a correctional facility
HB 1455		Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development
HCS#2 HB 1475		Requires the parent or guardian of any person younger than 17 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of a device
HCS HB 1476		Establishes the Freight Forwarders Incentive Act to encourage foreign trade through the Lambert-St. Louis International Airport
HB 1494		Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 1500		Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation or gender identity unlawful
HB 1505		Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity as Evidence Law and specifies what documents are not excluded by the hearsay rule of evidence
HB 1508		Allows certain cottage food production operations to sell baked goods from their home without being subject to the state health and food laws and regulations
HB 1514		Allows for the establishment of a series limited liability company
HB 1530		Changes the laws regarding the resale of certain scrap metals

No.	Author	Subject
HCS HB 1542 & 1101		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 1556		Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 1561		Allows for the organization of a low-profit limited liability company or L3C
HB 1567		Requires a scrap metal dealer purchasing catalytic converters or a person refining platinum from catalytic converters to keep a record of each purchase and limits the number that he or she can buy per day
HB 1569		Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 1570		Changes the laws regarding early childhood services
SCS HCS HB 1637		Establishes the Missouri Sound Money Act of 2012 which changes the laws regarding legal tender
SCS HCS HB 1639		Establishes the Broad-Based Tax Relief Act of 2012, reduces the tax on business income and corporate income, and changes the laws regarding the collection of money owed to the state
HB 1655		Restricts the time to file a product liability claim and when a manufacturer or seller of a product may be liable
HB 1657		Prohibits a state agency from awarding a state contract to a contractor or subcontractor who performs the work outside of the United States
HCS HB 1661		Changes the laws regarding the income tax deduction for job creation by small businesses
HB 1679		Establishes the Sales Tax Technology Act regarding the electronic submission of sales tax data and payments
HB 1685		Changes provisions regarding the Missouri preference in state purchasing
HB 1691		Allows an applicant for a salvage dealer license to list a wireless telephone number as the means for the public to contact the place of business
HB 1705		Allows a residential subscriber to have his or her wireless telephone number added to the state's No-call List and prohibits sending unsolicited faxes or text messages to anyone on the list
HCS HB 1717		Changes the laws regarding the withholding tax filing requirements and income tax deductions for certain small businesses
HB 1728		Establishes the Missouri Jobs for Education Program
HB 1775		Requires the Department of Economic Development to share its information on a company seeking economic development incentives with local governments and economic development officials
HB 1777		Requires any new consulting contract for services in a foreign country to contain a provision that the consultant refrain from representing companies from that country in certain negotiations
HB 1787		Requires every merchant to develop and maintain a list of suppliers for each product it sells and provide it to any law or drug enforcement officer or agency upon request
HB 1798		Authorizes a tax credit for the cost of labor and materials to construct or improve a data center
HB 1801		Establishes the Missouri International Business Advertising Fund to be used exclusively for advertising the benefits of relocating an international business to Missouri
HB 1823		Prohibits specified companies from benefitting from a tax increment financing project
HB 1824		Prohibits a person from operating a warehouse, commissary, or mobile food unit without first obtaining a license from the Department of Health and Senior Services
HB 1828		Changes the font size of the required notice that a licensed lender has to provide the borrower from at least 10-point bold type to at least 14-point bold type
HCS HB 1841		Changes the laws regarding pyramid sales schemes
HB 1844		Requires specified disclosures on new credit card processing service contracts

No.	Author	Subject
SCS HCS HB 1860 & HCS HB 1254		Changes the laws regarding agricultural education in private schools, grain dealers, and agricultural crimes
HB 1880		Requires the Department of Transportation to erect a sign at 1078 South Jefferson Street in the City of Lebanon recognizing the Independent Stave Company as a centennial business
HB 1889		Changes the laws regarding towing companies operating tow trucks
HB 1908		Exempts certain businesses from specified state asbestos-related requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos
HB 1910		Prohibits any product containing bisphenol-A for a child under three years of age from being sold in this state
HB 1964		Adds residential and commercial alarm and security entities to the list of businesses from which a third class city may collect a license tax
HB 1975		Requires a professional sports team to make its financial records and ownership public if it is going to receive any state funds
HB 1982		Requires a business to separately state on each sales receipt a breakdown of each tax paid by the purchaser on a retail sale
HB 1999		Changes the laws regarding the Missouri Science and Innovation Reinvestment Act
HB 2044		Establishes the Incentives Regionalization Act to provide economic incentives to induce employers to relocate from Kansas to Missouri or from Missouri to Kansas
HB 2064		Requires collection agencies to obtain a signed contract from the client prior to beginning collection services and to provide the client a copy of the contract
HB 2065		Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months
HB 2087		Requires all food or food products sold in Missouri which are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals
HB 2088		Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products
HB 2089		Allows certain small businesses to be eligible to claim any state tax credit, deduction, and other exemption from tax that specified corporations are allowed to claim
HB 2103		Changes the laws regarding smoking in public places
		CAMPAIGN FINANCE
SB 520	Schaaf	Requires a candidate who forms a committee to designate the office to which the candidate is seeking nomination or election
SB 546	Purgason	Imposes campaign contribution limits
SB 571	Kraus	Requires tax credit recipients to file campaign finance reports with the Missouri Ethics Commission
SB 605	Green	Eliminates duplicate filing of campaign finance disclosure reports
SB 825	Justus	Imposes campaign contribution limits
SB 826	Crowell	Modifies the law relating to ethics
HB 1080		Changes the laws regarding ethics, lobbying, and campaign finance
HB 1230		Allows an employer or labor organization to obtain a political contribution through a payroll deduction if the employee or member consents to the contribution in writing annually
HB 1320		Changes the laws regarding campaign contributions

No.	Author	Subject
HB 1480		Changes the laws regarding the state's No-call List and political telephone solicitations
HB 1653		Requires certain tax records to be disclosed to the Missouri Ethics Commission by certain entities who make more than $25,000 in campaign contributions during a year
HB 1756		Changes the laws regarding ethics
HB 1781		Requires a candidate for public office to file any required disclosure reports and to pay any assessed fees by the Missouri Ethics Commission before filing for an office or taking office
HB 1929		Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1939		Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
		CAPITAL IMPROVEMENTS
SB 647	Richard	Provides for funding of the capitol complex revitalization project by modifying the historic preservation tax credit program
HCS SCS SB 655		Creates the Higher Education Capital Fund to provide matching funds to public colleges and universities for capital projects under certain circumstances
HCS HB 1076 & 1302		Changes the laws regarding renewable energy
HB 1164		Changes the job retention provisions in the Missouri Quality Jobs Act
HB 1290		Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HCS HB 1305		Changes the laws regarding environmental standards
HCS HB 1311		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HB 1332		Changes the laws regarding the infrastructure replacement surcharge for water corporations
HB 1502		Creates the Higher Education Capital Fund to provide matching funds to public colleges and universities for capital projects under certain circumstances
SCS HB 1504		Changes the laws regarding sales taxes
HB 1788		Changes the laws regarding the awarding of a contract for projects by any officer or agency of this state or any of its political subdivisions
HB 1887		Prohibits a sheltered workshop's board of directors from holding in reserve any general operating moneys in excess of one year's estimated annual general operating costs with specified exceptions
HB 1891		Establishes minimum standards that a municipality in St. Louis County must meet in the provision of municipal and financial services and reports
HB 1946		Establishes a procedure by which a school district may increase its bonded indebtedness to 20% of the district's assessed valuation rather than the current limit of 15%
HJR 45		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans Commission Capital Improvement Trust Fund
HJR 79		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans' Commission Capital Improvements Trust Fund
HJR 80		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans' Commission Capital Improvements Trust Fund
HJR 85		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell electronic pull-tab cards to support the Veterans' Commission Capital Improvements Trust Fund

No.	Author	Subject
		CERTIFICATE OF NEED
SB 533	Schaaf	Allows for certain projects creating ten or more new full-time jobs to not have to obtain a certificate of need
SB 640	Schaaf	Modifies the Certificate of Need Program and amends the Health Facilities Review Committee
		CHARITIES
CCS HCS SCS SB 498		Prohibits cities from restricting veterans organizations from operating re-sale shops in certain areas
HCS HB 1098 & 1084		Adds charitable veterans' organizations to the zoning exception regarding the establishment of a retail business selling donated goods in an area where other businesses engage in retail sales
HB 1154		Reduces the annual cumulative amount of tax credits that can be authorized for donations to a food pantry and extends the expiration date to December 31, 2020
HB 1203		Allows money from the county law enforcement restitution fund to be used for county inmate work and service programs and limits the amount a county can assess an individual for certain offenses to $10
HB 1205		Specifies certain employee rights as they relate to labor organizations
HCS#2 HB 1213		Changes the laws regarding the Bi-State Development Agency, vacation leave for state employees, Department of Revenue fee offices, advisory board association, and conveyance of state property
HB 1233		Reauthorizes the income tax credit for a donation to a food pantry and repeals its sunset provisions
SCS HCS HB 1278 & 1152		Changes the laws regarding certain tax credits and establishes the Developmental Disability Care Provider Tax Credit Program
HB 1345		Allows the Secretary of State to enter into an agreement with a nonprofit organization to print and distribute the Official State Manual
HB 1357		Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference
HB 1362		Reauthorizes the tax credit for a donation to a food pantry
HB 1412		Allows certain organizations who sell intoxicating liquor by the drink at retail or on their premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 1466		Establishes the Math and Science Tutoring Act which establishes a pilot program for tutoring certain students in any St. Louis City public school
SS SCS HCS HB 1498		Changes the laws regarding liquor sales
HB 1535		Exempts from state sales and use taxes certain business donations of tangible personal property held as inventory given to a sales tax exempt organization
HB 1561		Allows for the organization of a low-profit limited liability company or L3C
HB 1613		Requires any not-for-profit entity which has been awarded a Department of Revenue fee office contract to submit an annual report on its receipts, expenditures, and contributions
HB 1676		Requires a homeowner and community improvement association to be organized as a nonprofit corporation and to comply with those liability insurance and alternative dispute resolution provisions
HB 1695		Requires an annual 2% increase for Department of Revenue fee office contracts awarded to specified federal tax exempt organizations
HB 1808		Repeals the provision prohibiting the operation of certain vehicles transporting passengers in intrastate and interstate commerce unless the vehicle is equipped and operated according to federal regulations

No.	Author	Subject
HB 1943		Changes the laws regarding the management and maintenance of museum donations and collections
HB 2074		Changes the laws regarding a lien of certain health care entities and practitioners
HJR 88		Proposes a constitutional amendment reducing the length of time a person must be a member of an organization before participating in the operation of a bingo game and removes the advertising restrictions
HJR 91		Proposes a constitutional amendment prohibiting a person from participating in the actual operation of a bingo game unless he or she has been a member of the licensed organization for at least one year
		CHILDREN AND MINORS
HCS SS SCS SB 448		Modifies provisions relating to child care providers
SCS SB 457		Modifies provisions of mandatory reporting of child sexual abuse
SB 460	Wright-Jones	Requires kindergarten attendance at the start of the school year for children who turn age five at any time during the calendar year
SB 466	Munzlinger	Modifies how money in the Gaming Commission Fund is allocated
SB 471	Dixon	Extends the sunset on the Children in Crisis Tax Credit program
SCS SB 491		Modifies provisions pertaining to agriculture
SB 496	Wright-Jones	Enacts the Prevention First Act
SB 521	Curls	Requires a non-custodial parent to pay child support until the child reaches 22 years of age instead of 21 years of age
SB 538	Chappelle-Nadal	Requires, subject to appropriations, an expansion of the variety of kosher foods approved under the Women, Infants and Children (WIC) Special Supplemental Food Program
SB 556	Curls	Allows courts to suspend imposition of an adult criminal sentence for certain juvenile offenders
CCS HCS SB 628		Modifies provisions relating to the judiciary
CCS HCS SB 636		Modifies provisions relating to the judiciary
SB 639	Schaaf	Modifies provisions relating to breast-feeding
SB 641	Pearce	Repeals the June 30, 2012 sunset clause for the Children's Vision Examination Program
SB 643	Keaveny	Requires children in the St. Louis City School District and Kansas City School District to attend school at age five
SB 649	Ridgeway	Reauthorizes and revises the Children's Vision Examination Program and Commission
HCS SCS SB 711		Modifies provisions relating to adoption
SB 712	Lamping	Modifies the criteria for determining that a child is a special needs child for the purposes of the special needs adoption tax credit
SB 713	Lamping	Modifies provisions relating to adoption records
SS SB 727		Creates a child care subsidy pilot program for parents to continue to receive subsidies while sharing in the costs of the benefits by enacting the Low-Wage Trap Elimination Act
SB 731	Brown	Establishes procedures to follow in child custody and visitation cases for military personnel
SB 737	Engler	Restricts the Department of Elementary and Secondary Education from including certain data from neglected children and delinquent children in the aggregate data of a school district
HCS SB 739		Modifies provisons relating to administrative child support orders and the Sentencing Advisory Commission

No.	Author	Subject
HCS SCS SB 758		Modifies provisions relating to children
SB 766	Schaefer	Extends the sunset on the Residential Treatment Agency Tax Credit program until August 2018 and modifies other provisions of the program
SB 797	Justus	Requires the Department of Elementary and Secondary Education to establish a voluntary prekindergarten program
SB 800	Justus	Modifies provisions relating to sexual education
SB 864	Wright-Jones	Modifies provisions regarding the data required as to the rehospitalizations of premature infants
SB 872	Justus	Modifies provisions relating to criminal law
SS SCS SJR 40		Amends the constitution to modify the ban on retrospective laws
HB 1032		Adds a licensed professional counselor to the list of those authorized to conduct a full investigation into whether an individual is suitable as an adoptive parent
SCS HCS HB 1049		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy
HB 1058		Establishes Chloe's Law which requires, subject to appropriations, the newborn screening requirements to include a pulse oximetry screening
HB 1062		Requires a school district to include in its annual school accountability report card whether it has a state-approved gifted education program or services and the number of students served
CCR SS SCS HB 1073 AND HCS HB 1477		Changes the criteria for the exclusion of certain manufacturers and processors from the definition of "grain dealer" as it applies to the Missouri Grain Dealer Law
HB 1079		Allows the State Registrar to issue a heritage birth certificate
HB 1088		Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HB 1102		Requires any person who observes a child being subjected to sexual abuse to immediately report or cause a report to be made to the Children's Division
HCS HB 1137		Changes the laws regarding adoptions
HB 1145		Establishes Nathan's Law and Sam Pratt's Law which change the laws regarding child care providers
HB 1167		Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period
HCS HB 1169		Changes the laws regarding the investigation of a report of child abuse that arises from a spanking in a school
HCS HB 1171		Changes the age when the juvenile court will have jurisdiction over a child involving a traffic violation and authorizes Franklin County to prosecute county order violations in a county municipal court
HB 1199		Prohibits an insurer from requiring any waiting period for health insurance coverage for maternity benefits and requires coverage to begin immediately from the effective date of the policy or plan
HB 1208		Specifies that the termination of parental rights in the case of rape cannot extinguish or bar the ordering or enforcement of a child support obligation for a child born as a result of the rape
HCS HB 1220		Requires the Department of Corrections to establish a two-year pilot project to increase the access that children have to their incarcerated mothers
HB 1234		Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HCS HB 1254		Changes the laws regarding agriculture

No.	Author	Subject
HCS HB 1256		Changes the laws regarding judicial procedures
HCS HB 1258, 1259, & 1260		Changes the laws regarding the acknowledgment of paternity and consent to an adoption
HB 1262		Requires the State Board of Education to establish a coordinated health program board to develop a program designed to prevent student obesity, cardiovascular disease, and type II diabetes
HB 1267		Requires all children over 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri
HB 1270		Designates the third full week in October as Missouri School Bus Safety Week
SCS HCS HB 1278 & 1152		Changes the laws regarding certain tax credits and establishes the Developmental Disability Care Provider Tax Credit Program
HB 1283		Prohibits any person younger than 15 years of age from using a tanning device or his or her guardian from allowing the use of a tanning device
HB 1288		Requires the Missouri Supreme Court to establish by rule the specific language to be included in all child support orders detailing the specific rights and obligations of the parents and the child
HB 1296		Establishes the custody and visitation rights of a deploying military parent
SCS HCS#2 HB 1317		Specifies that a person commits the crime of child abuse if he or she knowingly causes physical injury to a child which results in abusive head trauma
SCS HCS#2 HB 1323		Establishes the Low-Wage Trap Elimination Act and Sam Pratt's Law and changes the laws regarding child abuse and neglect investigations and unlicensed child care providers
HB 1327		Authorizes a public body to close certain foster care licensure data and requires the Children's Division to prepare a detailed report of specific information obtained in the licensure process
HB 1333		Changes the laws regarding vision examinations for school students
HB 1343		Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HB 1346		Changes the laws regarding student athlete agents
HB 1350		Establishes Nathan's Law which changes the laws regarding child care facilities
HB 1357		Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference
HB 1359		Changes the laws regarding state contracts and statewide student assessment results
HB 1374		Changes the laws regarding school accreditation and establishes a transformational school district upon the second declaration of unaccredited status of certain school districts
HB 1384		Changes the laws regarding consent to the adoption of a child
HB 1411		Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
HB 1419		Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance
HB 1425		Requires each school district to establish a comprehensive program for student academic progression
HB 1428		Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm

No.	Author	Subject
HB 1439		Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 1452		Requires any person younger than 14 years of age to wear an approved personal flotation device when on a watercraft on Missouri waters unless the person is in a fully enclosed part of the watercraft
HB 1459		Disqualifies a person from becoming a candidate for a school board if he or she has a substantiated report of child abuse or neglect on the Child Abuse and Neglect Registry
HB 1466		Establishes the Math and Science Tutoring Act which establishes a pilot program for tutoring certain students in any St. Louis City public school
HB 1470		Expands the list of mandatory reporters of child abuse and neglect to include a coach, scout leader, youth leader, and any volunteer who has direct contact with children
HCS#2 HB 1475		Requires the parent or guardian of any person younger than 17 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of a device
HB 1491		Requires a mandatory reporter of child abuse and neglect to make a report and removes the option of causing a report to be made
HB 1497		Establishes the Parent Time For Missouri Program in the Department of Elementary and Secondary Education to allow parents paid leave from work to help their children in their school
HB 1507		Requires the State Board of Education to limit a student's participation in and practice for extracurricular activities to during the school day and week to the extent possible
HCS HB 1515		Changes the laws regarding crimes and criminal procedures
HB 1531		Requires the newborn screening requirements to include severe combined immune deficiency disease (SCID), also known as bubble boy disease
HB 1559		Increases, from no later than 15 days to no later than 60 days, after a child's birth that the father has to file an action to establish paternity prior to an adoption or file with Putative Father Registry
HB 1565		Requires mandatory reporters of child abuse to report when they are working or acting in their official capacity and allows them to report when they are not
HCS HB 1568		Changes the laws regarding the disclosure of certain foster care licensure information and the provisions regarding the Safe Place for Newborns Act
HB 1570		Changes the laws regarding early childhood services
HB 1572		Changes the laws regarding bullying in schools
SS HCS HB 1576		Allows certain state-licensed foster parents to purchase health insurance from the Missouri Consolidated Health Care Plan at the premium rate established for state employees
HB 1577		Requires schools to implement specified criteria regarding the enrollment and educational success of foster care children
HB 1578		Exempts reimbursement payments made under a contract to provide respite care for children in foster care from individual and corporate income tax
HB 1583		Authorizes the juvenile court to order psychiatric evaluations of a juvenile and to order admittance to a mental health facility upon the recommendation of specified evaluations
HB 1588		Changes the laws regarding the notice of the relocation of a child by the custodial parent
HB 1595		Establishes the Advisory Council on the Education of Gifted and Talented Children
HB 1596		Requires the State Board of Education to designate a staff member to be in charge of educational programs for gifted and talented children
HB 1597		Changes the laws regarding bullying in schools

No.	Author	Subject
HB 1610		Raises the compulsory school attendance age from 17 to 18 in all school districts unless the student has successfully completed 16 credits toward high school graduation
HB 1631		Allows any public school to offer dating abuse information in its health curriculum in grades seven through twelve
HB 1670		Requires only persons younger than 21 years of age to wear protective headgear when operating or riding as a passenger on any motorcycle or motortricycle
HB 1689		Changes the laws regarding the crime of abuse of a child
HCS HB 1700		Changes the laws regarding sexual offender registration
HB 1704		Requires a health insurance carrier to provide coverage for the initial device deemed necessary to treat a newborn who has been screened and assessed for a hearing impairment
HB 1718		Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HB 1721		Allows certain offenders who were younger than 18 years of age at the time the offense was committed to be eligible for parole after 15 years of imprisonment under specified conditions
SS SCS HCS HB 1731		Changes the laws regarding the use of gaming and tobacco settlement moneys
HB 1757		Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period
SCS HCS HB 1758		Changes the laws regarding child custody, visitation rights, and adoption
HB 1761		Removes the 10-year statute of limitation for certain actions to recover damages regarding child abuse and sexual offenses committed against a child
HB 1790		Changes the laws regarding the court admissibility of the hearsay statement of a child
HB 1792		Requires each school district to adopt a policy on how student records and communications are provided to parents who have joint legal or physical custody of a student
HB 1808		Repeals the provision prohibiting the operation of certain vehicles transporting passengers in intrastate and interstate commerce unless the vehicle is equipped and operated according to federal regulations
HB 1822		Changes the laws regarding domestic violence orders of protection
HB 1842		Establishes the Joint Committee on Child Abuse and Neglect to make a continuing study and analysis of the state child abuse and neglect reporting and investigation system
SS SCS HCS HB 1854		Changes the laws regarding services for individuals
HB 1886		Requires the Department of Elementary and Secondary Education to establish a work group to assess available resources needed for effective work experiences for youth with disabilities
HB 1896		Changes the laws regarding sexual offenses
HB 1897		Changes the laws regarding the criminal code
HCS HB 1900		Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act
HB 1910		Prohibits any product containing bisphenol-A for a child under three years of age from being sold in this state
HB 1914		Changes the laws regarding child support for higher education
HB 1915		Allows the probate court to consider and grant visitation to the natural parents of a child with guardianship if it is in the best interest of the child

No.	Author	Subject
HB 1920		Allows an unaccredited school district to use specified funding for early childhood education and allows for the establishment of a pilot project for awarding teacher credentials in an unaccredited district
HB 1928		Adds home nursing visits and follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HB 1930		Increases the number of students the Missouri Preschool Plus Grant Program may serve and expands the list of those who may receive a grant
HB 1931		Establishes the KidCare Co-op Program within the Department of Social Services to provide affordable health insurance to children through 18 years of age
HB 1944		Authorizes an income tax return check-off box for the designation of a donation from an income tax refund to the newly created Pediatric Cancer Research Trust Fund
HB 1977		Changes the laws regarding the reporting of cruelty, abuse, or neglect of the elderly, children, or animals
HB 1987		Changes the laws regarding mental health screenings in schools and establishes the Administration of Psychotropic Medications to Children Act
HB 1990		Requires all parents and legal guardians of children less than seven years of age to be informed of the ingredients contained in a vaccination prior to the administration of the vaccination
HB 1993		Extends the provisions regarding the Children in Crisis Tax Credit from August 28, 2012, to August 28, 2018
HB 1994		Allows prospective adoptive parents and the parents of a prospective adoptee to enter into a post adoption contract agreement to allow contact between the former parents and the adoptee
HB 2038		Establishes Jonathan's Law which changes the requirements for the certification and transfer of a juvenile case to a court of general jurisdiction
HB 2042		Changes the laws regarding the granting of grandparent visitation
HB 2049		Increases the penalty for child molestation in the first degree when the victim is a child younger than 13 years of age to a class A felony
HB 2052		Allows a person 21 years of age or older to operate a motorcycle on any state highway without protective headgear if he or she has obtained a helmet-free endorsement from the Department of Revenue
HB 2078		Requires the Children's Division to establish rules to modify the income eligibility criteria for individuals receiving a child care subsidy benefit
HCR 50		Urges the United States Congress to propose the Parental Rights Amendment to the United States Constitution to the states for ratification
HCR 51		Recognizes "Whole Child Month" in Missouri and encourages every school to celebrate by identifying at least one of the whole child tenets to promote and encourage during the month of March
HCR 59		Opposes the proposed United States Department of Labor regulations which would prohibit certain youth agricultural labor and employment
HJR 75		Proposes a constitutional amendment allowing a citizen who is 17 years old to vote in a presidential primary election if he or she will be 18 years old prior to the general election
		CHIROPRACTORS
HB 1533		Requires licensed chiropractors to be reimbursed under the MO HealthNet Program for providing services currently covered and within the scope of chiropractic practice
HB 1951		Removes the for gross negligence exception from personal liability for members of the State Board of Chiropractic Examiners for acts committed in the performance of their official duties
		CIRCUIT CLERK
CCS HCS SB 636		Modifies provisions relating to the judiciary

No.	Author	Subject
SCS SB 683		Modifies the laws relating to property exempt from execution or attachment
SB 765	Schaefer	Authorizes circuit clerks to collect a surcharge for processing garnishments
SCS SB 788		Requires appointment of St. Louis City circuit clerk
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
HB 1845		Authorizes the clerk of the circuit court to charge and collect a surcharge of up to $10 in cases where a garnishment is granted
		CITIES, TOWNS AND VILLAGES
SB 461	Keaveny	Allows the City of St. Louis to control its police force without state intervention
CCS HCS SCS SB 498		Prohibits cities from restricting veterans organizations from operating re-sale shops in certain areas
HCS SCS SB 510		Modifies the laws regarding municipal annexations, the taxation of security companies, assessment of real estate, the termination of water and sewer services, and complaints about real estate appraisals
SB 513	Crowell	Prohibits the approval of new applications under the Missouri Downtown Economic Stimulus Act after August 28, 2012
SB 535	Chappelle-Nadal	Allows the City of St. Louis to control its police force without state intervention
HCS SCS SB 563		Modifies provisions relating to higher education
HCS SB 578		Modifies provisions relating to property owned by the state
SB 610	Lembke	Prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
CCS HCS SB 636		Modifies provisions relating to the judiciary
SB 652	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SCS SB 656		Modifies the law with respect to how municipalities and the legal system treat the lawful use of motor vehicles on public roads and modifies the commercial zone surrounding Kansas City
HCS SB 667		Modifies provisions relating to design professionals, school social workers, real estate appraising, and residential construction
SB 680	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances incorporate statutory justifications
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SB 698	Richard	Establishes construction contract bidding standards for political subdivisions
HCS SB 701		Modifies various provisions relating to road use
SB 704	Wright-Jones	Requires inverse condemnation or dangerous public property suits against municipal corporations be brought in the county where the land or any part lies
HCS SCS SB 722		Bars entities that invest in the energy sector in Iran from contracting with the state and political subdivisions
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 811	Dixon	Authorizes the Board of Governors of Missouri State University to convey certain real property to the City of Springfield

No.	Author	Subject
HCS SB 813		Modifies provisions relating to financial transactions
SB 815	McKenna	Allows Jefferson County to enter into contracts with municipalities in the county for the performance of local government duties in those cities by county officers
SB 821	McKenna	Allows council members in third class cities to serve four-year terms upon passage of an ordinance or ballot proposal
SB 845	Keaveny	Allows a city that adopts or has already adopted a local option economic development sales tax to increase the number of members on the economic development tax board
SB 887	Ridgeway	Authorizes North Kansas City to impose a sales tax for improving public safety, upon approval of the voters
SB 901	Lembke	Modifies the requirements for a county, city, town, or village to issue revenue bonds and the ability of industrial development corporations to issue bonds
SB 905	Mayer	Allows certain political subdivisions to contract out engineering, water quality management, and maintenance services on existing water storage tanks
SB 912	McKenna	Authorizes the City of Pevely to impose a transient guest tax upon approval of the voters to fund the promotion of tourism
SJR 31	Chappelle-Nadal	Makes St. Louis City a part of St. Louis County
SJR 32	Chappelle-Nadal	Proposes a constitutional amendment to require the St. Louis Board of Freeholders to meet monthly and authorizes the people of St. Louis City and County to modify the Missouri Constitution regarding the Board
HB 1038		Phases out the current distribution method of the St. Louis County sales tax over 10 years until all the tax revenue is distributed based upon the location in which the sales were deemed consummated
HB 1048		Specifies that any district that becomes an urban school district as the result of the 2010 census will continue to have the same number of board members and hold elections on its current schedule
HB 1053		Establishes the Disaster Area Construction Act which exempts certain construction work done for a school district or a county, city, town, or village from the prevailing wage if it is in a disaster area
SCS HCS HB 1060		Changes the laws regarding elections
HCS HB 1098 & 1084		Adds charitable veterans' organizations to the zoning exception regarding the establishment of a retail business selling donated goods in an area where other businesses engage in retail sales
SS HCS HB 1106		Changes the laws regarding certain public officials
HB 1109		Prohibits any state or local governmental entity or public building, place, or setting from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
SCS HCS HB 1140		Requires the Office of Administration to maintain public school and municipal and county government accountability information on the Missouri Accountability Portal
HB 1143		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HB 1162		Requires a city or political subdivision which intends to expand solid waste collection services into certain areas to put the intent to a vote of the people in the expanded area
HB 1163		Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contract with mandated haulers of trash collection except in North Kansas City, Kansas City, and St. Louis
HB 1176		Allows a school district or a county, city, town, or village to exempt itself from the prevailing hourly wage for certain work if it is in a disaster area
HB 1177		Requires compensation paid by a municipality for certain services performed by a county officer to be paid directly to the county as provided in the contract

No.	Author	Subject
HB 1190		Repeals provisions regarding the maintaining of police records in municipalities located within Jackson County, Jefferson County, St. Charles County, and St. Louis County
HB 1202		Allows a juvenile court employee to receive compensation from a county or city in addition to his or her state salary
HCS HB 1211		Changes the laws regarding local courts
HB 1235		Requires an election authority to conduct a record check to determine whether a person is prohibited from filing as a candidate for the election for which he or she is filing a declaration of candidacy
HB 1244		Allows a governmental entity to engage in projects involving a technology business facility used for specified purposes
HB 1246		Changes the laws regarding municipal technology business facility projects, the MO Jobs Training Program, and the Missouri Quality Jobs Act
HB 1250		Changes the laws regarding elections
SS SCS HB 1251		Changes the laws regarding natural resources
HCS HB 1256		Changes the laws regarding judicial procedures
HB 1268		Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HCS HB 1275		Specifies the timeframe for the resubmission of a ballot issue in certain instances and the necessary percentage of approval for it to become effective
HB 1293		Requires suits in inverse condemnation or involving dangerous conditions of public property against a municipal corporation to be brought only in the county where the land or any part of the land lies
HB 1295		Requires a municipality to allow at least one street to be used by commercial vehicles to access any state highway and prohibits a civil action for the legal use of a motor vehicle on a public street
HB 1299		Adds the construction, reconstruction, repair, and maintenance of sidewalks to the definition of "transportation purposes" as it applies to expenditures of the transportation sales tax
HB 1306		Prohibits caffeinated malt beverages from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state
HB 1335		Changes the distribution of certain local sales taxes in St. Louis County
HB 1336		Allows cities and counties to adopt tax and fee amnesty provisions
HB 1357		Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference
HB 1365		Prohibits a felon from qualifying as a candidate for elected office in cities of the fourth classification
HB 1377		Changes the laws regarding condemnation proceedings
HB 1396		Prohibits certain entities in St. Charles County that do not process or treat their own sewage or wastewater from increasing its customer fee by a specified amount without a majority vote of the voters
HCS HB 1397		Changes the laws regarding political subdivisions
HB 1455		Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development
HB 1463		Changes the laws regarding the distribution of certain local sales tax revenues in St. Louis County
HB 1492		Authorizes Cass County to establish a county municipal court

No.	Author	Subject
SCS HB 1504		Changes the laws regarding sales taxes
HB 1523		Specifies that, beginning January 1, 2013, certain specified building codes will be deemed the official state codes
HB 1530		Changes the laws regarding the resale of certain scrap metals
HB 1536		Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes
HB 1548		Requires organizations wanting to sponsor certain events and activities that are held in a state park or on a historic site to obtain liability insurance
HB 1573		Changes the laws regarding political subdivisions
HB 1589		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires a local ordinance regulating the discharge of firearms to incorporate statutory justifications
HB 1592		Changes the laws regarding county collectors and a county's special road and bridge levy and establishes the STAR Bonds Financing Act
HB 1593		Changes the laws regarding the Missouri New Markets Development Program and establishes the Missouri Angel Investment Incentive Act
HCS HB 1623		Changes the laws regarding the membership of a city economic development tax board
HB 1636		Allows certain cities, town, and villages to elect to have only certain municipal ordinance violations heard by an associate circuit court or county municipal court
HB 1638		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires local ordinances regarding the discharge of firearms to incorporate statutory justifications
SCS HCS HB 1659 & 1116		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use
HB 1686		Establishes Blair's Law which specifies that a person commits the crime of unlawful use of a weapon if she or she discharges a firearm within or into the limits of a municipality with criminal negligence
HB 1693		Changes the laws regarding the approval of a redevelopment plan involving tax increment financing in St. Louis County, St. Charles County, and Jefferson County and its cities, towns, and villages
HB 1701		Exempts St. Francois County from the requirement that certain amounts of money from the county's special road and bridge tax be spent on specified purposes
HB 1716		Establishes the Political Subdivision Construction Bidding Standards Act which creates bidding standards for contracts of $25,000 or more by certain political subdivisions
HB 1760		Allows the board of aldermen in the City of Sugar Creek to provide by ordinance that the city marshal or chief of police be appointed instead of elected
HB 1773		Specifies that the underwriter and the rating agency for any bond issued by a local government must investigate any company or project benefitting from the bond
HB 1774		Requires to the Department of Economic Development to develop a system to apprise local governments of the department's opinion on certain proposals for economic development incentives
HB 1788		Changes the laws regarding the awarding of a contract for projects by any officer or agency of this state or any of its political subdivisions

No.	Author	Subject
SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB1269, HB1641, HB1668, HB1737, HB1782, HB1868, AND HB1878		Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates
SS SCS HB 1820		Authorizes the Governor to convey specified state properties
SCS HCS HB 1860 & HCS HB 1254		Changes the laws regarding agricultural education in private schools, grain dealers, and agricultural crimes
SS SCS HCS HB 1865		Changes the laws regarding economic development incentives
HB 1904		Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 1905		Changes the laws regarding solid waste management
HB 1947		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HB 1956		Requires a tax increment financing plan, project, designation, or amendment to be approved by at least two-thirds of the voters of the taxing entities that would be affected by the proposal
HB 1959		Prohibits specified increases in premiums or fees charged for sewage or wastewater treatment in St. Charles County without approval by the voters
HB 1964		Adds residential and commercial alarm and security entities to the list of businesses from which a third class city may collect a license tax
HB 1969		Changes the laws regarding the termination of water service
HCS HB 1971		Changes the laws regarding political subdivisions
HB 2027		Requires candidates for election to the board of the Springfield School District in which more than one seat is open to declare their candidacy for a specific seat
HB 2032		Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax to be used for specified purposes
HB 2059		Allows fourth class cities to make the offices of city collector and chief of police appointed positions without requiring approval of the voters
HB 2067		Prohibits the council of a third or fourth class city from condemning property to manage wastewater runoff without exhausting all other possible remedies
HB 2101		Prohibits a fire protection district from enforcing its residential construction regulatory system when a municipality located within the district adopts, implements, and enforces a regulatory system
HB 2103		Changes the laws regarding smoking in public places
HB 2110		Changes the laws regarding county special road and bridge levies

No.	Author	Subject
		CIVIL PROCEDURE
SB 444	Stouffer	Repeals a provision of law that requires MoDOT to submit to binding arbitration in negligence actions and allows the commission to delegate to designated hearing examiners the authority to conduct hearings and render final decisions
SCS SB 490		Modifies the laws regarding certain private nuisance actions
SB 552	Brown	Adds veterinarians to the statute of limitations for medical malpractice actions against certain health care providers
SB 554	Curls	Changes the notice requirement to a tenant in a foreclosure action from ten business days to ninety days
SB 573	Dixon	Authorizes certain circuits to increase the civil court filing surcharge from the current $15.00 up to $20.00
HCS SS SCS SB 592		Modifies the law relating to the Missouri Human Rights Act and employment discrimination
SB 613	Kehoe	Requires courts to award prevailing defendants their costs and attorney's fees
SB 614	Kehoe	Requires courts to award costs and attorney's fees to a party when a case has no basis in law or an attorney acts in bad faith
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
SCS SB 656		Modifies the law with respect to how municipalities and the legal system treat the lawful use of motor vehicles on public roads and modifies the commercial zone surrounding Kansas City
SB 697	Wasson	Expands the civil immunity provided to insurers for furnishing information related to insurance fraud investigations
SB 704	Wright-Jones	Requires inverse condemnation or dangerous public property suits against municipal corporations be brought in the county where the land or any part lies
HB 1065		Authorizes a corporation or unincorporated association to be represented in small claims court for certain actions by its president or vice-president for any claim of $500 or less
HB 1088		Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HB 1103		Changes the laws regarding the maintenance of private roads and real estate appraisers and appraisal management companies
HB 1232		Specifies that any person who impersonates another actual person through or on a website for specified harmful purposes will be guilty of a class A misdemeanor
HCS HB 1272		Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate
HB 1293		Requires suits in inverse condemnation or involving dangerous conditions of public property against a municipal corporation to be brought only in the county where the land or any part of the land lies
HCS HB 1298 & 1180		Changes the laws regarding a defendant's liability in a tort action and establishes the Agritourism Promotion Act
HCS HB 1342		Changes the laws regarding the recovery of costs and attorney fees by the prevailing defendant in a civil action
HCS#2 HB 1344		Authorizes a person to apply to a court for the closure of certain criminal records
HB 1384		Changes the laws regarding consent to the adoption of a child
HB 1391		Changes the laws regarding the charging of a surcharge in civil court cases
HB 1393		Changes the laws regarding unsecured loans of $500 or less, commonly known as payday loans

No.	Author	Subject
SCS HCS HB 1495		Changes the laws regarding liability for reporting insurance fraud
HB 1505		Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity as Evidence Law and specifies what documents are not excluded by the hearsay rule of evidence
HB 1512		Establishes the Civil Liberties Defense Act which specifies how courts may rule in contractual disputes involving the laws of other countries and in jurisdictional issues involving other countries
HCS#2 HB 1524		Specifies that the owners of property abutting a private road in the absence of any other agreement may petition the court to establish a plan of maintenance or improvement
HCS HB 1527		Changes the laws regarding property exempt from attachment
HCS HB 1541		Specifies that anyone providing or participating in a medical procedure or research cannot be required to provide or participate in the activity if it violates his or her conscience or principles
HB 1559		Increases, from no later than 15 days to no later than 60 days, after a child's birth that the father has to file an action to establish paternity prior to an adoption or file with Putative Father Registry
HB 1655		Restricts the time to file a product liability claim and when a manufacturer or seller of a product may be liable
HB 1667		Authorizes a $20 civil court filing surcharge for certain circuits
HB 1703		Adds Buchanan County to the list of counties authorized to impose a civil fine for a violation of a county rule, regulation, or ordinance
HB 1745		Specifies that an insurer has the right to intervene in any civil case in which it may be obligated to provide a defense to the action or indemnity for any judgment rendered in the action
HB 1907		Changes the laws regarding vulnerable persons, child abuse and neglect, and the crime of domestic assault
HB 1933		Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2012 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HB 1943		Changes the laws regarding the management and maintenance of museum donations and collections
HB 1966		Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity and specifies what documents are not excluded by any hearsay rule
		CIVIL RIGHTS
SB 798	Justus	Prohibits discrimination based upon a person's sexual orientation or gender identity
SCS HB 1104		Changes the laws regarding elections by requiring a voter to provide photo identification
HB 1204		Changes the laws regarding unlawful picketing or protesting of a funeral
HB 1219		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 1357		Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference
HB 1380		Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property
HB 1421		Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 1500		Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation or gender identity unlawful

No.	Author	Subject
HB 1512		Establishes the Civil Liberties Defense Act which specifies how courts may rule in contractual disputes involving the laws of other countries and in jurisdictional issues involving other countries
HB 1513		Prohibits any state law from providing an animal a right, privilege, or legal status that is equivalent to or exceeds those of a human being
HB 1572		Changes the laws regarding bullying in schools
HB 1619		Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HB 1620		Requires the Governor when selecting appointees to state boards, commissions, committees, and councils to ensure that the membership reflects racial and gender equity based on population if possible
HB 1742		Recognizes the Northern Chickamauga Cherokee Nation as a tribe within the State of Missouri
HB 1763		Establishes the Malcolm X Day Commission to organize activities and events in honor of the civil rights leader
HB 1765		Establishes the Rosa Parks Observance Day Commission within the Governor's Office to organize and coordinate activities and events to celebrate her life and raise awareness of her legacy
HB 2099		Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person
HCR 40		Establishes Missouri's ratification of the Equal Rights Amendment to the United States Constitution
		COMMERCIAL CODE
CCS HCS SB 628		Modifies provisions relating to the judiciary
CCS HCS SB 636		Modifies provisions relating to the judiciary
		COMPACTS
SB 508	Wright-Jones	Requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution of such offense to the agency
HCS SCS SB 563		Modifies provisions relating to higher education
SB 883	Richard	Adopts an agreement to elect the president by national popular vote
HB 1201		Corrects the name of the organization referred to in the provisions regarding the Compact for Education from the Educational Commission of the States to the Education Commission of the States
HB 1454		Requires a person convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution
HCS HB 1542 & 1101		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 1719		Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act
		CONSERVATION DEPT.
SB 738	Stouffer	Allows the killing of mountain lions
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities

No.	Author	Subject
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
SCR 15	Dempsey	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SCR 16	Stouffer	Urges the U.S. Army Corps of Engineers to modify its river management protocol to make flood control a top priority
SCR 25	Mayer	Urges the federal government to manage the Mississippi River to protect against devastating flood events
SJR 27	Munzlinger	Increases the number of commissioners on the Conservation Commission and provides term limits
HB 1178		Increases the number of members of the Missouri Conservation Commission from four to seven contingent upon the passage of a constitutional amendment authorizing the change
HB 1282		Requires the Department of Conservation to provide an applicant or licensee for a hunting, trapping, or fishing license or permit with a copy of its current violation code and point system list
HB 1375		Adds deer to the definition of "livestock" for specified purposes
HCS HB 1922		Establishes the Missouri Department of Transportation and Highway Patrol Health Care Plan
HCR 31		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
HCS HCR 32		Calls on the United States Congress to allocate at least 40% of the Land and Water Conservation Fund moneys to the State Assistance program for state and local capital parks projects
HJR 48		Proposes a constitutional amendment requiring the composition of the Missouri Conservation Commission to be fixed by law instead of specified in the Missouri Constitution
HJR 51		Proposes a constitutional amendment increasing the number and establishing term limits for members of the Missouri Conservation Commission
HJR 52		Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources
HJR 56		Proposes a constitutional amendment reauthorizing the Department of Conservation sales and use tax until a general election in 2022 or a special election called by the Governor for that purpose
HJR 59		Proposes a constitutional amendment guaranteeing citizens the right to hunt, fish, trap, and harvest wildlife using traditionally approved devices or methods
		CONSTITUTIONAL AMENDMENTS
SB 437	Crowell	Requires the joint election of the Governor and Lieutenant Governor
SB 475		Requires the joint election of the Governor and Lieutenant Governor
SCR 18	Rupp	Rescinds Missouri's 1983 call for a constitutional convention
SCR 22	Justus	Urges ratification of the Equal Rights Amendment to the United States Constitution
SCR 27	Ridgeway	Applies for a constitutional convention for proposing an amendment to the United States Constitution to require a balanced budget and restrict increases in taxes
SJR 23	Crowell	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 24	Crowell	Requires the joint election of the Governor and Lieutenant Governor beginning in the year 2016
SJR 25	Crowell	Lowers the number of State Representatives from 163 to 101
SJR 26	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 27	Munzlinger	Increases the number of commissioners on the Conservation Commission and provides term limits
SJR 28	Munzlinger	Amends the Constitution to require the development and sale of a veterans lottery ticket

No.	Author	Subject
SJR 29	Lamping	Requires the legislative session to end in late March rather than mid-May, beginning with the 98th General Assembly
SJR 30		Requires the joint election of the Governor and Lieutenant Governor beginning in the year 2016
SJR 32	Chappelle-Nadal	Proposes a constitutional amendment to require the St. Louis Board of Freeholders to meet monthly and authorizes the people of St. Louis City and County to modify the Missouri Constitution regarding the Board
SJR 33	Chappelle-Nadal	Proposes a constitutional amendment replacing the Highways and Transportation Commission with a Director of Transportation
SJR 34	Purgason	Replaces all taxes on income with a sales and use tax
SJR 35	Ridgeway	Replaces all taxes on income with sales and use taxes that are capped at certain rates
SJR 36	Ridgeway	Caps the tax on real property and freezes the property taxes on individuals 62 years old or older
HCS SJR 37		Requires all meetings of apportionment commissions to be conducted in public and prohibits commission members from serving in the General Assembly for six years after service on commission
SJR 38	Kraus	Requires refunds to taxpayers when state revenues grow by seven and a half percent or more
SS SCS SJR 40		Amends the constitution to modify the ban on retrospective laws
SJR 41	Lembke	Provides for election of certain judges and appointment by Governor of a Supreme Court judge
SJR 42	Lembke	Provides for appointment by the Governor of certain judges with Senate approval
SJR 43	Green	Limits the total service in the General Assembly to sixteen years in any proportion between the Senate and the House of Representatives
SJR 44	Green	Creates a two year budget cycle
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SJR 46	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations
SCS SJR 47		Removes a portion of the Missouri Constitution that prohibits distribution of public funds to religious organizations
HCS SS#2 SJR 48		Modifies provisions regarding members and meetings of Missouri Senate and House of Representative apportionment commissions
SJR 50	Curls	Increases the amount of time for repaying the Budget Reserve Fund, when funds from the Budget Reserve Fund are appropriated due to a disaster, or the Governor's reduction of the state's expenditures
SCS SJR 51		Modifies the composition of Appellate Judicial Commission and number of nominees for vacancies in the Supreme Court and Court of Appeals
SCS HB 1104		Changes the laws regarding elections by requiring a voter to provide photo identification
HB 1178		Increases the number of members of the Missouri Conservation Commission from four to seven contingent upon the passage of a constitutional amendment authorizing the change
HCS HCR 3		Submits to Congress a proposed federal balanced budget amendment to the United States Constitution
HCR 4		Submits an official application by the State of Missouri for the calling of a convention for proposing amendments to the United States Constitution
HCR 40		Establishes Missouri's ratification of the Equal Rights Amendment to the United States Constitution
HCR 45		Petitions the United States Congress to propose a federal balanced budget amendment to the United States Constitution

No.	Author	Subject
HCR 53		Submits a revised Summary Statement for House Committee Substitute No. 2 for Senate Joint Resolution No. 2 to the Secretary of State
HJR 39		Proposes a constitutional amendment prohibiting any change by the General Assembly to a statute as approved by voters through the initiative petition process without a certain percentage of votes
HJR 40		Proposes a constitutional amendment authorizing the establishment of a Fair Ballot Commission to determine the propriety and correctness of proposed ballot language submitted by initiative or referendum
HCS HJR 41		Proposes a constitutional amendment prohibiting any member of the General Assembly from serving more than 16 years in any one house nor more than 16 years total in both houses
HJR 42		Proposes a constitutional amendment changing the dates that specified actions can take place on bills filed in a legislative session
HCS HJR 43		Proposes a constitutional amendment prohibiting state appropriations in any fiscal year from exceeding certain limits
HCS HJR 44		Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increasing the number of candidates nominated to the Governor for certain judicial vacancies
HJR 45		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans Commission Capital Improvement Trust Fund
HJR 46		Proposes a constitutional amendment changing the composition of the State Board of Education
HCS HJR 47		Proposes a constitutional amendment changing the number of voter signatures that are required to place an initiative petition or a referendum on a ballot
HJR 48		Proposes a constitutional amendment requiring the composition of the Missouri Conservation Commission to be fixed by law instead of specified in the Missouri Constitution
HJR 49		Proposes a constitutional amendment specifying that the right of every citizen to possess or purchase ammunition and articles for the proper functioning of arms must not be infringed or limited
HJR 50		Proposes a constitutional amendment authorizing an additional sales and use tax to be deposited into the Veterans' Trust Fund
HJR 51		Proposes a constitutional amendment increasing the number and establishing term limits for members of the Missouri Conservation Commission
HJR 52		Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources
HJR 53		Proposes a constitutional amendment allowing a person to serve any proportion of the 16-year limit between the House of Representatives and the Senate
HJR 54		Proposes a constitutional amendment restricting appropriations to the Life Sciences Research Board from being used for specified types of projects
HJR 55		Proposes a constitutional amendment requiring the approval of both a majority of voters statewide and a majority of voters in a majority of the Congressional districts for an amendment to take effect
HJR 56		Proposes a constitutional amendment reauthorizing the Department of Conservation sales and use tax until a general election in 2022 or a special election called by the Governor for that purpose
HJR 57		Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, constructions, landscaping, and land or building purchases
HJR 58		Proposes a constitutional amendment specifying that the General Assembly has no power or authority to contract any liability or to issue certain bonds if repayment is dependent on appropriations
HJR 59		Proposes a constitutional amendment guaranteeing citizens the right to hunt, fish, trap, and harvest wildlife using traditionally approved devices or methods

No.	Author	Subject
HCS HJR 60		Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 102 beginning with the 102nd General Assembly
HCS HJR 61		Proposes a constitutional amendment affirming the right of persons to raise livestock in a manner adhering to state and local laws and ordinances as enacted at a specified time
HJR 62		Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 63		Proposes a constitutional amendment requiring a four-sevenths voter majority approval of an initiative petition related to crop production, livestock, or agriculture in order for it to take effect
HCS HJR 64		Proposes a constitutional amendment prohibiting any person, employer, or health care provider from being compelled to participate in any health care system
HJR 65		Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 66		Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 68		Proposes a constitutional amendment authorizing state bonding authority for certain higher education capital improvements in the City of St. Louis and St. Louis County
HJR 69		Proposes a constitutional amendment phasing out the state individual income tax and replaces the current sales and use tax with a sales tax on retail sales of new personal property and services
HJR 70		Proposes a constitutional amendment eliminating the prohibition on the use of public funds for the benefit of any religious or sectarian educational purpose
HJR 71		Proposes a constitutional amendment authorizing an exemption for certain property from personal property tax for active-duty military personnel stationed outside the country
HJR 72		Proposes a constitutional amendment specifying that each citizen has an inherent liberty that includes being able to make decisions regarding lawful health care-related services or products
HJR 73		Proposes a constitutional amendment prohibiting the design or construction of toll roads or facilities in the state or from entering into a public-private partnership or agreement for a new toll road
HJR 74		Proposes a constitutional amendment relating to income, earnings, and sales taxes
HJR 76		Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability
HJR 78		Proposes a constitutional amendment requiring all meetings of a redistricting apportionment commission to be open to the public
HJR 79		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans' Commission Capital Improvements Trust Fund
HJR 80		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans' Commission Capital Improvements Trust Fund
HJR 81		Proposes a constitutional amendment exempting from taxation all real and personal property of any citizen with a total service-connected disability or the surviving spouse if he or she has not remarried
HJR 82		Proposes a constitutional amendment changing the composition of the Commission on Retirement, Removal, and Discipline which investigates complaints regarding members of the judiciary
HJR 83		Proposes a constitutional amendment allowing a law to be retrospective in its operation with respect to a new obligation, duty, or disability imposed upon sexual offenders

No.	Author	Subject
HJR 84		Proposes a constitutional amendment allowing a qualified school district to become indebted in an amount up to an additional 5% above the current 15% of the value of its taxable tangible property
HJR 85		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell electronic pull-tab cards to support the Veterans' Commission Capital Improvements Trust Fund
HJR 86		Proposes a constitutional amendment repealing the automatic submission of a proposal every 20 years to convene a state constitutional convention and provisions regarding the procedures of the convention
HJR 87		Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 101
HJR 88		Proposes a constitutional amendment reducing the length of time a person must be a member of an organization before participating in the operation of a bingo game and removes the advertising restrictions
HCS HJR 89		Proposes a constitutional amendment regarding advance voting and photo identification and allowing different requirements for certain absentee voting
HJR 90		Proposes a constitutional amendment raising the allowable level of bonded indebtedness of a school district from 15% to 20% of the value of the tangible property in the district
HJR 91		Proposes a constitutional amendment prohibiting a person from participating in the actual operation of a bingo game unless he or she has been a member of the licensed organization for at least one year
HJR 92		Proposes a constitutional amendment regarding advance voting, required use of a government-issued photo identification to vote, and voting procedures based on physical presence or by absentee ballot
		CONSTRUCTION AND BUILDING CODES
SB 488	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards
SB 651	Schaefer	Creates a home inspector licensing board and procedures for licensing home inspectors
HCS SB 667		Modifies provisions relating to design professionals, school social workers, real estate appraising, and residential construction
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SB 730	Schaefer	Allows Boone County to adopt regulations to control the minimum standards of occupancy for residential units and to develop a program for licensing and inspecting the units
SB 778	Richard	Prohibits an annual adjustment for inflation for certain solid waste management fees
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 898	Schaefer	Provides an exemption to certain asbestos-related state requirements for certain entities
HB 1113		Changes the laws regarding contracts for public or private construction work
HB 1151		Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HCS HB 1198		Changes the laws regarding prevailing wages
SS SCS HB 1251		Changes the laws regarding natural resources
HB 1290		Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HB 1291		Requires a person conducting a home inspection to be licensed by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration

No.	Author	Subject
HCS HB 1458		Changes the laws regarding public safety, fire protection, and emergency services
HB 1492		Authorizes Cass County to establish a county municipal court
HB 1523		Specifies that, beginning January 1, 2013, certain specified building codes will be deemed the official state codes
HB 1649		Establishes the Certified Home Inspection Profession Title Protection Act which prohibits anyone from representing himself or herself as a certified inspector unless he or she has met certain certification
HCS HB 1809		Changes the laws regarding cleaning supplies for state buildings and schools, county building codes, and energy audits of public schools
HB 1891		Establishes minimum standards that a municipality in St. Louis County must meet in the provision of municipal and financial services and reports
HB 1908		Exempts certain businesses from specified state asbestos-related requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos
HB 2101		Prohibits a fire protection district from enforcing its residential construction regulatory system when a municipality located within the district adopts, implements, and enforces a regulatory system
HB 2107		Changes the laws regarding blighted areas and eminent domain
		CONSUMER PROTECTION
SB 462	Keaveny	Amends laws relating to unsecured loans of $500 or less
SB 476	Lamping	Amends laws relating to unsecured loans of $500 or less
HCS SCS SBs 484, 477 & 606		Modifies provisions relating to telecommunications
HCS SB 594		Modifies provisions relating to utility uses and service
SB 685	Crowell	Modifies ex parte communication requirements involving the Public Service Commission
SB 686	Schaaf	Prohibits the re-sale or lease of returned electronic devices and appliances unless subsequent customers are notified
SB 791	Curls	Amends laws relating to small loans
SB 869	Kehoe	Modifies provisions pertaining to the Public Service Commission, Office of Public Counsel, and nuclear plant development cost recovery
SB 902	Lamping	Modifies provisions relating to funding for the Office of Public Counsel and temporary rate adjustments for regulated utilities
HB 1044		Requires wholesalers to notify retailers and retailers to notify the general public of a price increase of three cents or more for a gallon of motor fuel at least 24 hours prior to the increase
HB 1071		Establishes the Missouri Radon Awareness Act which requires the seller of residential real property to provide the buyer with a disclosure of information on radon hazards
HB 1095		Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 1273		Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 1283		Prohibits any person younger than 15 years of age from using a tanning device or his or her guardian from allowing the use of a tanning device
HB 1294		Changes the laws regarding consumer credit interest rates
HB 1306		Prohibits caffeinated malt beverages from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state

No.	Author	Subject
HB 1326		Establishes the Business Premises Safety Act
HB 1352		Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 1379		Allows a business subscriber to place its telephone number on the state's No-call List
HB 1393		Changes the laws regarding unsecured loans of $500 or less, commonly known as payday loans
HB 1447		Changes the laws regarding telemarketing practices
HB 1479		Requires a landlord to disclose the presence of mold to prospective and current tenants
HCS HB 1488		Changes the laws regarding the regulation of public utilities
HB 1508		Allows certain cottage food production operations to sell baked goods from their home without being subject to the state health and food laws and regulations
HCS HB 1549		Changes the laws regarding the state's No-call List by allowing a person to place his or her cell phone number on the list and prohibiting telemarketers from sending specified communications
HB 1554		Establishes the Economic Development Grant Program to be used to reopen a closed manufacturing factory
HB 1555		Makes it an improper employment practice for an employer to refuse to hire or to discharge, reduce compensation, or modify any condition of a person's employment based on his or her credit score or history
HB 1557		Limits the amount of interest a title lender can charge on a loan and requires the average interest rate being charged by credit unions to be made available to the public at least quarterly
HB 1566		Changes the laws regarding contractors who perform home exterior and roof work
HB 1649		Establishes the Certified Home Inspection Profession Title Protection Act which prohibits anyone from representing himself or herself as a certified inspector unless he or she has met certain certification
HB 1699		Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HB 1705		Allows a residential subscriber to have his or her wireless telephone number added to the state's No-call List and prohibits sending unsolicited faxes or text messages to anyone on the list
HB 1770		Requires, on or after August 28, 2015, any person applying for licensure as a preneed funeral contract agent to hold a valid Missouri funeral director's license
HB 1814		Prohibits the Department of Health and Senior Services from enforcing or enacting a rule or regulation relating to lead abatement that is stricter than those required by federal law
HB 1910		Prohibits any product containing bisphenol-A for a child under three years of age from being sold in this state
HB 1961		Prohibits an insurance company using a consumer's zip code as a factor in underwriting from taking any adverse action based on that factor without consideration of another factor not related to the zip code
HB 2087		Requires all food or food products sold in Missouri which are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals
HB 2088		Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products
		CONTRACTS AND CONTRACTORS
SCS SB 439		Modifies the law relating to the prevailing wage
SB 459	Wright-Jones	Requires those engaging in public works projects to employ individuals from the locality in which the project is being constructed
SB 468	Munzlinger	Modifies the law relating to project labor agreements and the prevailing wage

No.	Author	Subject
SB 487	Wright-Jones	Establishes a committee and plans to increase the participation of minority and women's business enterprises in state contracting
SB 500	Wright-Jones	Modifies state legal expense coverage of certain health professionals and modifies hospital patient safety policies
SB 512	Schaaf	Prohibits restrictive physician employment contracts
SB 540	Chappelle-Nadal	Bars discriminatory employers from receiving public works contracts and requires employers to provide cause to terminated employees
SB 541	Chappelle-Nadal	Prohibits a workforce development agency from knowingly omitting from any bidding process an entity with whom it has a contract
SB 555	Curls	Regulates certain contracts for the sale of residential real estate
SCS SB 596		Modifies the law relating to prevailing wage and project labor agreements
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
SB 627	Schaefer	Provides authority to the Office of Administration for the provision of waste management services for all state agencies
SB 676	Nieves	Specifies how courts may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries
SB 698	Richard	Establishes construction contract bidding standards for political subdivisions
SB 703	Wright-Jones	Reinstates requirements that certain percentages of Lottery Commission contracts and subcontracts be awarded to minority and women owned businesses
HCS SCS SB 722		Bars entities that invest in the energy sector in Iran from contracting with the state and political subdivisions
HCS SCS SB 726		Modifies provisions relating to financial transactions
SCS SB 729		Modifies provisions relating to county purchases
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
SB 815	McKenna	Allows Jefferson County to enter into contracts with municipalities in the county for the performance of local government duties in those cities by county officers
SB 848	Rupp	Modifies numerous provisions of law that specify the application of a particular interest rate
SCS SB 860		Authorizes the State Fire Marshal to issue certificates to fire sprinkler contractors
SB 862	Engler	Modifies the Missouri Public Prompt Payment Act
SB 874	McKenna	Modifies record-keeping provisions in the Property Assessment Clean Energy (PACE) Act
SB 905	Mayer	Allows certain political subdivisions to contract out engineering, water quality management, and maintenance services on existing water storage tanks
HB 1089		Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions
HB 1090		Prohibits the Missouri Housing Development Commission from requiring a prevailing wage on a project eligible for a housing tax credit if it is located in a disaster area
SS SCS HCS HB 1094		Changes the laws regarding electronic payments to state agencies and departments and the electronic payment of funds received by a county health center
SS HCS HB 1106		Changes the laws regarding certain public officials
HB 1113		Changes the laws regarding contracts for public or private construction work

No.	Author	Subject
HB 1151		Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 1157		Changes the laws regarding the deadlines for the notification of reemployment and the offering of teacher contracts
HB 1163		Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contract with mandated haulers of trash collection except in North Kansas City, Kansas City, and St. Louis
HB 1168		Repeals the provision authorizing state departments to directly purchase certain information technology products and services
HB 1177		Requires compensation paid by a municipality for certain services performed by a county officer to be paid directly to the county as provided in the contract
HB 1181		Establishes the Transparency in Private Attorney Contracts Act
HB 1192		Changes the laws regarding investment contracts of the Missouri Higher Education Savings Program
HB 1231		Requires the Commissioner of the Office of Administration or other state purchasing agent to give a preference for forest products and bricks produced in Missouri whenever bids are comparable
HCS HB 1245		Changes the laws regarding tax credits and the Missouri Quality Jobs Act
SS SCS HB 1251		Changes the laws regarding natural resources
HB 1277		Allows the Missouri Highways and Transportation Commission to enter into infrastructure improvement agreements
HB 1343		Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HB 1346		Changes the laws regarding student athlete agents
HB 1347		Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri
HB 1359		Changes the laws regarding state contracts and statewide student assessment results
HCS HB 1370		Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 1393		Changes the laws regarding unsecured loans of $500 or less, commonly known as payday loans
HB 1433		Establishes the Show-me Green Initiative which allows a person or entity to submit a bid to the Department of Transportation to mow grass or vegetation along state roadways
HB 1448		Establishes the School Construction Act which exempts construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval
HB 1479		Requires a landlord to disclose the presence of mold to prospective and current tenants
HB 1493		Changes the laws regarding how the prevailing hour wage requirement for a given occupational title is determined for a county
HB 1512		Establishes the Civil Liberties Defense Act which specifies how courts may rule in contractual disputes involving the laws of other countries and in jurisdictional issues involving other countries
HB 1537		Establishes the Show-Me Harvest Initiative which allows persons or entities to submit bids to the Department of Transportation to mow grass or vegetation along state roadways
HB 1556		Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 1557		Limits the amount of interest a title lender can charge on a loan and requires the average interest rate being charged by credit unions to be made available to the public at least quarterly

No.	Author	Subject
HB 1566		Changes the laws regarding contractors who perform home exterior and roof work
HB 1578		Exempts reimbursement payments made under a contract to provide respite care for children in foster care from individual and corporate income tax
HB 1657		Prohibits a state agency from awarding a state contract to a contractor or subcontractor who performs the work outside of the United States
HB 1671		Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wages
HB 1682		Prohibits any state department from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 1695		Requires an annual 2% increase for Department of Revenue fee office contracts awarded to specified federal tax exempt organizations
HB 1702		Changes the laws regarding the prompt pay of public works contracts
HB 1756		Changes the laws regarding ethics
HB 1770		Requires, on or after August 28, 2015, any person applying for licensure as a preneed funeral contract agent to hold a valid Missouri funeral director's license
HB 1777		Requires any new consulting contract for services in a foreign country to contain a provision that the consultant refrain from representing companies from that country in certain negotiations
HB 1788		Changes the laws regarding the awarding of a contract for projects by any officer or agency of this state or any of its political subdivisions
HB 1791		Allows the Division of Facilities Management, Design, and Construction to provide waste management services for any state agency with specified exceptions
HB 1810		Establishes the Iran Energy Divestment Act which bars any person or entity that invests in the energy sector in Iran from contracting with the state and political subdivisions
HB 1812		Changes the laws regarding the requirement to obtain competitive bids on certain county purchases
HB 1816		Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
HB 1844		Requires specified disclosures on new credit card processing service contracts
HCS HB 1890		Changes the laws regarding health insurance coverage and contracts
HB 1904		Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 1908		Exempts certain businesses from specified state asbestos-related requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos
HCS HB 1935		Changes the laws regarding the application of a specific interest rate for specified late payments, repayments, loans, bonds, overpayments, and judgments
HB 2064		Requires collection agencies to obtain a signed contract from the client prior to beginning collection services and to provide the client a copy of the contract
HB 2065		Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months
HB 2070		Changes the laws regarding mechanic's liens on residential real property
HB 2076		Establishes a preference in governmental contracts for a person or organization who contributes to an alternatives to abortion agency or the Alternatives to Abortion Support Fund

No.	Author	Subject
HB 2101		Prohibits a fire protection district from enforcing its residential construction regulatory system when a municipality located within the district adopts, implements, and enforces a regulatory system
HCR 55		Strongly urges strict enforcement of federal trade laws to protect domestic information technology and urges use all state powers to protect manufacturers and state agencies from illegal software
HCR 56		Strongly urges the MO HealthNet Division to allow all qualified managed care providers to participate in the MO HealthNet Program and the Commissioner of Administration to award contracts to such providers
		COOPERATIVES
HCS SCS SB 722		Bars entities that invest in the energy sector in Iran from contracting with the state and political subdivisions
SB 891	Lager	Allows telecommunications providers and rural electric cooperatives to attach equipment to other utility poles for smart grid or broadband purposes
HCS HB 1361		Allows telecommunications and broadband service providers or rural electric cooperatives to attach, maintain, and operate their equipment on another's pole under specified terms and conditions
HB 1850		Establishes the Missouri Energy Efficiency Performance Standard
		CORPORATIONS
SCS SB 661		Creates a phased-in individual income tax deduction for business income and reduces the corporate income tax rate over a five-year period
HCS SCS SB 722		Bars entities that invest in the energy sector in Iran from contracting with the state and political subdivisions
SB 901	Lembke	Modifies the requirements for a county, city, town, or village to issue revenue bonds and the ability of industrial development corporations to issue bonds
HB 1065		Authorizes a corporation or unincorporated association to be represented in small claims court for certain actions by its president or vice-president for any claim of $500 or less
HB 1293		Requires suits in inverse condemnation or involving dangerous conditions of public property against a municipal corporation to be brought only in the county where the land or any part of the land lies
HB 1469		Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises
HB 1514		Allows for the establishment of a series limited liability company
HB 1561		Allows for the organization of a low-profit limited liability company or L3C
HB 1571		Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 1578		Exempts reimbursement payments made under a contract to provide respite care for children in foster care from individual and corporate income tax
SCS HCS HB 1639		Establishes the Broad-Based Tax Relief Act of 2012, reduces the tax on business income and corporate income, and changes the laws regarding the collection of money owed to the state
HB 1676		Requires a homeowner and community improvement association to be organized as a nonprofit corporation and to comply with those liability insurance and alternative dispute resolution provisions
HCS HB 1717		Changes the laws regarding the withholding tax filing requirements and income tax deductions for certain small businesses
HB 1727		Changes the laws regarding taxation
HB 1850		Establishes the Missouri Energy Efficiency Performance Standard

No.	Author	Subject
HB 1861		Establishes the Broad-Based Tax Relief Act of 2012 which reduces the tax on business income and corporate income for sole proprietors, partners, and shareholders in S corporations
HB 1999		Changes the laws regarding the Missouri Science and Innovation Reinvestment Act
HB 2089		Allows certain small businesses to be eligible to claim any state tax credit, deduction, and other exemption from tax that specified corporations are allowed to claim
HCR 38		Urges Congress to propose an amendment to the United States Constitution to clearly state that corporations are not human beings and do not have the same rights as citizens of the United States
		CORRECTIONS DEPT.
SB 518	Engler	Creates a mental health assessment pilot program for criminal offenders
SCS SB 699		Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
SB 786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 823	Munzlinger	Allows the Board of Probation and Parole to conduct hearings with offenders via videoconference
SB 836	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to social service programs
SB 872	Justus	Modifies provisions relating to criminal law
HB 1057		Requires all inmates receiving on-site medical examination or treatment from correctional center personnel to be charged $1.50 per visit
HB 1067		Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 1136		Prohibits any person from smoking or using tobacco products in any area or on the grounds of a state correctional facility beginning July 1, 2013
HB 1142		Changes the requirements for the use of private probation services
HB 1175		Requires certain offenders 60 years of age or older serving a sentence of life without parole for a minimum of 50 years to receive a parole hearing
HCS HB 1220		Requires the Department of Corrections to establish a two-year pilot project to increase the access that children have to their incarcerated mothers
HB 1223		Changes the laws regarding certain policies and practices at correctional facilities
HCS HB 1272		Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate
HB 1284		Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees
SS HB 1318		Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health
HB 1322		Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process for certain offenders
HB 1330		Lowers the population requirement of a Department of Corrections center in the county in determining the procedure to obtain a change of venue for a misdemeanor or felony
HB 1382		Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 1410		Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits

No.	Author	Subject
HB 1456		Authorizes the Department of Corrections to establish a mental health assessment pilot program for certain criminal offenders
HB 1474		Prohibits the Department of Corrections from charging an intervention fee to an inmate when he or she leaves prison
HB 1496		Prohibits the imposition of the death penalty, halts pending executions, provides for resentencing of offenders sentenced to death, and changes the laws regarding the death penalty
SCS HCS HB 1525		Establishes the Sentencing and Corrections Oversight Commission and changes the laws regarding criminal offenders under the supervision of the Department of Corrections
HB 1558		Removes the provision allowing the Board of Probation and Parole to charge an offender an intervention fee as a condition of parole
HB 1642		Establishes minimum salary requirements for all corrections officers and supervisors
HB 1764		Authorizes the Director of the Department of Corrections to prescribe policies providing for salary increases for corrections officers
HCS HB 1826		Allows the Board of Probation and Parole to conduct a hearing with an offender by means of a videoconference and authorizes the establishment of a mental health assessment process as a pilot program
HB 1897		Changes the laws regarding the criminal code
		COSMETOLOGY
HB 2069		Changes the name, number of members, and the composition of the Board of Cosmetology and Barber Examiners and the educational requirement for a licensee
HB 2082		Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
		COUNTIES
SB 446	Goodman	Specifies that drug courts may be funded by the county law enforcement restitution fund
SB 465	Schaaf	Allows Buchanan County and cities, towns, or villages within Buchanan County to establish a theater, cultural arts, and entertainment district
SB 493	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight
SB 513	Crowell	Prohibits the approval of new applications under the Missouri Downtown Economic Stimulus Act after August 28, 2012
CCS HCS SCS SB 569		Modifies the law relating to elections, law enforcement districts, and transit authority taxes
SB 574	Dixon	Allows associate circuit judges in Greene and Cass counties to hear and determine county ordinance violations
SB 575	Dixon	Allows Greene County to enact nuisance abatement ordinances
SB 600	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served
CCS HCS SB 628		Modifies provisions relating to the judiciary
SB 639	Schaaf	Modifies provisions relating to breast-feeding
SB 652	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 659	Dempsey	Requires collectors in all counties, except for counties under township organization, to mail property tax bills thirty days before the taxes are delinquent and allows for a waiver of penalties and interest when bills are mailed late
HCS SCS SB 671		Modifies provisions relating to elections

No.	Author	Subject
SB 680	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances incorporate statutory justifications
SB 688	Schmitt	Corrects a word that was mistakenly duplicated in a provision dealing with county commissions
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SB 698	Richard	Establishes construction contract bidding standards for political subdivisions
SCS SB 699		Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
SB 720	Kehoe	Requires defendants in counties with prisons that have average populations of 1,000 or more to follow certain procedures for obtaining a change in venue
SB 723	Ridgeway	Modifies provisions of law regarding property tax assessment
SCS SB 729		Modifies provisions relating to county purchases
SB 730	Schaefer	Allows Boone County to adopt regulations to control the minimum standards of occupancy for residential units and to develop a program for licensing and inspecting the units
SB 736	Engler	Exempts St. Francois County from a requirement that certain amounts of money from the county's special road and bridge tax be spent in certain areas
SB 746	Schaefer	Allows for the extension of certain county taxes upon voter approval
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
SB 776	Kraus	Eliminates a provision regarding how leases of commercial property at airports are assessed for property tax purposes
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
HCS SB 813		Modifies provisions relating to financial transactions
SB 815	McKenna	Allows Jefferson County to enter into contracts with municipalities in the county for the performance of local government duties in those cities by county officers
SCS SB 834		Requires certain funds received by sheriffs to be placed in a special fund in the county treasury
SB 857	Brown	Allows certain funds collected for a sheriff's operating costs to be used to supplement the sheriff's base salary
SB 874	McKenna	Modifies record-keeping provisions in the Property Assessment Clean Energy (PACE) Act
SB 888	Ridgeway	Authorizes Franklin County and Clay County to establish a municipal court if approved by the county commission
SB 889	Lager	Modifies provisions relating to natural resources
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
SB 901	Lembke	Modifies the requirements for a county, city, town, or village to issue revenue bonds and the ability of industrial development corporations to issue bonds
SB 905	Mayer	Allows certain political subdivisions to contract out engineering, water quality management, and maintenance services on existing water storage tanks
SCR 15	Dempsey	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SJR 31	Chappelle-Nadal	Makes St. Louis City a part of St. Louis County

No.	Author	Subject
SJR 32	Chappelle-Nadal	Proposes a constitutional amendment to require the St. Louis Board of Freeholders to meet monthly and authorizes the people of St. Louis City and County to modify the Missouri Constitution regarding the Board
HB 1053		Establishes the Disaster Area Construction Act which exempts certain construction work done for a school district or a county, city, town, or village from the prevailing wage if it is in a disaster area
HB 1056		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HB 1092		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster
SS HCS HB 1106		Changes the laws regarding certain public officials
HB 1109		Prohibits any state or local governmental entity or public building, place, or setting from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HB 1114		Requires Taney County, upon voter approval of a county sales tax, to appoint an emergency services board to administer the central dispatching of emergency services
SCS HCS HB 1140		Requires the Office of Administration to maintain public school and municipal and county government accountability information on the Missouri Accountability Portal
HB 1143		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
CCR SS#2 SCS HB 1170		Allows any county collector to add and collect a special property tax assessment to the property's annual real estate tax bill
HCS HB 1171		Changes the age when the juvenile court will have jurisdiction over a child involving a traffic violation and authorizes Franklin County to prosecute county order violations in a county municipal court
HB 1176		Allows a school district or a county, city, town, or village to exempt itself from the prevailing hourly wage for certain work if it is in a disaster area
HB 1177		Requires compensation paid by a municipality for certain services performed by a county officer to be paid directly to the county as provided in the contract
HB 1190		Repeals provisions regarding the maintaining of police records in municipalities located within Jackson County, Jefferson County, St. Charles County, and St. Louis County
HB 1197		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1200		Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
HB 1202		Allows a juvenile court employee to receive compensation from a county or city in addition to his or her state salary
HB 1203		Allows money from the county law enforcement restitution fund to be used for county inmate work and service programs and limits the amount a county can assess an individual for certain offenses to $10
HCS HB 1211		Changes the laws regarding local courts
HB 1239		Exempts the residential property of individuals 70 years of age or older from increases in assessed valuation that are not from new construction or improvements and from rate increases
HB 1244		Allows a governmental entity to engage in projects involving a technology business facility used for specified purposes
HB 1246		Changes the laws regarding municipal technology business facility projects, the MO Jobs Training Program, and the Missouri Quality Jobs Act

No.	Author	Subject
SS SCS HB 1251		Changes the laws regarding natural resources
HB 1255		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HCS HB 1256		Changes the laws regarding judicial procedures
HCS HB 1275		Specifies the timeframe for the resubmission of a ballot issue in certain instances and the necessary percentage of approval for it to become effective
HB 1306		Prohibits caffeinated malt beverages from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state
HB 1313		Limits the increase in assessed valuation of residential property by the percentage of increase in the Social Security benefits for the elderly and disabled who own and live in their principal residence
HB 1336		Allows cities and counties to adopt tax and fee amnesty provisions
HB 1357		Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference
HCS HB 1373		Authorizes a county to amend its budget twice during a fiscal year when there are certain specified circumstances
HCS HB 1397		Changes the laws regarding political subdivisions
HB 1398		Requires collectors in all counties except for counties under township organization to mail property tax bills 30 days before the taxes are delinquent
HB 1453		Adds Greene County to the list of counties authorized to enact certain nuisance abatement ordinances
HB 1455		Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development
HB 1463		Changes the laws regarding the distribution of certain local sales tax revenues in St. Louis County
HB 1489		Freezes the assessed valuation of residential property owned by certain taxpayers 67 years of age or older and limits increases in their property taxes
HB 1492		Authorizes Cass County to establish a county municipal court
HB 1493		Changes the laws regarding how the prevailing hour wage requirement for a given occupational title is determined for a county
SCS HB 1504		Changes the laws regarding sales taxes
HCS HB 1521		Requires collectors in all counties, except for counties under township organization, to mail or electronically send property tax bills 30 days before the taxes are delinquent
HB 1523		Specifies that, beginning January 1, 2013, certain specified building codes will be deemed the official state codes
HB 1530		Changes the laws regarding the resale of certain scrap metals
HB 1536		Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes
HB 1548		Requires organizations wanting to sponsor certain events and activities that are held in a state park or on a historic site to obtain liability insurance
HB 1552		Authorizes the governing body of Carter County to impose, upon voter approval, a transient guest tax on additional sites
HB 1562		Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court

No.	Author	Subject
HB 1573		Changes the laws regarding political subdivisions
HB 1591		Adds Jasper County to the list of counties authorized to impose, upon voter approval, a sales tax to operate and maintain public libraries within the library district
HB 1592		Changes the laws regarding county collectors and a county's special road and bridge levy and establishes the STAR Bonds Financing Act
HB 1593		Changes the laws regarding the Missouri New Markets Development Program and establishes the Missouri Angel Investment Incentive Act
HCS HB 1623		Changes the laws regarding the membership of a city economic development tax board
HB 1662		Creates a county drinking water supply lake authority in Christian County
HB 1693		Changes the laws regarding the approval of a redevelopment plan involving tax increment financing in St. Louis County, St. Charles County, and Jefferson County and its cities, towns, and villages
HB 1701		Exempts St. Francois County from the requirement that certain amounts of money from the county's special road and bridge tax be spent on specified purposes
HB 1703		Adds Buchanan County to the list of counties authorized to impose a civil fine for a violation of a county rule, regulation, or ordinance
HB 1712		Establishes a telephone tracking system pilot project for in-home services providers in Jackson, Cass, and Clay counties
HB 1729		Transfers Taney County from the 38th Judicial Circuit to the newly established 46th Judicial Circuit and specifies that the 38th Judicial Circuit will consist only of Christian County
HCS HB 1741 & 1543		Changes the laws regarding the death benefit for members of the County Employees' Retirement System and the defined contribution plan for employees of certain higher education institutions
HCS HB 1754		Changes the laws regarding judicial circuits
HB 1768		Changes the laws regarding county and statewide emergency 911 service boards
HB 1780		Changes the laws regarding county and statewide emergency 911 service boards
HB 1788		Changes the laws regarding the awarding of a contract for projects by any officer or agency of this state or any of its political subdivisions
HB 1812		Changes the laws regarding the requirement to obtain competitive bids on certain county purchases
SS SCS HB 1820		Authorizes the Governor to convey specified state properties
SS SCS HCS HB 1865		Changes the laws regarding economic development incentives
HB 1904		Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 1905		Changes the laws regarding solid waste management
HB 1945		Removes the provision that requires fire protection districts located in Greene County to have an audit performed every two years
HB 1959		Prohibits specified increases in premiums or fees charged for sewage or wastewater treatment in St. Charles County without approval by the voters
HB 1967		Authorizes the governing body of any county located within a metropolitan park and recreation district that has passed a sales tax to submit the issue of repealing the sales tax to the voters
HB 2092		Changes the laws regarding the distribution of county sales taxes in certain counties
HB 2096		Repeals the provisions allowing certain counties to establish an alternative county highway commission

No.	Author	Subject
HB 2110		Changes the laws regarding county special road and bridge levies
HCR 31		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
		COUNTY GOVERNMENT
SB 446	Goodman	Specifies that drug courts may be funded by the county law enforcement restitution fund
SB 493	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight
SB 509	Wright-Jones	Allows the governing body of St. Louis City to grant tax relief to certain properties to alleviate blight
SB 574	Dixon	Allows associate circuit judges in Greene and Cass counties to hear and determine county ordinance violations
SB 575	Dixon	Allows Greene County to enact nuisance abatement ordinances
SB 610	Lembke	Prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations
SB 652	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
HCS SCS SB 671		Modifies provisions relating to elections
SB 680	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances incorporate statutory justifications
SB 688	Schmitt	Corrects a word that was mistakenly duplicated in a provision dealing with county commissions
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SB 698	Richard	Establishes construction contract bidding standards for political subdivisions
SCS SB 729		Modifies provisions relating to county purchases
SB 730	Schaefer	Allows Boone County to adopt regulations to control the minimum standards of occupancy for residential units and to develop a program for licensing and inspecting the units
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 814	Brown	Modifies provisions relating to state land survey duties
SB 815	McKenna	Allows Jefferson County to enter into contracts with municipalities in the county for the performance of local government duties in those cities by county officers
SCS SB 834		Requires certain funds received by sheriffs to be placed in a special fund in the county treasury
SB 857	Brown	Allows certain funds collected for a sheriff's operating costs to be used to supplement the sheriff's base salary
SJR 31	Chappelle-Nadal	Makes St. Louis City a part of St. Louis County
SJR 32	Chappelle-Nadal	Proposes a constitutional amendment to require the St. Louis Board of Freeholders to meet monthly and authorizes the people of St. Louis City and County to modify the Missouri Constitution regarding the Board
SS SCS HCS HB 1094		Changes the laws regarding electronic payments to state agencies and departments and the electronic payment of funds received by a county health center
SCS HCS HB 1140		Requires the Office of Administration to maintain public school and municipal and county government accountability information on the Missouri Accountability Portal

No.	Author	Subject
HB 1239		Exempts the residential property of individuals 70 years of age or older from increases in assessed valuation that are not from new construction or improvements and from rate increases
HB 1307		Authorizes a county to amend its budget to reflect any increases or decreases in revenues that could not have been estimated or anticipated when the budget was adopted
HCS#2 HB 1358		Changes the laws regarding political subdivisions
HCS HB 1373		Authorizes a county to amend its budget twice during a fiscal year when there are certain specified circumstances
HB 1453		Adds Greene County to the list of counties authorized to enact certain nuisance abatement ordinances
HCS HB 1457		Requires, except in a charter county, a candidate for county treasurer to file a signed affidavit stating that the candidate meets the minimum bond requirements for the office of county treasurer
HB 1552		Authorizes the governing body of Carter County to impose, upon voter approval, a transient guest tax on additional sites
HB 1573		Changes the laws regarding political subdivisions
HB 1582		Changes the laws regarding filling vacancies in certain county offices
HB 1589		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires a local ordinance regulating the discharge of firearms to incorporate statutory justifications
HCS HB 1623		Changes the laws regarding the membership of a city economic development tax board
HB 1638		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires local ordinances regarding the discharge of firearms to incorporate statutory justifications
HCS HB 1809		Changes the laws regarding cleaning supplies for state buildings and schools, county building codes, and energy audits of public schools
HB 1812		Changes the laws regarding the requirement to obtain competitive bids on certain county purchases
HB 1895		Allows University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming
		COUNTY OFFICIALS
HCS SCS SB 510		Modifies the laws regarding municipal annexations, the taxation of security companies, assessment of real estate, the termination of water and sewer services, and complaints about real estate appraisals
SB 525	Engler	Provides for nonpartisan elections of judicial candidates and forbids certain judges and candidates from engaging in political activities
CCS HCS SCS SB 569		Modifies the law relating to elections, law enforcement districts, and transit authority taxes
SB 574	Dixon	Allows associate circuit judges in Greene and Cass counties to hear and determine county ordinance violations
HCS SCS SB 591		Modifies provision regarding state and local revenues, various interest rates, and the authority of fire protection districts
CCS SB 599		Modifies provisions relating to education
SB 600	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served
SB 659	Dempsey	Requires collectors in all counties, except for counties under township organization, to mail property tax bills thirty days before the taxes are delinquent and allows for a waiver of penalties and interest when bills are mailed late

No.	Author	Subject
HCS SB 668		Modifies several provisions of law concerning taxation, the composition of county sport complex authorities, fire protection district regulations, and real estate appraiser licensing
HCS SCS SB 671		Modifies provisions relating to elections
SB 688	Schmitt	Corrects a word that was mistakenly duplicated in a provision dealing with county commissions
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SB 723	Ridgeway	Modifies provisions of law regarding property tax assessment
SCS SB 729		Modifies provisions relating to county purchases
SB 730	Schaefer	Allows Boone County to adopt regulations to control the minimum standards of occupancy for residential units and to develop a program for licensing and inspecting the units
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 815	McKenna	Allows Jefferson County to enter into contracts with municipalities in the county for the performance of local government duties in those cities by county officers
SCS SB 834		Requires certain funds received by sheriffs to be placed in a special fund in the county treasury
SB 857	Brown	Allows certain funds collected for a sheriff's operating costs to be used to supplement the sheriff's base salary
SB 884	Nieves	Modifies provisions related to firearms
SB 888	Ridgeway	Authorizes Franklin County and Clay County to establish a municipal court if approved by the county commission
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
SCS HCS HB 1060		Changes the laws regarding elections
HB 1092		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster
HB 1103		Changes the laws regarding the maintenance of private roads and real estate appraisers and appraisal management companies
SS HCS HB 1106		Changes the laws regarding certain public officials
HB 1114		Requires Taney County, upon voter approval of a county sales tax, to appoint an emergency services board to administer the central dispatching of emergency services
SCS HCS HB 1140		Requires the Office of Administration to maintain public school and municipal and county government accountability information on the Missouri Accountability Portal
CCR SS#2 SCS HB 1170		Allows any county collector to add and collect a special property tax assessment to the property's annual real estate tax bill
HB 1177		Requires compensation paid by a municipality for certain services performed by a county officer to be paid directly to the county as provided in the contract
HB 1203		Allows money from the county law enforcement restitution fund to be used for county inmate work and service programs and limits the amount a county can assess an individual for certain offenses to $10
HB 1235		Requires an election authority to conduct a record check to determine whether a person is prohibited from filing as a candidate for the election for which he or she is filing a declaration of candidacy

No.	Author	Subject
HB 1235		Requires an election authority to conduct a record check to determine whether a person is prohibited from filing as a candidate for the election for which he or she is filing a declaration of candidacy
HB 1249		Changes the laws regarding the taxation and sale of billboards and wireless transmission towers
HB 1253		Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs
SCS HCS HB 1300		Requires county assessors to use a specified single nationally recognized guide to determine the value of a motor vehicle for personal property tax assessment purposes
HCS HB 1340		Specifies that the county commission must appoint an interim county official when there is a vacancy in the office of county clerk, collector, or assessor
HCS#2 HB 1358		Changes the laws regarding political subdivisions
HCS HB 1373		Authorizes a county to amend its budget twice during a fiscal year when there are certain specified circumstances
HB 1382		Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HCS HB 1395		Changes the laws regarding the Department of Natural Resources
HCS HB 1397		Changes the laws regarding political subdivisions
HB 1398		Requires collectors in all counties except for counties under township organization to mail property tax bills 30 days before the taxes are delinquent
HB 1438		Allows a voter to cast an advance ballot
HCS HB 1457		Requires, except in a charter county, a candidate for county treasurer to file a signed affidavit stating that the candidate meets the minimum bond requirements for the office of county treasurer
HCS HB 1521		Requires collectors in all counties, except for counties under township organization, to mail or electronically send property tax bills 30 days before the taxes are delinquent
HB 1544		Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HB 1547		Permits county assessors to use the Kelly Blue Book or other credible resources when determining the trade-in value of a motor vehicle for personal property tax assessment purposes
HB 1560		Changes the selection of the circuit clerk in the 22nd Judicial Circuit in St. Louis City from being elected by the qualified voters to being appointed by a majority of the circuit judges of the circuit
HB 1562		Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court
HB 1573		Changes the laws regarding political subdivisions
HB 1582		Changes the laws regarding filling vacancies in certain county offices
HB 1592		Changes the laws regarding county collectors and a county's special road and bridge levy and establishes the STAR Bonds Financing Act
HB 1675		Establishes the MODEX Fund and deposits one-half of the charges collected by traffic violation bureaus for law enforcement services into the fund to support the operational costs of the MODEX system
HB 1748		Changes the laws regarding abandoned property
HCS HB 1818		Changes the laws regarding property taxes
HB 1856		Authorizes Stoddard County to change the office of the county prosecutor to a full-time position on January 1 of the year following approval by the voters

No.	Author	Subject
SS SCS HCS HB 1865		Changes the laws regarding economic development incentives
HB 1897		Changes the laws regarding the criminal code
HB 1965		Changes the deadline for filing as a candidate for all primary elections held in August for any county or state office from the last Tuesday in March to the second Tuesday in March
HB 1972		Requires the county office that administers the lateral sewer service line repair fee program to bill each condominium unit separately for its proportionate share of the fee
HB 2026		Requires anyone participating in a caucus to be registered to vote by the fourth Wednesday before the caucus
HB 2086		Requires each elected county official to appoint a deputy to serve as the interim county official in the event of a vacancy in the office until the vacancy is filled by the Governor as provided by law
HB 2108		Allows charges of up to $50,000 in any year collected by a sheriff in civil cases to also be used to supplement the sheriff's base salary
		COURTS
SB 445	Goodman	Establishes the Joint Committee on the Missouri Criminal Code
SB 446	Goodman	Specifies that drug courts may be funded by the county law enforcement restitution fund
SCS SB 490		Modifies the laws regarding certain private nuisance actions
SB 518	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 525	Engler	Provides for nonpartisan elections of judicial candidates and forbids certain judges and candidates from engaging in political activities
SB 556	Curls	Allows courts to suspend imposition of an adult criminal sentence for certain juvenile offenders
SB 559	Curls	Allows petitions for expungement of certain criminal records
SB 573	Dixon	Authorizes certain circuits to increase the civil court filing surcharge from the current $15.00 up to $20.00
SB 574	Dixon	Allows associate circuit judges in Greene and Cass counties to hear and determine county ordinance violations
SB 575	Dixon	Allows Greene County to enact nuisance abatement ordinances
CCS SB 599		Modifies provisions relating to education
SB 600	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served
SB 613	Kehoe	Requires courts to award prevailing defendants their costs and attorney's fees
SB 614	Kehoe	Requires courts to award costs and attorney's fees to a party when a case has no basis in law or an attorney acts in bad faith
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
CCS HCS SB 628		Modifies provisions relating to the judiciary
CCS HCS SCS SB 635		Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
CCS HCS SB 636		Modifies provisions relating to the judiciary
SB 645	Schaefer	Modifies provisions relating to permits issued by environmental commissions
SB 646	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants

No.	Author	Subject
SB 647	Richard	Provides for funding of the capitol complex revitalization project by modifying the historic preservation tax credit program
SB 670	Green	Allows debtors facing nonjudicial foreclosure to chose mediation or judicial foreclosure as alternatives
SB 676	Nieves	Specifies how courts may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries
HCS SB 690		Modifies provisions related to public safety
SCS SB 699		Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
SB 704	Wright-Jones	Requires inverse condemnation or dangerous public property suits against municipal corporations be brought in the county where the land or any part lies
SB 720	Kehoe	Requires defendants in counties with prisons that have average populations of 1,000 or more to follow certain procedures for obtaining a change in venue
HCS SCS SB 726		Modifies provisions relating to financial transactions
HCS SB 739		Modifies provisons relating to administrative child support orders and the Sentencing Advisory Commission
SB 765	Schaefer	Authorizes circuit clerks to collect a surcharge for processing garnishments
SB 768	Kraus	Authorizes circuit courts to create veterans treatment courts
SB 779	Munzlinger	Authorizes certain officials to charge six dollars for cases disposed of by a traffic violations bureau and creates the MODEX fund
SB 786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 787	Curls	WITHDRAWN
SCS SB 788		Requires appointment of St. Louis City circuit clerk
SCS SB 789		Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
SB 798	Justus	Prohibits discrimination based upon a person's sexual orientation or gender identity
SCS SB 837		Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
SB 844	Lamping	Modifies provisions relating to the Public Service Commission
SB 863	Wright-Jones	Requires parents to file parenting plans after paternity has been established in court
SB 871	Lamping	Modifies provisions relating to domestic violence
SB 872	Justus	Modifies provisions relating to criminal law
SB 888	Ridgeway	Authorizes Franklin County and Clay County to establish a municipal court if approved by the county commission
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
SS SCS SJR 40		Amends the constitution to modify the ban on retrospective laws
SJR 41	Lembke	Provides for election of certain judges and appointment by Governor of a Supreme Court judge
SJR 42	Lembke	Provides for appointment by the Governor of certain judges with Senate approval
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 1032		Adds a licensed professional counselor to the list of those authorized to conduct a full investigation into whether an individual is suitable as an adoptive parent

No.	Author	Subject
HB 1065		Authorizes a corporation or unincorporated association to be represented in small claims court for certain actions by its president or vice-president for any claim of $500 or less
HB 1087		Establishes the Adult Health Care Consent Act which specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care
HB 1088		Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HB 1103		Changes the laws regarding the maintenance of private roads and real estate appraisers and appraisal management companies
HCS HB 1110		Allows a circuit court to establish a veterans treatment court to dispose of criminal cases which stem from substance abuse or mental illness of military veterans or current military personnel
HB 1127		Requires certain specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 1142		Changes the requirements for the use of private probation services
HCS#2 HB 1155		Changes the laws regarding limited driving privileges and commercial driver's licenses
HCS HB 1171		Changes the age when the juvenile court will have jurisdiction over a child involving a traffic violation and authorizes Franklin County to prosecute county order violations in a county municipal court
HB 1206		Allows a student who has been denied the privilege to participate in an interscholastic activity under certain conditions to petition the court for a restraining order prohibiting enforcement of the denial
HB 1208		Specifies that the termination of parental rights in the case of rape cannot extinguish or bar the ordering or enforcement of a child support obligation for a child born as a result of the rape
HCS HB 1211		Changes the laws regarding local courts
HB 1219		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 1253		Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs
HCS HB 1258, 1259, & 1260		Changes the laws regarding the acknowledgment of paternity and consent to an adoption
HB 1268		Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HCS HB 1272		Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate
HB 1289		Prevents the use of electronic records from a smart meter as evidence in a criminal prosecution and imposes a civil penalty on a utility for transferring these records to anyone for any purpose
HB 1296		Establishes the custody and visitation rights of a deploying military parent
HCS HB 1298 & 1180		Changes the laws regarding a defendant's liability in a tort action and establishes the Agritourism Promotion Act
HCS HB 1319, 1045 & 1369		Changes the laws regarding weapons
SCS HCS#2 HB 1323		Establishes the Low-Wage Trap Elimination Act and Sam Pratt's Law and changes the laws regarding child abuse and neglect investigations and unlicensed child care providers

No.	Author	Subject
HCS HB 1342		Changes the laws regarding the recovery of costs and attorney fees by the prevailing defendant in a civil action
HCS#2 HB 1344		Authorizes a person to apply to a court for the closure of certain criminal records
HB 1357		Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference
HB 1368		Allows certain types of field tests for controlled substances to be admissible as evidence in certain preliminary hearings and in an application for an arrest warrant
HB 1382		Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 1384		Changes the laws regarding consent to the adoption of a child
HB 1391		Changes the laws regarding the charging of a surcharge in civil court cases
HB 1416		Specifies that an attorney who presents a current valid Missouri Bar membership card to St. Louis County Courthouse security must not be subject to any security screening
HB 1420		Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2015
HCS HB 1444		Changes the laws regarding the confiscation of animals
HB 1453		Adds Greene County to the list of counties authorized to enact certain nuisance abatement ordinances
SCS HB 1460		Extends the expiration date of the Statewide Court Automation Fund from September 1, 2013, to September 1, 2018, and the Court Automation Committee from September 1, 2015, to September 1, 2020
HB 1469		Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises
HB 1471		Changes the laws regarding the requirements for the testing of persons with tuberculosis
HB 1485		Prohibits any person who is in violation of a court order to pay specified monetary judgments from qualifying as a candidate for an elective office and his or her name from appearing on a ballot
HB 1492		Authorizes Cass County to establish a county municipal court
HB 1496		Prohibits the imposition of the death penalty, halts pending executions, provides for resentencing of offenders sentenced to death, and changes the laws regarding the death penalty
HB 1505		Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity as Evidence Law and specifies what documents are not excluded by the hearsay rule of evidence
HB 1512		Establishes the Civil Liberties Defense Act which specifies how courts may rule in contractual disputes involving the laws of other countries and in jurisdictional issues involving other countries
HB 1520		Repeals the provisions which allow for the use of the death penalty and specifies that certain persons sentenced to death must be sentenced to life without eligibility for parole
HCS#2 HB 1524		Specifies that the owners of property abutting a private road in the absence of any other agreement may petition the court to establish a plan of maintenance or improvement
SCS HCS HB 1525		Establishes the Sentencing and Corrections Oversight Commission and changes the laws regarding criminal offenders under the supervision of the Department of Corrections
HB 1553		Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation

No.	Author	Subject
HB 1560		Changes the selection of the circuit clerk in the 22nd Judicial Circuit in St. Louis City from being elected by the qualified voters to being appointed by a majority of the circuit judges of the circuit
HB 1562		Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court
HCS HB 1585		Changes the laws regarding landlord-tenant actions
HB 1598		Changes the criteria for domestic assault in the third degree to include three responses by law enforcement for alleged abuse or violation of an order of protection by the same person
HB 1611		Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HB 1615		Changes the laws regarding actions against a person for conduct or speech at a public hearing or meeting
HCS HB 1623		Changes the laws regarding the membership of a city economic development tax board
HB 1636		Allows certain cities, town, and villages to elect to have only certain municipal ordinance violations heard by an associate circuit court or county municipal court
HB 1645		Allows a person to file a verified petition for the expungement of certain misdemeanor offense records
HB 1667		Authorizes a $20 civil court filing surcharge for certain circuits
HB 1675		Establishes the MODEX Fund and deposits one-half of the charges collected by traffic violation bureaus for law enforcement services into the fund to support the operational costs of the MODEX system
HB 1677		Authorizes a person to apply to a court for the expungement of certain criminal records
HB 1690		Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport
HCS HB 1700		Changes the laws regarding sexual offender registration
HB 1729		Transfers Taney County from the 38th Judicial Circuit to the newly established 46th Judicial Circuit and specifies that the 38th Judicial Circuit will consist only of Christian County
HB 1745		Specifies that an insurer has the right to intervene in any civil case in which it may be obligated to provide a defense to the action or indemnity for any judgment rendered in the action
HCS HB 1754		Changes the laws regarding judicial circuits
SCS HCS HB 1758		Changes the laws regarding child custody, visitation rights, and adoption
HB 1790		Changes the laws regarding the court admissibility of the hearsay statement of a child
HB 1817		Specifies that the provisions regarding the Sentencing Advisory Commission cannot be construed to allow the commission to recommend a sentence in a specific pending court case
HCS HB 1841		Changes the laws regarding pyramid sales schemes
HB 1845		Authorizes the clerk of the circuit court to charge and collect a surcharge of up to $10 in cases where a garnishment is granted
HB 1848		Repeals the provisions regarding judges in the existing eastern, southern, and western circuits and replaces them with first, second, and third appellate judicial districts based on legislative districts
HB 1867		Allows a court to accept, in lieu of a cash only bond, a guarantee from a surety who is in compliance with the general laws regulating bail bondsmen
HB 1873		Requires the Commissioner of Administration to procure a blanket bond or crime insurance policy to protect the state against loss from the acts or omissions of specified state-compensated persons

No.	Author	Subject
HB 1888		Establishes the Office of Protection and Advocacy for Persons with Disabilities within the Office of Administration to protect the rights of individuals with disabilities and developmentally disabled persons
HB 1891		Establishes minimum standards that a municipality in St. Louis County must meet in the provision of municipal and financial services and reports
HB 1897		Changes the laws regarding the criminal code
HB 1907		Changes the laws regarding vulnerable persons, child abuse and neglect, and the crime of domestic assault
HB 1914		Changes the laws regarding child support for higher education
HB 1915		Allows the probate court to consider and grant visitation to the natural parents of a child with guardianship if it is in the best interest of the child
HCS HB 1935		Changes the laws regarding the application of a specific interest rate for specified late payments, repayments, loans, bonds, overpayments, and judgments
HB 1966		Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity and specifies what documents are not excluded by any hearsay rule
HB 2038		Establishes Jonathan's Law which changes the requirements for the certification and transfer of a juvenile case to a court of general jurisdiction
HB 2042		Changes the laws regarding the granting of grandparent visitation
HB 2073		Repeals the provisions regarding nonjudicial foreclosure proceedings and requires all foreclosure proceedings to be handled judicially beginning August 28, 2012
HB 2098		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law
HB 2099		Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person
HB 2104		Changes the laws regarding workers' compensation and the Second Injury Fund
HCR 2		House of Representatives and Senate convene in Joint Session at 10:30 a.m., Wednesday, January 18, 2012, to receive message from the Honorable Richard Teitelman, Chief Justice of Missouri Supreme Court
HCS HJR 44		Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increasing the number of candidates nominated to the Governor for certain judicial vacancies
		COURTS, JUVENILE
SB 556	Curls	Allows courts to suspend imposition of an adult criminal sentence for certain juvenile offenders
CCS HCS SB 628		Modifies provisions relating to the judiciary
HCS SCS SB 711		Modifies provisions relating to adoption
SB 713	Lamping	Modifies provisions relating to adoption records
HB 1088		Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HCS HB 1169		Changes the laws regarding the investigation of a report of child abuse that arises from a spanking in a school
HCS HB 1171		Changes the age when the juvenile court will have jurisdiction over a child involving a traffic violation and authorizes Franklin County to prosecute county order violations in a county municipal court
HB 1202		Allows a juvenile court employee to receive compensation from a county or city in addition to his or her state salary

No.	Author	Subject
HB 1384		Changes the laws regarding consent to the adoption of a child
HB 1565		Requires mandatory reporters of child abuse to report when they are working or acting in their official capacity and allows them to report when they are not
HB 1583		Authorizes the juvenile court to order psychiatric evaluations of a juvenile and to order admittance to a mental health facility upon the recommendation of specified evaluations
HB 1721		Allows certain offenders who were younger than 18 years of age at the time the offense was committed to be eligible for parole after 15 years of imprisonment under specified conditions
HB 1994		Allows prospective adoptive parents and the parents of a prospective adoptee to enter into a post adoption contract agreement to allow contact between the former parents and the adoptee
HB 2038		Establishes Jonathan's Law which changes the requirements for the certification and transfer of a juvenile case to a court of general jurisdiction
		CREDIT AND BANKRUPTCY
SB 670	Green	Allows debtors facing nonjudicial foreclosure to chose mediation or judicial foreclosure as alternatives
HCS SB 813		Modifies provisions relating to financial transactions
SCS HB 1112		Allows an insurance company to issue life insurance policies outside of the United States under specified conditions as well as specified unemployment insurance in connection with group life insurance
HB 1159		Establishes the Senior's Retirement Protection Act which specifies that up to $125,000 of the value of the primary residence of certain elderly persons will be exempt from attachment or execution
HCS HB 1240		Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HB 1294		Changes the laws regarding consumer credit interest rates
HB 1406		Changes the laws regarding the use of credit information when underwriting insurance contracts and prohibits insurers from taking adverse actions based on a person's credit report or insurance score
HB 1409		Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 1467		Requires the Missouri Higher Education Loan Authority to reserve $30 million for loan forgiveness when the state unemployment rate exceeds a certain level in the previous fiscal year
HCS HB 1527		Changes the laws regarding property exempt from attachment
HB 1555		Makes it an improper employment practice for an employer to refuse to hire or to discharge, reduce compensation, or modify any condition of a person's employment based on his or her credit score or history
HB 1605		Prohibits a lender from imposing a fine, fee, or penalty for the prepayment of any loan and repeals the provision allowing a prepayment fee to be charged on a second mortgage loan
HB 1611		Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HB 1828		Changes the font size of the required notice that a licensed lender has to provide the borrower from at least 10-point bold type to at least 14-point bold type
HB 1844		Requires specified disclosures on new credit card processing service contracts
HB 2064		Requires collection agencies to obtain a signed contract from the client prior to beginning collection services and to provide the client a copy of the contract
HB 2073		Repeals the provisions regarding nonjudicial foreclosure proceedings and requires all foreclosure proceedings to be handled judicially beginning August 28, 2012

No.	Author	Subject
HB 2091		Specifies that a title lender is liable for the actions of the persons employed or contracted by him or her to take possession of titled personal property upon the expiration or default of a title loan
		CREDIT UNIONS
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
HCS SCS SB 726		Modifies provisions relating to financial transactions
HB 1294		Changes the laws regarding consumer credit interest rates
HB 1557		Limits the amount of interest a title lender can charge on a loan and requires the average interest rate being charged by credit unions to be made available to the public at least quarterly
		CRIMES AND PUNISHMENT
SB 445	Goodman	Establishes the Joint Committee on the Missouri Criminal Code
SB 447	Goodman	Adds mail to the list of types of property that, when stolen, increase the classification of the crimes of stealing and receiving stolen property to Class C felonies
SS SCS SBs 489 & 637		Modifies provisions relating to weapons
SB 495	Wright-Jones	Establishes the Compassionate Assistance for Rape Emergencies Act
SB 497	Munzlinger	Increases the penalties for the crimes of trespassing and false impersonation and creates the crime of impersonating a public servant
SB 506	Wright-Jones	Creates the crimes of assault of an employee of a mass transit system while in the scope of his or her duties in the first, second, and third degree
SB 518	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 522	Curls	Modifies the eligibility requirements for food stamp assistance
SB 537	Chappelle-Nadal	Increases the penalty for the crime of harassment
SB 556	Curls	Allows courts to suspend imposition of an adult criminal sentence for certain juvenile offenders
SB 559	Curls	Allows petitions for expungement of certain criminal records
CCS HCS SB 568		Modifies various provisions relating to transportation
SB 574	Dixon	Allows associate circuit judges in Greene and Cass counties to hear and determine county ordinance violations
SB 575	Dixon	Allows Greene County to enact nuisance abatement ordinances
SB 590	Kraus	Modifies the law relating to unlawfully present aliens
CCS HCS SB 628		Modifies provisions relating to the judiciary
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
CCS HCS SB 636		Modifies provisions relating to the judiciary
SB 642	Wasson	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SB 646	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants
SB 664	Chappelle-Nadal	Enacts a statewide smoking ban

No.	Author	Subject
SCS SB 666		Modifies provisions relating to the Large Carnivore Act and creates the Nonhuman Primate Act
SB 680	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances incorporate statutory justifications
SS SCS SB 689		Modifies provisions relating to crimes committed against the elderly and disabled
HCS SB 690		Modifies provisions related to public safety
SB 695	Parson	Requires farm employees who videotape suspected acts of animal abuse to turn over the recording to law enforcement within 24 hours
SCS SB 699		Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
SB 720	Kehoe	Requires defendants in counties with prisons that have average populations of 1,000 or more to follow certain procedures for obtaining a change in venue
SB 732	Curls	Makes the punishment for trafficking cocaine the same regardless of whether the substance is powder or crack
HCS SB 739		Modifies provisons relating to administrative child support orders and the Sentencing Advisory Commission
SB 741	Parson	Provides that law enforcement agencies only have to procure an independent audit of federal seizures if the proceeds from the federal seizures exceed $500,000
SS SCS SB 755		Enacts the "House of Worship Protection Act"
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 787	Curls	WITHDRAWN
SCS SB 789		Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
SB 804	Engler	Criminalizes the failure to vacate leased premises in a rent and possession case under chapter 535
SB 805	Engler	Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances
SB 819	Nieves	Prohibits state enforcement of provisions of the National Defense Authorization Act for Fiscal Year 2012
SB 820	Nieves	Adds training requirements for 911 dispatch operators and provides certain civil immunity
SB 850	Purgason	Prohibits sterilization and disposition of seized or confiscated animals until the outcome of charges against the animals' owner have been determined
SB 871	Lamping	Modifies provisions relating to domestic violence
SB 872	Justus	Modifies provisions relating to criminal law
SB 884	Nieves	Modifies provisions related to firearms
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
SB 903	Lamping	Provides the process for disposition of dogs involved in the crime of dog fighting
SB 908	Kehoe	Modifies provisions regarding the crime of trespass
SCR 28	Mayer	Establishes the Joint Committee on the Missouri Criminal Code to study the state's criminal laws

No.	Author	Subject
SS SCS SJR 40		Amends the constitution to modify the ban on retrospective laws
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 1054		Changes the laws regarding unlawful picketing or protesting of a funeral
HB 1067		Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 1068		Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
HB 1103		Changes the laws regarding the maintenance of private roads and real estate appraisers and appraisal management companies
HCS HB 1110		Allows a circuit court to establish a veterans treatment court to dispose of criminal cases which stem from substance abuse or mental illness of military veterans or current military personnel
HB 1118		Requires vehicles to yield the right-of-way to all pedestrians and bicyclists crossing a city or neighborhood street in Kansas City in an appropriate crosswalk
HB 1125		Revises the crime of property damage in the first degree to include damaging a motor vehicle while making entry into it to steal or when the damage occurs while committing the crime within the vehicle
HB 1142		Changes the requirements for the use of private probation services
HB 1145		Establishes Nathan's Law and Sam Pratt's Law which change the laws regarding child care providers
HB 1148		Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner
HB 1151		Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HCS#2 HB 1155		Changes the laws regarding limited driving privileges and commercial driver's licenses
HB 1167		Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period
HB 1185		Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 1194		Changes the laws regarding agricultural crimes
HB 1195		Changes the laws regarding agricultural crimes
HB 1196		Changes the laws regarding a landowner's liability as it applies to an individual trespassing on the owner's land
HB 1204		Changes the laws regarding unlawful picketing or protesting of a funeral
HB 1205		Specifies certain employee rights as they relate to labor organizations
HB 1208		Specifies that the termination of parental rights in the case of rape cannot extinguish or bar the ordering or enforcement of a child support obligation for a child born as a result of the rape
HCS HB 1211		Changes the laws regarding local courts
HB 1224		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing unauthorized aliens
HB 1232		Specifies that any person who impersonates another actual person through or on a website for specified harmful purposes will be guilty of a class A misdemeanor
HB 1234		Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet

No.	Author	Subject
HB 1252		Increases the penalty for making a false report if the crime which was falsely reported was a felony
HB 1253		Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs
HB 1263		Requires anyone requesting 10 or more voter registration applications to provide certain information to the Office of the Secretary of State
HB 1268		Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
HB 1271		Changes the laws regarding the penalty for certain crimes
HCS HB 1274		Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 1279		Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed
HB 1283		Prohibits any person younger than 15 years of age from using a tanning device or his or her guardian from allowing the use of a tanning device
HB 1284		Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees
HB 1285		Specifies that any person who uses a device to read electric usage off of a meter without the homeowner's consent will be guilty of class D felony
HB 1292		Specifies that a person commits the crime of false identification if he or she falsely represents or identifies himself or herself as another person to a law enforcement officer
SCS HCS#2 HB 1317		Specifies that a person commits the crime of child abuse if he or she knowingly causes physical injury to a child which results in abusive head trauma
SS HB 1318		Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health
HB 1322		Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process for certain offenders
SCS HCS#2 HB 1323		Establishes the Low-Wage Trap Elimination Act and Sam Pratt's Law and changes the laws regarding child abuse and neglect investigations and unlicensed child care providers
HCS HB 1328		Changes the laws regarding the sale and possession of controlled substances
HCS#2 HB 1344		Authorizes a person to apply to a court for the closure of certain criminal records
HB 1354		Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product
HB 1365		Prohibits a felon from qualifying as a candidate for elected office in cities of the fourth classification
HB 1368		Allows certain types of field tests for controlled substances to be admissible as evidence in certain preliminary hearings and in an application for an arrest warrant
HB 1382		Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 1392		Requires a purchaser of commodity metals to register with the scrap theft alert system maintained by the Institute of Scrap Recycling Industries and establishes the Commodity Metals Theft Task Force
HB 1410		Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits

No.	Author	Subject
HB 1413		Changes the laws regarding injury or death to a service dog and harassing a service dog
HB 1420		Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2015
HB 1422		Revises the laws regarding DNA profiling analysis
HB 1426		Specifies that a person commits the crime of unlawful use of weapons if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance
HB 1428		Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 1430		Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 1432		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
HB 1437		Changes the laws regarding domestic violence
HCS HB 1444		Changes the laws regarding the confiscation of animals
HB 1447		Changes the laws regarding telemarketing practices
HB 1452		Requires any person younger than 14 years of age to wear an approved personal flotation device when on a watercraft on Missouri waters unless the person is in a fully enclosed part of the watercraft
HB 1453		Adds Greene County to the list of counties authorized to enact certain nuisance abatement ordinances
HB 1468		Requires the Amber Alert System Oversight Committee to adopt criteria to expand the Amber Alert System to provide peace officer safety alerts
HB 1470		Expands the list of mandatory reporters of child abuse and neglect to include a coach, scout leader, youth leader, and any volunteer who has direct contact with children
HB 1471		Changes the laws regarding the requirements for the testing of persons with tuberculosis
HB 1482		Specifies that the provisions regarding the crime of unlawful possession of a firearm will not apply to the possession of rifles or shotguns by a person who has not been convicted of a violent felony
HB 1496		Prohibits the imposition of the death penalty, halts pending executions, provides for resentencing of offenders sentenced to death, and changes the laws regarding the death penalty
HB 1503		Creates the crimes of assault of a utility worker or an employee of a mass transit system in the first, second, and third degrees
HCS HB 1515		Changes the laws regarding crimes and criminal procedures
HB 1516		Changes the laws regarding the crime of assaulting a law enforcement officer, corrections officer, emergency personnel, or highway worker to include a utility worker
HB 1520		Repeals the provisions which allow for the use of the death penalty and specifies that certain persons sentenced to death must be sentenced to life without eligibility for parole
HB 1528		Establishes the Intersection Safety Act regarding automated traffic enforcement systems
HB 1530		Changes the laws regarding the resale of certain scrap metals
HB 1532		Establishes the House of Worship Act, creates the crime of disrupting a house of worship, and enhances the penalty for the crime of institutional vandalism
HB 1534		Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act

No.	Author	Subject
HB 1538		Prohibits employers from requiring employees to engage in or cease engaging in certain labor practices as a condition or continuation of employment
HB 1551		Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 1553		Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HB 1565		Requires mandatory reporters of child abuse to report when they are working or acting in their official capacity and allows them to report when they are not
HB 1567		Requires a scrap metal dealer purchasing catalytic converters or a person refining platinum from catalytic converters to keep a record of each purchase and limits the number that he or she can buy per day
HB 1589		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires a local ordinance regulating the discharge of firearms to incorporate statutory justifications
HB 1599		Changes the criteria for determining that the sentence for first degree murder will be life imprisonment without eligibility for parole instead of the death penalty
HB 1624		Changes the laws regarding clemency in death penalty cases
HB 1638		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires local ordinances regarding the discharge of firearms to incorporate statutory justifications
HB 1645		Allows a person to file a verified petition for the expungement of certain misdemeanor offense records
HB 1656		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund
HB 1677		Authorizes a person to apply to a court for the expungement of certain criminal records
HB 1678		Changes the laws regarding midwifery
HB 1681		Increases the penalty for the crime of assault on a police animal from a class C misdemeanor to a class A misdemeanor
HB 1686		Establishes Blair's Law which specifies that a person commits the crime of unlawful use of a weapon if she or she discharges a firearm within or into the limits of a municipality with criminal negligence
HB 1689		Changes the laws regarding the crime of abuse of a child
HB 1690		Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport
HB 1698		Specifies that a person commits the crime of obstruction of justice when he or she knowingly does certain specified acts with the intent to prevent the apprehension or obstruct the prosecution of any person
HB 1699		Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HB 1743		Requires a convicted sex offender to be told of his or her obligation to register as a sex offender at the time of adjudication instead of the current requirement of prior to release or discharge
HB 1749		Changes the laws regarding failure to yield the right-of-way
HB 1750		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund
HB 1756		Changes the laws regarding ethics
HB 1757		Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period

No.	Author	Subject
HB 1761		Removes the 10-year statute of limitation for certain actions to recover damages regarding child abuse and sexual offenses committed against a child
HB 1762		Prohibits the state, as an employer or provider of public or housing assistance, from requiring an applicant to disclose any prior felony plea or conviction
HB 1767		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund from June 5, 2012, to August 28, 2022
HB 1787		Requires every merchant to develop and maintain a list of suppliers for each product it sells and provide it to any law or drug enforcement officer or agency upon request
HB 1796		Changes the laws regarding crimes involving agricultural operations
HB 1797		Requires out-of-state persons or groups who wish to protest a funeral in this state to pay, prior to the protest, a $15,000 fee to the local law enforcement agency in the area where the protest will be held
HB 1817		Specifies that the provisions regarding the Sentencing Advisory Commission cannot be construed to allow the commission to recommend a sentence in a specific pending court case
HB 1822		Changes the laws regarding domestic violence orders of protection
HB 1833		Allows switchblades to be regulated in the same way as knives and exempts the concealed carry of hunting knives from the provisions regarding the unlawful use of a weapon
HB 1840		Requires any person certified and providing midwifery services to present each client proof of malpractice insurance coverage in an amount of at least $1 million prior to providing services
SS SCS HCS HB 1854		Changes the laws regarding services for individuals
SCS HCS HB 1860 & HCS HB 1254		Changes the laws regarding agricultural education in private schools, grain dealers, and agricultural crimes
HCS HB 1869		Changes the laws regarding elections
HB 1884		Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving while intoxicated offense
HB 1888		Establishes the Office of Protection and Advocacy for Persons with Disabilities within the Office of Administration to protect the rights of individuals with disabilities and developmentally disabled persons
HCS HB 1890		Changes the laws regarding health insurance coverage and contracts
HB 1894		Changes the laws regarding the crime of trafficking drugs in the first and second degrees
HB 1896		Changes the laws regarding sexual offenses
HB 1897		Changes the laws regarding the criminal code
HB 1929		Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1933		Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2012 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HB 1937		Requires every person riding a bicycle on a state road or highway to wear a reflective vest
HB 1939		Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 1952		Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from Schedule IV and V controlled substances to Schedule III requiring a prescription
HB 1977		Changes the laws regarding the reporting of cruelty, abuse, or neglect of the elderly, children, or animals

No.	Author	Subject
HCS HB 1988		Changes the laws regarding real estate appraisers and real estate appraisal management companies
HB 1992		Specifies that a person commits the offense of refusing to submit to a chemical test when he or she refuses a law enforcement officer's request for a chemical test for blood alcohol content
HB 1998		Changes the laws regarding health services and fees and moving violations and traffic offenses occurring within an active emergency zone
HB 2046		Specifies that any vehicle repaired by a body shop authorized by the owner's insurance company following a traffic accident must be deemed adequately repaired without diminished value for resale
HB 2049		Increases the penalty for child molestation in the first degree when the victim is a child younger than 13 years of age to a class A felony
HB 2063		Requires the Department of Revenue to issue a special driver's license to a person required to use an ignition interlock device
HB 2066		Establishes the Missouri Liberty Preservation Act which prohibits state enforcement of specified sections of the National Defense Authorization Act for Fiscal Year 2012
HB 2082		Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
HB 2095		Establishes the Animal Ecological Terrorism Act
HB 2106		Changes the laws regarding the responsibilities of the Office of the State Auditor
HJR 83		Proposes a constitutional amendment allowing a law to be retrospective in its operation with respect to a new obligation, duty, or disability imposed upon sexual offenders
		CRIMINAL PROCEDURE
SB 445	Goodman	Establishes the Joint Committee on the Missouri Criminal Code
SB 680	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances incorporate statutory justifications
HCS SB 690		Modifies provisions related to public safety
SCS SB 699		Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
SB 720	Kehoe	Requires defendants in counties with prisons that have average populations of 1,000 or more to follow certain procedures for obtaining a change in venue
SB 872	Justus	Modifies provisions relating to criminal law
SB 903	Lamping	Provides the process for disposition of dogs involved in the crime of dog fighting
SCR 28	Mayer	Establishes the Joint Committee on the Missouri Criminal Code to study the state's criminal laws
SS SCS SJR 40		Amends the constitution to modify the ban on retrospective laws
HB 1067		Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 1067		Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 1127		Requires certain specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 1185		Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 1253		Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs

No.	Author	Subject
HB 1285		Specifies that any person who uses a device to read electric usage off of a meter without the homeowner's consent will be guilty of class D felony
HB 1289		Prevents the use of electronic records from a smart meter as evidence in a criminal prosecution and imposes a civil penalty on a utility for transferring these records to anyone for any purpose
HB 1322		Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process for certain offenders
HB 1330		Lowers the population requirement of a Department of Corrections center in the county in determining the procedure to obtain a change of venue for a misdemeanor or felony
HCS#2 HB 1344		Authorizes a person to apply to a court for the closure of certain criminal records
HB 1368		Allows certain types of field tests for controlled substances to be admissible as evidence in certain preliminary hearings and in an application for an arrest warrant
HB 1420		Establishes a commission on the death penalty and places a moratorium on all executions until January 1, 2015
HB 1422		Revises the laws regarding DNA profiling analysis
HB 1505		Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity as Evidence Law and specifies what documents are not excluded by the hearsay rule of evidence
HB 1520		Repeals the provisions which allow for the use of the death penalty and specifies that certain persons sentenced to death must be sentenced to life without eligibility for parole
HB 1553		Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HB 1599		Changes the criteria for determining that the sentence for first degree murder will be life imprisonment without eligibility for parole instead of the death penalty
HB 1624		Changes the laws regarding clemency in death penalty cases
HB 1625		Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty case
HB 1761		Removes the 10-year statute of limitation for certain actions to recover damages regarding child abuse and sexual offenses committed against a child
HB 1790		Changes the laws regarding the court admissibility of the hearsay statement of a child
HB 1799		Requires all custodial interrogations to be recorded by removing the current exemption when it is not feasible
HB 1817		Specifies that the provisions regarding the Sentencing Advisory Commission cannot be construed to allow the commission to recommend a sentence in a specific pending court case
HB 1896		Changes the laws regarding sexual offenses
HB 1907		Changes the laws regarding vulnerable persons, child abuse and neglect, and the crime of domestic assault
HB 1929		Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1966		Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity and specifies what documents are not excluded by any hearsay rule
HJR 83		Proposes a constitutional amendment allowing a law to be retrospective in its operation with respect to a new obligation, duty, or disability imposed upon sexual offenders
		DAIRIES AND DAIRY PRODUCTS
SB 841	Ridgeway	Allows farmers to sell up to 100 gallons of raw milk or cream per day at farmers markets

No.	Author	Subject
		DENTISTS
SB 750	Schmitt	Modifies provisions relating to advertisements by health care providers and delegation of authority
HB 1050		Prohibits any contract between a health carrier or health benefit plan and a dentist or optometrist from requiring a fee schedule established by the insurer if the services are not covered under the plan
HB 1078		Authorizes the MO HealthNet Division to implement a statewide dental delivery system to ensure recipient participation and access to providers of dental services under MO HealthNet
		DISABILITIES
SB 449	Rupp	Requires the Department of Mental Health to develop a transition plan for services of residents of state developmental disabilities facilities to the most appropriate setting
SB 453	Cunningham	Establishes damage caps for Human Rights Act cases and workers' compensation discrimination cases
SB 481	Stouffer	Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program
SCS SB 548		Modifies certain tax credit programs
SS SCS SB 689		Modifies provisions relating to crimes committed against the elderly and disabled
SB 708	Wasson	Extends the sunset on the residential dwelling accessibility tax credit and modifies the allocation of tax credit cap from another tax credit program to this program
SCS SB 809		Modifies provisions relating to public accommodations and service dogs for persons with mental disabilities
HCS SS SB 854		Modifies provisions relating to home- and community-based care
HB 1077		Requires the Department of Mental Health to develop a transition plan for services to a resident of a state developmental disabilities facility to the most appropriate and least restrictive living setting
HB 1079		Allows the State Registrar to issue a heritage birth certificate
SCS HB 1104		Changes the laws regarding elections by requiring a voter to provide photo identification
HB 1172		Changes the laws regarding the Residential Treatment Agency Tax Credit Program and establishes the Developmental Disability Care Provider Tax Credit Program
HB 1200		Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
HB 1265		Establishes the Veteran Workforce Act which requires the Office of Administration to develop rules and regulations ensuring a uniform hiring preference for veterans, disabled veterans, and their spouses
SCS HCS HB 1278 & 1152		Changes the laws regarding certain tax credits and establishes the Developmental Disability Care Provider Tax Credit Program
HB 1313		Limits the increase in assessed valuation of residential property by the percentage of increase in the Social Security benefits for the elderly and disabled who own and live in their principal residence
HB 1403		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 1410		Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 1413		Changes the laws regarding injury or death to a service dog and harassing a service dog
HB 1414		Removes the provision limiting the annual surcharge paid by employers to the Second Injury Fund to 3% of the employer's workers' compensation net deposits, premiums, or assessments

No.	Author	Subject
HB 1432		Adds professional therapy dog to the definition of "service dog" as it relates to crimes against these animals or crimes of impersonating a disabled person
HB 1436		Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 1445		Changes the funding mechanism for the tax credit for residential renovations for disability access and extends its expiration from December 31, 2013, to December 31, 2016
HB 1545		Designates December 4 of each year as "PKS Day" in Missouri for awareness and educational activities regarding Pallister-Killian Syndrome
HB 1564		Specifies that any personal identifying information that is utilized in a voluntary registry of persons with health-related ailments to assist them during an emergency is not considered a public record
HB 1577		Requires schools to implement specified criteria regarding the enrollment and educational success of foster care children
HB 1636		Allows certain cities, town, and villages to elect to have only certain municipal ordinance violations heard by an associate circuit court or county municipal court
HB 1684		Specifies that a person who is permanently disabled, regardless of age, is not required to provide a physician's statement when renewing a disabled license plate or windshield placard
HB 1704		Requires a health insurance carrier to provide coverage for the initial device deemed necessary to treat a newborn who has been screened and assessed for a hearing impairment
HB 1712		Establishes a telephone tracking system pilot project for in-home services providers in Jackson, Cass, and Clay counties
HCS HB 1738		Changes the laws regarding accessible parking
HCS HB 1794		Clarifies the definition of "employment" as it relates to employment security laws regarding in-home or community-based services for clients of a county board for developmental disability services
HB 1808		Repeals the provision prohibiting the operation of certain vehicles transporting passengers in intrastate and interstate commerce unless the vehicle is equipped and operated according to federal regulations
HB 1831		Prohibits spanking from being used in a public school on any student with an individualized education plan receiving special education services
HB 1835		Removes the exemption from sales tax on the sales of newspaper supplies and equipment and requires that revenue to be used to pay for health care costs of certain blind individuals
SS SCS HCS HB 1854		Changes the laws regarding services for individuals
HB 1870		Specifies that by January 1, 2014, the official ballot will be a paper ballot and requires all voting methods to produce the election results from paper ballots
HB 1881		Changes the laws regarding the Second Injury Fund
HB 1886		Requires the Department of Elementary and Secondary Education to establish a work group to assess available resources needed for effective work experiences for youth with disabilities
HB 1887		Prohibits a sheltered workshop's board of directors from holding in reserve any general operating moneys in excess of one year's estimated annual general operating costs with specified exceptions
HB 1888		Establishes the Office of Protection and Advocacy for Persons with Disabilities within the Office of Administration to protect the rights of individuals with disabilities and developmentally disabled persons
HB 1901		Requires each polling place for a federal, state, local, or school district election to have at least one accessible voting system that conforms to federal regulations for disabled voters
HB 1902		Establishes the Purchasing from Disabilities Advisory Board regarding the procurement of goods and services by state agencies from persons who are disabled or have a disability

No.	Author	Subject
HB 1907		Changes the laws regarding vulnerable persons, child abuse and neglect, and the crime of domestic assault
HB 1913		Requires the words "Allow 8' For Lift Deployment" to be added to van accessible parking signs
HB 1914		Changes the laws regarding child support for higher education
HB 2078		Requires the Children's Division to establish rules to modify the income eligibility criteria for individuals receiving a child care subsidy benefit
HCR 42		Endorses the "Deaf and Hard of Hearing Children's Bill of Rights"
HJR 76		Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability
HJR 81		Proposes a constitutional amendment exempting from taxation all real and personal property of any citizen with a total service-connected disability or the surviving spouse if he or she has not remarried
		DOMESTIC RELATIONS
SB 521	Curls	Requires a non-custodial parent to pay child support until the child reaches 22 years of age instead of 21 years of age
SB 587	Chappelle-Nadal	Allows school districts and charter schools to establish and implement an age-appropriate curriculum to educate students about domestic violence
CCS HCS SB 628		Modifies provisions relating to the judiciary
HCS SB 690		Modifies provisions related to public safety
SB 731	Brown	Establishes procedures to follow in child custody and visitation cases for military personnel
SB 863	Wright-Jones	Requires parents to file parenting plans after paternity has been established in court
SB 871	Lamping	Modifies provisions relating to domestic violence
SB 872	Justus	Modifies provisions relating to criminal law
HB 1079		Allows the State Registrar to issue a heritage birth certificate
HB 1088		Requires a checklist form to be completed prior to finalizing an adoption which verifies that all documents and procedures have been submitted, followed, and reviewed by the judge
HB 1102		Requires any person who observes a child being subjected to sexual abuse to immediately report or cause a report to be made to the Children's Division
HCS HB 1137		Changes the laws regarding adoptions
HB 1165		Changes the requirements for qualified spousal trusts to allow the trust to consist of both property held in one trust for both spouses and property held in two shares on one trust for each spouse
HB 1167		Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period
HB 1208		Specifies that the termination of parental rights in the case of rape cannot extinguish or bar the ordering or enforcement of a child support obligation for a child born as a result of the rape
HCS HB 1220		Requires the Department of Corrections to establish a two-year pilot project to increase the access that children have to their incarcerated mothers
HCS HB 1258, 1259, & 1260		Changes the laws regarding the acknowledgment of paternity and consent to an adoption
HB 1288		Requires the Missouri Supreme Court to establish by rule the specific language to be included in all child support orders detailing the specific rights and obligations of the parents and the child
HB 1296		Establishes the custody and visitation rights of a deploying military parent

No.	Author	Subject
HCS#2 HB 1344		Authorizes a person to apply to a court for the closure of certain criminal records
HB 1350		Establishes Nathan's Law which changes the laws regarding child care facilities
HB 1384		Changes the laws regarding consent to the adoption of a child
HB 1390		Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance
HB 1437		Changes the laws regarding domestic violence
HB 1491		Requires a mandatory reporter of child abuse and neglect to make a report and removes the option of causing a report to be made
HB 1559		Increases, from no later than 15 days to no later than 60 days, after a child's birth that the father has to file an action to establish paternity prior to an adoption or file with Putative Father Registry
HB 1565		Requires mandatory reporters of child abuse to report when they are working or acting in their official capacity and allows them to report when they are not
HCS HB 1568		Changes the laws regarding the disclosure of certain foster care licensure information and the provisions regarding the Safe Place for Newborns Act
HB 1588		Changes the laws regarding the notice of the relocation of a child by the custodial parent
HB 1598		Changes the criteria for domestic assault in the third degree to include three responses by law enforcement for alleged abuse or violation of an order of protection by the same person
HB 1631		Allows any public school to offer dating abuse information in its health curriculum in grades seven through twelve
HB 1650		Allows each school district or charter school to establish and implement an age-appropriate curriculum to educate students about domestic violence
HB 1690		Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport
SCS HCS HB 1758		Changes the laws regarding child custody, visitation rights, and adoption
HB 1792		Requires each school district to adopt a policy on how student records and communications are provided to parents who have joint legal or physical custody of a student
HB 1822		Changes the laws regarding domestic violence orders of protection
HB 1994		Allows prospective adoptive parents and the parents of a prospective adoptee to enter into a post adoption contract agreement to allow contact between the former parents and the adoptee
		DRAINAGE AND LEVEE DISTRICTS
SCR 15	Dempsey	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SCR 16	Stouffer	Urges the U.S. Army Corps of Engineers to modify its river management protocol to make flood control a top priority
SCR 25	Mayer	Urges the federal government to manage the Mississippi River to protect against devastating flood events
HCR 31		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
		DRUGS AND CONTROLLED SUBSTANCES
SB 446	Goodman	Specifies that drug courts may be funded by the county law enforcement restitution fund
SB 545	Chappelle-Nadal	Requires certain public officials and certain staff members of the executive branch and legislature to submit to drug tests

No.	Author	Subject
CCS HCS SB 628		Modifies provisions relating to the judiciary
SB 646	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants
SB 658	Rupp	Enacts provisions regarding safety procedures for the use of abortion-inducing drugs
SB 679	Dixon	Modifies the laws relating to advanced practice registered nurses and collaborative practice arrangements
HCS SB 690		Modifies provisions related to public safety
SS#3 SCS SB 710		Establishes a Prescription Drug Monitoring Program and modifies other provisions relating to controlled substances
SB 732	Curls	Makes the punishment for trafficking cocaine the same regardless of whether the substance is powder or crack
SB 768	Kraus	Authorizes circuit courts to create veterans treatment courts
SB 772	Brown	Enacts provisions regarding the prescribing and administering of abortion-inducing drugs
SB 785	Parson	Modifies provisions relating to the dispensation of controlled substances
SB 872	Justus	Modifies provisions relating to criminal law
HB 1070		Allows a pharmacy to sell, purchase, or trade legend drugs to other retail pharmacies or authorized licensed practitioners under certain conditions
HB 1075		Prohibits a licensed pharmacy from being required to carry or maintain in inventory any specific prescription or nonprescription drug or device
HCS HB 1110		Allows a circuit court to establish a veterans treatment court to dispose of criminal cases which stem from substance abuse or mental illness of military veterans or current military personnel
HB 1122		Establishes the Prescription Drug Monitoring Program Act to monitor the prescribing and dispensing of controlled substances
HB 1149		Requires an applicant taking the written portion of the driver's license examination to pay a $10 fee
HB 1158		Requires a health benefit plan to establish equal out-of-pocket requirements for an oral anticancer medication and an intravenously administered cancer medication
HB 1188		Allows a school nurse or other trained employee to administer asthma-related rescue medication to a student experiencing an asthma attack
SCS HCS HB 1193		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding the prescribing and dispensing of controlled substances
HB 1225		Requires members of the General Assembly to be subject to random drug testing during the legislative session
HB 1238		Specifies that certain felons must be eligible for food stamp program benefits
HCS HB 1256		Changes the laws regarding judicial procedures
HCS HB 1274		Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HCS HB 1328		Changes the laws regarding the sale and possession of controlled substances
HB 1368		Allows certain types of field tests for controlled substances to be admissible as evidence in certain preliminary hearings and in an application for an arrest warrant
HB 1372		Changes the laws regarding the dispensing of controlled substances and establishes the Prescription Drug Monitoring Program Act
HB 1421		Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions

No.	Author	Subject
HB 1426		Specifies that a person commits the crime of unlawful use of weapons if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance
HB 1439		Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 1450		Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers
HB 1506		Requires a health benefit plan to establish equal out-of-pocket requirements for an orally administered anti-cancer medication and an intravenously administered or injected cancer medication
SS SCS HCS HB 1563		Changes the laws regarding healthcare services
HB 1581		Requires all health carriers and health benefit plans providing prescription drug coverage to allow insureds to fill a mail order prescription at a participating in-network retail pharmacy
HB 1614		Requires at least 10% of any drug testing of violent offenders placed on probation, parole, or conditional release to be completed by the use of hair follicle testing
HB 1699		Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HB 1787		Requires every merchant to develop and maintain a list of suppliers for each product it sells and provide it to any law or drug enforcement officer or agency upon request
HB 1894		Changes the laws regarding the crime of trafficking drugs in the first and second degrees
HB 1952		Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from Schedule IV and V controlled substances to Schedule III requiring a prescription
HB 1987		Changes the laws regarding mental health screenings in schools and establishes the Administration of Psychotropic Medications to Children Act
HB 1996		Changes the laws regarding collaborative practice arrangements between physicians and advanced practice registered nurses
		DRUNK DRIVING/BOATING
SB 559	Curls	Allows petitions for expungement of certain criminal records
HCS SCS SB 648		Modifies law on temporary instruction permits, towing companies, and use of ignition interlock devices by drunk drivers
SB 893	Kraus	Requires certain offenders to undergo criminal history checks in order to have their driver's licenses reinstated or have limited driving privileges granted
HCS#2 HB 1344		Authorizes a person to apply to a court for the closure of certain criminal records
CCR CCS SS SCS HCS HB 1402		Changes the laws regarding transportation
HB 1551		Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 1884		Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving while intoxicated offense
HB 1992		Specifies that a person commits the offense of refusing to submit to a chemical test when he or she refuses a law enforcement officer's request for a chemical test for blood alcohol content
HB 2063		Requires the Department of Revenue to issue a special driver's license to a person required to use an ignition interlock device

No.	Author	Subject
		EASEMENTS AND CONVEYANCES
SB 555	Curls	Regulates certain contracts for the sale of residential real estate
HCS SCS SB 562		Modifies provisions relating to the transfer of property by certain state universities
HCS SCS SB 563		Modifies provisions relating to higher education
HCS SB 578		Modifies provisions relating to property owned by the state
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SB 811	Dixon	Authorizes the Board of Governors of Missouri State University to convey certain real property to the City of Springfield
HB 1041		Authorizes the governing board of any state university to convey or transfer real property, except in fee simple, without an authorizing act of the General Assembly through August 28, 2017
HCS#2 HB 1213		Changes the laws regarding the Bi-State Development Agency, vacation leave for state employees, Department of Revenue fee offices, advisory board association, and conveyance of state property
HCS HB 1325		Authorizes the Governor to vacate an existing easement and to grant a new easement on and over certain state-owned property for the construction of a fire station in the City of Sedalia
HCS HB 1361		Allows telecommunications and broadband service providers or rural electric cooperatives to attach, maintain, and operate their equipment on another's pole under specified terms and conditions
HCS#2 HB 1524		Specifies that the owners of property abutting a private road in the absence of any other agreement may petition the court to establish a plan of maintenance or improvement
HB 1590		Authorizes the conveyance of specified properties owned by the state to the State Highways and Transportation Commission
SS SCS HB 1820		Authorizes the Governor to convey specified state properties
HB 1836		Authorizes the Governor to convey state property located in the City of Macon to the State Highways and Transportation Commission
HB 2070		Changes the laws regarding mechanic's liens on residential real property
		ECONOMIC DEVELOPMENT
SB 436	Crowell	Subjects all state tax credits to appropriation
SB 458	Wright-Jones	Creates the Green Jobs-Green Missouri Act
SB 493	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight
SB 509	Wright-Jones	Allows the governing body of St. Louis City to grant tax relief to certain properties to alleviate blight
SB 513	Crowell	Prohibits the approval of new applications under the Missouri Downtown Economic Stimulus Act after August 28, 2012
SB 533	Schaaf	Allows for certain projects creating ten or more new full-time jobs to not have to obtain a certificate of need
SB 541	Chappelle-Nadal	Prohibits a workforce development agency from knowingly omitting from any bidding process an entity with whom it has a contract
SCS SB 548		Modifies certain tax credit programs
SCS SBs 588 & 585		Creates a tax credit to attract sporting events to the state

No.	Author	Subject
SB 598	Dempsey	Modifies provisions related to tax increment financing so that school districts and library districts are reimbursed for tax revenue the districts would have received
SB 662	Schmitt	Requires all tax credit programs created on or after August 28, 2012 to comply with the Tax Credit Accountability Act of 2004
SB 691	Engler	Expands eligibility and increases benefits for suppliers of automobile manufacturers under the Manufacturing Jobs Program
HCS SB 721		Modifies provisions of the tax increment financing law and authorizes the imposition of a transient guest tax for the city of Liberty
SB 724	Crowell	Prohibits the authorization of tax credit applications until the state agency finds that the applicant remedied delinquent taxes
SB 725	Crowell	Prohibits a municipality from adopting a redevelopment plan involving tax increment financing without a finding that the developer does not owe delinquent taxes
SB 733	Richard	Revises statutes concerning the Missouri Science and Reinvestment Act and related statutes
SB 734	Richard	Establishes the Missouri Works Training Program
SB 777	Richard	Modifies the requirements of tax increment financing laws for certain redevelopment projects located in areas affected by certain natural disasters
SB 783	Curls	Modifies provisions of the Distressed Areas Land Assemblage Tax Credit
SB 790	Crowell	Prohibits the Department of Revenue from redeeming certain tax credits until after June 30, 2013
SB 794	Schmitt	Establishes the Missouri Works program that provides tax incentives for qualifying companies
SB 796	Justus	Repeals provision making changes enacted by Senate Bill 7 (1st Ext. Sess. 2011) contingent on the passage of another act
SB 845	Keaveny	Allows a city that adopts or has already adopted a local option economic development sales tax to increase the number of members on the economic development tax board
SB 901	Lembke	Modifies the requirements for a county, city, town, or village to issue revenue bonds and the ability of industrial development corporations to issue bonds
SCS SB 906		Prohibits certain taxpayers from receiving benefits under certain programs administered by the Department of Economic Development
SCR 14	Stouffer	Restates the mission of the Missouri-Israel Cooperative Agreement
SCS SCR 17		Urges the use of the slogan "The Great Rivers State" by the State of Missouri
SCR 20	Rupp	Authorizes the Department of Economic Development to approve certain investments under the New Markets Development Program
HB 1061		Specifies that an employee of the Department of Economic Development will be guilty of a class D felony if he or she authorizes, allocates, or recommends the issuance of bonds without all documentation
HB 1164		Changes the job retention provisions in the Missouri Quality Jobs Act
HCS HB 1214		Establishes the Missouri Entrepreneur Resource Virtual Network to provide resources for the development of businesses
HB 1243		Requires the Department of Economic Development to establish the MO Jobs Training Program
HB 1244		Allows a governmental entity to engage in projects involving a technology business facility used for specified purposes
HCS HB 1245		Changes the laws regarding tax credits and the Missouri Quality Jobs Act
HB 1246		Changes the laws regarding municipal technology business facility projects, the MO Jobs Training Program, and the Missouri Quality Jobs Act
HCS HB 1311		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities

No.	Author	Subject
HCS HB 1370		Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 1431		Extends the expiration of the provisions regarding the sales tax exemption on the sale of aviation jet fuel and authorizes the City of Columbia to impose a transient guest tax
HCS HB 1449		Prohibits the use of economic incentives to attract jobs from Kansas to Missouri if Kansas does likewise or requires Missouri to exceed Kansas's economic development funding in the metropolitan area
HB 1455		Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development
HB 1466		Establishes the Math and Science Tutoring Act which establishes a pilot program for tutoring certain students in any St. Louis City public school
HCS HB 1476		Establishes the Freight Forwarders Incentive Act to encourage foreign trade through the Lambert-St. Louis International Airport
HB 1554		Establishes the Economic Development Grant Program to be used to reopen a closed manufacturing factory
HB 1571		Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 1592		Changes the laws regarding county collectors and a county's special road and bridge levy and establishes the STAR Bonds Financing Act
HB 1593		Changes the laws regarding the Missouri New Markets Development Program and establishes the Missouri Angel Investment Incentive Act
HCS HB 1623		Changes the laws regarding the membership of a city economic development tax board
HB 1657		Prohibits a state agency from awarding a state contract to a contractor or subcontractor who performs the work outside of the United States
HB 1660		Allows for the establishment of an urban agriculture zone
HCS HB 1661		Changes the laws regarding the income tax deduction for job creation by small businesses
HB 1693		Changes the laws regarding the approval of a redevelopment plan involving tax increment financing in St. Louis County, St. Charles County, and Jefferson County and its cities, towns, and villages
HCS HB 1709		Establishes the Missouri Works Program
HCS HB 1710		Changes the laws regarding tax credits and requires the Department of Economic Development to establish the Missouri Works Training Program
HB 1728		Establishes the Missouri Jobs for Education Program
HB 1772		Specifies that the Department of Economic Development must require applicants for economic development assistance to provide specified information
HB 1774		Requires to the Department of Economic Development to develop a system to apprise local governments of the department's opinion on certain proposals for economic development incentives
HB 1775		Requires the Department of Economic Development to share its information on a company seeking economic development incentives with local governments and economic development officials
HB 1777		Requires any new consulting contract for services in a foreign country to contain a provision that the consultant refrain from representing companies from that country in certain negotiations
HB 1779		Authorizes tax increment financing in certain blighted areas that have sustained severe damage as the result of a natural disaster
HB 1798		Authorizes a tax credit for the cost of labor and materials to construct or improve a data center
HB 1823		Prohibits specified companies from benefitting from a tax increment financing project

No.	Author	Subject
SS SCS HCS HB 1865		Changes the laws regarding economic development incentives
HB 1956		Requires a tax increment financing plan, project, designation, or amendment to be approved by at least two-thirds of the voters of the taxing entities that would be affected by the proposal
HB 1999		Changes the laws regarding the Missouri Science and Innovation Reinvestment Act
HB 2033		Specifies that no finding of blight under Chapter 135, RSMo, can be used to meet the conditions for blight under any other state statute
HB 2034		Changes the definition of "blighted area" as it relates to an enhanced enterprise zone to include areas that are identified as distressed by specified federal designations
HB 2041		Specifies that certain companies that provide telecommunications infrastructure will be eligible for linked deposit loans and authorizes a tax credit for the cost of Internet broadband equipment
HB 2044		Establishes the Incentives Regionalization Act to provide economic incentives to induce employers to relocate from Kansas to Missouri or from Missouri to Kansas
HB 2107		Changes the laws regarding blighted areas and eminent domain
HCR 36		Reaffirms economic development projects of mutual benefit between the United States and Israel
		ECONOMIC DEVELOPMENT DEPT.
SB 436	Crowell	Subjects all state tax credits to appropriation
SCS SB 451		Modifies provisions relating to school operations
SB 458	Wright-Jones	Creates the Green Jobs-Green Missouri Act
SB 513	Crowell	Prohibits the approval of new applications under the Missouri Downtown Economic Stimulus Act after August 28, 2012
SCS SB 548		Modifies certain tax credit programs
SB 583	Wright-Jones	Allows employers to retain withholding taxes up to the amount spent on educational benefits for employees and unpaid interns or up to the amount spent on less than a year of job training for employees
SCS SB 584		Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
SB 691	Engler	Expands eligibility and increases benefits for suppliers of automobile manufacturers under the Manufacturing Jobs Program
SB 702	Pearce	Renames the Heroes at Homes program the Show-Me Heroes program and modifies the provisions relating to it
SCS SB 706		Modifies provisions relating to school operations
SB 734	Richard	Establishes the Missouri Works Training Program
SB 777	Richard	Modifies the requirements of tax increment financing laws for certain redevelopment projects located in areas affected by certain natural disasters
SB 783	Curls	Modifies provisions of the Distressed Areas Land Assemblage Tax Credit
SB 794	Schmitt	Establishes the Missouri Works program that provides tax incentives for qualifying companies
SB 838	Richard	Modifies provisions relating to funding for site remediation in certain municipal areas
SB 867	Lembke	Categorizes site consultants as executive lobbyists
SB 869	Kehoe	Modifies provisions pertaining to the Public Service Commission, Office of Public Counsel, and nuclear plant development cost recovery

No.	Author	Subject
SCS SB 906		Prohibits certain taxpayers from receiving benefits under certain programs administered by the Department of Economic Development
SCR 20	Rupp	Authorizes the Department of Economic Development to approve certain investments under the New Markets Development Program
HB 1061		Specifies that an employee of the Department of Economic Development will be guilty of a class D felony if he or she authorizes, allocates, or recommends the issuance of bonds without all documentation
HCS HB 1117		Establishes the Missouri and Midwest Rail Integration and Improvement Commission Act and the Missouri and Midwest Rail Integration and Improvement Commission
HB 1164		Changes the job retention provisions in the Missouri Quality Jobs Act
HB 1243		Requires the Department of Economic Development to establish the MO Jobs Training Program
HB 1244		Allows a governmental entity to engage in projects involving a technology business facility used for specified purposes
HCS HB 1245		Changes the laws regarding tax credits and the Missouri Quality Jobs Act
HB 1246		Changes the laws regarding municipal technology business facility projects, the MO Jobs Training Program, and the Missouri Quality Jobs Act
HCS HB 1370		Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 1455		Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development
HB 1466		Establishes the Math and Science Tutoring Act which establishes a pilot program for tutoring certain students in any St. Louis City public school
HB 1554		Establishes the Economic Development Grant Program to be used to reopen a closed manufacturing factory
HB 1571		Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 1593		Changes the laws regarding the Missouri New Markets Development Program and establishes the Missouri Angel Investment Incentive Act
HB 1660		Allows for the establishment of an urban agriculture zone
HB 1680		Changes the name of the Heroes at Home Program to the Show-Me Heroes Program and adds spouses of active duty United States military personnel to those eligible to receive its services
HB 1706		Changes the laws regarding contract carriers that transport railroad employees, tools, and supplies
HCS HB 1709		Establishes the Missouri Works Program
HCS HB 1710		Changes the laws regarding tax credits and requires the Department of Economic Development to establish the Missouri Works Training Program
HCS HB 1723 & 1130		Changes the laws regarding the Distressed Areas Land Assemblage Tax Credit
HB 1728		Establishes the Missouri Jobs for Education Program
HB 1772		Specifies that the Department of Economic Development must require applicants for economic development assistance to provide specified information
HB 1774		Requires to the Department of Economic Development to develop a system to apprise local governments of the department's opinion on certain proposals for economic development incentives
HB 1775		Requires the Department of Economic Development to share its information on a company seeking economic development incentives with local governments and economic development officials
HB 1777		Requires any new consulting contract for services in a foreign country to contain a provision that the consultant refrain from representing companies from that country in certain negotiations

No.	Author	Subject
HB 1779		Authorizes tax increment financing in certain blighted areas that have sustained severe damage as the result of a natural disaster
HB 1793		Establishes the Missouri International Agriculture Exchange website to allow Missouri agricultural producers to market Missouri-produced goods to international buyers
HB 1823		Prohibits specified companies from benefitting from a tax increment financing project
SS SCS HCS HB 1865		Changes the laws regarding economic development incentives
HCS HB 1900		Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act
HB 1985		Changes the laws regarding the Historic Structures Rehabilitation Tax Credit
HB 2033		Specifies that no finding of blight under Chapter 135, RSMo, can be used to meet the conditions for blight under any other state statute
HB 2034		Changes the definition of "blighted area" as it relates to an enhanced enterprise zone to include areas that are identified as distressed by specified federal designations
HB 2044		Establishes the Incentives Regionalization Act to provide economic incentives to induce employers to relocate from Kansas to Missouri or from Missouri to Kansas
HCR 23		Grants authority to the Department of Economic Development to approve qualified equity investments
		EDUCATION, ELEMENTARY AND SECONDARY
SB 434	Callahan	Modifies procedures for changes in school district boundary lines
SB 450	Rupp	Modifies the length of school board terms for certain school districts that became urban districts because of the 2010 census
SCS SB 451		Modifies provisions relating to school operations
SB 452	Cunningham	Allows a pupil to enroll in an adjoining school district if the student's residence is located closer to a school in the adjoining district or in cases of transportation hardship
SB 454	Pearce	Modifies the elementary and secondary education funding formula
SB 456	Pearce	Establishes procedures for the transfer of students from an unaccredited school district to an accredited school district in the same or an adjoining county
SB 460	Wright-Jones	Requires kindergarten attendance at the start of the school year for children who turn age five at any time during the calendar year
SB 483	Rupp	Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early
SB 501	Wright-Jones	Creates the Council on Digital Inclusion
SB 503	Wright-Jones	Allows the Special Administrative Board governing the St. Louis City School District to sponsor charter schools under certain circumstances
SB 527	Schaaf	Provides that home school students will receive the same consideration as non-home school students for purposes of higher education financial aid
SB 543	Chappelle-Nadal	Modifies provisions relating to elementary and secondary education
SB 549	Lembke	Modifies how school districts maintain vacant or unused school buildings
HCS SCS SB 563		Modifies provisions relating to higher education
SS SCS SB 576		Modifies provisions relating to charter schools
SB 581	Callahan	Modifies provisions relating to school district boundary line changes, school accreditation, and employment of retired teachers under certain circumstances

No.	Author	Subject
SB 587	Chappelle-Nadal	Allows school districts and charter schools to establish and implement an age-appropriate curriculum to educate students about domestic violence
SB 590	Kraus	Modifies the law relating to unlawfully present aliens
HCS SS SCS SB 595		Transfers the administration of special education due process hearings from the State Board of Education to the Administrative Hearing Commission
SB 598	Dempsey	Modifies provisions related to tax increment financing so that school districts and library districts are reimbursed for tax revenue the districts would have received
CCS SB 599		Modifies provisions relating to education
SB 601	Lembke	Modifies provisions relating to school personnel
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
CCS HCS SCS SB 635		Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
SB 641	Pearce	Repeals the June 30, 2012 sunset clause for the Children's Vision Examination Program
SB 643	Keaveny	Requires children in the St. Louis City School District and Kansas City School District to attend school at age five
SB 649	Ridgeway	Reauthorizes and revises the Children's Vision Examination Program and Commission
SB 654	Lager	Requires the school board of each school district and charter school to establish an evaluation system for teachers and teaching
SS SCS SB 677		Modifies provisions relating to school accreditation for failing school districts
SCS SB 706		Modifies provisions relating to school operations
HCS SCS SB 726		Modifies provisions relating to financial transactions
SB 735	Nieves	Allows students to enroll in another school district or charter school for purposes of attending virtual courses or programs
SB 737	Engler	Restricts the Department of Elementary and Secondary Education from including certain data from neglected children and delinquent children in the aggregate data of a school district
SB 751	Schaaf	Allows school districts to adopt an eight-hour school day
SB 762	Keaveny	Modifies provisions relating to alternative educational procedures for charter schools
SB 793	Munzlinger	Modifies how funds from the lottery and the Gaming Commission Fund are distributed
SB 797	Justus	Requires the Department of Elementary and Secondary Education to establish a voluntary prekindergarten program
SB 799	Justus	Changes the requirements for school anti-bullying policies
SB 800	Justus	Modifies provisions relating to sexual education
SB 802	Justus	Requires school districts to contract with other agencies or entities for the provision of alternative education services for certain disruptive students
SS#2 SCS SB 806		Modifies the teacher tenure systems
SB 839	Lembke	Exempts certain school districts governed by a special administrative board from having to pay tuition and transportation for students who attend an accredited school under certain circumstances
SCS SB 842		Modifies the Public School Retirement System of Missouri and the Public Education Employee Retirement System of Missouri
SB 895	Curls	Modifies provisions relating to school districts classified as provisionally accredited or unaccredited by the State Board of Education

No.	Author	Subject
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SCS SJR 47		Removes a portion of the Missouri Constitution that prohibits distribution of public funds to religious organizations
SCS HB 1036		Changes the laws regarding elections
HB 1043		Changes the laws regarding the elementary and secondary school education funding formula
HB 1048		Specifies that any district that becomes an urban school district as the result of the 2010 census will continue to have the same number of board members and hold elections on its current schedule
SCS HCS HB 1049		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy
HB 1053		Establishes the Disaster Area Construction Act which exempts certain construction work done for a school district or a county, city, town, or village from the prevailing wage if it is in a disaster area
HB 1062		Requires a school district to include in its annual school accountability report card whether it has a state-approved gifted education program or services and the number of students served
CCR SS SCS HB 1073 AND HCS HB 1477		Changes the criteria for the exclusion of certain manufacturers and processors from the definition of "grain dealer" as it applies to the Missouri Grain Dealer Law
HB 1091		Requires a school district to exempt itself from the prevailing hourly wage for work done on behalf of a school located in a Governor-declared disaster area
HB 1109		Prohibits any state or local governmental entity or public building, place, or setting from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HB 1133		Authorizes an income tax deduction for educational expenses for educating a dependent enrolled in a public, private, or parochial elementary or secondary school or home school
SCS HCS HB 1140		Requires the Office of Administration to maintain public school and municipal and county government accountability information on the Missouri Accountability Portal
HB 1149		Requires an applicant taking the written portion of the driver's license examination to pay a $10 fee
HB 1157		Changes the laws regarding the deadlines for the notification of reemployment and the offering of teacher contracts
HCS HB 1169		Changes the laws regarding the investigation of a report of child abuse that arises from a spanking in a school
SS#2 SCS HCS HB 1174		Changes the laws regarding school accreditation by authorizing the State Board of Education to establish an alternative governing structure for a failing school district
HB 1176		Allows a school district or a county, city, town, or village to exempt itself from the prevailing hourly wage for certain work if it is in a disaster area
HB 1188		Allows a school nurse or other trained employee to administer asthma-related rescue medication to a student experiencing an asthma attack
HB 1206		Allows a student who has been denied the privilege to participate in an interscholastic activity under certain conditions to petition the court for a restraining order prohibiting enforcement of the denial
HB 1217		Changes the laws regarding the lapse of a school district when it has been unaccredited by the State Board of Education for two successive school years
HB 1227		Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
HB 1227		Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design

No.	Author	Subject
HCS HB 1228		Changes the laws regarding charter schools
HB 1250		Changes the laws regarding elections
HB 1262		Requires the State Board of Education to establish a coordinated health program board to develop a program designed to prevent student obesity, cardiovascular disease, and type II diabetes
HB 1270		Designates the third full week in October as Missouri School Bus Safety Week
HB 1273		Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 1276		Requires the State Board of Education and other public school entities to encourage students to explore scientific questions and to assist teaching of scientific theories of biological or chemical evolution
HCS HB 1305		Changes the laws regarding environmental standards
HB 1333		Changes the laws regarding vision examinations for school students
SCS HB 1337		Requires each high school to provide instruction in cardiopulmonary resuscitation and the instruction to be a graduation requirement
HB 1339		Removes the June 30, 2012 expiration date of the provisions requiring every child enrolling in kindergarten or first grade in a public school to receive a comprehensive vision examination
HB 1346		Changes the laws regarding student athlete agents
HB 1348		Allows any public school to offer courses in ballroom, square, or country dance which must be treated as a qualified fine arts and a physical education activity for academic credit
HB 1352		Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 1359		Changes the laws regarding state contracts and statewide student assessment results
HB 1366		Requires the school board of each school district and charter school to establish and maintain an evaluation system for teachers and teaching
HB 1374		Changes the laws regarding school accreditation and establishes a transformational school district upon the second declaration of unaccredited status of certain school districts
HB 1386		Establishes a system for distributing school funding in years when the school funding formula is not fully funded and when it is overfunded
HB 1387		Allows a school district to use a calendar based on hours of attendance, rather than hours and days of attendance, if the minimum number of hours is at least 1,073
HB 1388		Changes the laws regarding teacher tenure
HB 1418		Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 1425		Requires each school district to establish a comprehensive program for student academic progression
HB 1439		Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 1448		Establishes the School Construction Act which exempts construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval
HB 1459		Disqualifies a person from becoming a candidate for a school board if he or she has a substantiated report of child abuse or neglect on the Child Abuse and Neglect Registry
HB 1465		Changes the laws regarding the compulsory school attendance of certain students
HB 1466		Establishes the Math and Science Tutoring Act which establishes a pilot program for tutoring certain students in any St. Louis City public school

No.	Author	Subject
HB 1472		Allows a teacher within the Public School Retirement System of St. Louis to retire when the teacher's age added to the number of years of credited service is not less than 80 instead of 85
HB 1507		Requires the State Board of Education to limit a student's participation in and practice for extracurricular activities to during the school day and week to the extent possible
HCS HB 1515		Changes the laws regarding crimes and criminal procedures
HB 1519		Requires any remaining cash assets of a closed charter school to be returned to the Department of Elementary and Secondary Education
HCS HB 1526		Changes the laws regarding school personnel
HB 1528		Establishes the Intersection Safety Act regarding automated traffic enforcement systems
HB 1539		Establishes the Parent Empowerment and Choice Act or the Parent Trigger Act which allows parents under certain circumstances to invoke interventions for a struggling school
SS SCS HCS HB 1563		Changes the laws regarding healthcare services
HB 1570		Changes the laws regarding early childhood services
HB 1572		Changes the laws regarding bullying in schools
HB 1577		Requires schools to implement specified criteria regarding the enrollment and educational success of foster care children
HB 1595		Establishes the Advisory Council on the Education of Gifted and Talented Children
HB 1596		Requires the State Board of Education to designate a staff member to be in charge of educational programs for gifted and talented children
HB 1597		Changes the laws regarding bullying in schools
HB 1602		Requires a school district to establish a "green" cleaning policy to promote environmentally sensitive cleaning products which meet guidelines of the Department of Elementary and Secondary Education
HB 1604		Establishes class sizes for school districts in St. Louis City and St. Louis County that are smaller than the minimum and desirable standards of the Department of Elementary and Secondary Education
HCS HB 1609		Requires each school district to ensure that every student develops a personal plan of study prior to the end of the student's seventh grade year
HB 1610		Raises the compulsory school attendance age from 17 to 18 in all school districts unless the student has successfully completed 16 credits toward high school graduation
HB 1626		Specifies that any district that becomes an urban school district as the result of a federal census will continue to hold elections on its current schedule
HB 1629		Allows a student to enroll in a school district other than the student's school district of residence for the purpose of attending virtual courses or programs
HB 1631		Allows any public school to offer dating abuse information in its health curriculum in grades seven through twelve
HB 1650		Allows each school district or charter school to establish and implement an age-appropriate curriculum to educate students about domestic violence
HB 1660		Allows for the establishment of an urban agriculture zone
HCS HB 1700		Changes the laws regarding sexual offender registration
HB 1708		Prohibits the State Board of Education from adopting and the implementation of the standards for public schools developed by the Common Core Standards Initiative
SS SCS HCS HB 1731		Changes the laws regarding the use of gaming and tobacco settlement moneys

No.	Author	Subject
HB 1732		Changes the laws regarding the required number of days and hours in a school calendar, the earliest opening and latest closing day of a school year, and the testing window for state assessments
HB 1735		Establishes the Passport Scholarship Program to grant scholarships to students residing in an unaccredited school district to attend a qualified nonpublic school
HB 1736		Changes the laws regarding school operations
HCS HB 1740		Changes the laws regarding school operations
HB 1783		Establishes the Missouri Commission on Prevention and Management of Obesity
SCS HCS HB 1789		Changes the laws regarding travel hardships for public school students
HCS HB 1803		Specifies the requirements for recognition as a certified school social worker
HCS HB 1809		Changes the laws regarding cleaning supplies for state buildings and schools, county building codes, and energy audits of public schools
HB 1819		Specifies that a high risk or alternative charter school may allow a student to obtain credit to satisfy graduation requirements by alternative arrangements in the charter application and charter
HB 1829		Requires the Department of Elementary and Secondary Education to establish a grant program for unaccredited and provisionally accredited districts that commit to extended school time
HB 1830		Changes the laws regarding a student transfer in an unaccredited district that is governed by a special administrative board
HB 1831		Prohibits spanking from being used in a public school on any student with an individualized education plan receiving special education services
HCS HB 1834		Establishes the Extracurricular and Interscholastic Opportunities Anti-Discrimination Act
HB 1843		Requires children in the St. Louis City School District and Kansas City School District to enroll in a school by age five
HB 1876		Requires the establishment of a process by which a student in an unaccredited district who is enrolled in a public school that is not A+ designated can receive reimbursement under the A+ Schools Program
HB 1879		Requires all elementary and high schools to conduct an energy audit and report the results to the Office of Administration
HB 1893		Changes the laws regarding teacher and employee tenure in the City of St. Louis School District
HB 1920		Allows an unaccredited school district to use specified funding for early childhood education and allows for the establishment of a pilot project for awarding teacher credentials in an unaccredited district
HB 1923		Requires a student wanting to drop out of high school to attend a dropout prevention seminar
HB 1927		Requires any school district designated as unaccredited or provisionally accredited to meet certain attendance requirements on its calendar
HB 1930		Increases the number of students the Missouri Preschool Plus Grant Program may serve and expands the list of those who may receive a grant
HB 1932		Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education
HB 1946		Establishes a procedure by which a school district may increase its bonded indebtedness to 20% of the district's assessed valuation rather than the current limit of 15%
HB 1953		Requires the State Board of Education to establish standards for agricultural vocational education that a private school may adopt to qualify to apply for a local chapter of the Future Farmers of America

No.	Author	Subject
HB 1986		Requires the State Board of Education to contract for the analysis of statewide assessment results and requires each district to develop a policy on actions regarding employee tampering of assessment results
HB 1997		Specifies that a school or school district cannot be required to admit any pupil from an unaccredited school district in the same or adjoining county
HB 2036		Prohibits a public school from joining an association that governs interscholastic sports and activities unless the association sanctions the disciplines of archery, pistol, rifle, shotgun, and muzzleloading
HB 2037		Adds to the powers and duties of the special administrative board of the St. Louis City Transitional School District the authority to divide the district into four subdistricts upon voter approval
HB 2039		Allows the State Board of Education to approve one pilot program school for accelerated reading instruction in early childhood and early elementary grades in each district with a charter school
HB 2043		Specifies that no further Kansas City school district board elections will be held after July 1, 2013, and allows certain unaccredited school districts to be administered as a renewed school district
HB 2050		Specifies that a school district will no longer have the authority to contract with a superintendent and requires it to be an elective office with specified exceptions
HB 2051		Prohibits the discussion of sexual orientation in public school instruction, material, or extracurricular activity except in scientific instruction on human reproduction
HB 2053		Changes the laws regarding a school district annexation petition
HB 2054		Changes the laws regarding the Joint Committee on Education's review of the Commissioner of Education's proposed expenditures on statewide areas of critical need for learning and development
HB 2055		Requires the certification of school food service directors and menu planners in public and private schools which receive funding through the federal school lunch program
HB 2068		Prohibits the payment of any professional membership dues of any school administrator or superintendent from the incidental fund or teachers fund of a school district
HB 2079		Changes the laws regarding the structure and conditions for the transitional school district that has the same boundaries as the City of St. Louis
HCR 25		Recognizes the important services provided by professional school nurses and strongly urges school districts to recognize their dedication and valuable role by compensating them as specified
HCR 27		Congratulates the students and teachers of the St. Louis Public Schools for the progress the school district has made toward re-accreditation
HCR 34		Rejects any policies and procedures that would be incumbent on Missouri based on the Common Core Standards Initiative required for participation in Race to the Top
HCR 43		Encourages every school district and school in Missouri to promote and include trap shooting as a high school sport
HCR 51		Recognizes "Whole Child Month" in Missouri and encourages every school to celebrate by identifying at least one of the whole child tenets to promote and encourage during the month of March
HCR 58		Encourages local school districts to educate themselves on the authority they have under state law to develop and implement policies and procedures to address the issues in their school districts
HJR 46		Proposes a constitutional amendment changing the composition of the State Board of Education
HJR 70		Proposes a constitutional amendment eliminating the prohibition on the use of public funds for the benefit of any religious or sectarian educational purpose

No.	Author	Subject
HJR 84		Proposes a constitutional amendment allowing a qualified school district to become indebted in an amount up to an additional 5% above the current 15% of the value of its taxable tangible property
HJR 90		Proposes a constitutional amendment raising the allowable level of bonded indebtedness of a school district from 15% to 20% of the value of the tangible property in the district
		EDUCATION, HIGHER
CCS HCS SB 455		Modifies provisions relating to higher education
SB 482	Stouffer	Increases the statutory award amount for Alzheimer's disease research projects funded by the University of Missouri Board of Curators
SB 483	Rupp	Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early
SB 501	Wright-Jones	Creates the Council on Digital Inclusion
SB 527	Schaaf	Provides that home school students will receive the same consideration as non-home school students for purposes of higher education financial aid
HCS SCS SB 562		Modifies provisions relating to the transfer of property by certain state universities
HCS SCS SB 563		Modifies provisions relating to higher education
SS SCS SB 576		Modifies provisions relating to charter schools
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
HCS SCS SB 655		Creates the Higher Education Capital Fund to provide matching funds to public colleges and universities for capital projects under certain circumstances
SB 672	Brown	Modifies higher education course credit requirements and healthcare-related professional licensure requirements for members of the armed forces
SB 681	Lager	Provides that no more than two of the voting members of the Board of Regents of Northwest Missouri State University may be residents of the same county
SB 747	Schaefer	Modifies the composition of the University of Missouri Board of Curators
SB 801	Justus	Creates the Missouri Tuition Equity Act
SB 811	Dixon	Authorizes the Board of Governors of Missouri State University to convey certain real property to the City of Springfield
SCS SB 865		Allows University of Missouri Extension Councils to form extension districts made up of cooperating counties
HB 1041		Authorizes the governing board of any state university to convey or transfer real property, except in fee simple, without an authorizing act of the General Assembly through August 28, 2017
HB 1192		Changes the laws regarding investment contracts of the Missouri Higher Education Savings Program
HB 1201		Corrects the name of the organization referred to in the provisions regarding the Compact for Education from the Educational Commission of the States to the Education Commission of the States
HB 1216		Increases the maximum annual grant amount that the University of Missouri Board of Curators can award for a research project on Alzheimer's disease and related disorders
HCS HB 1228		Changes the laws regarding charter schools
HB 1229		Specifies that a student at certain institutions of higher education has the right to record public classroom lectures for his or her personal use
HB 1257		Changes the composition of the University of Missouri Board of Curators

No.	Author	Subject
HB 1267		Requires all children over 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri
HB 1297		Changes the laws regarding the professional licensure and certification requirements of current and former military personnel
SS HB 1318		Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health
HB 1346		Changes the laws regarding student athlete agents
HB 1346		Changes the laws regarding student athlete agents
HB 1348		Allows any public school to offer courses in ballroom, square, or country dance which must be treated as a qualified fine arts and a physical education activity for academic credit
HB 1353		Allows the Governor, with the advice and consent of the Senate, to appoint a student to the University of Missouri Board of Curators who will have full voting rights
HB 1418		Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 1446		Authorizes an income tax deduction for 100% of tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college
HB 1467		Requires the Missouri Higher Education Loan Authority to reserve $30 million for loan forgiveness when the state unemployment rate exceeds a certain level in the previous fiscal year
HB 1501		Establishes the Missouri Commission on Workforce Preparedness within the Department of Economic Development to study how higher education is meeting the needs of Missouri employers
HB 1502		Creates the Higher Education Capital Fund to provide matching funds to public colleges and universities for capital projects under certain circumstances
HB 1550		Establishes the Capitalism Education and Awareness Act and the Capitalism Education and Awareness Commission within the Department of Elementary and Secondary Education
SS SCS HCS HB 1563		Changes the laws regarding healthcare services
HB 1579		Requires institutions of higher education to award educational credits to a veteran for certain courses that were a part of his or her military training or service
HB 1587		Requires that one voting member of the University of Missouri Board of Curators be a student
HCS HB 1710		Changes the laws regarding tax credits and requires the Department of Economic Development to establish the Missouri Works Training Program
HCS HB 1722		Changes the laws regarding proprietary schools
HB 1728		Establishes the Missouri Jobs for Education Program
SS SCS HCS HB 1731		Changes the laws regarding the use of gaming and tobacco settlement moneys
HCS HB 1741 & 1543		Changes the laws regarding the death benefit for members of the County Employees' Retirement System and the defined contribution plan for employees of certain higher education institutions
HB 1855		Establishes the Missouri Science, Technology, Engineering and Mathematics Initiative within the Department of Higher Education
HB 1876		Requires the establishment of a process by which a student in an unaccredited district who is enrolled in a public school that is not A+ designated can receive reimbursement under the A+ Schools Program
HB 1891		Establishes minimum standards that a municipality in St. Louis County must meet in the provision of municipal and financial services and reports

No.	Author	Subject
HB 1895		Allows University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming
HB 1911		Establishes the Missouri Advisory Boards and Commissions Association
HB 1914		Changes the laws regarding child support for higher education
HB 1918		Specifies higher education course delivery priorities and the ability of community colleges to offer lower division courses
HB 1925		Prohibits a higher education institution from charging a Missouri resident who is a full-time student a tuition rate that exceeds the amount charged when the student first enrolled for the next five years
HB 1980		Changes the laws regarding property ownership restrictions on community college districts
HJR 68		Proposes a constitutional amendment authorizing state bonding authority for certain higher education capital improvements in the City of St. Louis and St. Louis County
HJR 70		Proposes a constitutional amendment eliminating the prohibition on the use of public funds for the benefit of any religious or sectarian educational purpose
		EDUCATION, PROPRIETARY
CCS HCS SB 455		Modifies provisions relating to higher education
SB 734	Richard	Establishes the Missouri Works Training Program
SCS HCS HB 1042		Changes the laws regarding higher education
HB 1267		Requires all children over 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri
HB 1297		Changes the laws regarding the professional licensure and certification requirements of current and former military personnel
HB 1579		Requires institutions of higher education to award educational credits to a veteran for certain courses that were a part of his or her military training or service
HCS HB 1722		Changes the laws regarding proprietary schools
		ELDERLY
SB 536	Chappelle-Nadal	Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents
SCS SB 548		Modifies certain tax credit programs
SCS SB 675		Repeals the renter's portion of the Missouri property tax credit
SS SCS SB 689		Modifies provisions relating to crimes committed against the elderly and disabled
HCS SB 690		Modifies provisions related to public safety
SB 770	Wright-Jones	Requires additional information to be included in the annual report submitted by Area Agencies on Aging
SJR 35	Ridgeway	Replaces all taxes on income with sales and use taxes that are capped at certain rates
SJR 36	Ridgeway	Caps the tax on real property and freezes the property taxes on individuals 62 years old or older
HB 1095		Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 1105		Allows the Adjutant General to waive the maximum age requirement for a member of the state militia

No.	Author	Subject
HB 1159		Establishes the Senior's Retirement Protection Act which specifies that up to $125,000 of the value of the primary residence of certain elderly persons will be exempt from attachment or execution
HB 1175		Requires certain offenders 60 years of age or older serving a sentence of life without parole for a minimum of 50 years to receive a parole hearing
HB 1200		Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
HB 1218		Increases from $14,300 to $16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker
HB 1239		Exempts the residential property of individuals 70 years of age or older from increases in assessed valuation that are not from new construction or improvements and from rate increases
HB 1313		Limits the increase in assessed valuation of residential property by the percentage of increase in the Social Security benefits for the elderly and disabled who own and live in their principal residence
HB 1351		Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 1401		Renames the Missouri Certificate of Need Law as the Missouri Long-term Care Certificate of Need law and limits the provisions of the law to only apply to long-term care facilities and services
HB 1489		Freezes the assessed valuation of residential property owned by certain taxpayers 67 years of age or older and limits increases in their property taxes
HCS HB 1515		Changes the laws regarding crimes and criminal procedures
HB 1594		Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 1712		Establishes a telephone tracking system pilot project for in-home services providers in Jackson, Cass, and Clay counties
HB 1808		Repeals the provision prohibiting the operation of certain vehicles transporting passengers in intrastate and interstate commerce unless the vehicle is equipped and operated according to federal regulations
HB 1977		Changes the laws regarding the reporting of cruelty, abuse, or neglect of the elderly, children, or animals
HB 1979		Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant
HJR 67		Proposes a constitutional amendment which freezes the level of tax liability on residential property owned by a person who is 65 years of age or older
		ELECTIONS
SB 434	Callahan	Modifies procedures for changes in school district boundary lines
SCS SB 442		Establishes photo identification requirements for voting
HCS SCS SBs 484, 477 & 606		Modifies provisions relating to telecommunications
SB 486	Wright-Jones	Modifies law relating to voter registration and election offenses
SB 520	Schaaf	Requires a candidate who forms a committee to designate the office to which the candidate is seeking nomination or election
SB 525	Engler	Provides for nonpartisan elections of judicial candidates and forbids certain judges and candidates from engaging in political activities
SB 542	Chappelle-Nadal	Establishes a paper ballot as the official ballot

No.	Author	Subject
SB 546	Purgason	Imposes campaign contribution limits
CCS HCS SCS SB 569		Modifies the law relating to elections, law enforcement districts, and transit authority taxes
SB 581	Callahan	Modifies provisions relating to school district boundary line changes, school accreditation, and employment of retired teachers under certain circumstances
SB 603	Green	Creates an advance voting system for elections
HCS SCS SB 671		Modifies provisions relating to elections
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SCS SB 773		Establishes a March 27 to April 24 filing period for the 2012 state primary election
SB 808	Lembke	Implements recall elections for U.S. Senators
SCS SBs 817 & 774		Modifies the laws relating to initiative and referendum petitions
SB 825	Justus	Imposes campaign contribution limits
SB 826	Crowell	Modifies the law relating to ethics
SB 832	Wasson	Establishes a closed primary
SCS SB 865		Allows University of Missouri Extension Councils to form extension districts made up of cooperating counties
SB 883	Richard	Adopts an agreement to elect the president by national popular vote
SB 892	Kraus	Modifies the law relating to uniform military and overseas voters
SJR 23	Crowell	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 25	Crowell	Lowers the number of State Representatives from 163 to 101
SJR 26	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 41	Lembke	Provides for election of certain judges and appointment by Governor of a Supreme Court judge
SJR 43	Green	Limits the total service in the General Assembly to sixteen years in any proportion between the Senate and the House of Representatives
SCS HB 1036		Changes the laws regarding elections
HB 1046		Requires proof of identity and status as a United States natural born citizen for the office of President and Vice President to be submitted with other required certification documents to the Secretary of State
HB 1052		Establishes a closed primary election system
HCS HB 1059		Changes the required percentage necessary to initiate a recount of the votes cast in an election
SCS HCS HB 1060		Changes the laws regarding elections
HB 1080		Changes the laws regarding ethics, lobbying, and campaign finance
SCS HB 1104		Changes the laws regarding elections by requiring a voter to provide photo identification
SS HCS HB 1106		Changes the laws regarding certain public officials
HB 1143		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HB 1162		Requires a city or political subdivision which intends to expand solid waste collection services into certain areas to put the intent to a vote of the people in the expanded area

No.	Author	Subject
HB 1163		Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contract with mandated haulers of trash collection except in North Kansas City, Kansas City, and St. Louis
HB 1182		Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for all income earned as a temporary election staff member
HB 1183		Excludes the year 2012 from the requirement that a statewide presidential preference primary be held on the first Tuesday after the first Monday in February of each presidential election year
HB 1230		Allows an employer or labor organization to obtain a political contribution through a payroll deduction if the employee or member consents to the contribution in writing annually
HB 1235		Requires an election authority to conduct a record check to determine whether a person is prohibited from filing as a candidate for the election for which he or she is filing a declaration of candidacy
HB 1236		Changes the laws regarding the Fair Ballot Access Act by repealing the provision which requires a petition to form a new political party to contain the name of a resident of each Congressional district
HB 1250		Changes the laws regarding elections
HB 1263		Requires anyone requesting 10 or more voter registration applications to provide certain information to the Office of the Secretary of State
HCS HB 1275		Specifies the timeframe for the resubmission of a ballot issue in certain instances and the necessary percentage of approval for it to become effective
HB 1304		Prohibits any political subdivision from incurring any indebtedness through the issuance of a bond unless it has been approved by the voters
HB 1320		Changes the laws regarding campaign contributions
HB 1365		Prohibits a felon from qualifying as a candidate for elected office in cities of the fourth classification
HB 1374		Changes the laws regarding school accreditation and establishes a transformational school district upon the second declaration of unaccredited status of certain school districts
HB 1380		Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property
HB 1415		Allows an individual at a general election to vote a straight party line ticket by voting for all candidates of the same political party with a single punch or mark
HB 1438		Allows a voter to cast an advance ballot
HCS HB 1442		Fills a vacancy in the office of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, or State Treasurer by appointment by the Governor or a special election
HCS HB 1457		Requires, except in a charter county, a candidate for county treasurer to file a signed affidavit stating that the candidate meets the minimum bond requirements for the office of county treasurer
HCS HB 1458		Changes the laws regarding public safety, fire protection, and emergency services
HB 1478		Increases the tax on tobacco products and the excise tax on cigarettes of $.17 per pack of 20 cigarettes to $.89 per pack to be used for public education purposes
HB 1480		Changes the laws regarding the state's No-call List and political telephone solicitations
HB 1485		Prohibits any person who is in violation of a court order to pay specified monetary judgments from qualifying as a candidate for an elective office and his or her name from appearing on a ballot
HB 1601		Designates the first Tuesday after the first Monday in November as a public holiday known as "Election Day"

No.	Author	Subject
HB 1628		Prohibits, upon voter approval, the Secretary of State from preparing a ballot summary statement if any family member of the secretary has a financial interest in the measure in excess of $50,000
HB 1648		Allows the board of election commissioners in Kansas City and St. Louis to establish voter centers on election days for a person to vote without going to his or her precinct voting location
HB 1682		Prohibits any state department from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 1692		Revises the oath that an election judge takes prior to being commissioned or beginning duties by requiring them to swear to support and defend the Constitution of the United States and Missouri
HB 1719		Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act
HB 1756		Changes the laws regarding ethics
HB 1760		Allows the board of aldermen in the City of Sugar Creek to provide by ordinance that the city marshal or chief of police be appointed instead of elected
HB 1781		Requires a candidate for public office to file any required disclosure reports and to pay any assessed fees by the Missouri Ethics Commission before filing for an office or taking office
HB 1851		Requires a person to hold a valid peace officer license in order to be eligible for the office of county sheriff with the exception of the office of sheriff of St. Louis City
HB 1856		Authorizes Stoddard County to change the office of the county prosecutor to a full-time position on January 1 of the year following approval by the voters
HCS HB 1869		Changes the laws regarding elections
HB 1870		Specifies that by January 1, 2014, the official ballot will be a paper ballot and requires all voting methods to produce the election results from paper ballots
HB 1891		Establishes minimum standards that a municipality in St. Louis County must meet in the provision of municipal and financial services and reports
HB 1901		Requires each polling place for a federal, state, local, or school district election to have at least one accessible voting system that conforms to federal regulations for disabled voters
HB 1917		Changes the laws regarding candidate filing dates for primary elections
HB 1929		Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1939		Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 1947		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HB 1956		Requires a tax increment financing plan, project, designation, or amendment to be approved by at least two-thirds of the voters of the taxing entities that would be affected by the proposal
HB 1962		Changes the presidential primary election date from the first Tuesday after the first Monday in February to the general municipal day on the first Tuesday after the first Monday in April
HB 1963		Establishes a closed primary election system
HB 1965		Changes the deadline for filing as a candidate for all primary elections held in August for any county or state office from the last Tuesday in March to the second Tuesday in March
HB 1967		Authorizes the governing body of any county located within a metropolitan park and recreation district that has passed a sales tax to submit the issue of repealing the sales tax to the voters
HB 1981		Changes the presidential primary election to the general municipal election day on the first Tuesday after the first Monday in April of each presidential election year
HB 2026		Requires anyone participating in a caucus to be registered to vote by the fourth Wednesday before the caucus

No.	Author	Subject
HB 2031		Specifies that the presidential primary will be held in February and requires presidential preference primary results to take precedence over any presidential preference caucus
HB 2047		Establishes the Uniform Military and Overseas Voters Act
HB 2050		Specifies that a school district will no longer have the authority to contract with a superintendent and requires it to be an elective office with specified exceptions
HB 2053		Changes the laws regarding a school district annexation petition
HB 2081		Changes the laws regarding political activities of a member of the Kansas City Police Department
HB 2086		Requires each elected county official to appoint a deputy to serve as the interim county official in the event of a vacancy in the office until the vacancy is filled by the Governor as provided by law
HB 2093		Specifies that any issue to increase any tax, license, fee, or levy requiring voter approval under Article X of the Missouri Constitution must be placed on the ballot only on the general election day
HB 2109		Changes the laws regarding voter registration
HJR 39		Proposes a constitutional amendment prohibiting any change by the General Assembly to a statute as approved by voters through the initiative petition process without a certain percentage of votes
HJR 40		Proposes a constitutional amendment authorizing the establishment of a Fair Ballot Commission to determine the propriety and correctness of proposed ballot language submitted by initiative or referendum
HCS HJR 47		Proposes a constitutional amendment changing the number of voter signatures that are required to place an initiative petition or a referendum on a ballot
HJR 52		Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources
HJR 53		Proposes a constitutional amendment allowing a person to serve any proportion of the 16-year limit between the House of Representatives and the Senate
HJR 55		Proposes a constitutional amendment requiring the approval of both a majority of voters statewide and a majority of voters in a majority of the Congressional districts for an amendment to take effect
HJR 63		Proposes a constitutional amendment requiring a four-sevenths voter majority approval of an initiative petition related to crop production, livestock, or agriculture in order for it to take effect
HJR 75		Proposes a constitutional amendment allowing a citizen who is 17 years old to vote in a presidential primary election if he or she will be 18 years old prior to the general election
HJR 77		Proposes a constitutional amendment repealing the provisions regarding the selection of judges and requires all judges to be elected
HCS HJR 89		Proposes a constitutional amendment regarding advance voting and photo identification and allowing different requirements for certain absentee voting
HJR 92		Proposes a constitutional amendment regarding advance voting, required use of a government-issued photo identification to vote, and voting procedures based on physical presence or by absentee ballot
		ELEMENTARY AND SECONDARY EDUCATION DEPT.
SB 434	Callahan	Modifies procedures for changes in school district boundary lines
SCS SB 451		Modifies provisions relating to school operations
SB 452	Cunningham	Allows a pupil to enroll in an adjoining school district if the student's residence is located closer to a school in the adjoining district or in cases of transportation hardship
SB 454	Pearce	Modifies the elementary and secondary education funding formula

No.	Author	Subject
CCS HCS SB 455		Modifies provisions relating to higher education
SB 456	Pearce	Establishes procedures for the transfer of students from an unaccredited school district to an accredited school district in the same or an adjoining county
SB 483	Rupp	Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early
SCS SB 491		Modifies provisions pertaining to agriculture
SB 543	Chappelle-Nadal	Modifies provisions relating to elementary and secondary education
SS SCS SB 576		Modifies provisions relating to charter schools
SB 581	Callahan	Modifies provisions relating to school district boundary line changes, school accreditation, and employment of retired teachers under certain circumstances
HCS SS SCS SB 595		Transfers the administration of special education due process hearings from the State Board of Education to the Administrative Hearing Commission
CCS SB 599		Modifies provisions relating to education
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
CCS HCS SCS SB 635		Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
HCS SB 667		Modifies provisions relating to design professionals, school social workers, real estate appraising, and residential construction
SS SCS SB 677		Modifies provisions relating to school accreditation for failing school districts
SCS SB 706		Modifies provisions relating to school operations
SB 735	Nieves	Allows students to enroll in another school district or charter school for purposes of attending virtual courses or programs
SB 737	Engler	Restricts the Department of Elementary and Secondary Education from including certain data from neglected children and delinquent children in the aggregate data of a school district
SB 751	Schaaf	Allows school districts to adopt an eight-hour school day
SB 762	Keaveny	Modifies provisions relating to alternative educational procedures for charter schools
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
SB 797	Justus	Requires the Department of Elementary and Secondary Education to establish a voluntary prekindergarten program
SB 799	Justus	Changes the requirements for school anti-bullying policies
SB 870	Lamping	Authorizes a certification for school social workers
SB 895	Curls	Modifies provisions relating to school districts classified as provisionally accredited or unaccredited by the State Board of Education
SCS HCS HB 1042		Changes the laws regarding higher education
HB 1043		Changes the laws regarding the elementary and secondary school education funding formula
HB 1048		Specifies that any district that becomes an urban school district as the result of the 2010 census will continue to have the same number of board members and hold elections on its current schedule
SCS HCS HB 1049		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy

No.	Author	Subject
HCS HB 1169		Changes the laws regarding the investigation of a report of child abuse that arises from a spanking in a school
SS#2 SCS HCS HB 1174		Changes the laws regarding school accreditation by authorizing the State Board of Education to establish an alternative governing structure for a failing school district
HB 1206		Allows a student who has been denied the privilege to participate in an interscholastic activity under certain conditions to petition the court for a restraining order prohibiting enforcement of the denial
HB 1206		Allows a student who has been denied the privilege to participate in an interscholastic activity under certain conditions to petition the court for a restraining order prohibiting enforcement of the denial
HB 1217		Changes the laws regarding the lapse of a school district when it has been unaccredited by the State Board of Education for two successive school years
HB 1227		Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
HB 1227		Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
HCS HB 1228		Changes the laws regarding charter schools
HB 1262		Requires the State Board of Education to establish a coordinated health program board to develop a program designed to prevent student obesity, cardiovascular disease, and type II diabetes
HB 1273		Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 1276		Requires the State Board of Education and other public school entities to encourage students to explore scientific questions and to assist teaching of scientific theories of biological or chemical evolution
HB 1333		Changes the laws regarding vision examinations for school students
SCS HB 1337		Requires each high school to provide instruction in cardiopulmonary resuscitation and the instruction to be a graduation requirement
HB 1348		Allows any public school to offer courses in ballroom, square, or country dance which must be treated as a qualified fine arts and a physical education activity for academic credit
HB 1359		Changes the laws regarding state contracts and statewide student assessment results
HB 1366		Requires the school board of each school district and charter school to establish and maintain an evaluation system for teachers and teaching
HB 1374		Changes the laws regarding school accreditation and establishes a transformational school district upon the second declaration of unaccredited status of certain school districts
HB 1386		Establishes a system for distributing school funding in years when the school funding formula is not fully funded and when it is overfunded
HB 1387		Allows a school district to use a calendar based on hours of attendance, rather than hours and days of attendance, if the minimum number of hours is at least 1,073
HB 1388		Changes the laws regarding teacher tenure
HB 1425		Requires each school district to establish a comprehensive program for student academic progression
HB 1465		Changes the laws regarding the compulsory school attendance of certain students
HB 1519		Requires any remaining cash assets of a closed charter school to be returned to the Department of Elementary and Secondary Education
HB 1539		Establishes the Parent Empowerment and Choice Act or the Parent Trigger Act which allows parents under certain circumstances to invoke interventions for a struggling school
HB 1550		Establishes the Capitalism Education and Awareness Act and the Capitalism Education and Awareness Commission within the Department of Elementary and Secondary Education

No.	Author	Subject
HB 1572		Changes the laws regarding bullying in schools
HB 1577		Requires schools to implement specified criteria regarding the enrollment and educational success of foster care children
HB 1595		Establishes the Advisory Council on the Education of Gifted and Talented Children
HB 1596		Requires the State Board of Education to designate a staff member to be in charge of educational programs for gifted and talented children
HB 1597		Changes the laws regarding bullying in schools
HB 1602		Requires a school district to establish a "green" cleaning policy to promote environmentally sensitive cleaning products which meet guidelines of the Department of Elementary and Secondary Education
HB 1604		Establishes class sizes for school districts in St. Louis City and St. Louis County that are smaller than the minimum and desirable standards of the Department of Elementary and Secondary Education
HB 1626		Specifies that any district that becomes an urban school district as the result of a federal census will continue to hold elections on its current schedule
HB 1629		Allows a student to enroll in a school district other than the student's school district of residence for the purpose of attending virtual courses or programs
HB 1732		Changes the laws regarding the required number of days and hours in a school calendar, the earliest opening and latest closing day of a school year, and the testing window for state assessments
HB 1736		Changes the laws regarding school operations
HCS HB 1740		Changes the laws regarding school operations
SCS HCS HB 1789		Changes the laws regarding travel hardships for public school students
HB 1792		Requires each school district to adopt a policy on how student records and communications are provided to parents who have joint legal or physical custody of a student
HCS HB 1803		Specifies the requirements for recognition as a certified school social worker
HB 1819		Specifies that a high risk or alternative charter school may allow a student to obtain credit to satisfy graduation requirements by alternative arrangements in the charter application and charter
HB 1829		Requires the Department of Elementary and Secondary Education to establish a grant program for unaccredited and provisionally accredited districts that commit to extended school time
HB 1831		Prohibits spanking from being used in a public school on any student with an individualized education plan receiving special education services
HCS HB 1834		Establishes the Extracurricular and Interscholastic Opportunities Anti-Discrimination Act
SS SCS HCS HB 1854		Changes the laws regarding services for individuals
HB 1876		Requires the establishment of a process by which a student in an unaccredited district who is enrolled in a public school that is not A+ designated can receive reimbursement under the A+ Schools Program
HB 1879		Requires all elementary and high schools to conduct an energy audit and report the results to the Office of Administration
HB 1886		Requires the Department of Elementary and Secondary Education to establish a work group to assess available resources needed for effective work experiences for youth with disabilities
HB 1893		Changes the laws regarding teacher and employee tenure in the City of St. Louis School District
HCS HB 1900		Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act

No.	Author	Subject
HB 1920		Allows an unaccredited school district to use specified funding for early childhood education and allows for the establishment of a pilot project for awarding teacher credentials in an unaccredited district
HB 1923		Requires a student wanting to drop out of high school to attend a dropout prevention seminar
HB 1927		Requires any school district designated as unaccredited or provisionally accredited to meet certain attendance requirements on its calendar
HB 1930		Increases the number of students the Missouri Preschool Plus Grant Program may serve and expands the list of those who may receive a grant
HB 1953		Requires the State Board of Education to establish standards for agricultural vocational education that a private school may adopt to qualify to apply for a local chapter of the Future Farmers of America
HB 1987		Changes the laws regarding mental health screenings in schools and establishes the Administration of Psychotropic Medications to Children Act
HB 2027		Requires candidates for election to the board of the Springfield School District in which more than one seat is open to declare their candidacy for a specific seat
HB 2037		Adds to the powers and duties of the special administrative board of the St. Louis City Transitional School District the authority to divide the district into four subdistricts upon voter approval
HB 2039		Allows the State Board of Education to approve one pilot program school for accelerated reading instruction in early childhood and early elementary grades in each district with a charter school
HB 2043		Specifies that no further Kansas City school district board elections will be held after July 1, 2013, and allows certain unaccredited school districts to be administered as a renewed school district
HB 2051		Prohibits the discussion of sexual orientation in public school instruction, material, or extracurricular activity except in scientific instruction on human reproduction
HB 2054		Changes the laws regarding the Joint Committee on Education's review of the Commissioner of Education's proposed expenditures on statewide areas of critical need for learning and development
HB 2055		Requires the certification of school food service directors and menu planners in public and private schools which receive funding through the federal school lunch program
HB 2079		Changes the laws regarding the structure and conditions for the transitional school district that has the same boundaries as the City of St. Louis
HCR 27		Congratulates the students and teachers of the St. Louis Public Schools for the progress the school district has made toward re-accreditation
HJR 46		Proposes a constitutional amendment changing the composition of the State Board of Education
		EMBLEMS
SCS SCR 17		Urges the use of the slogan "The Great Rivers State" by the State of Missouri
SCS HB 1036		Changes the laws regarding elections
HB 1063		Designates the exercise commonly known as "jumping jacks" as the official state exercise
HB 1141		Changes the laws regarding the "Don't Tread on Me" special license plate
HB 1266		Designates the regal fritillary as the official state butterfly
HB 1517		Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents
HCS HB 1574 & 1097		Allows a person to apply for a veteran designation on his or her driver's license or identification card upon providing specified proof of service

No.	Author	Subject
HB 1635		Allows a person to pay the $25 emblem-use fee to the Missouri State Humane Association for a I'm Pet Friendly special license plate for deposit in the Missouri Pet Spay-Neuter Fund
HB 1778		Designates "Old Drum" as the official state historical dog
HB 1813		Designates Seaman, the dog accompanying Lewis and Clark on their expedition of the Louisiana Purchase territory, as the official state historical dog
HB 1863		Designates Jim the Wonder Dog as the official state historical dog
HB 1989		Designates the Hawken Rifle as the official state rifle of Missouri
HCR 12		Designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice of service men and women who have given their lives in the line of duty
		EMERGENCIES
SCS SB 439		Modifies the law relating to the prevailing wage
HCS SCS SBs 484, 477 & 606		Modifies provisions relating to telecommunications
SCS SB 596		Modifies the law relating to prevailing wage and project labor agreements
SB 642	Wasson	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HCS SB 690		Modifies provisions related to public safety
HCS SCS SB 692		Modifies provisions relating to political subdivisions
HCS SB 701		Modifies various provisions relating to road use
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 820	Nieves	Adds training requirements for 911 dispatch operators and provides certain civil immunity
SB 861	Purgason	Creates the Task Force on Government Continuity
SB 868	Kehoe	Modifies the filing of reports and fees relating to hazardous materials
SCR 15	Dempsey	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SCR 16	Stouffer	Urges the U.S. Army Corps of Engineers to modify its river management protocol to make flood control a top priority
SCR 25	Mayer	Urges the federal government to manage the Mississippi River to protect against devastating flood events
HB 1040		Adds certain state-owned vehicles which are operated by Department of Transportation employees to the definition of "emergency vehicle" as it applies to Section 304.022, RSMo
HB 1040		Adds certain state-owned vehicles which are operated by Department of Transportation employees to the definition of "emergency vehicle" as it applies to Section 304.022, RSMo
HB 1053		Establishes the Disaster Area Construction Act which exempts certain construction work done for a school district or a county, city, town, or village from the prevailing wage if it is in a disaster area
HB 1056		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HB 1090		Prohibits the Missouri Housing Development Commission from requiring a prevailing wage on a project eligible for a housing tax credit if it is located in a disaster area
HB 1091		Requires a school district to exempt itself from the prevailing hourly wage for work done on behalf of a school located in a Governor-declared disaster area

No.	Author	Subject
HB 1092		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster
HCS HB 1108		Requires telecommunications carriers and certain commercial mobile service providers to provide caller location information in certain emergency situations
HB 1114		Requires Taney County, upon voter approval of a county sales tax, to appoint an emergency services board to administer the central dispatching of emergency services
HCS HB 1126		Changes the laws regarding a tax credit for a freight line company and the laws regarding certain vehicles owned by the State Highways and Transportation Commission and the Department of Transportation
HB 1176		Allows a school district or a county, city, town, or village to exempt itself from the prevailing hourly wage for certain work if it is in a disaster area
HB 1255		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HCS HB 1275		Specifies the timeframe for the resubmission of a ballot issue in certain instances and the necessary percentage of approval for it to become effective
HB 1301		Changes the laws regarding the licensure requirements as an emergency medical technician for a honorably discharged veteran
SS HB 1318		Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health
HB 1334		Establishes the Fair Fare Passenger Safety Act of 2012 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HB 1436		Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HCS HB 1458		Changes the laws regarding public safety, fire protection, and emergency services
HB 1564		Specifies that any personal identifying information that is utilized in a voluntary registry of persons with health-related ailments to assist them during an emergency is not considered a public record
HB 1683		Requires emergency dispatch operators to receive training on state laws regarding self defense and defense of others
HB 1707		Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 1720		Changes the laws regarding the powers of park rangers
HB 1724		Allows certain motor vehicles to operate on public highways with dyed fuel during any Governor-declared state emergency
HB 1768		Changes the laws regarding county and statewide emergency 911 service boards
HB 1780		Changes the laws regarding county and statewide emergency 911 service boards
HB 1802		Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
HB 1825		Allows a fire truck to be used for specified patient transport under certain conditions
HB 1916		Revises the definition of "emergency vehicle" to include any vehicle operated by an authorized member of specified groups while responding to an emergency or in route to a fire station or ambulance garage
HB 1957		Allows the Department of Revenue to create an emergency information database for holders of instruction permits, driver's licenses, and non-driver's identification cards
HCS HB 1970		Changes the laws regarding the Open Meetings and Records Law

No.	Author	Subject
HB 1998		Changes the laws regarding health services and fees and moving violations and traffic offenses occurring within an active emergency zone
HB 2077		Establishes the Missouri Yellow Dot Program within the Department of Revenue to provide emergency responders with health and emergency contact information when an individual is in an accident
HB 2083		Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and material needed following a disaster where utility service has been disrupted
HCS HB 2100		Changes the laws regarding motor vehicles
HB 2105		Allows the governing body of a county or municipality to require a gated community to have gate-operating devices that activate at the sound of an emergency vehicle siren
HCR 31		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
		EMINENT DOMAIN AND CONDEMNATION
SB 704	Wright-Jones	Requires inverse condemnation or dangerous public property suits against municipal corporations be brought in the county where the land or any part lies
HB 1293		Requires suits in inverse condemnation or involving dangerous conditions of public property against a municipal corporation to be brought only in the county where the land or any part of the land lies
HB 1377		Changes the laws regarding condemnation proceedings
SCS HCS HB 1659 & 1116		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use
HB 2067		Prohibits the council of a third or fourth class city from condemning property to manage wastewater runoff without exhausting all other possible remedies
HB 2107		Changes the laws regarding blighted areas and eminent domain
		EMPLOYEES - EMPLOYERS
SB 438	Mayer	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SCS SB 439		Modifies the law relating to the prevailing wage
SB 453	Cunningham	Establishes damage caps for Human Rights Act cases and workers' compensation discrimination cases
SB 459	Wright-Jones	Requires those engaging in public works projects to employ individuals from the locality in which the project is being constructed
SB 468	Munzlinger	Modifies the law relating to project labor agreements and the prevailing wage
SCS SB 491		Modifies provisions pertaining to agriculture
SB 514	Crowell	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SB 539	Chappelle-Nadal	Creates a crime for employers who divulge certain personal information of employees and customers
SB 540	Chappelle-Nadal	Bars discriminatory employers from receiving public works contracts and requires employers to provide cause to terminated employees
SB 547	Purgason	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SCS SBs 553 & 435		Requires authorization for certain labor unions to use dues and fees to make political contributions and bars them from withholding earnings from paychecks
SS SCS SB 572		Modifies the law relating to workers' compensation

No.	Author	Subject
HCS SS SCS SB 592		Modifies the law relating to the Missouri Human Rights Act and employment discrimination
SCS SB 596		Modifies the law relating to prevailing wage and project labor agreements
SB 601	Lembke	Modifies provisions relating to school personnel
SB 652	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 695	Parson	Requires farm employees who videotape suspected acts of animal abuse to turn over the recording to law enforcement within 24 hours
SB 700	Lamping	Repeals a provision requiring non-merit agencies to adopt dismissal procedures similar to merit procedures
SB 718	Stouffer	Modifies provisions relating to the Department of Mental Health Employment Disqualification Registry
SB 734	Richard	Establishes the Missouri Works Training Program
SS#2 SCS SB 806		Modifies the teacher tenure systems
SB 807	Dempsey	Modifies the law relating to the Second Injury Fund
SCS SB 816		Redefines "misconduct" and "good cause" for the purposes of disqualification from unemployment benefits
SB 827	Crowell	Modifies the law relating to workers' compensation co-employee liability
SB 828	Crowell	Modifies the law relating to occupational disease under the workers' compensation system
SB 829	Crowell	Modifies the law relating to the Second Injury Fund
HCS SS SB 854		Modifies provisions relating to home- and community-based care
SB 878	Mayer	Modifies the law relating to workers' compensation
SB 907	Schaaf	Requires certain employers to post certain rights of employees with respect to labor organizations
HCS SB 911		Prohibits employers from using the last four digits of an employee's Social Security number as their employee identification number
HB 1053		Establishes the Disaster Area Construction Act which exempts certain construction work done for a school district or a county, city, town, or village from the prevailing wage if it is in a disaster area
HB 1066		Increases from $400 to $1,500 the minimum amount of gross wages that an employer must pay to an employee before the employer's unemployment compensation account will be charged
HB 1086		Specifies certain employee rights as they relate to labor organizations
HB 1089		Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions
HB 1091		Requires a school district to exempt itself from the prevailing hourly wage for work done on behalf of a school located in a Governor-declared disaster area
HB 1121		Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission
HB 1131		Requires the date that services for remuneration were first performed by a newly hired employee to be included on his or her withholding form
HB 1157		Changes the laws regarding the deadlines for the notification of reemployment and the offering of teacher contracts
HB 1164		Changes the job retention provisions in the Missouri Quality Jobs Act

No.	Author	Subject
HB 1173		Specifies that an employer, or his or her employee, will not be liable for any injury or death for which compensation is recoverable under provisions of the Workers' Compensation Law
HB 1176		Allows a school district or a county, city, town, or village to exempt itself from the prevailing hourly wage for certain work if it is in a disaster area
HCS HB 1198		Changes the laws regarding prevailing wages
HB 1205		Specifies certain employee rights as they relate to labor organizations
HB 1219		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 1224		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing unauthorized aliens
HB 1230		Allows an employer or labor organization to obtain a political contribution through a payroll deduction if the employee or member consents to the contribution in writing annually
HCS HB 1240		Prohibits an employer from using a job applicant's personal credit history as a hiring criteria except where the credit history is shown to be directly related to the position sought by the applicant
HB 1243		Requires the Department of Economic Development to establish the MO Jobs Training Program
HB 1246		Changes the laws regarding municipal technology business facility projects, the MO Jobs Training Program, and the Missouri Quality Jobs Act
HB 1265		Establishes the Veteran Workforce Act which requires the Office of Administration to develop rules and regulations ensuring a uniform hiring preference for veterans, disabled veterans, and their spouses
HB 1279		Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed
HB 1315		Requires a leave to be granted to state employees and certain other employees who are members of the United States Coast Guard Auxiliary when performing authorized military duties
SS HB 1318		Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health
HB 1352		Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 1359		Changes the laws regarding state contracts and statewide student assessment results
HB 1390		Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance
HB 1403		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 1414		Removes the provision limiting the annual surcharge paid by employers to the Second Injury Fund to 3% of the employer's workers' compensation net deposits, premiums, or assessments
HB 1417		Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HB 1418		Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 1440		Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 1448		Establishes the School Construction Act which exempts construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval
HB 1455		Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development

No.	Author	Subject
HB 1484		Establishes the Paperless Documents and Forms Act which authorizes the Department of Revenue to use technology to allow the filing of certain forms and the sending of certain notifications
HB 1497		Establishes the Parent Time For Missouri Program in the Department of Elementary and Secondary Education to allow parents paid leave from work to help their children in their school
HB 1501		Establishes the Missouri Commission on Workforce Preparedness within the Department of Economic Development to study how higher education is meeting the needs of Missouri employers
HB 1538		Prohibits employers from requiring employees to engage in or cease engaging in certain labor practices as a condition or continuation of employment
HB 1540		Changes the laws regarding workers' compensation
HB 1546		Requires every health carrier to file its premium rates and classification of risks with the Department of Insurance, Financial Institutions and Professional Registration
HB 1554		Establishes the Economic Development Grant Program to be used to reopen a closed manufacturing factory
HB 1555		Makes it an improper employment practice for an employer to refuse to hire or to discharge, reduce compensation, or modify any condition of a person's employment based on his or her credit score or history
HB 1621		Specifies that it will be an unlawful employment practice to discriminate against an individual because he or she has a concealed carry endorsement or uses a firearm for a lawful purpose
HB 1706		Changes the laws regarding contract carriers that transport railroad employees, tools, and supplies
HCS HB 1710		Changes the laws regarding tax credits and requires the Department of Economic Development to establish the Missouri Works Training Program
HCS HB 1717		Changes the laws regarding the withholding tax filing requirements and income tax deductions for certain small businesses
HB 1762		Prohibits the state, as an employer or provider of public or housing assistance, from requiring an applicant to disclose any prior felony plea or conviction
HB 1805		Establishes an income tax credit for the stipend or salary paid to certain interns
HB 1837		Requires employers using medical needles in the routine course of business to use commercially available engineered injury protection devices to reduce the risk of needlestick injuries, with exceptions
SS SCS HCS HB 1854		Changes the laws regarding services for individuals
HCS HB 1900		Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act
HB 1902		Establishes the Purchasing from Disabilities Advisory Board regarding the procurement of goods and services by state agencies from persons who are disabled or have a disability
HB 1908		Exempts certain businesses from specified state asbestos-related requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos
HB 2060		Prohibits an employer from requesting or requiring an employee or applicant to disclose any user name, password, or other means for accessing a personal account or service through an electronic device
HB 2097		Specifies that for purposes of qualifying for waiting week credit and unemployment compensation benefits, good cause cannot include voluntarily quitting work to accept a job with equal or lesser wages
HB 2098		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law

No.	Author	Subject
HB 2099		Establishes the Whistleblower's Protection Act to codify the existing common law exceptions to the at-will employment doctrine making it unlawful for an employer to discharge a protected person
HB 2104		Changes the laws regarding workers' compensation and the Second Injury Fund
HCR 5		Strongly urges all employers in this state to give all veterans in their employ a day off for Veterans Day
SCS HCS HCR 33		Reauthorizes the Joint Interim Committee on State Employee Wages
		EMPLOYMENT SECURITY
HB 1441		Changes the laws regarding workers' compensation and unemployment benefits
HCS HB 1794		Clarifies the definition of "employment" as it relates to employment security laws regarding in-home or community-based services for clients of a county board for developmental disability services
SS SCS HCS HB 1854		Changes the laws regarding services for individuals
HB 1995		Excludes services performed by a licensed mortgage loan originator from the definition of "employment" as it relates to unemployment compensation under specified conditions
		ENERGY
SB 458	Wright-Jones	Creates the Green Jobs-Green Missouri Act
SB 488	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards
SB 753	Green	Modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low-income customers
SB 759	Lager	Modifies provisions relating to utilities
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
SB 874	McKenna	Modifies record-keeping provisions in the Property Assessment Clean Energy (PACE) Act
SB 881	Pearce	Creates a tax credit for purchases of processed biomass engineered fiber fuel
SB 889	Lager	Modifies provisions relating to natural resources
SB 891	Lager	Allows telecommunications providers and rural electric cooperatives to attach equipment to other utility poles for smart grid or broadband purposes
SCR 21	Pearce	Urges Congress to support greater domestic development of North American sources of oil and approve the Keystone XL pipeline project
HB 1069		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel
HCS HB 1076 & 1302		Changes the laws regarding renewable energy
HB 1191		Changes the laws regarding the State Park Earnings Fund and establishes the Renewable Energy Pilot Program for State Parks
HCS HB 1254		Changes the laws regarding agriculture
HB 1290		Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HCS HB 1305		Changes the laws regarding environmental standards
HCS HB 1311		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HCS HB 1316		Changes the laws regarding public utilities and creates the Public Counsel Fund

No.	Author	Subject
HB 1332		Changes the laws regarding the infrastructure replacement surcharge for water corporations
HB 1341		Specifies that the exclusion from eligibility in any demand-side program offered by an electrical corporation of certain tax credits will not apply to low-income programs and their participants
HB 1487		Changes the laws regarding renewable energy mandates enacted by Proposition C in 2008
HB 1516		Changes the laws regarding the crime of assaulting a law enforcement officer, corrections officer, emergency personnel, or highway worker to include a utility worker
HB 1571		Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 1739		Prohibits a homeowners' association from restricting the installation of solar panels if a member of the association obtains a petition signed by 50% plus one members agreeing to the installation
HB 1751		Requires the Department of Natural Resources to annually assess an electric utility in an amount not to exceed .005 of 1% of its annual intrastate operating revenues to encourage biomass energy projects
HCS HB 1795		Changes the laws regarding newspaper recycling, solid waste and safe drinking water fees, environmental control, and asbestos abatement and establishes the Renewable Energy Pilot Program for State Parks
HCS HB 1809		Changes the laws regarding cleaning supplies for state buildings and schools, county building codes, and energy audits of public schools
HB 1810		Establishes the Iran Energy Divestment Act which bars any person or entity that invests in the energy sector in Iran from contracting with the state and political subdivisions
HB 1850		Establishes the Missouri Energy Efficiency Performance Standard
HB 1872		Clarifies the current exemptions from sales and use tax on specified items used in manufacturing, processing, compounding, mining, or producing any product
HB 1879		Requires all elementary and high schools to conduct an energy audit and report the results to the Office of Administration
HCS HB 1900		Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act
HB 1926		Establishes the Solar Water Heating System Incentive Program which provides financial incentives for the purchase and installation of solar water heating systems in private residences
HCR 35		Urges the Department of Natural Resources to consider the need to require groundwater monitoring at all new and existing coal ash ponds and require cleanup for ponds that are leaking dangerous chemicals
HCR 37		Supports the approval of the Keystone XL Pipeline to ensure America's oil independence, improve our national security, reduce the cost of gasoline, and create new jobs
HCR 44		Urges Congress and the Administration to seek solutions to rapidly rising fuel costs, and create and maintain our energy independence
HCR 46		Strongly urges Ameren, FERC, and affected property owners at the Lake of the Ozarks to cooperate and coordinate a swift resolution to the shoreline management plan that respects the rights of property owners
HCR 49		Calls on Congress to disapprove the EPA's Mercury and Air Toxics Standards regulation and ensure that the EPA replaces it with a sensible regulation
		ENGINEERS
HCS SB 667		Modifies provisions relating to design professionals, school social workers, real estate appraising, and residential construction
SB 780	Wasson	Modifies the composition of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects

No.	Author	Subject
SS SCS HCS HB 1280		Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer
HB 1852		Changes the laws regarding the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects
		ENTERPRISE ZONES
HCS HB 1709		Establishes the Missouri Works Program
		ENTERTAINMENT, SPORTS AND AMUSEMENTS
SB 465	Schaaf	Allows Buchanan County and cities, towns, or villages within Buchanan County to establish a theater, cultural arts, and entertainment district
SB 530	Schaaf	Makes authorizations for allocations of nonresident entertainer and athlete income tax revenues perpetual
SB 859	Nieves	Authorizes the Division of Professional Registration to regulate mixed martial arts and creates rules for amateur contests
SCS SCR 17		Urges the use of the slogan "The Great Rivers State" by the State of Missouri
HB 1056		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HB 1206		Allows a student who has been denied the privilege to participate in an interscholastic activity under certain conditions to petition the court for a restraining order prohibiting enforcement of the denial
HB 1237		Requires the Lottery Commission to promulgate rules establishing criteria to allow a licensee who has been convicted of a class C or class D felony to sell lottery tickets
HCS HB 1245		Changes the laws regarding tax credits and the Missouri Quality Jobs Act
HCS HB 1254		Changes the laws regarding agriculture
HB 1262		Requires the State Board of Education to establish a coordinated health program board to develop a program designed to prevent student obesity, cardiovascular disease, and type II diabetes
HB 1282		Requires the Department of Conservation to provide an applicant or licensee for a hunting, trapping, or fishing license or permit with a copy of its current violation code and point system list
HCS HB 1298 & 1180		Changes the laws regarding a defendant's liability in a tort action and establishes the Agritourism Promotion Act
HB 1346		Changes the laws regarding student athlete agents
HB 1348		Allows any public school to offer courses in ballroom, square, or country dance which must be treated as a qualified fine arts and a physical education activity for academic credit
HCS HB 1364		Guarantees the right to conduct and participate in rodeos in this state and prohibits a restriction on the conducting of or participating in rodeos
HCS HB 1370		Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 1423		Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit
HB 1470		Expands the list of mandatory reporters of child abuse and neglect to include a coach, scout leader, youth leader, and any volunteer who has direct contact with children
SS SCS HCS HB 1498		Changes the laws regarding liquor sales
SCS HB 1504		Changes the laws regarding sales taxes
HB 1507		Requires the State Board of Education to limit a student's participation in and practice for extracurricular activities to during the school day and week to the extent possible

No.	Author	Subject
HB 1603		Prohibits a health carrier or health benefit plan from denying reimbursement to a licensed athletic trainer who provides covered benefit services within the scope of an athletic trainer
HCS HB 1710		Changes the laws regarding tax credits and requires the Department of Economic Development to establish the Missouri Works Training Program
HB 1806		Specifies the duties and liabilities of ski area operators and skiers regarding the risk and legal responsibility for any injury, death, or loss to person or property resulting from the inherent risks of skiing
HCS HB 1834		Establishes the Extracurricular and Interscholastic Opportunities Anti-Discrimination Act
SS SCS HCS HB 1865		Changes the laws regarding economic development incentives
HCS HB 1877		Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 1898		Creates the Missouri Juneteenth Heritage Memorial Fund and changes the distribution of funds from the nonresident entertainer and professional athletic team income tax to provide moneys to the fund
HB 1975		Requires a professional sports team to make its financial records and ownership public if it is going to receive any state funds
HB 2036		Prohibits a public school from joining an association that governs interscholastic sports and activities unless the association sanctions the disciplines of archery, pistol, rifle, shotgun, and muzzleloading
HB 2065		Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months
HB 2082		Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
HB 2103		Changes the laws regarding smoking in public places
HCR 43		Encourages every school district and school in Missouri to promote and include trap shooting as a high school sport
HJR 59		Proposes a constitutional amendment guaranteeing citizens the right to hunt, fish, trap, and harvest wildlife using traditionally approved devices or methods
		ENVIRONMENTAL PROTECTION
SB 488	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards
SB 645	Schaefer	Modifies provisions relating to permits issued by environmental commissions
SB 759	Lager	Modifies provisions relating to utilities
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
SB 778	Richard	Prohibits an annual adjustment for inflation for certain solid waste management fees
SB 838	Richard	Modifies provisions relating to funding for site remediation in certain municipal areas
SB 849	Purgason	Modifies provisions relating to solid waste management
SB 889	Lager	Modifies provisions relating to natural resources
SB 898	Schaefer	Provides an exemption to certain asbestos-related state requirements for certain entities
SCR 15	Dempsey	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SCR 16	Stouffer	Urges the U.S. Army Corps of Engineers to modify its river management protocol to make flood control a top priority

No.	Author	Subject
SCR 25	Mayer	Urges the federal government to manage the Mississippi River to protect against devastating flood events
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 1064		Allows a scrap metal operator to acquire a vehicle or parts of a vehicle that is 10 years old or older without receiving the original certificate or title
HB 1071		Establishes the Missouri Radon Awareness Act which requires the seller of residential real property to provide the buyer with a disclosure of information on radon hazards
HCS HB 1076 & 1302		Changes the laws regarding renewable energy
HB 1162		Requires a city or political subdivision which intends to expand solid waste collection services into certain areas to put the intent to a vote of the people in the expanded area
SS SCS HB 1251		Changes the laws regarding natural resources
HCS HB 1275		Specifies the timeframe for the resubmission of a ballot issue in certain instances and the necessary percentage of approval for it to become effective
HB 1290		Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HCS HB 1305		Changes the laws regarding environmental standards
HB 1341		Specifies that the exclusion from eligibility in any demand-side program offered by an electrical corporation of certain tax credits will not apply to low-income programs and their participants
HB 1352		Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 1392		Requires a purchaser of commodity metals to register with the scrap theft alert system maintained by the Institute of Scrap Recycling Industries and establishes the Commodity Metals Theft Task Force
HB 1487		Changes the laws regarding renewable energy mandates enacted by Proposition C in 2008
HB 1567		Requires a scrap metal dealer purchasing catalytic converters or a person refining platinum from catalytic converters to keep a record of each purchase and limits the number that he or she can buy per day
HB 1602		Requires a school district to establish a "green" cleaning policy to promote environmentally sensitive cleaning products which meet guidelines of the Department of Elementary and Secondary Education
HB 1634		Repeals the provisions requiring certain newspaper publishers to meet targeted recycled content usage each year
HB 1671		Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wages
HB 1739		Prohibits a homeowners' association from restricting the installation of solar panels if a member of the association obtains a petition signed by 50% plus one members agreeing to the installation
HB 1751		Requires the Department of Natural Resources to annually assess an electric utility in an amount not to exceed .005 of 1% of its annual intrastate operating revenues to encourage biomass energy projects
HCS HB 1795		Changes the laws regarding newspaper recycling, solid waste and safe drinking water fees, environmental control, and asbestos abatement and establishes the Renewable Energy Pilot Program for State Parks
HCS HB 1809		Changes the laws regarding cleaning supplies for state buildings and schools, county building codes, and energy audits of public schools
HB 1814		Prohibits the Department of Health and Senior Services from enforcing or enacting a rule or regulation relating to lead abatement that is stricter than those required by federal law

No.	Author	Subject
HB 1908		Exempts certain businesses from specified state asbestos-related requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos
HB 1924		Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for specified protected places
HB 1926		Establishes the Solar Water Heating System Incentive Program which provides financial incentives for the purchase and installation of solar water heating systems in private residences
HB 2095		Establishes the Animal Ecological Terrorism Act
HCR 31		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
HCR 35		Urges the Department of Natural Resources to consider the need to require groundwater monitoring at all new and existing coal ash ponds and require cleanup for ponds that are leaking dangerous chemicals
HCR 49		Calls on Congress to disapprove the EPA's Mercury and Air Toxics Standards regulation and ensure that the EPA replaces it with a sensible regulation
		ESTATES, WILLS AND TRUSTS
CCS HCS SB 628		Modifies provisions relating to the judiciary
CCS HCS SB 636		Modifies provisions relating to the judiciary
SB 761	Keaveny	Modifies the law regarding trusts to allow for appointment of a trust protector
SB 875	Goodman	Allows $9,999 in an irrevocable trust for certain funeral expenses to not be considered an asset when determining eligibility for public assistance
HB 1165		Changes the requirements for qualified spousal trusts to allow the trust to consist of both property held in one trust for both spouses and property held in two shares on one trust for each spouse
HB 1166		Allows a trust instrument to appoint a trust protector who is expressly granted one or more powers over the trust in the trust instrument
HB 1349		Changes the laws regarding irrevocable life insurance trusts
HB 1409		Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
		ETHICS
HCS SCS SBs 484, 477 & 606		Modifies provisions relating to telecommunications
SB 520	Schaaf	Requires a candidate who forms a committee to designate the office to which the candidate is seeking nomination or election
SB 546	Purgason	Imposes campaign contribution limits
SB 571	Kraus	Requires tax credit recipients to file campaign finance reports with the Missouri Ethics Commission
SB 605	Green	Eliminates duplicate filing of campaign finance disclosure reports
SB 825	Justus	Imposes campaign contribution limits
SB 826	Crowell	Modifies the law relating to ethics
SB 851	Crowell	Bars legislators from lobbying and serving on boards commissions and committees for two years after leaving office
SB 867	Lembke	Categorizes site consultants as executive lobbyists

No.	Author	Subject
HB 1032		Adds a licensed professional counselor to the list of those authorized to conduct a full investigation into whether an individual is suitable as an adoptive parent
HB 1080		Changes the laws regarding ethics, lobbying, and campaign finance
HB 1121		Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission
HB 1320		Changes the laws regarding campaign contributions
HB 1464		Prohibits statewide elected officials and legislators elected to their first term on or after November 2, 2012, from acting, serving, or registering as a lobbyist within one year of leaving office
HB 1480		Changes the laws regarding the state's No-call List and political telephone solicitations
HB 1494		Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 1628		Prohibits, upon voter approval, the Secretary of State from preparing a ballot summary statement if any family member of the secretary has a financial interest in the measure in excess of $50,000
HB 1653		Requires certain tax records to be disclosed to the Missouri Ethics Commission by certain entities who make more than $25,000 in campaign contributions during a year
HB 1682		Prohibits any state department from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 1781		Requires a candidate for public office to file any required disclosure reports and to pay any assessed fees by the Missouri Ethics Commission before filing for an office or taking office
HB 1939		Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
		EVIDENCE
SB 646	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants
SB 909	Cunningham	Modifies provisions of evidence law relating to business records and hearsay
HB 1127		Requires certain specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 1289		Prevents the use of electronic records from a smart meter as evidence in a criminal prosecution and imposes a civil penalty on a utility for transferring these records to anyone for any purpose
HB 1368		Allows certain types of field tests for controlled substances to be admissible as evidence in certain preliminary hearings and in an application for an arrest warrant
HB 1505		Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity as Evidence Law and specifies what documents are not excluded by the hearsay rule of evidence
HB 1599		Changes the criteria for determining that the sentence for first degree murder will be life imprisonment without eligibility for parole instead of the death penalty
HB 1625		Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty case
HB 1698		Specifies that a person commits the crime of obstruction of justice when he or she knowingly does certain specified acts with the intent to prevent the apprehension or obstruct the prosecution of any person
HB 1790		Changes the laws regarding the court admissibility of the hearsay statement of a child
HB 1966		Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity and specifies what documents are not excluded by any hearsay rule
HB 2106		Changes the laws regarding the responsibilities of the Office of the State Auditor

No.	Author	Subject
		EXCAVATION
HB 1919		Establishes new requirements for reporting underground infrastructure under the excavation safety requirements of Chapter 319, RSMo
		FAIRS
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
HCS HB 1254		Changes the laws regarding agriculture
HCS HB 1363		Requires the Missouri State Fair Commission and the governing bodies of fairs and exhibitions which exhibit livestock to permit specified persons to exhibit livestock
HB 1481		Requires the governing body of all national, state, and local fairs and exposes conducted in this state which exhibit livestock or domestic animals to permit breeders and owners to exhibit
		FAMILY LAW
SB 521	Curls	Requires a non-custodial parent to pay child support until the child reaches 22 years of age instead of 21 years of age
SB 573	Dixon	Authorizes certain circuits to increase the civil court filing surcharge from the current $15.00 up to $20.00
CCS HCS SB 628		Modifies provisions relating to the judiciary
HCS SB 690		Modifies provisions related to public safety
HCS SCS SB 711		Modifies provisions relating to adoption
SB 713	Lamping	Modifies provisions relating to adoption records
SS SB 727		Creates a child care subsidy pilot program for parents to continue to receive subsidies while sharing in the costs of the benefits by enacting the Low-Wage Trap Elimination Act
SB 731	Brown	Establishes procedures to follow in child custody and visitation cases for military personnel
HCS SB 739		Modifies provisons relating to administrative child support orders and the Sentencing Advisory Commission
HCS SCS SB 758		Modifies provisions relating to children
SB 863	Wright-Jones	Requires parents to file parenting plans after paternity has been established in court
SB 871	Lamping	Modifies provisions relating to domestic violence
HB 1032		Adds a licensed professional counselor to the list of those authorized to conduct a full investigation into whether an individual is suitable as an adoptive parent
HCS HB 1137		Changes the laws regarding adoptions
HB 1165		Changes the requirements for qualified spousal trusts to allow the trust to consist of both property held in one trust for both spouses and property held in two shares on one trust for each spouse
HB 1208		Specifies that the termination of parental rights in the case of rape cannot extinguish or bar the ordering or enforcement of a child support obligation for a child born as a result of the rape
HCS HB 1258, 1259, & 1260		Changes the laws regarding the acknowledgment of paternity and consent to an adoption
HB 1288		Requires the Missouri Supreme Court to establish by rule the specific language to be included in all child support orders detailing the specific rights and obligations of the parents and the child

No.	Author	Subject
HB 1288		Requires the Missouri Supreme Court to establish by rule the specific language to be included in all child support orders detailing the specific rights and obligations of the parents and the child
HB 1296		Establishes the custody and visitation rights of a deploying military parent
HB 1384		Changes the laws regarding consent to the adoption of a child
HB 1391		Changes the laws regarding the charging of a surcharge in civil court cases
HB 1559		Increases, from no later than 15 days to no later than 60 days, after a child's birth that the father has to file an action to establish paternity prior to an adoption or file with Putative Father Registry
HCS HB 1568		Changes the laws regarding the disclosure of certain foster care licensure information and the provisions regarding the Safe Place for Newborns Act
HB 1588		Changes the laws regarding the notice of the relocation of a child by the custodial parent
HB 1598		Changes the criteria for domestic assault in the third degree to include three responses by law enforcement for alleged abuse or violation of an order of protection by the same person
HB 1667		Authorizes a $20 civil court filing surcharge for certain circuits
HB 1690		Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport
SCS HCS HB 1758		Changes the laws regarding child custody, visitation rights, and adoption
HB 1914		Changes the laws regarding child support for higher education
HB 1915		Allows the probate court to consider and grant visitation to the natural parents of a child with guardianship if it is in the best interest of the child
HB 1994		Allows prospective adoptive parents and the parents of a prospective adoptee to enter into a post adoption contract agreement to allow contact between the former parents and the adoptee
HB 2042		Changes the laws regarding the granting of grandparent visitation
		FAMILY SERVICES DIVISION
SS SB 727		Creates a child care subsidy pilot program for parents to continue to receive subsidies while sharing in the costs of the benefits by enacting the Low-Wage Trap Elimination Act
HB 1470		Expands the list of mandatory reporters of child abuse and neglect to include a coach, scout leader, youth leader, and any volunteer who has direct contact with children
HCS HB 1568		Changes the laws regarding the disclosure of certain foster care licensure information and the provisions regarding the Safe Place for Newborns Act
		FEDERAL - STATE RELATIONS
HCS SS SCS SB 467		Requires agencies that receive federal grants to track and disclose the usage of the funds and the Governor to report withholdings
SB 473	Kraus	Requires the Attorney General to sue the federal government to enforce federal immigration laws
SB 600	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served
HCS SB 690		Modifies provisions related to public safety
SB 741	Parson	Provides that law enforcement agencies only have to procure an independent audit of federal seizures if the proceeds from the federal seizures exceed $500,000
CCS HCS SS SB 749		Provides protection for religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
SB 808	Lembke	Implements recall elections for U.S. Senators

No.	Author	Subject
SB 819	Nieves	Prohibits state enforcement of provisions of the National Defense Authorization Act for Fiscal Year 2012
SCR 15	Dempsey	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SCR 16	Stouffer	Urges the U.S. Army Corps of Engineers to modify its river management protocol to make flood control a top priority
SCR 18	Rupp	Rescinds Missouri's 1983 call for a constitutional convention
SCR 21	Pearce	Urges Congress to support greater domestic development of North American sources of oil and approve the Keystone XL pipeline project
SCR 23	Munzlinger	Urges Congress to further address the issue of allowing the interstate sale of state-inspected meat and poultry
SCR 25	Mayer	Urges the federal government to manage the Mississippi River to protect against devastating flood events
SCR 27	Ridgeway	Applies for a constitutional convention for proposing an amendment to the United States Constitution to require a balanced budget and restrict increases in taxes
SJR 39	Cunningham	Prohibits laws interfering with freedom of choice in health care
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SJR 49	Rupp	Prohibits laws interfering with religious beliefs
SCS HCS HB 1049		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy
HB 1103		Changes the laws regarding the maintenance of private roads and real estate appraisers and appraisal management companies
HCS HB 1110		Allows a circuit court to establish a veterans treatment court to dispose of criminal cases which stem from substance abuse or mental illness of military veterans or current military personnel
HB 1131		Requires the date that services for remuneration were first performed by a newly hired employee to be included on his or her withholding form
HB 1146		Specifies that the intrastate manufacturing of certain incandescent lightbulbs is not subject to federal law or regulation
HB 1183		Excludes the year 2012 from the requirement that a statewide presidential preference primary be held on the first Tuesday after the first Monday in February of each presidential election year
HB 1185		Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 1224		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing unauthorized aliens
HCS HB 1383		Changes the laws regarding information that must be made available on the Missouri Accountability Portal
HCS HB 1395		Changes the laws regarding the Department of Natural Resources
HB 1405		Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HCS HB 1515		Changes the laws regarding crimes and criminal procedures
HB 1534		Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HCS HB 1612		Changes the laws regarding the resetting of a sign for any phase or portion of construction or reconstruction of any street or highway and requires the words "Thank You Troops" to be added to specified signs

No.	Author	Subject
HB 1617		Eliminates the state income tax deduction for federal income tax liability beginning January 1, 2013
HB 1672		Changes the auditing requirement for a law enforcement agency on the proceeds from federal forfeitures to only a reporting requirement
HB 1708		Prohibits the State Board of Education from adopting and the implementation of the standards for public schools developed by the Common Core Standards Initiative
HB 1719		Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act
HB 1730		Establishes protections for the religious beliefs and moral convictions of certain persons and entities regarding specified health care coverage
HB 1742		Recognizes the Northern Chickamauga Cherokee Nation as a tribe within the State of Missouri
HB 1752		Authorizes the Hazardous Waste Management Commission to adopt rules and regulations to ensure that Missouri is in compliance with the federal Resource Conservation and Recovery Act
HB 1814		Prohibits the Department of Health and Senior Services from enforcing or enacting a rule or regulation relating to lead abatement that is stricter than those required by federal law
HCS HB 1877		Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 1928		Adds home nursing visits and follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HB 1936		Changes the laws regarding the accreditation requirements for reinsurance companies and specifies when an insurance company can take credit or reduce liability due to reinsurance
HB 1962		Changes the presidential primary election date from the first Tuesday after the first Monday in February to the general municipal day on the first Tuesday after the first Monday in April
HB 1981		Changes the presidential primary election to the general municipal election day on the first Tuesday after the first Monday in April of each presidential election year
HB 2031		Specifies that the presidential primary will be held in February and requires presidential preference primary results to take precedence over any presidential preference caucus
HB 2066		Establishes the Missouri Liberty Preservation Act which prohibits state enforcement of specified sections of the National Defense Authorization Act for Fiscal Year 2012
HB 2075		Establishes the Daylight Saving Time Elimination Act
HCS HCR 3		Submits to Congress a proposed federal balanced budget amendment to the United States Constitution
HCR 4		Submits an official application by the State of Missouri for the calling of a convention for proposing amendments to the United States Constitution
HCR 6		Strongly urges Congress and the Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs in this country
HCR 7		Claims sovereignty for the State of Missouri under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government
HCR 9		Urges the United States Congress to pass the Federal Reserve Transparency Act to require a complete audit of the Federal Reserve
HCR 10		Urges Congress to address the pervasiveness of sickle cell trait and disease and the need to increase public awareness of the available programs and screenings
HCR 14		Opposes the FCC reforms regarding broadband deployment in rural and hard-to-reach areas and urges the Missouri Congressional delegation to support to expand broadband and DSL in rural areas

No.	Author	Subject
HCR 15		Urges the United States Congress to protect citizens from the financial hardships caused by the Federal Reserve System of paper money unbacked by gold and silver
HCR 16		Requests the Missouri Congressional delegation to support the efforts of the National Women's History Museum to secure a permanent home in the nation's capital at the National Mall
HCR 26		Urges the State of Missouri to recognize the yellow with three stripes heritage and freedom flag as the official flag of the Vietnamese-American community
HCR 28		Urges the United States Congress to enact the Improved and Expanded Medicare for All Act
HCS HCR 30		Strongly urges the U.S. Army Corps of Engineers to re-examine the flood plan, manage the rivers to avoid devastating flooding, and rebuild damaged levies
HCR 31		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
HCS HCR 32		Calls on the United States Congress to allocate at least 40% of the Land and Water Conservation Fund moneys to the State Assistance program for state and local capital parks projects
HCR 34		Rejects any policies and procedures that would be incumbent on Missouri based on the Common Core Standards Initiative required for participation in Race to the Top
HCR 35		Urges the Department of Natural Resources to consider the need to require groundwater monitoring at all new and existing coal ash ponds and require cleanup for ponds that are leaking dangerous chemicals
HCR 37		Supports the approval of the Keystone XL Pipeline to ensure America's oil independence, improve our national security, reduce the cost of gasoline, and create new jobs
HCR 38		Urges Congress to propose an amendment to the United States Constitution to clearly state that corporations are not human beings and do not have the same rights as citizens of the United States
HCR 39		Strongly urges Congress to pass the Community Access Preservation (CAP) Act to ensure that public, educational, and governmental (PEG) programming channels continue to be available to the entire community
HCR 42		Endorses the "Deaf and Hard of Hearing Children's Bill of Rights"
HCR 45		Petitions the United States Congress to propose a federal balanced budget amendment to the United States Constitution
HCR 46		Strongly urges Ameren, FERC, and affected property owners at the Lake of the Ozarks to cooperate and coordinate a swift resolution to the shoreline management plan that respects the rights of property owners
HCR 47		Strongly urges the Department of Defense and the Missouri Congressional delegation to protect, promote, and leverage Missouri's military bases and agencies during the upcoming federal defense budget
HCR 48		Opposes the passage of the Egg Products Inspection Act of 2012, H.R. 3798, which would nullify existing state law and deny states the ability to enact laws to regulate egg factory production
HCR 49		Calls on Congress to disapprove the EPA's Mercury and Air Toxics Standards regulation and ensure that the EPA replaces it with a sensible regulation
HCR 50		Urges the United States Congress to propose the Parental Rights Amendment to the United States Constitution to the states for ratification
HCR 52		Strongly urges the National Park Service to draft its final General Management Plan for the Ozark National Scenic Riverways to recognize the importance the riverways provide to the state
HCR 54		Strongly urges Congress to modify the eligibility requirements for SNAP food stamp benefits which result in less benefits for our citizen households than comparable noncitizen households
HCR 55		Strongly urges strict enforcement of federal trade laws to protect domestic information technology and urges use all state powers to protect manufacturers and state agencies from illegal software

No.	Author	Subject
HCR 59		Opposes the proposed United States Department of Labor regulations which would prohibit certain youth agricultural labor and employment
		FEES
SB 446	Goodman	Specifies that drug courts may be funded by the county law enforcement restitution fund
SB 499	Munzlinger	Imposes an additional admission fee for excursion gambling boat licensees to fund Veterans Commission capital improvements
SB 559	Curls	Allows petitions for expungement of certain criminal records
SB 573	Dixon	Authorizes certain circuits to increase the civil court filing surcharge from the current $15.00 up to $20.00
CCS HCS SB 628		Modifies provisions relating to the judiciary
HCS SB 690		Modifies provisions related to public safety
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SB 763	Kehoe	Prohibits the charging of fee for releasing a lien or encumbrance from a certificate of ownership unless certain conditions are met
SB 765	Schaefer	Authorizes circuit clerks to collect a surcharge for processing garnishments
SB 778	Richard	Prohibits an annual adjustment for inflation for certain solid waste management fees
SB 779	Munzlinger	Authorizes certain officials to charge six dollars for cases disposed of by a traffic violations bureau and creates the MODEX fund
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 787	Curls	WITHDRAWN
SCS SB 789		Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
SB 807	Dempsey	Modifies the law relating to the Second Injury Fund
SCS SB 834		Requires certain funds received by sheriffs to be placed in a special fund in the county treasury
SB 857	Brown	Allows certain funds collected for a sheriff's operating costs to be used to supplement the sheriff's base salary
SB 868	Kehoe	Modifies the filing of reports and fees relating to hazardous materials
SB 889	Lager	Modifies provisions relating to natural resources
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
SCS HCS HB 1042		Changes the laws regarding higher education
HB 1050		Prohibits any contract between a health carrier or health benefit plan and a dentist or optometrist from requiring a fee schedule established by the insurer if the services are not covered under the plan
HB 1057		Requires all inmates receiving on-site medical examination or treatment from correctional center personnel to be charged $1.50 per visit
SCS HCS HB 1072		Establishes the Volunteer Health Services Act to allow certain licensed health professionals to provide services without additional licensure requirements
HB 1079		Allows the State Registrar to issue a heritage birth certificate
HB 1085		Adds an additional $1 to the excursion gambling boat entrance fee with the moneys to be deposited in the Veterans Commission Fund

No.	Author	Subject
HB 1132		Allows a person to obtain a Missouri Junior Golf Foundation special license plate
SCS HCS HB 1134		Changes the laws regarding insurance coverage for services provided by a licensed occupational, speech, or physical therapist
HB 1141		Changes the laws regarding the "Don't Tread on Me" special license plate
HB 1143		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HB 1145		Establishes Nathan's Law and Sam Pratt's Law which change the laws regarding child care providers
HB 1149		Requires an applicant taking the written portion of the driver's license examination to pay a $10 fee
HB 1151		Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 1158		Requires a health benefit plan to establish equal out-of-pocket requirements for an oral anticancer medication and an intravenously administered cancer medication
HB 1160		Requires an excursion boat licensee to pay an additional admission fee equal to 50% of the required fee to be deposited into the Veterans Commission Capital Improvement Trust Fund
HB 1181		Establishes the Transparency in Private Attorney Contracts Act
HB 1205		Specifies certain employee rights as they relate to labor organizations
HB 1206		Allows a student who has been denied the privilege to participate in an interscholastic activity under certain conditions to petition the court for a restraining order prohibiting enforcement of the denial
HB 1206		Allows a student who has been denied the privilege to participate in an interscholastic activity under certain conditions to petition the court for a restraining order prohibiting enforcement of the denial
HCS HB 1210		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HCS HB 1211		Changes the laws regarding local courts
HCS HB 1212		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways and regarding vehicles hauling milk from a farm to a processing facility
HCS#2 HB 1213		Changes the laws regarding the Bi-State Development Agency, vacation leave for state employees, Department of Revenue fee offices, advisory board association, and conveyance of state property
HB 1235		Requires an election authority to conduct a record check to determine whether a person is prohibited from filing as a candidate for the election for which he or she is filing a declaration of candidacy
HB 1241		Adds an additional $1 to the excursion gambling boat entrance fee with the moneys to be deposited in the Veterans Commission Fund
HB 1253		Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs
HB 1255		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HCS HB 1256		Changes the laws regarding judicial procedures
HB 1268		Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue

No.	Author	Subject
HB 1281		Allows an honorably discharged veteran to apply to obtain a sticker to be placed on his or her driver's license or identification card indicating veteran status
HCS HB 1298 & 1180		Changes the laws regarding a defendant's liability in a tort action and establishes the Agritourism Promotion Act
SS HCS HB 1329		Changes the laws regarding motor vehicles
HB 1332		Changes the laws regarding the infrastructure replacement surcharge for water corporations
HB 1334		Establishes the Fair Fare Passenger Safety Act of 2012 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HCS HB 1342		Changes the laws regarding the recovery of costs and attorney fees by the prevailing defendant in a civil action
HCS HB 1361		Allows telecommunications and broadband service providers or rural electric cooperatives to attach, maintain, and operate their equipment on another's pole under specified terms and conditions
HB 1382		Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 1391		Changes the laws regarding the charging of a surcharge in civil court cases
HCS HB 1395		Changes the laws regarding the Department of Natural Resources
HB 1396		Prohibits certain entities in St. Charles County that do not process or treat their own sewage or wastewater from increasing its customer fee by a specified amount without a majority vote of the voters
HCS HB 1397		Changes the laws regarding political subdivisions
HB 1412		Allows certain organizations who sell intoxicating liquor by the drink at retail or on their premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 1414		Removes the provision limiting the annual surcharge paid by employers to the Second Injury Fund to 3% of the employer's workers' compensation net deposits, premiums, or assessments
HB 1422		Revises the laws regarding DNA profiling analysis
HB 1454		Requires a person convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution
HB 1455		Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development
SCS HB 1460		Extends the expiration date of the Statewide Court Automation Fund from September 1, 2013, to September 1, 2018, and the Court Automation Committee from September 1, 2015, to September 1, 2020
HB 1474		Prohibits the Department of Corrections from charging an intervention fee to an inmate when he or she leaves prison
HB 1487		Changes the laws regarding renewable energy mandates enacted by Proposition C in 2008
HB 1492		Authorizes Cass County to establish a county municipal court
HB 1506		Requires a health benefit plan to establish equal out-of-pocket requirements for an orally administered anti-cancer medication and an intravenously administered or injected cancer medication
HB 1509		Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 1528		Establishes the Intersection Safety Act regarding automated traffic enforcement systems

No.	Author	Subject
HB 1530		Changes the laws regarding the resale of certain scrap metals
HB 1538		Prohibits employers from requiring employees to engage in or cease engaging in certain labor practices as a condition or continuation of employment
HB 1558		Removes the provision allowing the Board of Probation and Parole to charge an offender an intervention fee as a condition of parole
HCS HB 1574 & 1097		Allows a person to apply for a veteran designation on his or her driver's license or identification card upon providing specified proof of service
HB 1592		Changes the laws regarding county collectors and a county's special road and bridge levy and establishes the STAR Bonds Financing Act
HB 1594		Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HCS HB 1612		Changes the laws regarding the resetting of a sign for any phase or portion of construction or reconstruction of any street or highway and requires the words "Thank You Troops" to be added to specified signs
HB 1613		Requires any not-for-profit entity which has been awarded a Department of Revenue fee office contract to submit an annual report on its receipts, expenditures, and contributions
HB 1646		Allows a person or company that rents or sells vessels to issue a temporary boating safety identification card to certain non-residents
HB 1667		Authorizes a $20 civil court filing surcharge for certain circuits
HB 1675		Establishes the MODEX Fund and deposits one-half of the charges collected by traffic violation bureaus for law enforcement services into the fund to support the operational costs of the MODEX system
HB 1677		Authorizes a person to apply to a court for the expungement of certain criminal records
HB 1679		Establishes the Sales Tax Technology Act regarding the electronic submission of sales tax data and payments
HB 1695		Requires an annual 2% increase for Department of Revenue fee office contracts awarded to specified federal tax exempt organizations
HB 1696		Requires the State Highway Patrol to waive any state fees associated with obtaining a concealed carry endorsement for an applicant who is a veteran
HB 1703		Adds Buchanan County to the list of counties authorized to impose a civil fine for a violation of a county rule, regulation, or ordinance
HB 1715		Prohibits the charging of a fee for releasing a lien or encumbrance from a certificate of ownership with specified exceptions
HB 1734		Requires a motor vehicle dealer to give a purchaser the option of completing specified paperwork on his or her own and not having to pay an administrative fee or having the dealer to do it and pay the fee
HB 1747		Changes the laws regarding weapons
HB 1748		Changes the laws regarding abandoned property
HCS HB 1795		Changes the laws regarding newspaper recycling, solid waste and safe drinking water fees, environmental control, and asbestos abatement and establishes the Renewable Energy Pilot Program for State Parks
HB 1797		Requires out-of-state persons or groups who wish to protest a funeral in this state to pay, prior to the protest, a $15,000 fee to the local law enforcement agency in the area where the protest will be held

No.	Author	Subject
SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB1269, HB1641, HB1668, HB1737, HB1782, HB1868, AND HB1878		Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates
HB 1824		Prohibits a person from operating a warehouse, commissary, or mobile food unit without first obtaining a license from the Department of Health and Senior Services
HB 1844		Requires specified disclosures on new credit card processing service contracts
HB 1845		Authorizes the clerk of the circuit court to charge and collect a surcharge of up to $10 in cases where a garnishment is granted
HB 1864		Allows a person to obtain a Pony Express special license plate
HB 1904		Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 1908		Exempts certain businesses from specified state asbestos-related requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos
HB 1925		Prohibits a higher education institution from charging a Missouri resident who is a full-time student a tuition rate that exceeds the amount charged when the student first enrolled for the next five years
HB 1931		Establishes the KidCare Co-op Program within the Department of Social Services to provide affordable health insurance to children through 18 years of age
HCS HB 1934 & 1654		Exempts, effective January 1, 2014, an animal shelter from the payment of any licensing and other fees under the provisions of the Animal Care Facilities Act
HB 1947		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HB 1954		Requires an applicant for a new or renewal liquor license for a period of more than 30 days to pay an additional $100 transaction fee for deposit into the Alcohol and Tobacco Control Trust Fund
HB 1958		Allows for the issuance of a temporary third license plate to be placed in a vehicle's back window when the view of the rear license plate is obstructed by a bicycle rack or other item
HB 1959		Prohibits specified increases in premiums or fees charged for sewage or wastewater treatment in St. Charles County without approval by the voters
HB 1960		Increases the fee for an alternative fuel decal and requires the moneys from the fee to be deposited into the State Highways and Transportation Department Fund instead of the Motor Fuel Tax Fund
HB 1972		Requires the county office that administers the lateral sewer service line repair fee program to bill each condominium unit separately for its proportionate share of the fee
HB 1974		Prohibits an investor-owned utility from including any costs associated with a settlement from a whistle-blower case in its rate case request to the Missouri Public Service Commission
HB 1991		Requires a sewer district to notify the landowner of any delinquent charges owed and that he or she has 30 days to correct the delinquency or a lien will be placed on the property
HB 1997		Specifies that a school or school district cannot be required to admit any pupil from an unaccredited school district in the same or adjoining county

No.	Author	Subject
HB 2068		Prohibits the payment of any professional membership dues of any school administrator or superintendent from the incidental fund or teachers fund of a school district
HB 2070		Changes the laws regarding mechanic's liens on residential real property
HB 2078		Requires the Children's Division to establish rules to modify the income eligibility criteria for individuals receiving a child care subsidy benefit
HB 2108		Allows charges of up to $50,000 in any year collected by a sheriff in civil cases to also be used to supplement the sheriff's base salary
HJR 73		Proposes a constitutional amendment prohibiting the design or construction of toll roads or facilities in the state or from entering into a public-private partnership or agreement for a new toll road
		FIRE PROTECTION
HCS SCS SB 591		Modifies provision regarding state and local revenues, various interest rates, and the authority of fire protection districts
SB 652	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
HCS SB 667		Modifies provisions relating to design professionals, school social workers, real estate appraising, and residential construction
HCS SB 668		Modifies several provisions of law concerning taxation, the composition of county sport complex authorities, fire protection district regulations, and real estate appraiser licensing
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SCS SB 729		Modifies provisions relating to county purchases
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 792	Brown	Classifies a retailer with a machine that processes tobacco into a roll or tube as a manufacturer of cigarettes
SB 852	Crowell	Places newly hired St. Louis City firemen into a new retirement system if the city adopts such a new system
SB 853	Crowell	Removes St. Louis City firemen hired after August 28, 2012 from the current retirement system and places them in a new system
SCS SB 860		Authorizes the State Fire Marshal to issue certificates to fire sprinkler contractors
HB 1114		Requires Taney County, upon voter approval of a county sales tax, to appoint an emergency services board to administer the central dispatching of emergency services
HCS HB 1325		Authorizes the Governor to vacate an existing easement and to grant a new easement on and over certain state-owned property for the construction of a fire station in the City of Sedalia
HB 1334		Establishes the Fair Fare Passenger Safety Act of 2012 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HCS HB 1458		Changes the laws regarding public safety, fire protection, and emergency services
HB 1523		Specifies that, beginning January 1, 2013, certain specified building codes will be deemed the official state codes
HB 1802		Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
HCS HB 1809		Changes the laws regarding cleaning supplies for state buildings and schools, county building codes, and energy audits of public schools

No.	Author	Subject
HB 1825		Allows a fire truck to be used for specified patient transport under certain conditions
HB 1857		Changes the laws regarding the Firemen's Retirement System of St. Louis for persons hired on or after August 29, 2012
HB 1904		Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 1916		Revises the definition of "emergency vehicle" to include any vehicle operated by an authorized member of specified groups while responding to an emergency or in route to a fire station or ambulance garage
HB 1921		Requires a safety study to be conducted before specified entities decrease the number of firefighters or first responders assigned to a fire apparatus pump operation
HB 1945		Removes the provision that requires fire protection districts located in Greene County to have an audit performed every two years
HB 2101		Prohibits a fire protection district from enforcing its residential construction regulatory system when a municipality located within the district adopts, implements, and enforces a regulatory system
		FIREARMS AND FIREWORKS
SS SCS SBs 489 & 637		Modifies provisions relating to weapons
SB 680	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances incorporate statutory justifications
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
SB 820	Nieves	Adds training requirements for 911 dispatch operators and provides certain civil immunity
SCS SB 835		Modifies references to fireworks classifications
SB 872	Justus	Modifies provisions relating to criminal law
SB 884	Nieves	Modifies provisions related to firearms
SB 894	Curls	Modifies the type of information required from applicants for a motor vehicle registration and a concealed carry endorsement
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 1109		Prohibits any state or local governmental entity or public building, place, or setting from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HCS HB 1319, 1045 & 1369		Changes the laws regarding weapons
HB 1426		Specifies that a person commits the crime of unlawful use of weapons if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance
HB 1428		Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 1437		Changes the laws regarding domestic violence
HCS HB 1458		Changes the laws regarding public safety, fire protection, and emergency services
HB 1482		Specifies that the provisions regarding the crime of unlawful possession of a firearm will not apply to the possession of rifles or shotguns by a person who has not been convicted of a violent felony

No.	Author	Subject
HB 1483		Specifies that a political subdivision cannot prohibit a person with a valid concealed carry endorsement from carrying a concealed firearm onto a train or public bus
HB 1589		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires a local ordinance regulating the discharge of firearms to incorporate statutory justifications
HB 1618		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires a local ordinance regulating the discharge of firearms to incorporate statutory justifications
HB 1621		Specifies that it will be an unlawful employment practice to discriminate against an individual because he or she has a concealed carry endorsement or uses a firearm for a lawful purpose
HB 1638		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires local ordinances regarding the discharge of firearms to incorporate statutory justifications
SS HCS HB 1647		Changes the laws regarding public safety
HB 1686		Establishes Blair's Law which specifies that a person commits the crime of unlawful use of a weapon if she or she discharges a firearm within or into the limits of a municipality with criminal negligence
HB 1696		Requires the State Highway Patrol to waive any state fees associated with obtaining a concealed carry endorsement for an applicant who is a veteran
HB 1726		Specifies that any person who had, prior to August 28, 2011, successfully completed the concealed carry training requirements will be deemed to have met the current training requirements
HB 1747		Changes the laws regarding weapons
HB 1832		Specifies a form which any sheriff must accept as proof of firearms safety instructor qualification and that an applicant has passed a firearms safety course for a concealed carry endorsement
HB 1883		Changes the laws regarding the regulation of fireworks
HB 1968		Increases the size requirements for a sign posting private property as off-limits to concealed firearms
HB 1989		Designates the Hawken Rifle as the official state rifle of Missouri
HB 2030		Specifies that any person who has a valid concealed carry endorsement may openly carry a firearm on or about his or her person
HB 2036		Prohibits a public school from joining an association that governs interscholastic sports and activities unless the association sanctions the disciplines of archery, pistol, rifle, shotgun, and muzzleloading
HJR 49		Proposes a constitutional amendment specifying that the right of every citizen to possess or purchase ammunition and articles for the proper functioning of arms must not be infringed or limited
		FISHING AND HUNTING
SB 738	Stouffer	Allows the killing of mountain lions
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
SJR 27	Munzlinger	Increases the number of commissioners on the Conservation Commission and provides term limits
HB 1282		Requires the Department of Conservation to provide an applicant or licensee for a hunting, trapping, or fishing license or permit with a copy of its current violation code and point system list
HB 2045		Establishes requirements for the interstate and intrastate movement of cervids

No.	Author	Subject
HJR 59		Proposes a constitutional amendment guaranteeing citizens the right to hunt, fish, trap, and harvest wildlife using traditionally approved devices or methods
		FUNERALS AND FUNERAL DIRECTORS
SB 757	Wasson	Eliminates the granting of new limited licenses for funeral directing after August 28, 2013
SB 875	Goodman	Allows $9,999 in an irrevocable trust for certain funeral expenses to not be considered an asset when determining eligibility for public assistance
HB 1054		Changes the laws regarding unlawful picketing or protesting of a funeral
HB 1204		Changes the laws regarding unlawful picketing or protesting of a funeral
HB 1584		Adds a motor vehicle owned by a licensed funeral establishment and used exclusively for funeral services to the list of vehicles that are exempt from the motor carrier provisions of Chapter 390, RSMo
HB 1769		Changes the criteria for a person applying for a license as a funeral director after August 27, 2015
HB 1770		Requires, on or after August 28, 2015, any person applying for licensure as a preneed funeral contract agent to hold a valid Missouri funeral director's license
HB 1797		Requires out-of-state persons or groups who wish to protest a funeral in this state to pay, prior to the protest, a $15,000 fee to the local law enforcement agency in the area where the protest will be held
HB 2082		Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
		GAMBLING
SB 466	Munzlinger	Modifies how money in the Gaming Commission Fund is allocated
SB 499	Munzlinger	Imposes an additional admission fee for excursion gambling boat licensees to fund Veterans Commission capital improvements
SB 580	Parson	Modifies the licensing period for certain licenses issued by the Missouri Gaming Commission
SB 709	Schaaf	Disqualifies certain persons receiving public assistance from engaging in gaming activities
HCS SCS SB 726		Modifies provisions relating to financial transactions
SB 793	Munzlinger	Modifies how funds from the lottery and the Gaming Commission Fund are distributed
HCS SB 813		Modifies provisions relating to financial transactions
HB 1085		Adds an additional $1 to the excursion gambling boat entrance fee with the moneys to be deposited in the Veterans Commission Fund
HB 1160		Requires an excursion boat licensee to pay an additional admission fee equal to 50% of the required fee to be deposited into the Veterans Commission Capital Improvement Trust Fund
HB 1161		Increases the annual amount of moneys to be transferred from the Gaming Commission Fund to the Veterans' Commission Capital Improvement Trust Fund
HB 1237		Requires the Lottery Commission to promulgate rules establishing criteria to allow a licensee who has been convicted of a class C or class D felony to sell lottery tickets
HB 1241		Adds an additional $1 to the excursion gambling boat entrance fee with the moneys to be deposited in the Veterans Commission Fund
HB 1287		Requires the Missouri Gaming Commission to develop rules to allow patrons of excursion gambling boats to donate winnings to the newly created Missouri Veterans Fund to support veterans homes
HB 1303		Creates the Missouri Veterans Fund within the Missouri Gaming Commission to accept certain donations by patrons of excursion gambling boats to support Missouri veterans homes
HCS HB 1644		Changes the laws regarding excursion gambling boat licenses, occupational licenses to work in certain jobs on a gambling boat, and licenses of suppliers of gambling equipment

No.	Author	Subject
SS SCS HCS HB 1731		Changes the laws regarding the use of gaming and tobacco settlement moneys
HCS HB 1877		Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 1998		Changes the laws regarding health services and fees and moving violations and traffic offenses occurring within an active emergency zone
HJR 88		Proposes a constitutional amendment reducing the length of time a person must be a member of an organization before participating in the operation of a bingo game and removes the advertising restrictions
HJR 91		Proposes a constitutional amendment prohibiting a person from participating in the actual operation of a bingo game unless he or she has been a member of the licensed organization for at least one year
		GENERAL ASSEMBLY
SB 445	Goodman	Establishes the Joint Committee on the Missouri Criminal Code
SCS SB 451		Modifies provisions relating to school operations
CCS HCS SB 455		Modifies provisions relating to higher education
SS SB 464		Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met
SB 473	Kraus	Requires the Attorney General to sue the federal government to enforce federal immigration laws
SB 478	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013
SB 479	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013
SS#2 SB 492		Modifies retirement benefits for new members of the general assembly and statewide elected officials and modifies interest paid on retirement refunds
SCS SB 516		Modifies provisions regarding gubernatorial appointments
SB 518	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 545	Chappelle-Nadal	Requires certain public officials and certain staff members of the executive branch and legislature to submit to drug tests
SB 560	Ridgeway	Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met
HCS SCS SB 562		Modifies provisions relating to the transfer of property by certain state universities
HCS SCS SB 563		Modifies provisions relating to higher education
SCS SB 565		Modifies the membership of the Missouri Health Insurance Pool
SS SCS SB 576		Modifies provisions relating to charter schools
SB 581	Callahan	Modifies provisions relating to school district boundary line changes, school accreditation, and employment of retired teachers under certain circumstances
SB 604	Green	Prohibits a state agency from requesting an additional appropriation of state moneys to satisfy an award of attorney fees and other expenses
CCS HCS SB 628		Modifies provisions relating to the judiciary
CCS HCS SB 636		Modifies provisions relating to the judiciary

No.	Author	Subject
SB 650	Ridgeway	Requires Senate approval for gubernatorial appointments to certain boards, commissions, and committees
SB 663	Chappelle-Nadal	Establishes Boulevard Brewery Company and Saint Louis Brewery, Inc. as the official breweries of the state
SB 669	Lembke	Modifies the retirement plans for judges, statewide elected officials, and members of the General Assembly who first take office after January 1, 2013
SS SCS SB 677		Modifies provisions relating to school accreditation for failing school districts
SB 694	Nieves	Modifies the use of the Capitol complex grounds by nonpublic entities
SCS SB 706		Modifies provisions relating to school operations
SB 734	Richard	Establishes the Missouri Works Training Program
SCS SB 744		Requires video camera surveillance of public spaces within the State Capitol building and authorizes private security within the State Capitol
SB 747	Schaefer	Modifies the composition of the University of Missouri Board of Curators
SB 775	Munzlinger	Requires the Governor to give thirty days notice to the General Assembly before an appointed official's term ends
SB 786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
HCS SCS SB 856		Establishes the "Senate Interim Committee on the Structure of the Missouri Employers Mutual Insurance Company" to study whether MEMIC should be sold, privatized, or have its current structure modified
SB 861	Purgason	Creates the Task Force on Government Continuity
SS SB 877		Requires each state department to quarterly report certain information about its employees to the General Assembly
SCR 14	Stouffer	Restates the mission of the Missouri-Israel Cooperative Agreement
SCR 18	Rupp	Rescinds Missouri's 1983 call for a constitutional convention
SCR 19	Munzlinger	Disapproves the new values for agricultural and horticultural property filed by the State Tax Commission
SCR 22	Justus	Urges ratification of the Equal Rights Amendment to the United States Constitution
SCR 26	Stouffer	Establishes the Joint Interim Committee on Transportation Needs to study the transportation infrastructure needs of Missouri
SCR 28	Mayer	Establishes the Joint Committee on the Missouri Criminal Code to study the state's criminal laws
SJR 25	Crowell	Lowers the number of State Representatives from 163 to 101
SJR 29	Lamping	Requires the legislative session to end in late March rather than mid-May, beginning with the 98th General Assembly
HCS SJR 37		Requires all meetings of apportionment commissions to be conducted in public and prohibits commission members from serving in the General Assembly for six years after service on commission
SJR 43	Green	Limits the total service in the General Assembly to sixteen years in any proportion between the Senate and the House of Representatives
SJR 44	Green	Creates a two year budget cycle
HCS SS#2 SJR 48		Modifies provisions regarding members and meetings of Missouri Senate and House of Representative apportionment commissions
HB 1029		Requires the Oversight Division of the Committee on Legislative Research to conduct program evaluations of state agencies, including budget transparency and accountability

No.	Author	Subject
HB 1041		Authorizes the governing board of any state university to convey or transfer real property, except in fee simple, without an authorizing act of the General Assembly through August 28, 2017
SCS HCS HB 1042		Changes the laws regarding higher education
HB 1043		Changes the laws regarding the elementary and secondary school education funding formula
SS SCS HB 1051		Requires the State Auditor to perform, on a one-time basis, a comparative audit of at least five, but no more than 10, of the largest state agencies and of each chamber of the General Assembly
HB 1054		Changes the laws regarding unlawful picketing or protesting of a funeral
HB 1080		Changes the laws regarding ethics, lobbying, and campaign finance
HB 1138		Prohibits any member of the General Assembly from accruing creditable service under the Year 2000 Plan of the Missouri State Employees' Retirement System
SS#2 SCS HCS HB 1174		Changes the laws regarding school accreditation by authorizing the State Board of Education to establish an alternative governing structure for a failing school district
HB 1181		Establishes the Transparency in Private Attorney Contracts Act
HB 1222		Requires a two-year itemized zero-based budget analysis to be submitted by each state department to the chairs of the House Budget Committee and the Senate Appropriations Committee
HB 1225		Requires members of the General Assembly to be subject to random drug testing during the legislative session
HB 1226		Prohibits a member of the General Assembly from being eligible to receive a retirement benefit based on his or her service unless he or she has served 16 years in the General Assembly
HCS HB 1228		Changes the laws regarding charter schools
HB 1247		Repeals the provisions which allow a member of the General Assembly to apply for a special license plate
HB 1312		Prohibits General Assembly members who have not served at least three full biennial assemblies from accruing creditable service under the Year 2000 Plan in the Missouri State Employees' Retirement System
HB 1320		Changes the laws regarding campaign contributions
SCS HB 1331		Revises the computation of the accrued benefits when an employee transfers creditable service between the State Employees' Retirement System and the Department of Transportation Retirement System
SCS HCS HB 1407		Establishes the Sickle Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs
HB 1464		Prohibits statewide elected officials and legislators elected to their first term on or after November 2, 2012, from acting, serving, or registering as a lobbyist within one year of leaving office
HCS HB 1541		Specifies that anyone providing or participating in a medical procedure or research cannot be required to provide or participate in the activity if it violates his or her conscience or principles
HB 1571		Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 1600		Changes the retirement eligibility requirements for any person who becomes a member of the General Assembly on or after January 1, 2013
HB 1613		Requires any not-for-profit entity which has been awarded a Department of Revenue fee office contract to submit an annual report on its receipts, expenditures, and contributions
HCS HB 1710		Changes the laws regarding tax credits and requires the Department of Economic Development to establish the Missouri Works Training Program
HB 1842		Establishes the Joint Committee on Child Abuse and Neglect to make a continuing study and analysis of the state child abuse and neglect reporting and investigation system

No.	Author	Subject
HCS HB 1869		Changes the laws regarding elections
HCS HB 1890		Changes the laws regarding health insurance coverage and contracts
HB 1911		Establishes the Missouri Advisory Boards and Commissions Association
HB 1917		Changes the laws regarding candidate filing dates for primary elections
HB 1929		Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1939		Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 1984		Requires the Division of the Budget to report any expenditure of state funds in excess of $100,000 to the chairs of the House Budget Committee and the Senate Ways and Means and Fiscal Oversight Committee
HB 2048		Prohibits any animal inside the State Capitol Building except for a service dog or other service animal
HB 2054		Changes the laws regarding the Joint Committee on Education's review of the Commissioner of Education's proposed expenditures on statewide areas of critical need for learning and development
HB 2072		Requires the Director of Revenue to report to the Speaker of the House of Representatives and the President Pro Tem of the Senate a list of jurisdictions that have adopted a local use tax on specified items
HCR 1		House of Representatives and Senate convene in Joint Session in Hall of House of Representatives at 7:00 p.m., Tuesday, January 17, 2012, to receive a message from the Honorable Jeremiah W. Nixon, Governor
HCR 2		House of Representatives and Senate convene in Joint Session at 10:30 a.m., Wednesday, January 18, 2012, to receive message from the Honorable Richard Teitelman, Chief Justice of Missouri Supreme Court
HCR 4		Submits an official application by the State of Missouri for the calling of a convention for proposing amendments to the United States Constitution
HCR 5		Strongly urges all employers in this state to give all veterans in their employ a day off for Veterans Day
HCR 6		Strongly urges Congress and the Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs in this country
HCR 9		Urges the United States Congress to pass the Federal Reserve Transparency Act to require a complete audit of the Federal Reserve
HCR 11		Designates October 3, 2012, as "Missouri Animal Agriculture Day"
HCR 13		Supports the use of unbiased scientific research and data regarding the management practices for rivers and streams
HCR 14		Opposes the FCC reforms regarding broadband deployment in rural and hard-to-reach areas and urges the Missouri Congressional delegation to support to expand broadband and DSL in rural areas
HCR 15		Urges the United States Congress to protect citizens from the financial hardships caused by the Federal Reserve System of paper money unbacked by gold and silver
HCR 16		Requests the Missouri Congressional delegation to support the efforts of the National Women's History Museum to secure a permanent home in the nation's capital at the National Mall
HCR 17		Designates the week of March 25, 2012, as "Colon Cancer Awareness Week" in Missouri
HCR 18		Designates April 2012 as "Donate Life Month" in Missouri
HCR 19		Designates the week of May 13 - 19, 2012, as "Sickle Cell Awareness Week" in the State of Missouri
HCR 21		Designates December 15, 2012, as "American Red Cross Minority Blood Drive Day" in Missouri

No.	Author	Subject
HCR 22		Encourages the Missouri Veterans Commission to work with the United States Department of Veterans Affairs to address the needs of women veterans and formally honors the heroic service of women veterans
HCR 23		Grants authority to the Department of Economic Development to approve qualified equity investments
HCR 24		Recognizes the week of January 22-28, 2012, as "Reproductive Rights Awareness Week" in Missouri
HCR 26		Urges the State of Missouri to recognize the yellow with three stripes heritage and freedom flag as the official flag of the Vietnamese-American community
HCR 27		Congratulates the students and teachers of the St. Louis Public Schools for the progress the school district has made toward re-accreditation
HCR 28		Urges the United States Congress to enact the Improved and Expanded Medicare for All Act
HCR 29		Requests the Adjutant General of the Missouri National Guard to establish a voluntary reporting program for Missouri National Guard members and veterans who have been exposed to depleted uranium
SCS HCS HCR 33		Reauthorizes the Joint Interim Committee on State Employee Wages
HCR 35		Urges the Department of Natural Resources to consider the need to require groundwater monitoring at all new and existing coal ash ponds and require cleanup for ponds that are leaking dangerous chemicals
HCR 36		Reaffirms economic development projects of mutual benefit between the United States and Israel
HCR 38		Urges Congress to propose an amendment to the United States Constitution to clearly state that corporations are not human beings and do not have the same rights as citizens of the United States
HCR 39		Strongly urges Congress to pass the Community Access Preservation (CAP) Act to ensure that public, educational, and governmental (PEG) programming channels continue to be available to the entire community
HCR 41		Declares the General Assembly's strong opposition to the newest regulation under the federal Patient Protection and Affordable Care Act which is contrary to the laws of Missouri
HCR 42		Endorses the "Deaf and Hard of Hearing Children's Bill of Rights"
HCR 44		Urges Congress and the Administration to seek solutions to rapidly rising fuel costs, and create and maintain our energy independence
HCR 45		Petitions the United States Congress to propose a federal balanced budget amendment to the United States Constitution
HCR 47		Strongly urges the Department of Defense and the Missouri Congressional delegation to protect, promote, and leverage Missouri's military bases and agencies during the upcoming federal defense budget
HCR 48		Opposes the passage of the Egg Products Inspection Act of 2012, H.R. 3798, which would nullify existing state law and deny states the ability to enact laws to regulate egg factory production
HCR 49		Calls on Congress to disapprove the EPA's Mercury and Air Toxics Standards regulation and ensure that the EPA replaces it with a sensible regulation
HCR 50		Urges the United States Congress to propose the Parental Rights Amendment to the United States Constitution to the states for ratification
HCR 51		Recognizes "Whole Child Month" in Missouri and encourages every school to celebrate by identifying at least one of the whole child tenets to promote and encourage during the month of March
HCR 52		Strongly urges the National Park Service to draft its final General Management Plan for the Ozark National Scenic Riverways to recognize the importance the riverways provide to the state
HCR 53		Submits a revised Summary Statement for House Committee Substitute No. 2 for Senate Joint Resolution No. 2 to the Secretary of State

No.	Author	Subject
HCR 54		Strongly urges Congress to modify the eligibility requirements for SNAP food stamp benefits which result in less benefits for our citizen households than comparable noncitizen households
HCR 55		Strongly urges strict enforcement of federal trade laws to protect domestic information technology and urges use all state powers to protect manufacturers and state agencies from illegal software
HCR 56		Strongly urges the MO HealthNet Division to allow all qualified managed care providers to participate in the MO HealthNet Program and the Commissioner of Administration to award contracts to such providers
HCR 57		Establishes the Committee on Fiscal Responsibility and Realignment of Political Subdivisions to evaluate the fiscal benefit of realigning the distribution of public fiscal, capital, and personnel resources
HCR 58		Encourages local school districts to educate themselves on the authority they have under state law to develop and implement policies and procedures to address the issues in their school districts
HCR 59		Opposes the proposed United States Department of Labor regulations which would prohibit certain youth agricultural labor and employment
HCR 60		Recognizes October 11, 2012 as the "Day of the Girl" in Missouri
HJR 39		Proposes a constitutional amendment prohibiting any change by the General Assembly to a statute as approved by voters through the initiative petition process without a certain percentage of votes
HJR 40		Proposes a constitutional amendment authorizing the establishment of a Fair Ballot Commission to determine the propriety and correctness of proposed ballot language submitted by initiative or referendum
HCS HJR 41		Proposes a constitutional amendment prohibiting any member of the General Assembly from serving more than 16 years in any one house nor more than 16 years total in both houses
HJR 42		Proposes a constitutional amendment changing the dates that specified actions can take place on bills filed in a legislative session
HJR 53		Proposes a constitutional amendment allowing a person to serve any proportion of the 16-year limit between the House of Representatives and the Senate
HJR 58		Proposes a constitutional amendment specifying that the General Assembly has no power or authority to contract any liability or to issue certain bonds if repayment is dependent on appropriations
HCS HJR 60		Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 102 beginning with the 102nd General Assembly
HJR 62		Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 65		Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 66		Proposes a constitutional amendment prohibiting a person from serving more than 16 years in the General Assembly in any proportion split between the House of Representatives and the Senate
HJR 78		Proposes a constitutional amendment requiring all meetings of a redistricting apportionment commission to be open to the public
HJR 87		Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 101
		GOVERNOR & LT. GOVERNOR
SB 437	Crowell	Requires the joint election of the Governor and Lieutenant Governor
SB 445	Goodman	Establishes the Joint Committee on the Missouri Criminal Code

No.	Author	Subject
CCS HCS SB 455		Modifies provisions relating to higher education
SS SB 464		Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met
HCS SS SCS SB 467		Requires agencies that receive federal grants to track and disclose the usage of the funds and the Governor to report withholdings
SB 475		Requires the joint election of the Governor and Lieutenant Governor
SB 501	Wright-Jones	Creates the Council on Digital Inclusion
SCS SB 516		Modifies provisions regarding gubernatorial appointments
SB 518	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 560	Ridgeway	Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met
HCS SCS SB 562		Modifies provisions relating to the transfer of property by certain state universities
HCS SCS SB 563		Modifies provisions relating to higher education
SS SCS SB 576		Modifies provisions relating to charter schools
HCS SB 578		Modifies provisions relating to property owned by the state
SB 650	Ridgeway	Requires Senate approval for gubernatorial appointments to certain boards, commissions, and committees
CCS SS SB 665		Authorizes the Governor to transfer certain pieces of real estate located throughout the state of Missouri
SS SCS SB 677		Modifies provisions relating to school accreditation for failing school districts
SCS SB 699		Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
SB 747	Schaefer	Modifies the composition of the University of Missouri Board of Curators
SB 775	Munzlinger	Requires the Governor to give thirty days notice to the General Assembly before an appointed official's term ends
SB 786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SJR 23	Crowell	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 24	Crowell	Requires the joint election of the Governor and Lieutenant Governor beginning in the year 2016
SJR 26	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 30		Requires the joint election of the Governor and Lieutenant Governor beginning in the year 2016
SJR 41	Lembke	Provides for election of certain judges and appointment by Governor of a Supreme Court judge
SJR 42	Lembke	Provides for appointment by the Governor of certain judges with Senate approval
SCS SJR 51		Modifies the composition of Appellate Judicial Commission and number of nominees for vacancies in the Supreme Court and Court of Appeals
SCS HCS HB 1042		Changes the laws regarding higher education
HB 1080		Changes the laws regarding ethics, lobbying, and campaign finance
SS#2 SCS HCS HB 1174		Changes the laws regarding school accreditation by authorizing the State Board of Education to establish an alternative governing structure for a failing school district

No.	Author	Subject
HCS HB 1228		Changes the laws regarding charter schools
HCS HB 1325		Authorizes the Governor to vacate an existing easement and to grant a new easement on and over certain state-owned property for the construction of a fire station in the City of Sedalia
SCS HB 1331		Revises the computation of the accrued benefits when an employee transfers creditable service between the State Employees' Retirement System and the Department of Transportation Retirement System
HB 1353		Allows the Governor, with the advice and consent of the Senate, to appoint a student to the University of Missouri Board of Curators who will have full voting rights
HCS HB 1383		Changes the laws regarding information that must be made available on the Missouri Accountability Portal
HCS HB 1442		Fills a vacancy in the office of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, or State Treasurer by appointment by the Governor or a special election
HB 1464		Prohibits statewide elected officials and legislators elected to their first term on or after November 2, 2012, from acting, serving, or registering as a lobbyist within one year of leaving office
HB 1590		Authorizes the conveyance of specified properties owned by the state to the State Highways and Transportation Commission
HB 1619		Requires the Governor to maintain and regularly update a listing of appointees to state boards, commissions, committees, and councils including residences, races, genders, and term expiration dates
HB 1620		Requires the Governor when selecting appointees to state boards, commissions, committees, and councils to ensure that the membership reflects racial and gender equity based on population if possible
HB 1624		Changes the laws regarding clemency in death penalty cases
HB 1628		Prohibits, upon voter approval, the Secretary of State from preparing a ballot summary statement if any family member of the secretary has a financial interest in the measure in excess of $50,000
SS SCS HB 1820		Authorizes the Governor to convey specified state properties
HB 1836		Authorizes the Governor to convey state property located in the City of Macon to the State Highways and Transportation Commission
HB 1888		Establishes the Office of Protection and Advocacy for Persons with Disabilities within the Office of Administration to protect the rights of individuals with disabilities and developmentally disabled persons
HB 1911		Establishes the Missouri Advisory Boards and Commissions Association
HB 1929		Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1939		Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HCR 1		House of Representatives and Senate convene in Joint Session in Hall of House of Representatives at 7:00 p.m., Tuesday, January 17, 2012, to receive a message from the Honorable Jeremiah W. Nixon, Governor
HCS HJR 44		Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increasing the number of candidates nominated to the Governor for certain judicial vacancies
		GUARDIANS
HB 1087		Establishes the Adult Health Care Consent Act which specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care
HB 1167		Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period

No.	Author	Subject
SS HCS HB 1576		Allows certain state-licensed foster parents to purchase health insurance from the Missouri Consolidated Health Care Plan at the premium rate established for state employees
HB 1915		Allows the probate court to consider and grant visitation to the natural parents of a child with guardianship if it is in the best interest of the child
		HEALTH CARE
SB 478	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013
SB 479	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013
SB 494	Wright-Jones	Creates the Medical Harm Disclosure Act
SB 496	Wright-Jones	Enacts the Prevention First Act
SB 507	Wright-Jones	Requires health insurance policies to cover ultrasound screenings where mammograms demonstrate dense breast tissue
SB 511	Schaaf	Provides that no amendments shall be made to the Missouri State Medicaid Plan without first obtaining approval from the Joint Committee on MO HealthNet
SB 512	Schaaf	Prohibits restrictive physician employment contracts
SB 529	Schaaf	Prohibits hospitals from requiring physicians to agree to make patient referrals as a condition of receiving medical staff privileges
SB 544	Chappelle-Nadal	Licenses clinical laboratory personnel
SB 550	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
SCS SB 657		Provides for the conscience rights of all individuals who provide medical services
HCS SS SCS SB 682		Requires that certain pain management techniques be performed by licensed physicians
SB 707	Cunningham	Restricts the authority of radiology benefit managers to deny diagnostic testing ordered and recommended by a physician
CCS HCS SS SB 749		Provides protection for religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
SB 750	Schmitt	Modifies provisions relating to advertisements by health care providers and delegation of authority
SB 830	Wasson	Modifies provisions relating to physician assistant supervision
SB 880	Wasson	Modifies provisions relating to physician assistant supervision during declared emergencies
SJR 39	Cunningham	Prohibits laws interfering with freedom of choice in health care
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SJR 49	Rupp	Prohibits laws interfering with religious beliefs
HB 1033		Requires health care providers to provide a mammography patient with a copy of the mammography report and information regarding the benefit of supplemental screenings for dense breast tissue patients
HB 1057		Requires all inmates receiving on-site medical examination or treatment from correctional center personnel to be charged $1.50 per visit
HB 1058		Establishes Chloe's Law which requires, subject to appropriations, the newborn screening requirements to include a pulse oximetry screening
HB 1081		Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider

No.	Author	Subject
HB 1087		Establishes the Adult Health Care Consent Act which specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care
HB 1095		Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 1096		Allows a county health center to make authorized payments through an electronic funds transfer system
HCS HB 1123		Changes the laws regarding the licensure and inspection of hospitals
HB 1145		Establishes Nathan's Law and Sam Pratt's Law which change the laws regarding child care providers
HB 1158		Requires a health benefit plan to establish equal out-of-pocket requirements for an oral anticancer medication and an intravenously administered cancer medication
HB 1199		Prohibits an insurer from requiring any waiting period for health insurance coverage for maternity benefits and requires coverage to begin immediately from the effective date of the policy or plan
HB 1262		Requires the State Board of Education to establish a coordinated health program board to develop a program designed to prevent student obesity, cardiovascular disease, and type II diabetes
HB 1283		Prohibits any person younger than 15 years of age from using a tanning device or his or her guardian from allowing the use of a tanning device
HB 1333		Changes the laws regarding vision examinations for school students
HB 1343		Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HB 1371		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
HB 1372		Changes the laws regarding the dispensing of controlled substances and establishes the Prescription Drug Monitoring Program Act
HB 1399		Requires the injection of therapeutic substances around the spine or spinal cord for the treatment of certain pain syndromes to be performed only by a licensed physician
HB 1403		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 1405		Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
SCS HCS HB 1407		Establishes the Sickle Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs
HB 1410		Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 1417		Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HB 1421		Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 1435		Repeals the provisions which allow a pregnancy resource center tax credit to be transferred and the provisions regarding its sunset on August 28, 2012
HB 1439		Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 1450		Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers

No.	Author	Subject
HB 1471		Changes the laws regarding the requirements for the testing of persons with tuberculosis
HCS#2 HB 1475		Requires the parent or guardian of any person younger than 17 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of a device
HCS#2 HB 1490		Changes the laws regarding health care
HB 1506		Requires a health benefit plan to establish equal out-of-pocket requirements for an orally administered anti-cancer medication and an intravenously administered or injected cancer medication
HB 1509		Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 1531		Requires the newborn screening requirements to include severe combined immune deficiency disease (SCID), also known as bubble boy disease
HB 1533		Requires licensed chiropractors to be reimbursed under the MO HealthNet Program for providing services currently covered and within the scope of chiropractic practice
HB 1534		Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HCS HB 1541		Specifies that anyone providing or participating in a medical procedure or research cannot be required to provide or participate in the activity if it violates his or her conscience or principles
HB 1547		Permits county assessors to use the Kelly Blue Book or other credible resources when determining the trade-in value of a motor vehicle for personal property tax assessment purposes
SS SCS HCS HB 1563		Changes the laws regarding healthcare services
HB 1570		Changes the laws regarding early childhood services
HB 1580		Requires certain group health insurance policies to provide coverage for the diagnosis and treatment of infertility
HB 1607		Establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires hospitals and health care facilities to provide emergency contraception to sexual assault victims
HB 1651		Designates the month of October as "Spinal Cord Injury Month" in Missouri
HB 1652		Designates the month of May as "Fibromyalgia Month" in Missouri
HB 1665		Designates the month of May each year as "Lupus Awareness Month" in Missouri
HB 1666		Authorizes a tax return check-off box on individual and corporate income tax forms for the newly created Lupus Revolving Research Trust Fund
HB 1678		Changes the laws regarding midwifery
HB 1694		Changes the fee for a Breast Cancer special license plate from going to the Friends of the Missouri Women's Council to going to the Department of Health and Senior Services
HB 1704		Requires a health insurance carrier to provide coverage for the initial device deemed necessary to treat a newborn who has been screened and assessed for a hearing impairment
HB 1713		Adds, subject to appropriations, prescribed, medically necessary hearing aids to the list of services covered under the MO HealthNet Program
HB 1714		Adds, subject to appropriations, comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairment to the list of services covered under MO HealthNet benefits
HB 1718		Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return

No.	Author	Subject
HB 1730		Establishes protections for the religious beliefs and moral convictions of certain persons and entities regarding specified health care coverage
HB 1744		Designates the month of November as Pancreatic Cancer Awareness Month in Missouri
HB 1783		Establishes the Missouri Commission on Prevention and Management of Obesity
HB 1816		Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
SCS HCS HB 1827		Establishes the Missouri Electronic Prior Authorization Committee regarding national standards for the process of obtaining prior approval from an insurer for certain services or medications
HB 1837		Requires employers using medical needles in the routine course of business to use commercially available engineered injury protection devices to reduce the risk of needlestick injuries, with exceptions
HB 1840		Requires any person certified and providing midwifery services to present each client proof of malpractice insurance coverage in an amount of at least $1 million prior to providing services
HCS HB 1846		Changes the laws regarding referrals for MO HealthNet-funded home- and community-based care
HB 1849		Establishes the criteria to be followed by landlords and tenants of multifamily rental dwelling units regarding the control of bed bugs
SS SCS HCS HB 1854		Changes the laws regarding services for individuals
HB 1928		Adds home nursing visits and follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HB 1931		Establishes the KidCare Co-op Program within the Department of Social Services to provide affordable health insurance to children through 18 years of age
HB 1938		Designates March 27 of each year as Medical Radiation Safety Awareness Day in Missouri
HB 1950		Requires health insurance issuers to pay an annual assessment which is to be placed in the Missouri Poison Center Funding Pool to support the Missouri Poison Center
HB 1990		Requires all parents and legal guardians of children less than seven years of age to be informed of the ingredients contained in a vaccination prior to the administration of the vaccination
HB 2000		Changes the laws regarding the licensure of hearing instrument specialists
HB 2028		Requires a summary and a description of a research project funded by the Spinal Cord Injury Fund to be submitted before or with the request for an appropriation to the appropriate appropriations committee
HB 2074		Changes the laws regarding a lien of certain health care entities and practitioners
HB 2077		Establishes the Missouri Yellow Dot Program within the Department of Revenue to provide emergency responders with health and emergency contact information when an individual is in an accident
HCR 10		Urges Congress to address the pervasiveness of sickle cell trait and disease and the need to increase public awareness of the available programs and screenings
HCR 20		Designates August 1, 2012, as "Minority Organ Donor Awareness Day" in Missouri
HCR 22		Encourages the Missouri Veterans Commission to work with the United States Department of Veterans Affairs to address the needs of women veterans and formally honors the heroic service of women veterans
HCR 24		Recognizes the week of January 22-28, 2012, as "Reproductive Rights Awareness Week" in Missouri
HCR 28		Urges the United States Congress to enact the Improved and Expanded Medicare for All Act
HCR 41		Declares the General Assembly's strong opposition to the newest regulation under the federal Patient Protection and Affordable Care Act which is contrary to the laws of Missouri

No.	Author	Subject
HCS HJR 64		Proposes a constitutional amendment prohibiting any person, employer, or health care provider from being compelled to participate in any health care system
HJR 72		Proposes a constitutional amendment specifying that each citizen has an inherent liberty that includes being able to make decisions regarding lawful health care-related services or products
		HEALTH CARE PROFESSIONALS
SB 494	Wright-Jones	Creates the Medical Harm Disclosure Act
SB 496	Wright-Jones	Enacts the Prevention First Act
SB 512	Schaaf	Prohibits restrictive physician employment contracts
SB 515	Schaaf	Requires Director of the Department of Insurance to prescribe by rule uniform application forms for group health insurance policies
SB 519	Schaaf	Requires health carriers to provide Internet access to its standard fee schedules and prohibits carriers from refusing to contract with providers willing to meet certain provider participation terms and conditions
SB 526	Schaaf	Requires health carriers to credential health care professionals within 60 calendar days of receipt of complete application
SB 534	Schaaf	Prohibits insurers from denying reimbursement for providing diagnostic imaging services based solely on the speciality or professional board certification of a licensed physician
SB 593	Parson	Prohibits health carriers from denying reimbursement to licensed athletic trainers who provide covered services within their scope of practice
SB 608	Wasson	Establishes the Missouri Health Insurance Exchange, the "Direct Payment Stop Loss Fund", and creates administrative procedure to collect unpaid medical claims
SB 634	Pearce	Requires insurer to provide coverage for eating disorders
SB 642	Wasson	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SB 644	Schaefer	Requires reimbursement amounts paid by health carriers to licensed physical therapists to be uniform regardless of the setting or venue in which the health care services are rendered
SCS SB 657		Provides for the conscience rights of all individuals who provide medical services
SB 672	Brown	Modifies higher education course credit requirements and healthcare-related professional licensure requirements for members of the armed forces
SB 679	Dixon	Modifies the laws relating to advanced practice registered nurses and collaborative practice arrangements
HCS SS SCS SB 682		Requires that certain pain management techniques be performed by licensed physicians
SB 687	Schmitt	Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians or osteopaths
HCS SB 690		Modifies provisions related to public safety
SS#3 SCS SB 710		Establishes a Prescription Drug Monitoring Program and modifies other provisions relating to controlled substances
SB 716	Schaaf	Prohibits agreements between health carriers and health care providers from containing Most Favored Nation Clauses
HCS SS SB 742		Modifies provisions relating to health care including credentialing of health care professionals, medical records and pharmacy
SB 750	Schmitt	Modifies provisions relating to advertisements by health care providers and delegation of authority
SB 785	Parson	Modifies provisions relating to the dispensation of controlled substances

No.	Author	Subject
SB 830	Wasson	Modifies provisions relating to physician assistant supervision
SB 880	Wasson	Modifies provisions relating to physician assistant supervision during declared emergencies
HB 1033		Requires health care providers to provide a mammography patient with a copy of the mammography report and information regarding the benefit of supplemental screenings for dense breast tissue patients
SCS HCS HB 1072		Establishes the Volunteer Health Services Act to allow certain licensed health professionals to provide services without additional licensure requirements
HB 1081		Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider
HB 1082		Specifies that licensed professional counseling includes the diagnosis of mental, emotional, and behavior disorders and requires these counselors to complete certain educational coursework
HB 1087		Establishes the Adult Health Care Consent Act which specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care
HB 1102		Requires any person who observes a child being subjected to sexual abuse to immediately report or cause a report to be made to the Children's Division
SCS HCS HB 1134		Changes the laws regarding insurance coverage for services provided by a licensed occupational, speech, or physical therapist
SCS HCS HB 1193		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding the prescribing and dispensing of controlled substances
HCS HB 1210		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 1301		Changes the laws regarding the licensure requirements as an emergency medical technician for a honorably discharged veteran
SS HB 1318		Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health
HB 1371		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
HB 1439		Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 1440		Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 1471		Changes the laws regarding the requirements for the testing of persons with tuberculosis
HCS#2 HB 1490		Changes the laws regarding health care
HB 1509		Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HCS HB 1541		Specifies that anyone providing or participating in a medical procedure or research cannot be required to provide or participate in the activity if it violates his or her conscience or principles
SS SCS HCS HB 1563		Changes the laws regarding healthcare services
HB 1603		Prohibits a health carrier or health benefit plan from denying reimbursement to a licensed athletic trainer who provides covered benefit services within the scope of an athletic trainer

No.	Author	Subject
HB 1607		Establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires hospitals and health care facilities to provide emergency contraception to sexual assault victims
HB 1622		Requires any advertisements for health care services to include specified information and prohibits it from containing any misleading or false statements
HB 1678		Changes the laws regarding midwifery
HB 1699		Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HB 1707		Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 1816		Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
HB 1840		Requires any person certified and providing midwifery services to present each client proof of malpractice insurance coverage in an amount of at least $1 million prior to providing services
HB 1853		Prohibits a vasectomy from being performed on a man unless it is to prevent the death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function of the man
HB 1928		Adds home nursing visits and follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HB 1990		Requires all parents and legal guardians of children less than seven years of age to be informed of the ingredients contained in a vaccination prior to the administration of the vaccination
HB 1996		Changes the laws regarding collaborative practice arrangements between physicians and advanced practice registered nurses
HB 1998		Changes the laws regarding health services and fees and moving violations and traffic offenses occurring within an active emergency zone
HB 2074		Changes the laws regarding a lien of certain health care entities and practitioners
HB 2094		Changes the laws regarding physician assistants
		HEALTH DEPT.
HCS SS SCS SB 448		Modifies provisions relating to child care providers
SB 494	Wright-Jones	Creates the Medical Harm Disclosure Act
SB 495	Wright-Jones	Establishes the Compassionate Assistance for Rape Emergencies Act
SB 533	Schaaf	Allows for certain projects creating ten or more new full-time jobs to not have to obtain a certificate of need
SB 536	Chappelle-Nadal	Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents
SB 538	Chappelle-Nadal	Requires, subject to appropriations, an expansion of the variety of kosher foods approved under the Women, Infants and Children (WIC) Special Supplemental Food Program
SB 550	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
SCS SB 621		Amends various provisions regarding the licensure and inspection of hospitals
SB 634	Pearce	Requires insurer to provide coverage for eating disorders
SB 640	Schaaf	Modifies the Certificate of Need Program and amends the Health Facilities Review Committee

No.	Author	Subject
SB 678	Schaaf	Requires certain health care facilities to report adverse health events to the Department of Health and Senior Services
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SS#3 SCS SB 710		Establishes a Prescription Drug Monitoring Program and modifies other provisions relating to controlled substances
SB 713	Lamping	Modifies provisions relating to adoption records
HCS SCS SB 726		Modifies provisions relating to financial transactions
SB 770	Wright-Jones	Requires additional information to be included in the annual report submitted by Area Agencies on Aging
SB 785	Parson	Modifies provisions relating to the dispensation of controlled substances
SB 810	Lamping	Modifies current provisions relating to tuberculosis treatment and prevention
SB 836	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to social service programs
HCS SS SB 854		Modifies provisions relating to home- and community-based care
SB 904	Mayer	Allows under certain circumstances outpatient-only ambulatory surgical centers to operate under a hospital license
HB 1058		Establishes Chloe's Law which requires, subject to appropriations, the newborn screening requirements to include a pulse oximetry screening
SCS HCS HB 1072		Establishes the Volunteer Health Services Act to allow certain licensed health professionals to provide services without additional licensure requirements
HB 1079		Allows the State Registrar to issue a heritage birth certificate
HCS HB 1123		Changes the laws regarding the licensure and inspection of hospitals
HCS HB 1137		Changes the laws regarding adoptions
HB 1145		Establishes Nathan's Law and Sam Pratt's Law which change the laws regarding child care providers
SCS HCS HB 1193		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding the prescribing and dispensing of controlled substances
HCS HB 1210		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 1225		Requires members of the General Assembly to be subject to random drug testing during the legislative session
HB 1301		Changes the laws regarding the licensure requirements as an emergency medical technician for a honorably discharged veteran
SS HB 1318		Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health
SCS HCS#2 HB 1323		Establishes the Low-Wage Trap Elimination Act and Sam Pratt's Law and changes the laws regarding child abuse and neglect investigations and unlicensed child care providers
HB 1339		Removes the June 30, 2012 expiration date of the provisions requiring every child enrolling in kindergarten or first grade in a public school to receive a comprehensive vision examination
HB 1343		Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HB 1371		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses

No.	Author	Subject
HB 1372		Changes the laws regarding the dispensing of controlled substances and establishes the Prescription Drug Monitoring Program Act
HB 1385		Requires any entity performing or assisting in certain abortions or counseling a woman to have an abortion to file an annual report regarding moneys received under the federal Public Health Service Act
HB 1401		Renames the Missouri Certificate of Need Law as the Missouri Long-term Care Certificate of Need law and limits the provisions of the law to only apply to long-term care facilities and services
HB 1405		Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
SCS HCS HB 1407		Establishes the Sickle Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs
HB 1421		Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 1471		Changes the laws regarding the requirements for the testing of persons with tuberculosis
HCS#2 HB 1475		Requires the parent or guardian of any person younger than 17 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of a device
HB 1508		Allows certain cottage food production operations to sell baked goods from their home without being subject to the state health and food laws and regulations
HB 1509		Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 1531		Requires the newborn screening requirements to include severe combined immune deficiency disease (SCID), also known as bubble boy disease
HB 1607		Establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires hospitals and health care facilities to provide emergency contraception to sexual assault victims
HB 1666		Authorizes a tax return check-off box on individual and corporate income tax forms for the newly created Lupus Revolving Research Trust Fund
HB 1678		Changes the laws regarding midwifery
HB 1712		Establishes a telephone tracking system pilot project for in-home services providers in Jackson, Cass, and Clay counties
HB 1783		Establishes the Missouri Commission on Prevention and Management of Obesity
SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB1269, HB1641, HB1668, HB1737, HB1782, HB1868, AND HB1878		Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates
HB 1824		Prohibits a person from operating a warehouse, commissary, or mobile food unit without first obtaining a license from the Department of Health and Senior Services
HCS HB 1846		Changes the laws regarding referrals for MO HealthNet-funded home- and community-based care

No.	Author	Subject
HB 1847		Changes the admittance requirements for assisted-living facilities
SS SCS HCS HB 1854		Changes the laws regarding services for individuals
HB 1928		Adds home nursing visits and follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HB 1950		Requires health insurance issuers to pay an annual assessment which is to be placed in the Missouri Poison Center Funding Pool to support the Missouri Poison Center
HB 1952		Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from Schedule IV and V controlled substances to Schedule III requiring a prescription
HB 1977		Changes the laws regarding the reporting of cruelty, abuse, or neglect of the elderly, children, or animals
HB 1978		Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health
HB 2094		Changes the laws regarding physician assistants
HB 2109		Changes the laws regarding voter registration
		HEALTH, PUBLIC
SB 482	Stouffer	Increases the statutory award amount for Alzheimer's disease research projects funded by the University of Missouri Board of Curators
SB 494	Wright-Jones	Creates the Medical Harm Disclosure Act
SB 495	Wright-Jones	Establishes the Compassionate Assistance for Rape Emergencies Act
SB 500	Wright-Jones	Modifies state legal expense coverage of certain health professionals and modifies hospital patient safety policies
HCS SCS SB 563		Modifies provisions relating to higher education
SCS SB 566		Requires owners of dogs and cats under suspicion of carrying rabies to provide documentation of vaccination or else surrender the animal
CCS SB 599		Modifies provisions relating to education
SB 639	Schaaf	Modifies provisions relating to breast-feeding
SB 641	Pearce	Repeals the June 30, 2012 sunset clause for the Children's Vision Examination Program
SB 649	Ridgeway	Reauthorizes and revises the Children's Vision Examination Program and Commission
SB 664	Chappelle-Nadal	Enacts a statewide smoking ban
SB 678	Schaaf	Requires certain health care facilities to report adverse health events to the Department of Health and Senior Services
CCS HCS SS SB 749		Provides protection for religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 782	Curls	Establishes the Lupus Research Trust Fund
SB 784	Curls	Designates the month of May each year as Lupus Awareness Month
SB 800	Justus	Modifies provisions relating to sexual education
SB 810	Lamping	Modifies current provisions relating to tuberculosis treatment and prevention
SB 841	Ridgeway	Allows farmers to sell up to 100 gallons of raw milk or cream per day at farmers markets

No.	Author	Subject
SB 885	Engler	Makes negligently casting flyrock onto property not under the responsibility of the person using explosives a violation of the Missouri Blasting Safety Act
SB 898	Schaefer	Provides an exemption to certain asbestos-related state requirements for certain entities
SJR 39	Cunningham	Prohibits laws interfering with freedom of choice in health care
SJR 49	Rupp	Prohibits laws interfering with religious beliefs
SCS HCS HB 1072		Establishes the Volunteer Health Services Act to allow certain licensed health professionals to provide services without additional licensure requirements
HB 1079		Allows the State Registrar to issue a heritage birth certificate
HB 1096		Allows a county health center to make authorized payments through an electronic funds transfer system
HB 1207		Establishes the criteria to be followed by landlords and tenants of multifamily rental dwelling units regarding the control of bed bugs
HB 1207		Establishes the criteria to be followed by landlords and tenants of multifamily rental dwelling units regarding the control of bed bugs
HB 1216		Increases the maximum annual grant amount that the University of Missouri Board of Curators can award for a research project on Alzheimer's disease and related disorders
HB 1262		Requires the State Board of Education to establish a coordinated health program board to develop a program designed to prevent student obesity, cardiovascular disease, and type II diabetes
HCS HB 1305		Changes the laws regarding environmental standards
SCS HB 1337		Requires each high school to provide instruction in cardiopulmonary resuscitation and the instruction to be a graduation requirement
HB 1343		Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HB 1352		Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 1405		Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
SCS HCS HB 1407		Establishes the Sickle Cell Standing Committee to study and make recommendations regarding the impact of sickle cell disease on urban communities, examine existing services, and address any needs
HB 1439		Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 1440		Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HCS HB 1444		Changes the laws regarding the confiscation of animals
HB 1453		Adds Greene County to the list of counties authorized to enact certain nuisance abatement ordinances
HB 1471		Changes the laws regarding the requirements for the testing of persons with tuberculosis
HB 1478		Increases the tax on tobacco products and the excise tax on cigarettes of $.17 per pack of 20 cigarettes to $.89 per pack to be used for public education purposes
HCS#2 HB 1490		Changes the laws regarding health care
HB 1730		Establishes protections for the religious beliefs and moral convictions of certain persons and entities regarding specified health care coverage
HB 1783		Establishes the Missouri Commission on Prevention and Management of Obesity

No.	Author	Subject
HB 1908		Exempts certain businesses from specified state asbestos-related requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos
HB 1990		Requires all parents and legal guardians of children less than seven years of age to be informed of the ingredients contained in a vaccination prior to the administration of the vaccination
HCR 10		Urges Congress to address the pervasiveness of sickle cell trait and disease and the need to increase public awareness of the available programs and screenings
HCR 29		Requests the Adjutant General of the Missouri National Guard to establish a voluntary reporting program for Missouri National Guard members and veterans who have been exposed to depleted uranium
		HIGHER EDUCATION DEPT.
CCS HCS SB 455		Modifies provisions relating to higher education
SB 483	Rupp	Creates the Early High School Graduation Scholarship Program for public high school students who graduate from high school early
HCS SCS SB 563		Modifies provisions relating to higher education
SS SCS SB 576		Modifies provisions relating to charter schools
HCS SCS SB 655		Creates the Higher Education Capital Fund to provide matching funds to public colleges and universities for capital projects under certain circumstances
SB 672	Brown	Modifies higher education course credit requirements and healthcare-related professional licensure requirements for members of the armed forces
SB 756	Engler	Modifies provisions regarding certain higher education employees' retirement
SCS HCS HB 1042		Changes the laws regarding higher education
HCS HB 1228		Changes the laws regarding charter schools
HB 1502		Creates the Higher Education Capital Fund to provide matching funds to public colleges and universities for capital projects under certain circumstances
HB 1550		Establishes the Capitalism Education and Awareness Act and the Capitalism Education and Awareness Commission within the Department of Elementary and Secondary Education
HB 1579		Requires institutions of higher education to award educational credits to a veteran for certain courses that were a part of his or her military training or service
HB 1587		Requires that one voting member of the University of Missouri Board of Curators be a student
HCS HB 1722		Changes the laws regarding proprietary schools
HB 1918		Specifies higher education course delivery priorities and the ability of community colleges to offer lower division courses
		HIGHWAY PATROL
HCS SB 557		Modifies the law with respect to the issuance of certificates of titles
HCS SCS SB 625		Modifies fund transfers between retirement systems, modifies retirement for certain public officials, and sets interest paid on member contributions at T-Bill rate
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
HCS SB 690		Modifies provisions related to public safety
HCS SB 701		Modifies various provisions relating to road use
CCS#2 SS SCS SB 719		Modifies various provisions relating to the regulation of transportation

No.	Author	Subject
SCS SB 789		Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
SB 894	Curls	Modifies the type of information required from applicants for a motor vehicle registration and a concealed carry endorsement
HB 1149		Requires an applicant taking the written portion of the driver's license examination to pay a $10 fee
HB 1185		Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HCS HB 1328		Changes the laws regarding the sale and possession of controlled substances
SCS HB 1331		Revises the computation of the accrued benefits when an employee transfers creditable service between the State Employees' Retirement System and the Department of Transportation Retirement System
HB 1418		Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 1422		Revises the laws regarding DNA profiling analysis
HB 1423		Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit
HB 1424		Authorizes the State Highway Patrol to sell surplus watercraft, watercraft motors, and trailers as well as vehicles
HB 1437		Changes the laws regarding domestic violence
HCS HB 1444		Changes the laws regarding the confiscation of animals
HB 1551		Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 1696		Requires the State Highway Patrol to waive any state fees associated with obtaining a concealed carry endorsement for an applicant who is a veteran
HCS HB 1700		Changes the laws regarding sexual offender registration
HB 1724		Allows certain motor vehicles to operate on public highways with dyed fuel during any Governor-declared state emergency
HB 1757		Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period
SCS HCS HB 1860 & HCS HB 1254		Changes the laws regarding agricultural education in private schools, grain dealers, and agricultural crimes
HCS HB 1922		Establishes the Missouri Department of Transportation and Highway Patrol Health Care Plan
HB 1952		Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from Schedule IV and V controlled substances to Schedule III requiring a prescription
HB 2077		Establishes the Missouri Yellow Dot Program within the Department of Revenue to provide emergency responders with health and emergency contact information when an individual is in an accident
		HISTORIC PRESERVATION
SB 472	Kraus	Modifies the provisions of certain tax credit programs and requires the Department of Revenue to apply any increase in revenue generated to a decrease in the corporate income tax rate
SB 531	Lamping	Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate

No.	Author	Subject
SCS SB 548		Modifies certain tax credit programs
SB 647	Richard	Provides for funding of the capitol complex revitalization project by modifying the historic preservation tax credit program
SB 684	Crowell	Places a one year moratorium on the authorization of certain tax credits
SB 753	Green	Modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low-income customers
SB 790	Crowell	Prohibits the Department of Revenue from redeeming certain tax credits until after June 30, 2013
HB 1068		Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
HB 1341		Specifies that the exclusion from eligibility in any demand-side program offered by an electrical corporation of certain tax credits will not apply to low-income programs and their participants
HB 1813		Designates Seaman, the dog accompanying Lewis and Clark on their expedition of the Louisiana Purchase territory, as the official state historical dog
HB 1924		Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for specified protected places
		HOLIDAYS
SB 663	Chappelle-Nadal	Establishes Boulevard Brewery Company and Saint Louis Brewery, Inc. as the official breweries of the state
SB 784	Curls	Designates the month of May each year as Lupus Awareness Month
SB 824	Schaefer	Designates the month of May as "Motorcycle Awareness Month"
HB 1099		Designates March 26 of each year as "Veterans of Operation Iraq/Enduring Freedom Day"
HB 1100		Designates March 30 of each year as "Vietnam Veterans Day"
HB 1109		Prohibits any state or local governmental entity or public building, place, or setting from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HB 1270		Designates the third full week in October as Missouri School Bus Safety Week
HB 1404		Designates the month of December as "Pet Breeders Appreciation Month"
HB 1408		Designates July 3 of each year as "Organ Donor Recognition Day"
HB 1545		Designates December 4 of each year as "PKS Day" in Missouri for awareness and educational activities regarding Pallister-Killian Syndrome
HB 1601		Designates the first Tuesday after the first Monday in November as a public holiday known as "Election Day"
HB 1632		Specifies that a state employee who works 10-hour days and 40 hours per week cannot be required to take two hours of vacation leave for paid holidays
HB 1651		Designates the month of October as "Spinal Cord Injury Month" in Missouri
HB 1652		Designates the month of May as "Fibromyalgia Month" in Missouri
HB 1665		Designates the month of May each year as "Lupus Awareness Month" in Missouri
HB 1697		Designates the first week of August each year as Animal Rescue Week in Missouri
HB 1744		Designates the month of November as Pancreatic Cancer Awareness Month in Missouri
HB 1763		Establishes the Malcolm X Day Commission to organize activities and events in honor of the civil rights leader
HB 1765		Establishes the Rosa Parks Observance Day Commission within the Governor's Office to organize and coordinate activities and events to celebrate her life and raise awareness of her legacy
HB 1938		Designates March 27 of each year as Medical Radiation Safety Awareness Day in Missouri

No.	Author	Subject
HCR 5		Strongly urges all employers in this state to give all veterans in their employ a day off for Veterans Day
HCR 17		Designates the week of March 25, 2012, as "Colon Cancer Awareness Week" in Missouri
HCR 18		Designates April 2012 as "Donate Life Month" in Missouri
HCR 19		Designates the week of May 13 - 19, 2012, as "Sickle Cell Awareness Week" in the State of Missouri
HCR 20		Designates August 1, 2012, as "Minority Organ Donor Awareness Day" in Missouri
HCR 21		Designates December 15, 2012, as "American Red Cross Minority Blood Drive Day" in Missouri
HCR 60		Recognizes October 11, 2012 as the "Day of the Girl" in Missouri
		HOSPITALS
SB 494	Wright-Jones	Creates the Medical Harm Disclosure Act
SB 495	Wright-Jones	Establishes the Compassionate Assistance for Rape Emergencies Act
SB 500	Wright-Jones	Modifies state legal expense coverage of certain health professionals and modifies hospital patient safety policies
SB 529	Schaaf	Prohibits hospitals from requiring physicians to agree to make patient referrals as a condition of receiving medical staff privileges
SCS SB 621		Amends various provisions regarding the licensure and inspection of hospitals
SCS SB 657		Provides for the conscience rights of all individuals who provide medical services
SB 678	Schaaf	Requires certain health care facilities to report adverse health events to the Department of Health and Senior Services
SB 864	Wright-Jones	Modifies provisions regarding the data required as to the rehospitalizations of premature infants
SB 904	Mayer	Allows under certain circumstances outpatient-only ambulatory surgical centers to operate under a hospital license
HCS HB 1123		Changes the laws regarding the licensure and inspection of hospitals
HCS HB 1210		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HCS HB 1274		Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 1471		Changes the laws regarding the requirements for the testing of persons with tuberculosis
HCS HB 1541		Specifies that anyone providing or participating in a medical procedure or research cannot be required to provide or participate in the activity if it violates his or her conscience or principles
HCS HB 1568		Changes the laws regarding the disclosure of certain foster care licensure information and the provisions regarding the Safe Place for Newborns Act
HB 1607		Establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires hospitals and health care facilities to provide emergency contraception to sexual assault victims
HB 1714		Adds, subject to appropriations, comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairment to the list of services covered under MO HealthNet benefits
		HOUSING
SB 453	Cunningham	Establishes damage caps for Human Rights Act cases and workers' compensation discrimination cases
SB 458	Wright-Jones	Creates the Green Jobs-Green Missouri Act

No.	Author	Subject
SB 472	Kraus	Modifies the provisions of certain tax credit programs and requires the Department of Revenue to apply any increase in revenue generated to a decrease in the corporate income tax rate
SB 501	Wright-Jones	Creates the Council on Digital Inclusion
SB 524	Curls	Modifies the membership qualifications for the Missouri Housing Development Commission
SB 531	Lamping	Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate
SCS SB 548		Modifies certain tax credit programs
SB 554	Curls	Changes the notice requirement to a tenant in a foreclosure action from ten business days to ninety days
HCS SS SCS SB 592		Modifies the law relating to the Missouri Human Rights Act and employment discrimination
SB 616	Wasson	Requires homeowner insurance companies to offer sinkhole coverage
SB 684	Crowell	Places a one year moratorium on the authorization of certain tax credits
SB 753	Green	Modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low-income customers
SB 790	Crowell	Prohibits the Department of Revenue from redeeming certain tax credits until after June 30, 2013
HB 1035		Authorizes a one-time income tax deduction to a taxpayer for the cost of the construction or $5,000, whichever is less, of a storm shelter which was made in America
HB 1047		Establishes the Common Interest Owners Bill of Rights Act
HB 1055		Authorizes a one-time income tax deduction to a taxpayer for the cost of the construction or $5,000, whichever is less, of a storm shelter which was made in America
HB 1071		Establishes the Missouri Radon Awareness Act which requires the seller of residential real property to provide the buyer with a disclosure of information on radon hazards
HCS HB 1076 & 1302		Changes the laws regarding renewable energy
HB 1077		Requires the Department of Mental Health to develop a transition plan for services to a resident of a state developmental disabilities facility to the most appropriate and least restrictive living setting
HB 1090		Prohibits the Missouri Housing Development Commission from requiring a prevailing wage on a project eligible for a housing tax credit if it is located in a disaster area
HB 1159		Establishes the Senior's Retirement Protection Act which specifies that up to $125,000 of the value of the primary residence of certain elderly persons will be exempt from attachment or execution
HB 1200		Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
HB 1218		Increases from $14,300 to $16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker
HB 1219		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 1239		Exempts the residential property of individuals 70 years of age or older from increases in assessed valuation that are not from new construction or improvements and from rate increases
SCS HCS HB 1278 & 1152		Changes the laws regarding certain tax credits and establishes the Developmental Disability Care Provider Tax Credit Program
HB 1291		Requires a person conducting a home inspection to be licensed by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration

No.	Author	Subject
HB 1309		Changes the laws regarding residential mortgage loan brokers
HB 1327		Authorizes a public body to close certain foster care licensure data and requires the Children's Division to prepare a detailed report of specific information obtained in the licensure process
HB 1341		Specifies that the exclusion from eligibility in any demand-side program offered by an electrical corporation of certain tax credits will not apply to low-income programs and their participants
HB 1351		Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 1380		Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property
HB 1409		Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 1445		Changes the funding mechanism for the tax credit for residential renovations for disability access and extends its expiration from December 31, 2013, to December 31, 2016
HB 1469		Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises
HB 1479		Requires a landlord to disclose the presence of mold to prospective and current tenants
HB 1500		Changes the laws regarding complaints filed with the Missouri Commission on Human Rights and makes discrimination based upon a person's sexual orientation or gender identity unlawful
HCS#2 HB 1524		Specifies that the owners of property abutting a private road in the absence of any other agreement may petition the court to establish a plan of maintenance or improvement
HB 1544		Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HCS HB 1585		Changes the laws regarding landlord-tenant actions
HB 1649		Establishes the Certified Home Inspection Profession Title Protection Act which prohibits anyone from representing himself or herself as a certified inspector unless he or she has met certain certification
SCS HCS HB 1659 & 1116		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use
HB 1739		Prohibits a homeowners' association from restricting the installation of solar panels if a member of the association obtains a petition signed by 50% plus one members agreeing to the installation
HB 1755		Requires homeowner insurance companies to offer coverage for sinkhole losses
HB 1762		Prohibits the state, as an employer or provider of public or housing assistance, from requiring an applicant to disclose any prior felony plea or conviction
HB 1849		Establishes the criteria to be followed by landlords and tenants of multifamily rental dwelling units regarding the control of bed bugs
HB 1926		Establishes the Solar Water Heating System Incentive Program which provides financial incentives for the purchase and installation of solar water heating systems in private residences
HB 1948		Requires an installer of modular units to be licensed by the Missouri Public Service Commission
HB 2098		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law
HB 2107		Changes the laws regarding blighted areas and eminent domain
		IDENTITY THEFT AND PROTECTION
SB 447	Goodman	Adds mail to the list of types of property that, when stolen, increase the classification of the crimes of stealing and receiving stolen property to Class C felonies

No.	Author	Subject
SB 497	Munzlinger	Increases the penalties for the crimes of trespassing and false impersonation and creates the crime of impersonating a public servant
HCS SB 911		Prohibits employers from using the last four digits of an employee's Social Security number as their employee identification number
HB 1232		Specifies that any person who impersonates another actual person through or on a website for specified harmful purposes will be guilty of a class A misdemeanor
		IMMIGRATION
SB 473	Kraus	Requires the Attorney General to sue the federal government to enforce federal immigration laws
SB 590	Kraus	Modifies the law relating to unlawfully present aliens
SB 801	Justus	Creates the Missouri Tuition Equity Act
SB 855	Schaaf	Modifies the eligibility requirements for food stamps assistance as it relates to ineligible immigrants
HB 1046		Requires proof of identity and status as a United States natural born citizen for the office of President and Vice President to be submitted with other required certification documents to the Secretary of State
HB 1185		Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 1224		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing unauthorized aliens
HB 1403		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 1682		Prohibits any state department from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 1882		Changes the eligibility requirements for food stamp assistance as it relates to an ineligible immigrant
HB 2057		Changes the laws regarding illegal aliens and immigration status verification for public assistance benefit purposes
HCR 54		Strongly urges Congress to modify the eligibility requirements for SNAP food stamp benefits which result in less benefits for our citizen households than comparable noncitizen households
		INSURANCE - AUTOMOBILE
SB 696	Kraus	Allows uninsured motor vehicles to be towed under certain circumstances and increases fines, suspensions and reinstatement fees for certain uninsured motorists
SB 879	Wasson	Allows insurers that purchase vehicles through the claims adjustment process to obtain salvage certificate of titles or junking certificates under certain conditions
HB 1074		Allows an insured motorist to purchase supplemental property damage coverage not currently included in an uninsured motorist policy
HB 1184		Specifies that any person who fails to provide proof of motor vehicle financial responsibility will have the vehicle he or she is operating impounded until valid proof is provided and all fees are paid
HB 1658		Changes the penalty for a person who fails to maintain motor vehicle financial responsibility
HCS HB 1875		Establishes a procedure by which insurers who purchase vehicles through the claims adjustment process can obtain a salvage title or junking certificate when they are unable to obtain a negotiable title
HB 1884		Changes the insurance coverage requirements for a motor vehicle liability insurance policy issued to a person with one or more convictions for a driving while intoxicated offense

No.	Author	Subject
HB 2046		Specifies that any vehicle repaired by a body shop authorized by the owner's insurance company following a traffic accident must be deemed adequately repaired without diminished value for resale
HB 2052		Allows a person 21 years of age or older to operate a motorcycle on any state highway without protective headgear if he or she has obtained a helmet-free endorsement from the Department of Revenue
		INSURANCE - GENERAL
SB 440	Engler	Subjects 383 malpractice associations to stricter surplus and solvency regulations
SB 504	Wright-Jones	Requires official motor vehicle inspection and emission stations to have liability insurance to cover any possible damages to a vehicle during an inspection
HCS SB 620		Modifies various provisions related to health and life insurance
SB 624	Lembke	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2014
SB 660	Schmitt	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2013, and requires it to transfer $127 million of its surplus to General Revenue
SB 697	Wasson	Expands the civil immunity provided to insurers for furnishing information related to insurance fraud investigations
SB 866	Lembke	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2014
SB 886	Engler	Subjects 383 malpractice associations to stricter surplus and solvency regulations
SCS HB 1112		Allows an insurance company to issue life insurance policies outside of the United States under specified conditions as well as specified unemployment insurance in connection with group life insurance
HB 1113		Changes the laws regarding contracts for public or private construction work
HB 1124		Requires an insurer to pay a claimant for the total face value amount of an insurance policy for any total loss or damage by any peril of covered property without claiming a diminished value of the property
HB 1390		Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance
HB 1406		Changes the laws regarding the use of credit information when underwriting insurance contracts and prohibits insurers from taking adverse actions based on a person's credit report or insurance score
SCS HCS HB 1495		Changes the laws regarding liability for reporting insurance fraud
HB 1548		Requires organizations wanting to sponsor certain events and activities that are held in a state park or on a historic site to obtain liability insurance
HB 1745		Specifies that an insurer has the right to intervene in any civil case in which it may be obligated to provide a defense to the action or indemnity for any judgment rendered in the action
HB 1889		Changes the laws regarding towing companies operating tow trucks
HB 1891		Establishes minimum standards that a municipality in St. Louis County must meet in the provision of municipal and financial services and reports
HB 1936		Changes the laws regarding the accreditation requirements for reinsurance companies and specifies when an insurance company can take credit or reduce liability due to reinsurance
HB 1940		Requires the Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company before January 1, 2014
HB 1941		Requires the Office of Administration to maintain specified financial records of the Missouri Employers Mutual Insurance Company on the Missouri Accountability Portal

No.	Author	Subject
HB 1942		Changes the laws regarding captive insurance companies to allow the formation of a sponsored captive insurance company
HB 1955		Removes the required date of by January 1, 1994, for the appointment of the Missouri Employers Mutual Insurance Company Board of Trustees
HB 1961		Prohibits an insurance company using a consumer's zip code as a factor in underwriting from taking any adverse action based on that factor without consideration of another factor not related to the zip code
HB 2056		Requires an insurer to obtain approval from the Department of Insurance, Financial Institutions and Professional Registration before changing any insurance premium rate by 15% or more
		INSURANCE - LIFE
SB 478	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013
SB 479	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013
SCS HB 1112		Allows an insurance company to issue life insurance policies outside of the United States under specified conditions as well as specified unemployment insurance in connection with group life insurance
HB 1349		Changes the laws regarding irrevocable life insurance trusts
		INSURANCE - MEDICAL
SS SB 464		Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met
SB 505	Wright-Jones	Requires health carriers to devote a certain percentage of health insurance premiums to be used for the payment of health care services
SB 507	Wright-Jones	Requires health insurance policies to cover ultrasound screenings where mammograms demonstrate dense breast tissue
SB 515	Schaaf	Requires Director of the Department of Insurance to prescribe by rule uniform application forms for group health insurance policies
SB 519	Schaaf	Requires health carriers to provide Internet access to its standard fee schedules and prohibits carriers from refusing to contract with providers willing to meet certain provider participation terms and conditions
SB 526	Schaaf	Requires health carriers to credential health care professionals within 60 calendar days of receipt of complete application
SB 534	Schaaf	Prohibits insurers from denying reimbursement for providing diagnostic imaging services based solely on the speciality or professional board certification of a licensed physician
SB 560	Ridgeway	Prohibits the establishment and operation of health insurance exchanges in Missouri unless certain criteria are met
SCS SB 565		Modifies the membership of the Missouri Health Insurance Pool
SCS SB 577		Requires health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications
SB 593	Parson	Prohibits health carriers from denying reimbursement to licensed athletic trainers who provide covered services within their scope of practice
SB 608	Wasson	Establishes the Missouri Health Insurance Exchange, the "Direct Payment Stop Loss Fund", and creates administrative procedure to collect unpaid medical claims
SB 622	Cunningham	Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider
SB 634	Pearce	Requires insurer to provide coverage for eating disorders

No.	Author	Subject
SB 644	Schaefer	Requires reimbursement amounts paid by health carriers to licensed physical therapists to be uniform regardless of the setting or venue in which the health care services are rendered
SB 674	Schaaf	Requires insured to only pay usual and customary retail price of a prescription drug where the retail price is less than the applicable copayment
SB 687	Schmitt	Requires copayments, coinsurance, and deductibles charged for physical therapist services to be no greater than those charged for the same services provided by primary care physicians or osteopaths
SB 707	Cunningham	Restricts the authority of radiology benefit managers to deny diagnostic testing ordered and recommended by a physician
SB 716	Schaaf	Prohibits agreements between health carriers and health care providers from containing Most Favored Nation Clauses
HCS SS SB 742		Modifies provisions relating to health care including credentialing of health care professionals, medical records and pharmacy
CCS HCS SS SB 749		Provides protection for religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
SJR 39	Cunningham	Prohibits laws interfering with freedom of choice in health care
SJR 49	Rupp	Prohibits laws interfering with religious beliefs
HB 1039		Allows a retiree of the Missouri Local Government Employees' Retirement System to have his or her health insurance or long-term care insurance premium deducted from his or her retirement allowance
HB 1050		Prohibits any contract between a health carrier or health benefit plan and a dentist or optometrist from requiring a fee schedule established by the insurer if the services are not covered under the plan
HB 1081		Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider
HB 1095		Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
SCS HCS HB 1134		Changes the laws regarding insurance coverage for services provided by a licensed occupational, speech, or physical therapist
HB 1158		Requires a health benefit plan to establish equal out-of-pocket requirements for an oral anticancer medication and an intravenously administered cancer medication
HB 1199		Prohibits an insurer from requiring any waiting period for health insurance coverage for maternity benefits and requires coverage to begin immediately from the effective date of the policy or plan
HB 1355		Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapist for rendering the same services regardless of the setting or venue
HB 1405		Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 1450		Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers
HCS#2 HB 1490		Changes the laws regarding health care
HB 1506		Requires a health benefit plan to establish equal out-of-pocket requirements for an orally administered anti-cancer medication and an intravenously administered or injected cancer medication
HB 1509		Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders

No.	Author	Subject
HB 1529		Restricts the authority of a radiology benefit manager to deny coverage for diagnostic testing ordered and recommended by a licensed physician
HB 1534		Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HB 1546		Requires every health carrier to file its premium rates and classification of risks with the Department of Insurance, Financial Institutions and Professional Registration
SS SCS HCS HB 1563		Changes the laws regarding healthcare services
SS HCS HB 1576		Allows certain state-licensed foster parents to purchase health insurance from the Missouri Consolidated Health Care Plan at the premium rate established for state employees
HB 1580		Requires certain group health insurance policies to provide coverage for the diagnosis and treatment of infertility
HB 1581		Requires all health carriers and health benefit plans providing prescription drug coverage to allow insureds to fill a mail order prescription at a participating in-network retail pharmacy
HB 1594		Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 1603		Prohibits a health carrier or health benefit plan from denying reimbursement to a licensed athletic trainer who provides covered benefit services within the scope of an athletic trainer
HB 1643		Requires any state employee to receive a salary increase equal to the increased cost of health insurance premiums from the previous year
HB 1704		Requires a health insurance carrier to provide coverage for the initial device deemed necessary to treat a newborn who has been screened and assessed for a hearing impairment
HB 1711		Requires every health carrier to file its premium rates and classification of risks with the Department of Insurance, Financial Institutions and Professional Registration for approval
HB 1730		Establishes protections for the religious beliefs and moral convictions of certain persons and entities regarding specified health care coverage
HB 1816		Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
SCS HCS HB 1827		Establishes the Missouri Electronic Prior Authorization Committee regarding national standards for the process of obtaining prior approval from an insurer for certain services or medications
HB 1840		Requires any person certified and providing midwifery services to present each client proof of malpractice insurance coverage in an amount of at least $1 million prior to providing services
HCS HB 1890		Changes the laws regarding health insurance coverage and contracts
HCS HB 1922		Establishes the Missouri Department of Transportation and Highway Patrol Health Care Plan
HB 1931		Establishes the KidCare Co-op Program within the Department of Social Services to provide affordable health insurance to children through 18 years of age
HB 1950		Requires health insurance issuers to pay an annual assessment which is to be placed in the Missouri Poison Center Funding Pool to support the Missouri Poison Center
HCS HJR 64		Proposes a constitutional amendment prohibiting any person, employer, or health care provider from being compelled to participate in any health care system
HJR 72		Proposes a constitutional amendment specifying that each citizen has an inherent liberty that includes being able to make decisions regarding lawful health care-related services or products
		INSURANCE - PROPERTY
SB 555	Curls	Regulates certain contracts for the sale of residential real estate

No.	Author	Subject
SB 616	Wasson	Requires homeowner insurance companies to offer sinkhole coverage
SB 619	Richard	Modifies Missouri's valued policy statute to cover all perils covered under a policy rather than just loss caused by fire
HB 1074		Allows an insured motorist to purchase supplemental property damage coverage not currently included in an uninsured motorist policy
HB 1124		Requires an insurer to pay a claimant for the total face value amount of an insurance policy for any total loss or damage by any peril of covered property without claiming a diminished value of the property
HB 1144		Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
HB 1548		Requires organizations wanting to sponsor certain events and activities that are held in a state park or on a historic site to obtain liability insurance
HB 1566		Changes the laws regarding contractors who perform home exterior and roof work
HB 1755		Requires homeowner insurance companies to offer coverage for sinkhole losses
		INSURANCE DEPT.
SB 440	Engler	Subjects 383 malpractice associations to stricter surplus and solvency regulations
SB 505	Wright-Jones	Requires health carriers to devote a certain percentage of health insurance premiums to be used for the payment of health care services
SB 550	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
SB 608	Wasson	Establishes the Missouri Health Insurance Exchange, the "Direct Payment Stop Loss Fund", and creates administrative procedure to collect unpaid medical claims
HCS SB 620		Modifies various provisions related to health and life insurance
SB 622	Cunningham	Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider
SB 624	Lembke	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2014
SB 660	Schmitt	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2013, and requires it to transfer $127 million of its surplus to General Revenue
SB 697	Wasson	Expands the civil immunity provided to insurers for furnishing information related to insurance fraud investigations
SB 812	Schaefer	Establishes the Missouri Electronic Prior Authorization Committee and pilot program
SB 836	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to social service programs
SB 866	Lembke	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2014
SB 886	Engler	Subjects 383 malpractice associations to stricter surplus and solvency regulations
HB 1095		Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 1144		Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
HB 1309		Changes the laws regarding residential mortgage loan brokers
HB 1371		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses

No.	Author	Subject
HB 1393		Changes the laws regarding unsecured loans of $500 or less, commonly known as payday loans
SS SCS HCS HB 1400		Changes the laws regarding the investment of certain public funds, perfection of security interests, Division of Finance examinations, and residential mortgage loan brokers
HB 1406		Changes the laws regarding the use of credit information when underwriting insurance contracts and prohibits insurers from taking adverse actions based on a person's credit report or insurance score
HCS HB 1518 & 1522		Authorizes the licensure of a provisionally licensed behavior analyst and assistant behavior analyst and a temporary licensed behavior analyst and assistant behavior analyst
HB 1546		Requires every health carrier to file its premium rates and classification of risks with the Department of Insurance, Financial Institutions and Professional Registration
HB 1580		Requires certain group health insurance policies to provide coverage for the diagnosis and treatment of infertility
HB 1581		Requires all health carriers and health benefit plans providing prescription drug coverage to allow insureds to fill a mail order prescription at a participating in-network retail pharmacy
HB 1594		Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance
HB 1611		Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HB 1649		Establishes the Certified Home Inspection Profession Title Protection Act which prohibits anyone from representing himself or herself as a certified inspector unless he or she has met certain certification
HB 1711		Requires every health carrier to file its premium rates and classification of risks with the Department of Insurance, Financial Institutions and Professional Registration for approval
SCS HCS HB 1827		Establishes the Missouri Electronic Prior Authorization Committee regarding national standards for the process of obtaining prior approval from an insurer for certain services or medications
HCS HB 1890		Changes the laws regarding health insurance coverage and contracts
HB 1931		Establishes the KidCare Co-op Program within the Department of Social Services to provide affordable health insurance to children through 18 years of age
HB 1936		Changes the laws regarding the accreditation requirements for reinsurance companies and specifies when an insurance company can take credit or reduce liability due to reinsurance
HB 1942		Changes the laws regarding captive insurance companies to allow the formation of a sponsored captive insurance company
HB 1950		Requires health insurance issuers to pay an annual assessment which is to be placed in the Missouri Poison Center Funding Pool to support the Missouri Poison Center
HB 1961		Prohibits an insurance company using a consumer's zip code as a factor in underwriting from taking any adverse action based on that factor without consideration of another factor not related to the zip code
HB 2056		Requires an insurer to obtain approval from the Department of Insurance, Financial Institutions and Professional Registration before changing any insurance premium rate by 15% or more
		INTERNET, WORLD-WIDE WEB & E-MAIL
SB 910	Ridgeway	Allows political subdivisions to apply to the Office of Administration to use the state's ".mo.gov" internet domain name
		INTERNET, WORLD-WIDE WEB & E-MAIL
SCS HCS HB 1049		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy
SS SCS HCS HB 1094		Changes the laws regarding electronic payments to state agencies and departments and the electronic payment of funds received by a county health center

No.	Author	Subject
HB 1096		Allows a county health center to make authorized payments through an electronic funds transfer system
HB 1129		Specifies that it is an unlawful merchandising practice to misrepresent the geographic location of a business
HB 1168		Repeals the provision authorizing state departments to directly purchase certain information technology products and services
HCS HB 1214		Establishes the Missouri Entrepreneur Resource Virtual Network to provide resources for the development of businesses
HB 1232		Specifies that any person who impersonates another actual person through or on a website for specified harmful purposes will be guilty of a class A misdemeanor
HB 1244		Allows a governmental entity to engage in projects involving a technology business facility used for specified purposes
HB 1246		Changes the laws regarding municipal technology business facility projects, the MO Jobs Training Program, and the Missouri Quality Jobs Act
HCS HB 1254		Changes the laws regarding agriculture
HB 1279		Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed
HB 1282		Requires the Department of Conservation to provide an applicant or licensee for a hunting, trapping, or fishing license or permit with a copy of its current violation code and point system list
HB 1294		Changes the laws regarding consumer credit interest rates
HCS HB 1311		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HB 1334		Establishes the Fair Fare Passenger Safety Act of 2012 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HB 1372		Changes the laws regarding the dispensing of controlled substances and establishes the Prescription Drug Monitoring Program Act
HCS HB 1383		Changes the laws regarding information that must be made available on the Missouri Accountability Portal
HB 1419		Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance
HB 1430		Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 1441		Changes the laws regarding workers' compensation and unemployment benefits
HB 1450		Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers
HB 1484		Establishes the Paperless Documents and Forms Act which authorizes the Department of Revenue to use technology to allow the filing of certain forms and the sending of certain notifications
HCS#2 HB 1490		Changes the laws regarding health care
HB 1494		Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 1508		Allows certain cottage food production operations to sell baked goods from their home without being subject to the state health and food laws and regulations
HB 1540		Changes the laws regarding workers' compensation

No.	Author	Subject
HB 1569		Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 1656		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund
HCS HB 1700		Changes the laws regarding sexual offender registration
HB 1767		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund from June 5, 2012, to August 28, 2022
HB 1793		Establishes the Missouri International Agriculture Exchange website to allow Missouri agricultural producers to market Missouri-produced goods to international buyers
HB 1801		Establishes the Missouri International Business Advertising Fund to be used exclusively for advertising the benefits of relocating an international business to Missouri
HB 1816		Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
SCS HCS HB 1827		Establishes the Missouri Electronic Prior Authorization Committee regarding national standards for the process of obtaining prior approval from an insurer for certain services or medications
HB 1896		Changes the laws regarding sexual offenses
HB 1941		Requires the Office of Administration to maintain specified financial records of the Missouri Employers Mutual Insurance Company on the Missouri Accountability Portal
HB 2041		Specifies that certain companies that provide telecommunications infrastructure will be eligible for linked deposit loans and authorizes a tax credit for the cost of Internet broadband equipment
HB 2060		Prohibits an employer from requesting or requiring an employee or applicant to disclose any user name, password, or other means for accessing a personal account or service through an electronic device
HB 2095		Establishes the Animal Ecological Terrorism Act
		INTERSTATE COOPERATION
HB 1197		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1201		Corrects the name of the organization referred to in the provisions regarding the Compact for Education from the Educational Commission of the States to the Education Commission of the States
HB 1719		Authorizes Missouri to enter into the Interstate Compact on the Agreement Among the States to Elect the President by National Popular Vote Act
HB 2044		Establishes the Incentives Regionalization Act to provide economic incentives to induce employers to relocate from Kansas to Missouri or from Missouri to Kansas
HB 2045		Establishes requirements for the interstate and intrastate movement of cervids
HB 2075		Establishes the Daylight Saving Time Elimination Act
		JACKSON COUNTY
CCR SS#2 SCS HB 1170		Allows any county collector to add and collect a special property tax assessment to the property's annual real estate tax bill
HB 1190		Repeals provisions regarding the maintaining of police records in municipalities located within Jackson County, Jefferson County, St. Charles County, and St. Louis County
HCS HB 1245		Changes the laws regarding tax credits and the Missouri Quality Jobs Act
HB 1391		Changes the laws regarding the charging of a surcharge in civil court cases
SS SCS HCS HB 1498		Changes the laws regarding liquor sales

No.	Author	Subject
HB 1667		Authorizes a $20 civil court filing surcharge for certain circuits
HCS HB 1710		Changes the laws regarding tax credits and requires the Department of Economic Development to establish the Missouri Works Training Program
HB 1712		Establishes a telephone tracking system pilot project for in-home services providers in Jackson, Cass, and Clay counties
		JUDGES
SB 445	Goodman	Establishes the Joint Committee on the Missouri Criminal Code
SB 518	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 525	Engler	Provides for nonpartisan elections of judicial candidates and forbids certain judges and candidates from engaging in political activities
SB 574	Dixon	Allows associate circuit judges in Greene and Cass counties to hear and determine county ordinance violations
SB 669	Lembke	Modifies the retirement plans for judges, statewide elected officials, and members of the General Assembly who first take office after January 1, 2013
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SCS SB 699		Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
SCS SB 788		Requires appointment of St. Louis City circuit clerk
HCS SJR 37		Requires all meetings of apportionment commissions to be conducted in public and prohibits commission members from serving in the General Assembly for six years after service on commission
SJR 41	Lembke	Provides for election of certain judges and appointment by Governor of a Supreme Court judge
SJR 42	Lembke	Provides for appointment by the Governor of certain judges with Senate approval
HCS SS#2 SJR 48		Modifies provisions regarding members and meetings of Missouri Senate and House of Representative apportionment commissions
SCS SJR 51		Modifies the composition of Appellate Judicial Commission and number of nominees for vacancies in the Supreme Court and Court of Appeals
HB 1142		Changes the requirements for the use of private probation services
HCS HB 1171		Changes the age when the juvenile court will have jurisdiction over a child involving a traffic violation and authorizes Franklin County to prosecute county order violations in a county municipal court
HB 1202		Allows a juvenile court employee to receive compensation from a county or city in addition to his or her state salary
HCS HB 1211		Changes the laws regarding local courts
HCS HB 1256		Changes the laws regarding judicial procedures
HB 1384		Changes the laws regarding consent to the adoption of a child
HB 1492		Authorizes Cass County to establish a county municipal court
HB 1553		Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HB 1560		Changes the selection of the circuit clerk in the 22nd Judicial Circuit in St. Louis City from being elected by the qualified voters to being appointed by a majority of the circuit judges of the circuit
HB 1599		Changes the criteria for determining that the sentence for first degree murder will be life imprisonment without eligibility for parole instead of the death penalty

No.	Author	Subject
HB 1627		Expands the restriction on the release of the home address or other information contained in Department of Revenue motor vehicle or driver registration records to include state and federal judges
HB 1729		Transfers Taney County from the 38th Judicial Circuit to the newly established 46th Judicial Circuit and specifies that the 38th Judicial Circuit will consist only of Christian County
HCS HB 1754		Changes the laws regarding judicial circuits
HCS HB 1826		Allows the Board of Probation and Parole to conduct a hearing with an offender by means of a videoconference and authorizes the establishment of a mental health assessment process as a pilot program
HB 1848		Repeals the provisions regarding judges in the existing eastern, southern, and western circuits and replaces them with first, second, and third appellate judicial districts based on legislative districts
HCS HJR 44		Proposes a constitutional amendment changing the composition of nonpartisan judicial commissions and increasing the number of candidates nominated to the Governor for certain judicial vacancies
HJR 77		Proposes a constitutional amendment repealing the provisions regarding the selection of judges and requires all judges to be elected
HJR 78		Proposes a constitutional amendment requiring all meetings of a redistricting apportionment commission to be open to the public
HJR 82		Proposes a constitutional amendment changing the composition of the Commission on Retirement, Removal, and Discipline which investigates complaints regarding members of the judiciary
		JURIES
SB 502	Wright-Jones	Allows elected officials to be excused from jury duty during their term of office
HB 1599		Changes the criteria for determining that the sentence for first degree murder will be life imprisonment without eligibility for parole instead of the death penalty
		KANSAS CITY
SB 558	Curls	WITHDRAWN
SS SCS SB 576		Modifies provisions relating to charter schools
SB 581	Callahan	Modifies provisions relating to school district boundary line changes, school accreditation, and employment of retired teachers under certain circumstances
SB 643	Keaveny	Requires children in the St. Louis City School District and Kansas City School District to attend school at age five
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SCS SB 795		Authorizes the establishment of a land bank agency in Kansas City
HB 1118		Requires vehicles to yield the right-of-way to all pedestrians and bicyclists crossing a city or neighborhood street in Kansas City in an appropriate crosswalk
HB 1163		Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contract with mandated haulers of trash collection except in North Kansas City, Kansas City, and St. Louis
HCS HB 1228		Changes the laws regarding charter schools
HB 1360		Authorizes the Kansas City Chief of Police to determine whether city parks should remain open between specified times in the interest of public safety
CCR CCS SS SCS HCS HB 1402		Changes the laws regarding transportation

No.	Author	Subject
HCS HB 1449		Prohibits the use of economic incentives to attract jobs from Kansas to Missouri if Kansas does likewise or requires Missouri to exceed Kansas's economic development funding in the metropolitan area
SS SCS HCS HB 1498		Changes the laws regarding liquor sales
SCS HB 1504		Changes the laws regarding sales taxes
HB 1648		Allows the board of election commissioners in Kansas City and St. Louis to establish voter centers on election days for a person to vote without going to his or her precinct voting location
SCS HCS HB 1659 & 1116		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use
HB 1802		Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
HB 1804		Authorizes the City of Kansas City to collect, upon voter approval, its existing convention and tourism tax from certain exempt transient guests and patrons of food establishments
HB 1843		Requires children in the St. Louis City School District and Kansas City School District to enroll in a school by age five
HB 1898		Creates the Missouri Juneteenth Heritage Memorial Fund and changes the distribution of funds from the nonresident entertainer and professional athletic team income tax to provide moneys to the fund
HB 1921		Requires a safety study to be conducted before specified entities decrease the number of firefighters or first responders assigned to a fire apparatus pump operation
HB 1932		Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education
HB 2043		Specifies that no further Kansas City school district board elections will be held after July 1, 2013, and allows certain unaccredited school districts to be administered as a renewed school district
HB 2081		Changes the laws regarding political activities of a member of the Kansas City Police Department
		LABOR AND INDUSTRIAL RELATIONS DEPT.
SCS SB 439		Modifies the law relating to the prevailing wage
SB 458	Wright-Jones	Creates the Green Jobs-Green Missouri Act
SB 459	Wright-Jones	Requires those engaging in public works projects to employ individuals from the locality in which the project is being constructed
SCS SB 491		Modifies provisions pertaining to agriculture
SS SCS SB 572		Modifies the law relating to workers' compensation
SCS SB 596		Modifies the law relating to prevailing wage and project labor agreements
SCS SB 816		Redefines "misconduct" and "good cause" for the purposes of disqualification from unemployment benefits
SB 827	Crowell	Modifies the law relating to workers' compensation co-employee liability
SB 828	Crowell	Modifies the law relating to occupational disease under the workers' compensation system
SB 878	Mayer	Modifies the law relating to workers' compensation
SB 898	Schaefer	Provides an exemption to certain asbestos-related state requirements for certain entities
SB 905	Mayer	Allows certain political subdivisions to contract out engineering, water quality management, and maintenance services on existing water storage tanks

No.	Author	Subject
HB 1053		Establishes the Disaster Area Construction Act which exempts certain construction work done for a school district or a county, city, town, or village from the prevailing wage if it is in a disaster area
HB 1089		Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions
HB 1091		Requires a school district to exempt itself from the prevailing hourly wage for work done on behalf of a school located in a Governor-declared disaster area
HB 1176		Allows a school district or a county, city, town, or village to exempt itself from the prevailing hourly wage for certain work if it is in a disaster area
HCS HB 1198		Changes the laws regarding prevailing wages
HB 1279		Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed
HB 1417		Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HB 1441		Changes the laws regarding workers' compensation and unemployment benefits
HB 1448		Establishes the School Construction Act which exempts construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval
HB 1493		Changes the laws regarding how the prevailing hour wage requirement for a given occupational title is determined for a county
HCS HB 1794		Clarifies the definition of "employment" as it relates to employment security laws regarding in-home or community-based services for clients of a county board for developmental disability services
HB 1862		Requires the Department of Labor and Industrial Relations to establish the Equal Pay Commission
HB 1908		Exempts certain businesses from specified state asbestos-related requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos
HCR 59		Opposes the proposed United States Department of Labor regulations which would prohibit certain youth agricultural labor and employment
		LABOR AND MANAGEMENT
SB 438	Mayer	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SCS SB 439		Modifies the law relating to the prevailing wage
SB 459	Wright-Jones	Requires those engaging in public works projects to employ individuals from the locality in which the project is being constructed
SB 514	Crowell	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SB 547	Purgason	Bars employers from requiring employees to engage in or cease engaging in certain labor practices
SCS SBs 553 & 435		Requires authorization for certain labor unions to use dues and fees to make political contributions and bars them from withholding earnings from paychecks
SCS SB 596		Modifies the law relating to prevailing wage and project labor agreements
SB 905	Mayer	Allows certain political subdivisions to contract out engineering, water quality management, and maintenance services on existing water storage tanks
SB 907	Schaaf	Requires certain employers to post certain rights of employees with respect to labor organizations
HB 1086		Specifies certain employee rights as they relate to labor organizations

No.	Author	Subject
HB 1205		Specifies certain employee rights as they relate to labor organizations
HB 1230		Allows an employer or labor organization to obtain a political contribution through a payroll deduction if the employee or member consents to the contribution in writing annually
HB 1230		Allows an employer or labor organization to obtain a political contribution through a payroll deduction if the employee or member consents to the contribution in writing annually
HB 1418		Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 1448		Establishes the School Construction Act which exempts construction and maintenance work done for certain school districts from the prevailing wage rate requirement upon the school board's approval
HB 1538		Prohibits employers from requiring employees to engage in or cease engaging in certain labor practices as a condition or continuation of employment
HB 1555		Makes it an improper employment practice for an employer to refuse to hire or to discharge, reduce compensation, or modify any condition of a person's employment based on his or her credit score or history
		LAKES, RIVERS AND WATERWAYS
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SCR 15	Dempsey	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SCR 16	Stouffer	Urges the U.S. Army Corps of Engineers to modify its river management protocol to make flood control a top priority
SCR 25	Mayer	Urges the federal government to manage the Mississippi River to protect against devastating flood events
HB 1056		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HB 1255		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HB 1310		Authorizes an exemption for motor fuel used exclusively for watercraft in this state from the motor fuel tax
HB 1423		Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit
HB 1452		Requires any person younger than 14 years of age to wear an approved personal flotation device when on a watercraft on Missouri waters unless the person is in a fully enclosed part of the watercraft
HB 1552		Authorizes the governing body of Carter County to impose, upon voter approval, a transient guest tax on additional sites
HB 1662		Creates a county drinking water supply lake authority in Christian County

No.	Author	Subject
SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB1269, HB1641, HB1668, HB1737, HB1782, HB1868, AND HB1878		Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates
HB 1924		Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for specified protected places
HCR 13		Supports the use of unbiased scientific research and data regarding the management practices for rivers and streams
HCS HCR 30		Strongly urges the U.S. Army Corps of Engineers to re-examine the flood plan, manage the rivers to avoid devastating flooding, and rebuild damaged levies
HCR 31		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
HCR 46		Strongly urges Ameren, FERC, and affected property owners at the Lake of the Ozarks to cooperate and coordinate a swift resolution to the shoreline management plan that respects the rights of property owners
HCR 52		Strongly urges the National Park Service to draft its final General Management Plan for the Ozark National Scenic Riverways to recognize the importance the riverways provide to the state
		LANDLORDS AND TENANTS
HCS SCS SB 510		Modifies the laws regarding municipal annexations, the taxation of security companies, assessment of real estate, the termination of water and sewer services, and complaints about real estate appraisals
SB 730	Schaefer	Allows Boone County to adopt regulations to control the minimum standards of occupancy for residential units and to develop a program for licensing and inspecting the units
SB 804	Engler	Criminalizes the failure to vacate leased premises in a rent and possession case under chapter 535
SB 846	Engler	Modifies provisions of landlord and tenant law as they relate to bed bugs
HB 1065		Authorizes a corporation or unincorporated association to be represented in small claims court for certain actions by its president or vice-president for any claim of $500 or less
HB 1207		Establishes the criteria to be followed by landlords and tenants of multifamily rental dwelling units regarding the control of bed bugs
HB 1207		Establishes the criteria to be followed by landlords and tenants of multifamily rental dwelling units regarding the control of bed bugs
HB 1286		Changes the laws regarding a landowner's liability as it applies to an individual trespassing on the owner's land
HB 1429		Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence
HB 1434		Changes the laws regarding the termination of water and sewer service due to delinquency of payment
HB 1461		Changes the laws regarding the security deposit of renters
HB 1469		Authorizes a landlord to bring an action to remove a tenant without being represented by an attorney and to file a claim in small claims court for the ejectment of a tenant to obtain possession of a premises

No.	Author	Subject
HB 1479		Requires a landlord to disclose the presence of mold to prospective and current tenants
HCS HB 1585		Changes the laws regarding landlord-tenant actions
HB 1633		Changes the laws regarding delinquent real estate taxes or mortgage notes
HB 1849		Establishes the criteria to be followed by landlords and tenants of multifamily rental dwelling units regarding the control of bed bugs
HB 1969		Changes the laws regarding the termination of water service
HCS HB 1971		Changes the laws regarding political subdivisions
		LAW ENFORCEMENT OFFICERS AND AGENCIES
SB 446	Goodman	Specifies that drug courts may be funded by the county law enforcement restitution fund
SB 461	Keaveny	Allows the City of St. Louis to control its police force without state intervention
SS SCS SBs 489 & 637		Modifies provisions relating to weapons
SB 518	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 535	Chappelle-Nadal	Allows the City of St. Louis to control its police force without state intervention
SB 558	Curls	WITHDRAWN
SB 559	Curls	Allows petitions for expungement of certain criminal records
CCS HCS SCS SB 569		Modifies the law relating to elections, law enforcement districts, and transit authority taxes
SB 590	Kraus	Modifies the law relating to unlawfully present aliens
SB 600	Lembke	Requires federal agents to personally notify the sheriff in the county where a federal warrant is to be served
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
SB 646	Engler	Makes the results of certain types of field tests for controlled substances admissible as evidence in certain preliminary hearings and applications for arrest warrants
SCS SB 666		Modifies provisions relating to the Large Carnivore Act and creates the Nonhuman Primate Act
SB 695	Parson	Requires farm employees who videotape suspected acts of animal abuse to turn over the recording to law enforcement within 24 hours
SB 696	Kraus	Allows uninsured motor vehicles to be towed under certain circumstances and increases fines, suspensions and reinstatement fees for certain uninsured motorists
SB 741	Parson	Provides that law enforcement agencies only have to procure an independent audit of federal seizures if the proceeds from the federal seizures exceed $500,000
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
SB 779	Munzlinger	Authorizes certain officials to charge six dollars for cases disposed of by a traffic violations bureau and creates the MODEX fund
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 787	Curls	WITHDRAWN
SCS SB 789		Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
SCS SB 834		Requires certain funds received by sheriffs to be placed in a special fund in the county treasury
SB 857	Brown	Allows certain funds collected for a sheriff's operating costs to be used to supplement the sheriff's base salary

No.	Author	Subject
SB 876	Kehoe	Prohibits beer manufacturers and liquor wholesalers from owning certain interests in each other
SB 884	Nieves	Modifies provisions related to firearms
SB 894	Curls	Modifies the type of information required from applicants for a motor vehicle registration and a concealed carry endorsement
SB 897	Schaefer	Prohibits law enforcement agencies from establishing roadside checkpoint or road block patterns based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
SB 903	Lamping	Provides the process for disposition of dogs involved in the crime of dog fighting
SS SCS HB 1051		Requires the State Auditor to perform, on a one-time basis, a comparative audit of at least five, but no more than 10, of the largest state agencies and of each chamber of the General Assembly
HB 1057		Requires all inmates receiving on-site medical examination or treatment from correctional center personnel to be charged $1.50 per visit
HB 1102		Requires any person who observes a child being subjected to sexual abuse to immediately report or cause a report to be made to the Children's Division
HCS HB 1108		Requires telecommunications carriers and certain commercial mobile service providers to provide caller location information in certain emergency situations
HCS HB 1111		Changes the laws regarding the release of towed abandoned property and requires the return of nonvehicular personal property within the towed vehicle regardless of payment arrangements
HB 1114		Requires Taney County, upon voter approval of a county sales tax, to appoint an emergency services board to administer the central dispatching of emergency services
HB 1127		Requires certain specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 1167		Establishes Caylee's Law which requires any parent or guardian to report the death or disappearance of a child within a specified time period
HCS HB 1169		Changes the laws regarding the investigation of a report of child abuse that arises from a spanking in a school
HB 1190		Repeals provisions regarding the maintaining of police records in municipalities located within Jackson County, Jefferson County, St. Charles County, and St. Louis County
HB 1203		Allows money from the county law enforcement restitution fund to be used for county inmate work and service programs and limits the amount a county can assess an individual for certain offenses to $10
HB 1252		Increases the penalty for making a false report if the crime which was falsely reported was a felony
HB 1253		Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs
HB 1271		Changes the laws regarding the penalty for certain crimes
SCS HCS HB 1278 & 1152		Changes the laws regarding certain tax credits and establishes the Developmental Disability Care Provider Tax Credit Program
HB 1283		Prohibits any person younger than 15 years of age from using a tanning device or his or her guardian from allowing the use of a tanning device
HB 1284		Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees
HB 1292		Specifies that a person commits the crime of false identification if he or she falsely represents or identifies himself or herself as another person to a law enforcement officer

No.	Author	Subject
HCS HB 1319, 1045 & 1369		Changes the laws regarding weapons
HCS HB 1328		Changes the laws regarding the sale and possession of controlled substances
HB 1330		Lowers the population requirement of a Department of Corrections center in the county in determining the procedure to obtain a change of venue for a misdemeanor or felony
HB 1334		Establishes the Fair Fare Passenger Safety Act of 2012 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HCS#2 HB 1358		Changes the laws regarding political subdivisions
HB 1360		Authorizes the Kansas City Chief of Police to determine whether city parks should remain open between specified times in the interest of public safety
HB 1368		Allows certain types of field tests for controlled substances to be admissible as evidence in certain preliminary hearings and in an application for an arrest warrant
HB 1392		Requires a purchaser of commodity metals to register with the scrap theft alert system maintained by the Institute of Scrap Recycling Industries and establishes the Commodity Metals Theft Task Force
HB 1418		Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 1421		Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 1426		Specifies that a person commits the crime of unlawful use of weapons if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance
HB 1437		Changes the laws regarding domestic violence
HCS HB 1444		Changes the laws regarding the confiscation of animals
HCS HB 1458		Changes the laws regarding public safety, fire protection, and emergency services
HB 1468		Requires the Amber Alert System Oversight Committee to adopt criteria to expand the Amber Alert System to provide peace officer safety alerts
HCS HB 1515		Changes the laws regarding crimes and criminal procedures
HB 1516		Changes the laws regarding the crime of assaulting a law enforcement officer, corrections officer, emergency personnel, or highway worker to include a utility worker
HB 1528		Establishes the Intersection Safety Act regarding automated traffic enforcement systems
HB 1553		Authorizes a one-time expungement of certain criminal records including a conviction for any nonviolent crime, misdemeanor, or nonviolent drug violation
HB 1562		Allows the sheriff of any county to employ an attorney to aid and advise him or her in the discharge of the sheriff's duties and to represent him or her in court
HB 1564		Specifies that any personal identifying information that is utilized in a voluntary registry of persons with health-related ailments to assist them during an emergency is not considered a public record
HB 1565		Requires mandatory reporters of child abuse to report when they are working or acting in their official capacity and allows them to report when they are not
HB 1573		Changes the laws regarding political subdivisions
HCS HB 1585		Changes the laws regarding landlord-tenant actions
HB 1598		Changes the criteria for domestic assault in the third degree to include three responses by law enforcement for alleged abuse or violation of an order of protection by the same person

No.	Author	Subject
HB 1672		Changes the auditing requirement for a law enforcement agency on the proceeds from federal forfeitures to only a reporting requirement
HB 1675		Establishes the MODEX Fund and deposits one-half of the charges collected by traffic violation bureaus for law enforcement services into the fund to support the operational costs of the MODEX system
HB 1677		Authorizes a person to apply to a court for the expungement of certain criminal records
HB 1681		Increases the penalty for the crime of assault on a police animal from a class C misdemeanor to a class A misdemeanor
HB 1683		Requires emergency dispatch operators to receive training on state laws regarding self defense and defense of others
HB 1698		Specifies that a person commits the crime of obstruction of justice when he or she knowingly does certain specified acts with the intent to prevent the apprehension or obstruct the prosecution of any person
HCS HB 1700		Changes the laws regarding sexual offender registration
HB 1720		Changes the laws regarding the powers of park rangers
HB 1743		Requires a convicted sex offender to be told of his or her obligation to register as a sex offender at the time of adjudication instead of the current requirement of prior to release or discharge
HB 1787		Requires every merchant to develop and maintain a list of suppliers for each product it sells and provide it to any law or drug enforcement officer or agency upon request
HB 1797		Requires out-of-state persons or groups who wish to protest a funeral in this state to pay, prior to the protest, a $15,000 fee to the local law enforcement agency in the area where the protest will be held
HB 1799		Requires all custodial interrogations to be recorded by removing the current exemption when it is not feasible
HB 1802		Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
HB 1832		Specifies a form which any sheriff must accept as proof of firearms safety instructor qualification and that an applicant has passed a firearms safety course for a concealed carry endorsement
HB 1851		Requires a person to hold a valid peace officer license in order to be eligible for the office of county sheriff with the exception of the office of sheriff of St. Louis City
HB 1858		Prohibits a beer brewer from having any financial interest in a beer wholesaler or from serving as a director, manager, employee, or agent of a beer wholesaler with specified exceptions
SCS HCS HB 1860 & HCS HB 1254		Changes the laws regarding agricultural education in private schools, grain dealers, and agricultural crimes
HB 1891		Establishes minimum standards that a municipality in St. Louis County must meet in the provision of municipal and financial services and reports
HB 1896		Changes the laws regarding sexual offenses
HB 1952		Establishes the Meth Lab Elimination Act which reclassifies some forms of methamphetamine precursor drugs from Schedule IV and V controlled substances to Schedule III requiring a prescription
HB 1957		Allows the Department of Revenue to create an emergency information database for holders of instruction permits, driver's licenses, and non-driver's identification cards
HB 1973		Repeals the provisions authorizing the City of St. Louis to a have a reserve police force
HB 2040		Specifies that the requirement that every person operating or riding on a motorcycle on any state highway wear protective headgear will not apply from August 1 through August 21 of each year
HB 2081		Changes the laws regarding political activities of a member of the Kansas City Police Department

No.	Author	Subject
HB 2108		Allows charges of up to $50,000 in any year collected by a sheriff in civil cases to also be used to supplement the sheriff's base salary
		LIABILITY
SCS SB 490		Modifies the laws regarding certain private nuisance actions
SCS SB 491		Modifies provisions pertaining to agriculture
SB 500	Wright-Jones	Modifies state legal expense coverage of certain health professionals and modifies hospital patient safety policies
SB 552	Brown	Adds veterinarians to the statute of limitations for medical malpractice actions against certain health care providers
SB 555	Curls	Regulates certain contracts for the sale of residential real estate
SB 609	Lembke	Modifies comparative fault by eliminating joint liability and allowing consideration of any nonparty's fault
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
CCS HCS SB 628		Modifies provisions relating to the judiciary
CCS HCS SB 636		Modifies provisions relating to the judiciary
SB 651	Schaefer	Creates a home inspector licensing board and procedures for licensing home inspectors
HCS SB 667		Modifies provisions relating to design professionals, school social workers, real estate appraising, and residential construction
SB 771	Nieves	Modifies the duties and liabilities of skiers and ski area operators
SB 820	Nieves	Adds training requirements for 911 dispatch operators and provides certain civil immunity
SB 846	Engler	Modifies provisions of landlord and tenant law as they relate to bed bugs
SB 850	Purgason	Prohibits sterilization and disposition of seized or confiscated animals until the outcome of charges against the animals' owner have been determined
SB 885	Engler	Makes negligently casting flyrock onto property not under the responsibility of the person using explosives a violation of the Missouri Blasting Safety Act
SCS HCS HB 1072		Establishes the Volunteer Health Services Act to allow certain licensed health professionals to provide services without additional licensure requirements
HB 1087		Establishes the Adult Health Care Consent Act which specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care
HB 1113		Changes the laws regarding contracts for public or private construction work
HB 1166		Allows a trust instrument to appoint a trust protector who is expressly granted one or more powers over the trust in the trust instrument
HB 1173		Specifies that an employer, or his or her employee, will not be liable for any injury or death for which compensation is recoverable under provisions of the Workers' Compensation Law
HB 1188		Allows a school nurse or other trained employee to administer asthma-related rescue medication to a student experiencing an asthma attack
HB 1194		Changes the laws regarding agricultural crimes
HB 1195		Changes the laws regarding agricultural crimes
HB 1196		Changes the laws regarding a landowner's liability as it applies to an individual trespassing on the owner's land

No.	Author	Subject
HB 1197		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1215		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1253		Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs
SS SCS HCS HB 1280		Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer
HB 1286		Changes the laws regarding a landowner's liability as it applies to an individual trespassing on the owner's land
HB 1293		Requires suits in inverse condemnation or involving dangerous conditions of public property against a municipal corporation to be brought only in the county where the land or any part of the land lies
HCS HB 1298 & 1180		Changes the laws regarding a defendant's liability in a tort action and establishes the Agritourism Promotion Act
HB 1314		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1326		Establishes the Business Premises Safety Act
HCS HB 1342		Changes the laws regarding the recovery of costs and attorney fees by the prevailing defendant in a civil action
HB 1343		Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HCS HB 1356		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1403		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 1413		Changes the laws regarding injury or death to a service dog and harassing a service dog
HB 1422		Revises the laws regarding DNA profiling analysis
HB 1434		Changes the laws regarding the termination of water and sewer service due to delinquency of payment
HCS HB 1444		Changes the laws regarding the confiscation of animals
HB 1461		Changes the laws regarding the security deposit of renters
HCS#2 HB 1475		Requires the parent or guardian of any person younger than 17 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of a device
HB 1479		Requires a landlord to disclose the presence of mold to prospective and current tenants
HCS#2 HB 1490		Changes the laws regarding health care
SCS HCS HB 1495		Changes the laws regarding liability for reporting insurance fraud
HB 1514		Allows for the establishment of a series limited liability company
HB 1540		Changes the laws regarding workers' compensation
HCS HB 1541		Specifies that anyone providing or participating in a medical procedure or research cannot be required to provide or participate in the activity if it violates his or her conscience or principles
HCS HB 1542 & 1101		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation

No.	Author	Subject
HB 1548		Requires organizations wanting to sponsor certain events and activities that are held in a state park or on a historic site to obtain liability insurance
HB 1548		Requires organizations wanting to sponsor certain events and activities that are held in a state park or on a historic site to obtain liability insurance
HCS HB 1568		Changes the laws regarding the disclosure of certain foster care licensure information and the provisions regarding the Safe Place for Newborns Act
HB 1593		Changes the laws regarding the Missouri New Markets Development Program and establishes the Missouri Angel Investment Incentive Act
HB 1655		Restricts the time to file a product liability claim and when a manufacturer or seller of a product may be liable
HB 1676		Requires a homeowner and community improvement association to be organized as a nonprofit corporation and to comply with those liability insurance and alternative dispute resolution provisions
HB 1678		Changes the laws regarding midwifery
HB 1683		Requires emergency dispatch operators to receive training on state laws regarding self defense and defense of others
HB 1806		Specifies the duties and liabilities of ski area operators and skiers regarding the risk and legal responsibility for any injury, death, or loss to person or property resulting from the inherent risks of skiing
HB 1840		Requires any person certified and providing midwifery services to present each client proof of malpractice insurance coverage in an amount of at least $1 million prior to providing services
HB 1888		Establishes the Office of Protection and Advocacy for Persons with Disabilities within the Office of Administration to protect the rights of individuals with disabilities and developmentally disabled persons
HCS HB 1890		Changes the laws regarding health insurance coverage and contracts
HB 1904		Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 1943		Changes the laws regarding the management and maintenance of museum donations and collections
HB 1951		Removes the for gross negligence exception from personal liability for members of the State Board of Chiropractic Examiners for acts committed in the performance of their official duties
HB 1977		Changes the laws regarding the reporting of cruelty, abuse, or neglect of the elderly, children, or animals
HB 2104		Changes the laws regarding workers' compensation and the Second Injury Fund
HJR 58		Proposes a constitutional amendment specifying that the General Assembly has no power or authority to contract any liability or to issue certain bonds if repayment is dependent on appropriations
		LIBRARIES AND ARCHIVES
SCS HB 1504		Changes the laws regarding sales taxes
HB 1586		Authorizes any public library district to impose, upon voter approval, a sales tax to operate and maintain public libraries within the library district
HB 1591		Adds Jasper County to the list of counties authorized to impose, upon voter approval, a sales tax to operate and maintain public libraries within the library district
HCS HB 1623		Changes the laws regarding the membership of a city economic development tax board
		LICENSES - DRIVER'S
HCS SS SCS SB 443		Modifies the law with respect to the regulation of motor vehicles

No.	Author	Subject
CCS HCS SS SCS SB 470		Modifies various provisions relating to transportation
SB 642	Wasson	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HCS SCS SB 648		Modifies law on temporary instruction permits, towing companies, and use of ignition interlock devices by drunk drivers
HCS SCS SB 673		Modifies law regarding motor vehicle licensing and driver's licenses
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 893	Kraus	Requires certain offenders to undergo criminal history checks in order to have their driver's licenses reinstated or have limited driving privileges granted
SB 894	Curls	Modifies the type of information required from applicants for a motor vehicle registration and a concealed carry endorsement
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
HCS HB 1030		Changes the laws regarding the collection of money owed to the state and establishes a state amnesty program
SCS HB 1104		Changes the laws regarding elections by requiring a voter to provide photo identification
HB 1149		Requires an applicant taking the written portion of the driver's license examination to pay a $10 fee
HCS#2 HB 1155		Changes the laws regarding limited driving privileges and commercial driver's licenses
HCS HB 1186 & 1147		Requires Missouri driver's license examinations to only be administered in English
HCS HB 1256		Changes the laws regarding judicial procedures
HB 1281		Allows an honorably discharged veteran to apply to obtain a sticker to be placed on his or her driver's license or identification card indicating veteran status
HB 1428		Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 1473		Specifies that filing a petition for trial de novo results in the stay of the driver's license suspension or revocation order and the issuance of a temporary license until a final order is issued
HB 1528		Establishes the Intersection Safety Act regarding automated traffic enforcement systems
HCS HB 1574 & 1097		Allows a person to apply for a veteran designation on his or her driver's license or identification card upon providing specified proof of service
SCS HCS HB 1640		Changes the laws regarding motor vehicles
HB 1669		Allows a temporary motorcycle instruction permit holder to renew the permit two additional times for up to a total of 18 months and applies the current permit restrictions to all holders, regardless of age
HB 1707		Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HB 1912		Allows the Department of Revenue to create an emergency contact database for the holder of an instruction permit, driver's license, or non-driver's identification card
HB 1957		Allows the Department of Revenue to create an emergency information database for holders of instruction permits, driver's licenses, and non-driver's identification cards

No.	Author	Subject
HB 1979		Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant
HB 1998		Changes the laws regarding health services and fees and moving violations and traffic offenses occurring within an active emergency zone
HB 2052		Allows a person 21 years of age or older to operate a motorcycle on any state highway without protective headgear if he or she has obtained a helmet-free endorsement from the Department of Revenue
HB 2063		Requires the Department of Revenue to issue a special driver's license to a person required to use an ignition interlock device
HB 2071		Allows a person to apply for a veteran designation on his or her driver's license or identification card upon providing specified proof of service
		LICENSES - LIQUOR AND BEER
HCS HB 1030		Changes the laws regarding the collection of money owed to the state and establishes a state amnesty program
HB 1412		Allows certain organizations who sell intoxicating liquor by the drink at retail or on their premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HCS HB 1877		Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 1954		Requires an applicant for a new or renewal liquor license for a period of more than 30 days to pay an additional $100 transaction fee for deposit into the Alcohol and Tobacco Control Trust Fund
HB 2102		Allows a person licensed to sell liquor at retail by the drink for consumption on the premises where sold to use a table tap dispensing system to allow a patron of the licensee to dispense beer at a table
		LICENSES - MISC
SB 462	Keaveny	Amends laws relating to unsecured loans of $500 or less
SB 476	Lamping	Amends laws relating to unsecured loans of $500 or less
SS SCS SBs 489 & 637		Modifies provisions relating to weapons
SB 580	Parson	Modifies the licensing period for certain licenses issued by the Missouri Gaming Commission
SB 615	McKenna	Modifies provisions relating to liquor
SB 791	Curls	Amends laws relating to small loans
SB 884	Nieves	Modifies provisions related to firearms
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
HCS HB 1123		Changes the laws regarding the licensure and inspection of hospitals
HB 1145		Establishes Nathan's Law and Sam Pratt's Law which change the laws regarding child care providers
HB 1224		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing unauthorized aliens
HB 1242		Specifies that the motorcycle road skills test is not required for a member of the armed forces who has successfully completed a military motorcycle rider training course that meets specified standards
HB 1282		Requires the Department of Conservation to provide an applicant or licensee for a hunting, trapping, or fishing license or permit with a copy of its current violation code and point system list

No.	Author	Subject
HCS HB 1319, 1045 & 1369		Changes the laws regarding weapons
SCS HCS#2 HB 1323		Establishes the Low-Wage Trap Elimination Act and Sam Pratt's Law and changes the laws regarding child abuse and neglect investigations and unlicensed child care providers
HB 1350		Establishes Nathan's Law which changes the laws regarding child care facilities
HB 1393		Changes the laws regarding unsecured loans of $500 or less, commonly known as payday loans
HB 1423		Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit
SS SCS HCS HB 1498		Changes the laws regarding liquor sales
HB 1530		Changes the laws regarding the resale of certain scrap metals
HCS HB 1568		Changes the laws regarding the disclosure of certain foster care licensure information and the provisions regarding the Safe Place for Newborns Act
HCS HB 1644		Changes the laws regarding excursion gambling boat licenses, occupational licenses to work in certain jobs on a gambling boat, and licenses of suppliers of gambling equipment
HB 1696		Requires the State Highway Patrol to waive any state fees associated with obtaining a concealed carry endorsement for an applicant who is a veteran
HB 1726		Specifies that any person who had, prior to August 28, 2011, successfully completed the concealed carry training requirements will be deemed to have met the current training requirements
HB 1746		Requires any person who files a court challenging the issuance of a license for a commercial livestock or poultry slaughter or processing plant to post a surety bond
HB 1747		Changes the laws regarding weapons
HB 1787		Requires every merchant to develop and maintain a list of suppliers for each product it sells and provide it to any law or drug enforcement officer or agency upon request
HB 1824		Prohibits a person from operating a warehouse, commissary, or mobile food unit without first obtaining a license from the Department of Health and Senior Services
HB 1904		Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 1968		Increases the size requirements for a sign posting private property as off-limits to concealed firearms
HCS HB 1971		Changes the laws regarding political subdivisions
HB 2030		Specifies that any person who has a valid concealed carry endorsement may openly carry a firearm on or about his or her person
		LICENSES - MOTOR VEHICLE
HCS SS SCS SB 443		Modifies the law with respect to the regulation of motor vehicles
CCS HCS SS SCS SB 470		Modifies various provisions relating to transportation
HCS SCS SB 563		Modifies provisions relating to higher education
SB 564	Brown	Waives the motorcycle roads skills test for members of the armed forces who have successfully completed certain military motorcycle rider training courses
SB 570	Kraus	Requires that only one license plate be issued for all motor vehicles instead of the current two plates

No.	Author	Subject
SB 586	Richard	Gives preference in the awarding of a fee office contract to a tax exempt organization whose primary administrative office is in the same county or legislative district as the fee office
CCS HCS SB 636		Modifies provisions relating to the judiciary
HCS SCS SB 648		Modifies law on temporary instruction permits, towing companies, and use of ignition interlock devices by drunk drivers
CCS#2 SS SCS SB 719		Modifies various provisions relating to the regulation of transportation
HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847		Designates several highways and bridges and creates or modifies several special license plates
SB 805	Engler	Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances
SCS SB 818		Modifies the law regarding the issuance of temporary permit tags
SCS SB 843		Allows motorists to purchase an additional third license plate to serve as a visible plate when a bicycle rack or other item obstructs the view of the mounted plate
SB 894	Curls	Modifies the type of information required from applicants for a motor vehicle registration and a concealed carry endorsement
HCS HB 1030		Changes the laws regarding the collection of money owed to the state and establishes a state amnesty program
HB 1064		Allows a scrap metal operator to acquire a vehicle or parts of a vehicle that is 10 years old or older without receiving the original certificate or title
HB 1132		Allows a person to obtain a Missouri Junior Golf Foundation special license plate
HB 1132		Allows a person to obtain a Missouri Junior Golf Foundation special license plate
HB 1141		Changes the laws regarding the "Don't Tread on Me" special license plate
HCS#2 HB 1155		Changes the laws regarding limited driving privileges and commercial driver's licenses
HB 1247		Repeals the provisions which allow a member of the General Assembly to apply for a special license plate
HCS HB 1256		Changes the laws regarding judicial procedures
HB 1264		Prohibits the assessment of any penalty or the issuance of a ticket for failing to renew a motor vehicle registration prior to the last day of the month following the expiration of the registration period
SS HCS HB 1329		Changes the laws regarding motor vehicles
CCR CCS SS SCS HCS HB 1402		Changes the laws regarding transportation
HB 1451		Requires a window sticker to show current motor vehicle registration instead of a license plate tab
HB 1511		Changes from six months to 60 days the period of time that a temporary motorcycle permit is valid
HB 1635		Allows a person to pay the $25 emblem-use fee to the Missouri State Humane Association for a I'm Pet Friendly special license plate for deposit in the Missouri Pet Spay-Neuter Fund
SCS HCS HB 1640		Changes the laws regarding motor vehicles

No.	Author	Subject
HB 1684		Specifies that a person who is permanently disabled, regardless of age, is not required to provide a physician's statement when renewing a disabled license plate or windshield placard
HB 1733		Allows a municipality to adopt a resolution or ordinance that allows all-terrain and utility vehicles to operate on the streets and highways under its jurisdiction
HB 1759		Requires that the "Year Manufactured" on an outboard motor title reflect the year the dealer purchased it from the manufacturer
HB 1785		Allows a member of the National Rifle Association to obtain a National Rifle Association special license plate
HB 1786		Allows a member of the National Wild Turkey Federation to obtain a National Wild Turkey Federation special license plate
SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB1269, HB1641, HB1668, HB1737, HB1782, HB1868, AND HB1878		Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates
HB 1839		Allows for the issuance of a temporary third license plate to be placed in a vehicle's back window when the view of the rear license plate is obstructed by a bicycle rack or other item
HB 1864		Allows a person to obtain a Pony Express special license plate
HB 1892		Allows a person who purchases a vehicle in another state with a certificate of destruction, junking certificate, or equivalent issued by the other state to apply for a salvage certificate of title
HB 1899		Allows a motor vehicle dealer selling a new motor vehicle up to 30 days to deliver the manufacturer's statement of origin to a purchaser if agreed upon by the dealer and the purchaser
HB 1958		Allows for the issuance of a temporary third license plate to be placed in a vehicle's back window when the view of the rear license plate is obstructed by a bicycle rack or other item
HB 2029		Allows a motor vehicle dealer 21 days after the sale or transfer of a motor vehicle or trailer to deliver the certificate of ownership to the buyer
HB 2058		Allows any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from the service to obtain a "Women Veterans" special license plate
HB 2061		Requires that only one license plate be issued for all motor vehicles instead of the current two plates with the exception of property-carrying commercial motor vehicles
HB 2083		Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and material needed following a disaster where utility service has been disrupted
HB 2085		Requires every applicant for a motorcycle license or endorsement to show proof that he or she has successfully completed an approved motorcycle training course
		LICENSES - PROFESSIONAL
SCS SB 491		Modifies provisions pertaining to agriculture
SB 544	Chappelle-Nadal	Licenses clinical laboratory personnel
HCS SCS SB 563		Modifies provisions relating to higher education

No.	Author	Subject
SB 618	Schaaf	Requires auctioneers selling real estate to be licensed by the Real Estate Commission
SCS SB 621		Amends various provisions regarding the licensure and inspection of hospitals
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
SB 651	Schaefer	Creates a home inspector licensing board and procedures for licensing home inspectors
HCS SB 667		Modifies provisions relating to design professionals, school social workers, real estate appraising, and residential construction
HCS SB 668		Modifies several provisions of law concerning taxation, the composition of county sport complex authorities, fire protection district regulations, and real estate appraiser licensing
SB 672	Brown	Modifies higher education course credit requirements and healthcare-related professional licensure requirements for members of the armed forces
HCS SS SCS SB 682		Requires that certain pain management techniques be performed by licensed physicians
SB 750	Schmitt	Modifies provisions relating to advertisements by health care providers and delegation of authority
SB 757	Wasson	Eliminates the granting of new limited licenses for funeral directing after August 28, 2013
SS SCS SB 803		Modifies provisions relating to behavior analysts and the Behavior Analyst Advisory Board
HCS SB 813		Modifies provisions relating to financial transactions
SB 859	Nieves	Authorizes the Division of Professional Registration to regulate mixed martial arts and creates rules for amateur contests
SB 870	Lamping	Authorizes a certification for school social workers
SB 873	Lembke	Creates an exemption from real estate appraiser license requirement for persons representing property owners in appealing assessments
HCS HB 1030		Changes the laws regarding the collection of money owed to the state and establishes a state amnesty program
HB 1033		Requires health care providers to provide a mammography patient with a copy of the mammography report and information regarding the benefit of supplemental screenings for dense breast tissue patients
SCS HCS HB 1072		Establishes the Volunteer Health Services Act to allow certain licensed health professionals to provide services without additional licensure requirements
HB 1082		Specifies that licensed professional counseling includes the diagnosis of mental, emotional, and behavior disorders and requires these counselors to complete certain educational coursework
HB 1103		Changes the laws regarding the maintenance of private roads and real estate appraisers and appraisal management companies
HB 1145		Establishes Nathan's Law and Sam Pratt's Law which change the laws regarding child care providers
HB 1151		Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
SS SCS HCS HB 1280		Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer
HB 1291		Requires a person conducting a home inspection to be licensed by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration
HB 1297		Changes the laws regarding the professional licensure and certification requirements of current and former military personnel
HB 1301		Changes the laws regarding the licensure requirements as an emergency medical technician for a honorably discharged veteran

No.	Author	Subject
HB 1309		Changes the laws regarding residential mortgage loan brokers
HB 1327		Authorizes a public body to close certain foster care licensure data and requires the Children's Division to prepare a detailed report of specific information obtained in the licensure process
HB 1343		Establishes provisions regarding the licensure of tanning facilities by the Department of Health and Senior Services
HB 1355		Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapist for rendering the same services regardless of the setting or venue
HCS#2 HB 1490		Changes the laws regarding health care
HCS HB 1518 & 1522		Authorizes the licensure of a provisionally licensed behavior analyst and assistant behavior analyst and a temporary licensed behavior analyst and assistant behavior analyst
HCS HB 1568		Changes the laws regarding the disclosure of certain foster care licensure information and the provisions regarding the Safe Place for Newborns Act
HB 1649		Establishes the Certified Home Inspection Profession Title Protection Act which prohibits anyone from representing himself or herself as a certified inspector unless he or she has met certain certification
HB 1663		Authorizes an advanced practice registered nurse in a collaborative practice arrangement with a licensed physician to determine whether the restraint of a patient in a mental health facility is necessary
HB 1678		Changes the laws regarding midwifery
HB 1699		Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HB 1766		Specifies that any person who has a real estate appraisal ordered will have standing to file a complaint with the Real Estate Appraisers Commission
HB 1769		Changes the criteria for a person applying for a license as a funeral director after August 27, 2015
HB 1770		Requires, on or after August 28, 2015, any person applying for licensure as a preneed funeral contract agent to hold a valid Missouri funeral director's license
HB 1784		Adds an exemption to the real estate agent licensing laws for any communication regarding real estate made by an unlicensed entity which is not proven to be false or misleading
HCS HB 1803		Specifies the requirements for recognition as a certified school social worker
HB 1885		Specifies that any person who has a real estate appraisal ordered will have standing to file a complaint with the Real Estate Appraisers Commission
HB 1889		Changes the laws regarding towing companies operating tow trucks
HCS HB 1988		Changes the laws regarding real estate appraisers and real estate appraisal management companies
HB 2000		Changes the laws regarding the licensure of hearing instrument specialists
HB 2069		Changes the name, number of members, and the composition of the Board of Cosmetology and Barber Examiners and the educational requirement for a licensee
HB 2082		Authorizes a person to engage in the practice of specified professions without being licensed if he or she does not hold himself or herself out as being licensed
		LIENS
HCS SCS SB 485		Modifies the law governing liens
SCS SB 683		Modifies the laws relating to property exempt from execution or attachment
HCS SCS SB 692		Modifies provisions relating to political subdivisions

No.	Author	Subject
SB 763	Kehoe	Prohibits the charging of fee for releasing a lien or encumbrance from a certificate of ownership unless certain conditions are met
SB 904	Mayer	Allows under certain circumstances outpatient-only ambulatory surgical centers to operate under a hospital license
SS SCS HCS HB 1150		Changes the laws regarding salvage motor vehicle titles, scrap metal operators, and statutory liens
HB 1351		Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 1592		Changes the laws regarding county collectors and a county's special road and bridge levy and establishes the STAR Bonds Financing Act
SCS HCS HB 1659 & 1116		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use
HB 1715		Prohibits the charging of a fee for releasing a lien or encumbrance from a certificate of ownership with specified exceptions
HCS HB 1875		Establishes a procedure by which insurers who purchase vehicles through the claims adjustment process can obtain a salvage title or junking certificate when they are unable to obtain a negotiable title
HB 1909		Changes the laws regarding aircraft fuel, liens on aircraft, and anemometer towers
HB 1991		Requires a sewer district to notify the landowner of any delinquent charges owed and that he or she has 30 days to correct the delinquency or a lien will be placed on the property
HB 2070		Changes the laws regarding mechanic's liens on residential real property
HB 2074		Changes the laws regarding a lien of certain health care entities and practitioners
HB 2091		Specifies that a title lender is liable for the actions of the persons employed or contracted by him or her to take possession of titled personal property upon the expiration or default of a title loan
		LOBBYING
SB 851	Crowell	Bars legislators from lobbying and serving on boards commissions and committees for two years after leaving office
SB 867	Lembke	Categorizes site consultants as executive lobbyists
HB 1080		Changes the laws regarding ethics, lobbying, and campaign finance
HB 1464		Prohibits statewide elected officials and legislators elected to their first term on or after November 2, 2012, from acting, serving, or registering as a lobbyist within one year of leaving office
HB 1494		Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 1939		Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
		LOTTERIES
SB 703	Wright-Jones	Reinstates requirements that certain percentages of Lottery Commission contracts and subcontracts be awarded to minority and women owned businesses
SB 793	Munzlinger	Modifies how funds from the lottery and the Gaming Commission Fund are distributed
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
SJR 28	Munzlinger	Amends the Constitution to require the development and sale of a veterans lottery ticket
HB 1237		Requires the Lottery Commission to promulgate rules establishing criteria to allow a licensee who has been convicted of a class C or class D felony to sell lottery tickets

No.	Author	Subject
HB 1591		Adds Jasper County to the list of counties authorized to impose, upon voter approval, a sales tax to operate and maintain public libraries within the library district
HJR 45		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans Commission Capital Improvement Trust Fund
HJR 79		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans' Commission Capital Improvements Trust Fund
HJR 80		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans' Commission Capital Improvements Trust Fund
HJR 85		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell electronic pull-tab cards to support the Veterans' Commission Capital Improvements Trust Fund
		MANUFACTURED HOUSING
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
HCS SCS SB 726		Modifies provisions relating to financial transactions
HB 1309		Changes the laws regarding residential mortgage loan brokers
HB 1378		Prohibits the transportation of a manufactured home unless the owner of the home has paid all property taxes on the home
SS SCS HCS HB 1400		Changes the laws regarding the investment of certain public funds, perfection of security interests, Division of Finance examinations, and residential mortgage loan brokers
HCS HB 1527		Changes the laws regarding property exempt from attachment
HB 1948		Requires an installer of modular units to be licensed by the Missouri Public Service Commission
		MARRIAGE AND DIVORCE
CCS HCS SB 636		Modifies provisions relating to the judiciary
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 1288		Requires the Missouri Supreme Court to establish by rule the specific language to be included in all child support orders detailing the specific rights and obligations of the parents and the child
		MEDICAID
SB 511	Schaaf	Provides that no amendments shall be made to the Missouri State Medicaid Plan without first obtaining approval from the Joint Committee on MO HealthNet
SB 617	Schaaf	Requires the Department of Social Services to promulgate rules specifying the eligibility process for the MO HealthNet Spenddown Program
HB 1078		Authorizes the MO HealthNet Division to implement a statewide dental delivery system to ensure recipient participation and access to providers of dental services under MO HealthNet
HCS HB 1123		Changes the laws regarding the licensure and inspection of hospitals
HB 1371		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
HB 1533		Requires licensed chiropractors to be reimbursed under the MO HealthNet Program for providing services currently covered and within the scope of chiropractic practice
HB 1678		Changes the laws regarding midwifery

No.	Author	Subject
HB 1712		Establishes a telephone tracking system pilot project for in-home services providers in Jackson, Cass, and Clay counties
HB 1713		Adds, subject to appropriations, prescribed, medically necessary hearing aids to the list of services covered under the MO HealthNet Program
HB 1714		Adds, subject to appropriations, comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairment to the list of services covered under MO HealthNet benefits
HB 1835		Removes the exemption from sales tax on the sales of newspaper supplies and equipment and requires that revenue to be used to pay for health care costs of certain blind individuals
HCS HB 1846		Changes the laws regarding referrals for MO HealthNet-funded home- and community-based care
SS SCS HCS HB 1854		Changes the laws regarding services for individuals
HB 1928		Adds home nursing visits and follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HCR 56		Strongly urges the MO HealthNet Division to allow all qualified managed care providers to participate in the MO HealthNet Program and the Commissioner of Administration to award contracts to such providers
		MEDICAL PROCEDURES AND PERSONNEL
SB 496	Wright-Jones	Enacts the Prevention First Act
SB 642	Wasson	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SCS SB 657		Provides for the conscience rights of all individuals who provide medical services
HCS SS SCS SB 682		Requires that certain pain management techniques be performed by licensed physicians
HB 1033		Requires health care providers to provide a mammography patient with a copy of the mammography report and information regarding the benefit of supplemental screenings for dense breast tissue patients
HB 1057		Requires all inmates receiving on-site medical examination or treatment from correctional center personnel to be charged $1.50 per visit
HB 1058		Establishes Chloe's Law which requires, subject to appropriations, the newborn screening requirements to include a pulse oximetry screening
HB 1087		Establishes the Adult Health Care Consent Act which specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care
HB 1158		Requires a health benefit plan to establish equal out-of-pocket requirements for an oral anticancer medication and an intravenously administered cancer medication
HB 1188		Allows a school nurse or other trained employee to administer asthma-related rescue medication to a student experiencing an asthma attack
HB 1225		Requires members of the General Assembly to be subject to random drug testing during the legislative session
HCS HB 1274		Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 1399		Requires the injection of therapeutic substances around the spine or spinal cord for the treatment of certain pain syndromes to be performed only by a licensed physician
HB 1403		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 1408		Designates July 3 of each year as "Organ Donor Recognition Day"
HB 1422		Revises the laws regarding DNA profiling analysis

No.	Author	Subject
HB 1439		Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 1471		Changes the laws regarding the requirements for the testing of persons with tuberculosis
HCS#2 HB 1490		Changes the laws regarding health care
HB 1506		Requires a health benefit plan to establish equal out-of-pocket requirements for an orally administered anti-cancer medication and an intravenously administered or injected cancer medication
HB 1509		Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HB 1529		Restricts the authority of a radiology benefit manager to deny coverage for diagnostic testing ordered and recommended by a licensed physician
HB 1531		Requires the newborn screening requirements to include severe combined immune deficiency disease (SCID), also known as bubble boy disease
HCS HB 1541		Specifies that anyone providing or participating in a medical procedure or research cannot be required to provide or participate in the activity if it violates his or her conscience or principles
HB 1678		Changes the laws regarding midwifery
HB 1712		Establishes a telephone tracking system pilot project for in-home services providers in Jackson, Cass, and Clay counties
HB 1811		Corrects a typographical error in the statutory language regarding the unsuitability of an anatomical gift for transplantation or therapy by changing the word "transportation" to "transplantation"
HB 1816		Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
HB 1825		Allows a fire truck to be used for specified patient transport under certain conditions
HB 1837		Requires employers using medical needles in the routine course of business to use commercially available engineered injury protection devices to reduce the risk of needlestick injuries, with exceptions
HB 1853		Prohibits a vasectomy from being performed on a man unless it is to prevent the death or to avert serious risk of substantial and irreversible physical impairment of a major bodily function of the man
HB 1990		Requires all parents and legal guardians of children less than seven years of age to be informed of the ingredients contained in a vaccination prior to the administration of the vaccination
HCR 18		Designates April 2012 as "Donate Life Month" in Missouri
HCR 20		Designates August 1, 2012, as "Minority Organ Donor Awareness Day" in Missouri
		MENTAL HEALTH
SB 449	Rupp	Requires the Department of Mental Health to develop a transition plan for services of residents of state developmental disabilities facilities to the most appropriate setting
SB 768	Kraus	Authorizes circuit courts to create veterans treatment courts
SB 858	Schaaf	Modifies provisions relating to safety provisions in mental health facilities
HB 1077		Requires the Department of Mental Health to develop a transition plan for services to a resident of a state developmental disabilities facility to the most appropriate and least restrictive living setting
HB 1082		Specifies that licensed professional counseling includes the diagnosis of mental, emotional, and behavior disorders and requires these counselors to complete certain educational coursework

No.	Author	Subject
HCS HB 1110		Allows a circuit court to establish a veterans treatment court to dispose of criminal cases which stem from substance abuse or mental illness of military veterans or current military personnel
HB 1322		Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process for certain offenders
HB 1410		Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 1436		Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 1456		Authorizes the Department of Corrections to establish a mental health assessment pilot program for certain criminal offenders
HB 1509		Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HCS HB 1518 & 1522		Authorizes the licensure of a provisionally licensed behavior analyst and assistant behavior analyst and a temporary licensed behavior analyst and assistant behavior analyst
HB 1583		Authorizes the juvenile court to order psychiatric evaluations of a juvenile and to order admittance to a mental health facility upon the recommendation of specified evaluations
HB 1663		Authorizes an advanced practice registered nurse in a collaborative practice arrangement with a licensed physician to determine whether the restraint of a patient in a mental health facility is necessary
HCS HB 1826		Allows the Board of Probation and Parole to conduct a hearing with an offender by means of a videoconference and authorizes the establishment of a mental health assessment process as a pilot program
HB 1907		Changes the laws regarding vulnerable persons, child abuse and neglect, and the crime of domestic assault
HB 1987		Changes the laws regarding mental health screenings in schools and establishes the Administration of Psychotropic Medications to Children Act
		MENTAL HEALTH DEPT.
SB 449	Rupp	Requires the Department of Mental Health to develop a transition plan for services of residents of state developmental disabilities facilities to the most appropriate setting
SB 500	Wright-Jones	Modifies state legal expense coverage of certain health professionals and modifies hospital patient safety policies
SB 518	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 550	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
HCS SCS SB 591		Modifies provision regarding state and local revenues, various interest rates, and the authority of fire protection districts
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
SB 634	Pearce	Requires insurer to provide coverage for eating disorders
SB 718	Stouffer	Modifies provisions relating to the Department of Mental Health Employment Disqualification Registry
HCS SCS SB 726		Modifies provisions relating to financial transactions
SB 836	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to social service programs
SB 848	Rupp	Modifies numerous provisions of law that specify the application of a particular interest rate

No.	Author	Subject
SB 858	Schaaf	Modifies provisions relating to safety provisions in mental health facilities
HB 1077		Requires the Department of Mental Health to develop a transition plan for services to a resident of a state developmental disabilities facility to the most appropriate and least restrictive living setting
HCS HB 1110		Allows a circuit court to establish a veterans treatment court to dispose of criminal cases which stem from substance abuse or mental illness of military veterans or current military personnel
SCS HCS HB 1278 & 1152		Changes the laws regarding certain tax credits and establishes the Developmental Disability Care Provider Tax Credit Program
SS HB 1318		Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health
HB 1456		Authorizes the Department of Corrections to establish a mental health assessment pilot program for certain criminal offenders
HB 1509		Requires all health insurance carriers and health benefit plans to provide coverage for the diagnosis and treatment of eating disorders
HCS HB 1826		Allows the Board of Probation and Parole to conduct a hearing with an offender by means of a videoconference and authorizes the establishment of a mental health assessment process as a pilot program
HCS HB 1935		Changes the laws regarding the application of a specific interest rate for specified late payments, repayments, loans, bonds, overpayments, and judgments
HB 1978		Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health
		MERCHANDISING PRACTICES
SCS SB 491		Modifies provisions pertaining to agriculture
CCS HCS SCS SB 498		Prohibits cities from restricting veterans organizations from operating re-sale shops in certain areas
SB 523	Curls	Prohibits persons under the age of 18 from selling tobacco products
SB 686	Schaaf	Prohibits the re-sale or lease of returned electronic devices and appliances unless subsequent customers are notified
SCS SB 837		Modifies what is considered to be a franchise between alcohol wholesalers and suppliers
SCS HCS HB 1042		Changes the laws regarding higher education
HB 1044		Requires wholesalers to notify retailers and retailers to notify the general public of a price increase of three cents or more for a gallon of motor fuel at least 24 hours prior to the increase
HB 1129		Specifies that it is an unlawful merchandising practice to misrepresent the geographic location of a business
HB 1146		Specifies that the intrastate manufacturing of certain incandescent lightbulbs is not subject to federal law or regulation
HB 1189		Specifies that a pawnbroker must require a valid proof of identification from each person from whom he or she receives sold or pledged property
HB 1273		Requires the State Board of Education to establish rules to authorize school boards to lease advertising on school buses
HB 1279		Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed
HB 1294		Changes the laws regarding consumer credit interest rates
HB 1306		Prohibits caffeinated malt beverages from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state

No.	Author	Subject
HB 1354		Requires certain food or food products sold or offered for sale as kosher or kosher for Passover to have a label or symbol affixed to it identifying the person, agency, or entity that certified the product
HB 1389		Allows a residential subscriber to have his or her wireless telephone number added to the state's No-call List and prohibits sending unsolicited faxes or text messages to anyone on the list
HB 1447		Changes the laws regarding telemarketing practices
HCS#2 HB 1475		Requires the parent or guardian of any person younger than 17 years of age prior to the minor using a tanning device in a tanning facility to appear in person giving consent to the minor's use of a device
HB 1508		Allows certain cottage food production operations to sell baked goods from their home without being subject to the state health and food laws and regulations
HB 1530		Changes the laws regarding the resale of certain scrap metals
HB 1566		Changes the laws regarding contractors who perform home exterior and roof work
HB 1569		Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 1611		Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HB 1622		Requires any advertisements for health care services to include specified information and prohibits it from containing any misleading or false statements
HB 1646		Allows a person or company that rents or sells vessels to issue a temporary boating safety identification card to certain non-residents
HB 1691		Allows an applicant for a salvage dealer license to list a wireless telephone number as the means for the public to contact the place of business
HB 1705		Allows a residential subscriber to have his or her wireless telephone number added to the state's No-call List and prohibits sending unsolicited faxes or text messages to anyone on the list
HB 1734		Requires a motor vehicle dealer to give a purchaser the option of completing specified paperwork on his or her own and not having to pay an administrative fee or having the dealer to do it and pay the fee
HB 1787		Requires every merchant to develop and maintain a list of suppliers for each product it sells and provide it to any law or drug enforcement officer or agency upon request
HB 1801		Establishes the Missouri International Business Advertising Fund to be used exclusively for advertising the benefits of relocating an international business to Missouri
HB 1828		Changes the font size of the required notice that a licensed lender has to provide the borrower from at least 10-point bold type to at least 14-point bold type
HCS HB 1841		Changes the laws regarding pyramid sales schemes
HB 1844		Requires specified disclosures on new credit card processing service contracts
HB 1910		Prohibits any product containing bisphenol-A for a child under three years of age from being sold in this state
HB 1982		Requires a business to separately state on each sales receipt a breakdown of each tax paid by the purchaser on a retail sale
HB 2046		Specifies that any vehicle repaired by a body shop authorized by the owner's insurance company following a traffic accident must be deemed adequately repaired without diminished value for resale
HB 2065		Removes the provision which specifies that "health spa" does not include certain bona fide nonprofit organizations and prohibits certain health spa contracts from being for more than 12 months
HB 2087		Requires all food or food products sold in Missouri which are derived from a cloned animal to be labeled indicating that the food is or contains products derived from cloned animals

No.	Author	Subject
HB 2088		Requires all food and food products sold in Missouri that are or contain genetically modified products to be labeled indicating that the food is or contains genetically modified products
		MERIT SYSTEM
SB 700	Lamping	Repeals a provision requiring non-merit agencies to adopt dismissal procedures similar to merit procedures
HB 1821		Repeals the provision requiring non-merit agencies to adopt dismissal procedures substantially similar to the dismissal procedures for merit employees
		MILITARY AFFAIRS
SB 672	Brown	Modifies higher education course credit requirements and healthcare-related professional licensure requirements for members of the armed forces
SB 702	Pearce	Renames the Heroes at Homes program the Show-Me Heroes program and modifies the provisions relating to it
SCS SB 715		Allows the Adjutant General to waive the age limit for service in the state militia and repeals a complaint procedure for the state militia
SB 731	Brown	Establishes procedures to follow in child custody and visitation cases for military personnel
HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847		Designates several highways and bridges and creates or modifies several special license plates
SB 768	Kraus	Authorizes circuit courts to create veterans treatment courts
SB 892	Kraus	Modifies the law relating to uniform military and overseas voters
HB 1099		Designates March 26 of each year as "Veterans of Operation Iraq/Enduring Freedom Day"
HB 1100		Designates March 30 of each year as "Vietnam Veterans Day"
SCS HB 1104		Changes the laws regarding elections by requiring a voter to provide photo identification
HB 1105		Allows the Adjutant General to waive the maximum age requirement for a member of the state militia
HCS HB 1110		Allows a circuit court to establish a veterans treatment court to dispose of criminal cases which stem from substance abuse or mental illness of military veterans or current military personnel
HB 1120		Requires the Department of Transportation to add the words "Missouri Expresses Its Gratitude To Military Personnel For Their Service" to the "Welcome to Missouri" signs located on interstate highways
SS HB 1128		Designates Vietnam Veterans Day and Veterans of Operation Iraq/ Enduring Freedom Day and authorizes the presentation of specified Missouri National Guard ribbons and an Order of the Minuteman Award
HB 1242		Specifies that the motorcycle road skills test is not required for a member of the armed forces who has successfully completed a military motorcycle rider training course that meets specified standards
HB 1281		Allows an honorably discharged veteran to apply to obtain a sticker to be placed on his or her driver's license or identification card indicating veteran status
HB 1296		Establishes the custody and visitation rights of a deploying military parent
HB 1297		Changes the laws regarding the professional licensure and certification requirements of current and former military personnel
HB 1301		Changes the laws regarding the licensure requirements as an emergency medical technician for a honorably discharged veteran
HB 1315		Requires a leave to be granted to state employees and certain other employees who are members of the United States Coast Guard Auxiliary when performing authorized military duties

No.	Author	Subject
HCS HB 1319, 1045 & 1369		Changes the laws regarding weapons
HB 1338		Requires the Department of Transportation to add the words "Thank You Troops" to the "Welcome to Missouri" signs located on interstate highways
HB 1499		Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours
HB 1575		Designates a portion of U.S. Highway 136 in Harrison and Gentry counties as the "Corporal Frank Buckles Memorial Highway"
HCS HB 1612		Changes the laws regarding the resetting of a sign for any phase or portion of construction or reconstruction of any street or highway and requires the words "Thank You Troops" to be added to specified signs
HB 1680		Changes the name of the Heroes at Home Program to the Show-Me Heroes Program and adds spouses of active duty United States military personnel to those eligible to receive its services
SCS HCS HB 1758		Changes the laws regarding child custody, visitation rights, and adoption
HB 2047		Establishes the Uniform Military and Overseas Voters Act
HCR 12		Designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice of service men and women who have given their lives in the line of duty
HCR 47		Strongly urges the Department of Defense and the Missouri Congressional delegation to protect, promote, and leverage Missouri's military bases and agencies during the upcoming federal defense budget
HJR 71		Proposes a constitutional amendment authorizing an exemption for certain property from personal property tax for active-duty military personnel stationed outside the country
		MINING AND OIL AND GAS PRODUCTION
SCR 21	Pearce	Urges Congress to support greater domestic development of North American sources of oil and approve the Keystone XL pipeline project
SS HCS HB 1647		Changes the laws regarding public safety
HB 1872		Clarifies the current exemptions from sales and use tax on specified items used in manufacturing, processing, compounding, mining, or producing any product
HCR 37		Supports the approval of the Keystone XL Pipeline to ensure America's oil independence, improve our national security, reduce the cost of gasoline, and create new jobs
		MINORITIES
SB 703	Wright-Jones	Reinstates requirements that certain percentages of Lottery Commission contracts and subcontracts be awarded to minority and women owned businesses
HB 1219		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 1556		Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HB 1625		Prohibits any state agent from seeking the death penalty on the basis of race and permits the use of statistical evidence in certain criminal and post-conviction relief proceedings in death penalty case
HCR 10		Urges Congress to address the pervasiveness of sickle cell trait and disease and the need to increase public awareness of the available programs and screenings
HCR 19		Designates the week of May 13 - 19, 2012, as "Sickle Cell Awareness Week" in the State of Missouri
HCR 20		Designates August 1, 2012, as "Minority Organ Donor Awareness Day" in Missouri

No.	Author	Subject
HCR 21		Designates December 15, 2012, as "American Red Cross Minority Blood Drive Day" in Missouri
		MORTGAGES AND DEEDS
SB 555	Curls	Regulates certain contracts for the sale of residential real estate
SB 670	Green	Allows debtors facing nonjudicial foreclosure to chose mediation or judicial foreclosure as alternatives
HCS SCS SB 726		Modifies provisions relating to financial transactions
SB 874	McKenna	Modifies record-keeping provisions in the Property Assessment Clean Energy (PACE) Act
HB 1219		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 1309		Changes the laws regarding residential mortgage loan brokers
HCS HB 1325		Authorizes the Governor to vacate an existing easement and to grant a new easement on and over certain state-owned property for the construction of a fire station in the City of Sedalia
SS SCS HCS HB 1400		Changes the laws regarding the investment of certain public funds, perfection of security interests, Division of Finance examinations, and residential mortgage loan brokers
HB 1409		Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 1590		Authorizes the conveyance of specified properties owned by the state to the State Highways and Transportation Commission
HB 1605		Prohibits a lender from imposing a fine, fee, or penalty for the prepayment of any loan and repeals the provision allowing a prepayment fee to be charged on a second mortgage loan
HB 1611		Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HB 1633		Changes the laws regarding delinquent real estate taxes or mortgage notes
HB 1995		Excludes services performed by a licensed mortgage loan originator from the definition of "employment" as it relates to unemployment compensation under specified conditions
HB 2073		Repeals the provisions regarding nonjudicial foreclosure proceedings and requires all foreclosure proceedings to be handled judicially beginning August 28, 2012
		MOTELS AND HOTELS
HB 1056		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HB 1255		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HB 1255		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HCS HB 1397		Changes the laws regarding political subdivisions
HB 1431		Extends the expiration of the provisions regarding the sales tax exemption on the sale of aviation jet fuel and authorizes the City of Columbia to impose a transient guest tax
SS SCS HCS HB 1498		Changes the laws regarding liquor sales
SCS HB 1504		Changes the laws regarding sales taxes
HB 1552		Authorizes the governing body of Carter County to impose, upon voter approval, a transient guest tax on additional sites

No.	Author	Subject
HB 2032		Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax to be used for specified purposes
		MOTOR CARRIERS
CCS HCS SS SCS SB 470		Modifies various provisions relating to transportation
CCS HCS#2 SCS SB 480		Modifies law with respect to motor vehicles and outboard motor titles
SB 602	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees
HCS SCS SB 714		Modifies provisions relating to the regulation of motor vehicles
SCR 24	Stouffer	Urges the Federal Motor Carrier Safety Administration to rescind its newly published rule regarding hours of service and refrain from adopting regulations concerning sleep apnea and other measures affecting the trucking industry
HCS#2 HB 1155		Changes the laws regarding limited driving privileges and commercial driver's licenses
HCS HB 1212		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways and regarding vehicles hauling milk from a farm to a processing facility
CCR CCS SS SCS HCS HB 1402		Changes the laws regarding transportation
HB 1510		Changes the laws regarding an exemption from state and local sales and use taxes on certain items relating to motor vehicles and common carriers
HB 1584		Adds a motor vehicle owned by a licensed funeral establishment and used exclusively for funeral services to the list of vehicles that are exempt from the motor carrier provisions of Chapter 390, RSMo
SCS HCS HB 1640		Changes the laws regarding motor vehicles
		MOTOR FUEL
SCS SB 491		Modifies provisions pertaining to agriculture
CCS SB 611		Modifies various provisions relating to the regulation of transportation
HCS SB 701		Modifies various provisions relating to road use
SB 838	Richard	Modifies provisions relating to funding for site remediation in certain municipal areas
HB 1044		Requires wholesalers to notify retailers and retailers to notify the general public of a price increase of three cents or more for a gallon of motor fuel at least 24 hours prior to the increase
HB 1069		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel
HB 1194		Changes the laws regarding agricultural crimes
HB 1195		Changes the laws regarding agricultural crimes
HB 1310		Authorizes an exemption for motor fuel used exclusively for watercraft in this state from the motor fuel tax
HB 1321		Creates an exemption from the state and local sales and use tax on the purchase of feed for captive wildlife that will be ultimately sold at retail
HB 1455		Changes the laws regarding the Manufacturing Jobs Act, the Missouri Job Development Fund, and economic development

No.	Author	Subject
HCS#2 HB 1462		Extends the period of time that a biodiesel producer is eligible to receive payment from the Missouri Qualified Biodiesel Producer Incentive Fund due to a lack of appropriations
HB 1484		Establishes the Paperless Documents and Forms Act which authorizes the Department of Revenue to use technology to allow the filing of certain forms and the sending of certain notifications
SCS HCS HB 1640		Changes the laws regarding motor vehicles
HB 1724		Allows certain motor vehicles to operate on public highways with dyed fuel during any Governor-declared state emergency
HB 1874		Establishes a seven-tenths of 1% sales tax on gasoline and increases the current sales tax on other goods by seven-tenths of 1% for transportation purposes and increases the excise tax on diesel fuel
HB 1909		Changes the laws regarding aircraft fuel, liens on aircraft, and anemometer towers
HB 1960		Increases the fee for an alternative fuel decal and requires the moneys from the fee to be deposited into the State Highways and Transportation Department Fund instead of the Motor Fuel Tax Fund
HCS HB 2100		Changes the laws regarding motor vehicles
HCR 6		Strongly urges Congress and the Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs in this country
HJR 57		Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, constructions, landscaping, and land or building purchases
		MOTOR VEHICLES
HCS SS SCS SB 443		Modifies the law with respect to the regulation of motor vehicles
SB 463	Keaveny	Increases the fine for seat belt violations from $10 to $50
CCS HCS#2 SCS SB 480		Modifies law with respect to motor vehicles and outboard motor titles
SCS SB 491		Modifies provisions pertaining to agriculture
SB 504	Wright-Jones	Requires official motor vehicle inspection and emission stations to have liability insurance to cover any possible damages to a vehicle during an inspection
SB 517	Brown	Imposes an additional $1,500 fine for failing to drive in the right-hand lane
HCS SB 557		Modifies the law with respect to the issuance of certificates of titles
HCS SCS SB 563		Modifies provisions relating to higher education
SB 564	Brown	Waives the motorcycle roads skills test for members of the armed forces who have successfully completed certain military motorcycle rider training courses
SB 567	Wright-Jones	Prohibits all drivers, regardless of age, from text messaging while operating moving motor vehicles on any highway in this state and prohibits anyone from being stopped solely to determine compliance with the state text messaging ban
CCS HCS SB 568		Modifies various provisions relating to transportation
SB 570	Kraus	Requires that only one license plate be issued for all motor vehicles instead of the current two plates
SB 586	Richard	Gives preference in the awarding of a fee office contract to a tax exempt organization whose primary administrative office is in the same county or legislative district as the fee office
SCS SB 589		Requires political subdivisions using automated traffic enforcement systems to distribute such fines to local school districts for transportation purposes

No.	Author	Subject
HCS SCS SB 591		Modifies provision regarding state and local revenues, various interest rates, and the authority of fire protection districts
SB 602	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees
SB 610	Lembke	Prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
SS SCS SB 633		Allows scrap metal operators to purchase older inoperable motor vehicles or vehicle parts from such vehicles without receiving a title under certain conditions
SB 642	Wasson	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HCS SCS SB 648		Modifies law on temporary instruction permits, towing companies, and use of ignition interlock devices by drunk drivers
SCS SB 656		Modifies the law with respect to how municipalities and the legal system treat the lawful use of motor vehicles on public roads and modifies the commercial zone surrounding Kansas City
HCS SCS SB 673		Modifies law regarding motor vehicle licensing and driver's licenses
SB 696	Kraus	Allows uninsured motor vehicles to be towed under certain circumstances and increases fines, suspensions and reinstatement fees for certain uninsured motorists
HCS SCS SB 714		Modifies provisions relating to the regulation of motor vehicles
SB 717	Stouffer	Creates the traffic offense of distracted driving
SB 743	Brown	Exempts motorcyclists age 21 and older from wearing a helmet when operating a motorcycle or motortricycle
SB 752	Kehoe	Authorizes the Missouri Highways and Transportation Commission to form a Public-Private Partnership by contract with private partners to finance, develop and operate Interstate 70 as a toll facility
SB 763	Kehoe	Prohibits the charging of fee for releasing a lien or encumbrance from a certificate of ownership unless certain conditions are met
HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847		Designates several highways and bridges and creates or modifies several special license plates
SB 805	Engler	Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances
SCS SB 818		Modifies the law regarding the issuance of temporary permit tags
SB 824	Schaefer	Designates the month of May as "Motorcycle Awareness Month"
SCS SB 843		Allows motorists to purchase an additional third license plate to serve as a visible plate when a bicycle rack or other item obstructs the view of the mounted plate
SB 879	Wasson	Allows insurers that purchase vehicles through the claims adjustment process to obtain salvage certificate of titles or junking certificates under certain conditions
SB 893	Kraus	Requires certain offenders to undergo criminal history checks in order to have their driver's licenses reinstated or have limited driving privileges granted
SB 897	Schaefer	Prohibits law enforcement agencies from establishing roadside checkpoint or road block patterns based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints

No.	Author	Subject
SCR 24	Stouffer	Urges the Federal Motor Carrier Safety Administration to rescind its newly published rule regarding hours of service and refrain from adopting regulations concerning sleep apnea and other measures affecting the trucking industry
HB 1040		Adds certain state-owned vehicles which are operated by Department of Transportation employees to the definition of "emergency vehicle" as it applies to Section 304.022, RSMo
HB 1064		Allows a scrap metal operator to acquire a vehicle or parts of a vehicle that is 10 years old or older without receiving the original certificate or title
HB 1074		Allows an insured motorist to purchase supplemental property damage coverage not currently included in an uninsured motorist policy
HB 1083		Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HCS HB 1111		Changes the laws regarding the release of towed abandoned property and requires the return of nonvehicular personal property within the towed vehicle regardless of payment arrangements
HB 1118		Requires vehicles to yield the right-of-way to all pedestrians and bicyclists crossing a city or neighborhood street in Kansas City in an appropriate crosswalk
HB 1119		Allows a vehicle weighing 85,500 pounds or less to haul milk from a farm to a processing facility on highways other than the interstate highway system
HB 1125		Revises the crime of property damage in the first degree to include damaging a motor vehicle while making entry into it to steal or when the damage occurs while committing the crime within the vehicle
HCS HB 1126		Changes the laws regarding a tax credit for a freight line company and the laws regarding certain vehicles owned by the State Highways and Transportation Commission and the Department of Transportation
HB 1132		Allows a person to obtain a Missouri Junior Golf Foundation special license plate
HB 1148		Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner
SS SCS HCS HB 1150		Changes the laws regarding salvage motor vehicle titles, scrap metal operators, and statutory liens
HCS#2 HB 1155		Changes the laws regarding limited driving privileges and commercial driver's licenses
HCS HB 1171		Changes the age when the juvenile court will have jurisdiction over a child involving a traffic violation and authorizes Franklin County to prosecute county order violations in a county municipal court
HB 1184		Specifies that any person who fails to provide proof of motor vehicle financial responsibility will have the vehicle he or she is operating impounded until valid proof is provided and all fees are paid
HCS HB 1212		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways and regarding vehicles hauling milk from a farm to a processing facility
HCS#2 HB 1213		Changes the laws regarding the Bi-State Development Agency, vacation leave for state employees, Department of Revenue fee offices, advisory board association, and conveyance of state property
HB 1264		Prohibits the assessment of any penalty or the issuance of a ticket for failing to renew a motor vehicle registration prior to the last day of the month following the expiration of the registration period
HB 1295		Requires a municipality to allow at least one street to be used by commercial vehicles to access any state highway and prohibits a civil action for the legal use of a motor vehicle on a public street
SCS HCS HB 1300		Requires county assessors to use a specified single nationally recognized guide to determine the value of a motor vehicle for personal property tax assessment purposes

No.	Author	Subject
SS HCS HB 1329		Changes the laws regarding motor vehicles
HB 1334		Establishes the Fair Fare Passenger Safety Act of 2012 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HB 1381		Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax
CCR CCS SS SCS HCS HB 1402		Changes the laws regarding transportation
HB 1419		Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance
HB 1424		Authorizes the State Highway Patrol to sell surplus watercraft, watercraft motors, and trailers as well as vehicles
HB 1428		Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 1430		Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 1451		Requires a window sticker to show current motor vehicle registration instead of a license plate tab
HB 1463		Changes the laws regarding the distribution of certain local sales tax revenues in St. Louis County
HB 1510		Changes the laws regarding an exemption from state and local sales and use taxes on certain items relating to motor vehicles and common carriers
HB 1511		Changes from six months to 60 days the period of time that a temporary motorcycle permit is valid
HCS HB 1527		Changes the laws regarding property exempt from attachment
HB 1528		Establishes the Intersection Safety Act regarding automated traffic enforcement systems
HB 1547		Permits county assessors to use the Kelly Blue Book or other credible resources when determining the trade-in value of a motor vehicle for personal property tax assessment purposes
HB 1567		Requires a scrap metal dealer purchasing catalytic converters or a person refining platinum from catalytic converters to keep a record of each purchase and limits the number that he or she can buy per day
HB 1584		Adds a motor vehicle owned by a licensed funeral establishment and used exclusively for funeral services to the list of vehicles that are exempt from the motor carrier provisions of Chapter 390, RSMo
SCS HCS HB 1640		Changes the laws regarding motor vehicles
SS HCS HB 1647		Changes the laws regarding public safety
HB 1658		Changes the penalty for a person who fails to maintain motor vehicle financial responsibility
HB 1669		Allows a temporary motorcycle instruction permit holder to renew the permit two additional times for up to a total of 18 months and applies the current permit restrictions to all holders, regardless of age
HB 1670		Requires only persons younger than 21 years of age to wear protective headgear when operating or riding as a passenger on any motorcycle or motortricycle
HB 1715		Prohibits the charging of a fee for releasing a lien or encumbrance from a certificate of ownership with specified exceptions

No.	Author	Subject
HB 1724		Allows certain motor vehicles to operate on public highways with dyed fuel during any Governor-declared state emergency
HB 1733		Allows a municipality to adopt a resolution or ordinance that allows all-terrain and utility vehicles to operate on the streets and highways under its jurisdiction
HB 1734		Requires a motor vehicle dealer to give a purchaser the option of completing specified paperwork on his or her own and not having to pay an administrative fee or having the dealer to do it and pay the fee
HCS HB 1738		Changes the laws regarding accessible parking
HB 1749		Changes the laws regarding failure to yield the right-of-way
SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB1269, HB1641, HB1668, HB1737, HB1782, HB1868, AND HB1878		Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates
HB 1808		Repeals the provision prohibiting the operation of certain vehicles transporting passengers in intrastate and interstate commerce unless the vehicle is equipped and operated according to federal regulations
HCS HB 1815		Exempts the normal and customary use of state park trails and roads from the prohibition on the use of the trails and roads without written permission from the Department of Natural Resources
HB 1839		Allows for the issuance of a temporary third license plate to be placed in a vehicle's back window when the view of the rear license plate is obstructed by a bicycle rack or other item
HB 1866		Exempts the sales tax on the receipt of a motor vehicle as a fishing or golfing tournament prize if the winner of the vehicle transfers the vehicle title within seven days and the purchaser pays the sales tax
HCS HB 1875		Establishes a procedure by which insurers who purchase vehicles through the claims adjustment process can obtain a salvage title or junking certificate when they are unable to obtain a negotiable title
HB 1889		Changes the laws regarding towing companies operating tow trucks
HB 1892		Allows a person who purchases a vehicle in another state with a certificate of destruction, junking certificate, or equivalent issued by the other state to apply for a salvage certificate of title
HB 1899		Allows a motor vehicle dealer selling a new motor vehicle up to 30 days to deliver the manufacturer's statement of origin to a purchaser if agreed upon by the dealer and the purchaser
HB 1913		Requires the words "Allow 8' For Lift Deployment" to be added to van accessible parking signs
HB 1916		Revises the definition of "emergency vehicle" to include any vehicle operated by an authorized member of specified groups while responding to an emergency or in route to a fire station or ambulance garage
HB 1957		Allows the Department of Revenue to create an emergency information database for holders of instruction permits, driver's licenses, and non-driver's identification cards
HB 1958		Allows for the issuance of a temporary third license plate to be placed in a vehicle's back window when the view of the rear license plate is obstructed by a bicycle rack or other item

No.	Author	Subject
HB 1992		Specifies that a person commits the offense of refusing to submit to a chemical test when he or she refuses a law enforcement officer's request for a chemical test for blood alcohol content
HB 2029		Allows a motor vehicle dealer 21 days after the sale or transfer of a motor vehicle or trailer to deliver the certificate of ownership to the buyer
HB 2035		Exempts motorcyclists 21 years of age and older from wearing protective headgear when operating or riding a motorcycle or motortricycle on any state highway
HB 2040		Specifies that the requirement that every person operating or riding on a motorcycle on any state highway wear protective headgear will not apply from August 1 through August 21 of each year
HB 2046		Specifies that any vehicle repaired by a body shop authorized by the owner's insurance company following a traffic accident must be deemed adequately repaired without diminished value for resale
HB 2052		Allows a person 21 years of age or older to operate a motorcycle on any state highway without protective headgear if he or she has obtained a helmet-free endorsement from the Department of Revenue
HB 2058		Allows any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from the service to obtain a "Women Veterans" special license plate
HB 2061		Requires that only one license plate be issued for all motor vehicles instead of the current two plates with the exception of property-carrying commercial motor vehicles
HB 2072		Requires the Director of Revenue to report to the Speaker of the House of Representatives and the President Pro Tem of the Senate a list of jurisdictions that have adopted a local use tax on specified items
HB 2077		Establishes the Missouri Yellow Dot Program within the Department of Revenue to provide emergency responders with health and emergency contact information when an individual is in an accident
HB 2080		Changes the laws regarding the sales and use tax on a trade-in or exchange transaction
HB 2085		Requires every applicant for a motorcycle license or endorsement to show proof that he or she has successfully completed an approved motorcycle training course
HCS HB 2100		Changes the laws regarding motor vehicles
		MUSEUMS
HB 1943		Changes the laws regarding the management and maintenance of museum donations and collections
HCR 16		Requests the Missouri Congressional delegation to support the efforts of the National Women's History Museum to secure a permanent home in the nation's capital at the National Mall
		NATIONAL GUARD
SB 466	Munzlinger	Modifies how money in the Gaming Commission Fund is allocated
SB 672	Brown	Modifies higher education course credit requirements and healthcare-related professional licensure requirements for members of the armed forces
SCS SB 715		Allows the Adjutant General to waive the age limit for service in the state militia and repeals a complaint procedure for the state militia
SCS HB 1104		Changes the laws regarding elections by requiring a voter to provide photo identification
HB 1105		Allows the Adjutant General to waive the maximum age requirement for a member of the state militia
HB 1418		Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 1517		Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents

No.	Author	Subject
		NATURAL RESOURCES DEPT.
SB 458	Wright-Jones	Creates the Green Jobs-Green Missouri Act
SCS SB 491		Modifies provisions pertaining to agriculture
SB 627	Schaefer	Provides authority to the Office of Administration for the provision of waste management services for all state agencies
SB 645	Schaefer	Modifies provisions relating to permits issued by environmental commissions
SB 753	Green	Modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low-income customers
SB 759	Lager	Modifies provisions relating to utilities
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
SB 778	Richard	Prohibits an annual adjustment for inflation for certain solid waste management fees
SB 814	Brown	Modifies provisions relating to state land survey duties
SB 838	Richard	Modifies provisions relating to funding for site remediation in certain municipal areas
SB 849	Purgason	Modifies provisions relating to solid waste management
SB 869	Kehoe	Modifies provisions pertaining to the Public Service Commission, Office of Public Counsel, and nuclear plant development cost recovery
SB 874	McKenna	Modifies record-keeping provisions in the Property Assessment Clean Energy (PACE) Act
SB 889	Lager	Modifies provisions relating to natural resources
SB 898	Schaefer	Provides an exemption to certain asbestos-related state requirements for certain entities
SB 905	Mayer	Allows certain political subdivisions to contract out engineering, water quality management, and maintenance services on existing water storage tanks
SCR 15	Dempsey	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SCR 16	Stouffer	Urges the U.S. Army Corps of Engineers to modify its river management protocol to make flood control a top priority
SCR 21	Pearce	Urges Congress to support greater domestic development of North American sources of oil and approve the Keystone XL pipeline project
SCR 25	Mayer	Urges the federal government to manage the Mississippi River to protect against devastating flood events
HB 1068		Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
CCR SS SCS HB 1073 AND HCS HB 1477		Changes the criteria for the exclusion of certain manufacturers and processors from the definition of "grain dealer" as it applies to the Missouri Grain Dealer Law
HCS HB 1076 & 1302		Changes the laws regarding renewable energy
HB 1191		Changes the laws regarding the State Park Earnings Fund and establishes the Renewable Energy Pilot Program for State Parks
SS SCS HB 1251		Changes the laws regarding natural resources
HCS HB 1305		Changes the laws regarding environmental standards
SCS HCS HB 1324		Affirms the right of Missouri citizens to raise livestock in a manner adhering to state and local laws and ordinances as enacted on August 28, 2012, or at the commencement of operations

No.	Author	Subject
HCS HB 1395		Changes the laws regarding the Department of Natural Resources
HB 1487		Changes the laws regarding renewable energy mandates enacted by Proposition C in 2008
HB 1634		Repeals the provisions requiring certain newspaper publishers to meet targeted recycled content usage each year
SS HCS HB 1647		Changes the laws regarding public safety
HB 1720		Changes the laws regarding the powers of park rangers
HB 1752		Authorizes the Hazardous Waste Management Commission to adopt rules and regulations to ensure that Missouri is in compliance with the federal Resource Conservation and Recovery Act
HB 1791		Allows the Division of Facilities Management, Design, and Construction to provide waste management services for any state agency with specified exceptions
HCS HB 1795		Changes the laws regarding newspaper recycling, solid waste and safe drinking water fees, environmental control, and asbestos abatement and establishes the Renewable Energy Pilot Program for State Parks
HCS HB 1815		Exempts the normal and customary use of state park trails and roads from the prohibition on the use of the trails and roads without written permission from the Department of Natural Resources
HB 1850		Establishes the Missouri Energy Efficiency Performance Standard
HB 1905		Changes the laws regarding solid waste management
HB 1908		Exempts certain businesses from specified state asbestos-related requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos
HB 1924		Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for specified protected places
HB 1926		Establishes the Solar Water Heating System Incentive Program which provides financial incentives for the purchase and installation of solar water heating systems in private residences
HB 1949		Requires each of the farmer members of the State Soil and Water Districts Commission to have soil and water conservation district board experience at the time of appointment to the commission
HB 1985		Changes the laws regarding the Historic Structures Rehabilitation Tax Credit
HCR 31		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
		NEWSPAPERS AND PUBLICATIONS
SB 889	Lager	Modifies provisions relating to natural resources
SCS HCS HB 1060		Changes the laws regarding elections
HB 1129		Specifies that it is an unlawful merchandising practice to misrepresent the geographic location of a business
CCR CCS SCS HB 1135		Requires the termination of all administrative rules based on the time of promulgation and allows an agency to repromulgate a rule that is set to terminate
HB 1494		Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 1634		Repeals the provisions requiring certain newspaper publishers to meet targeted recycled content usage each year

No.	Author	Subject
HCS HB 1795		Changes the laws regarding newspaper recycling, solid waste and safe drinking water fees, environmental control, and asbestos abatement and establishes the Renewable Energy Pilot Program for State Parks
HB 1835		Removes the exemption from sales tax on the sales of newspaper supplies and equipment and requires that revenue to be used to pay for health care costs of certain blind individuals
		NURSES
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
SB 679	Dixon	Modifies the laws relating to advanced practice registered nurses and collaborative practice arrangements
HCS SS SCS SB 682		Requires that certain pain management techniques be performed by licensed physicians
HCS SCS SB 726		Modifies provisions relating to financial transactions
SB 750	Schmitt	Modifies provisions relating to advertisements by health care providers and delegation of authority
SB 848	Rupp	Modifies numerous provisions of law that specify the application of a particular interest rate
SCS HCS HB 1072		Establishes the Volunteer Health Services Act to allow certain licensed health professionals to provide services without additional licensure requirements
HB 1188		Allows a school nurse or other trained employee to administer asthma-related rescue medication to a student experiencing an asthma attack
HB 1371		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
SS SCS HCS HB 1563		Changes the laws regarding healthcare services
HB 1663		Authorizes an advanced practice registered nurse in a collaborative practice arrangement with a licensed physician to determine whether the restraint of a patient in a mental health facility is necessary
HB 1928		Adds home nursing visits and follow-up care as needed for certain at-risk newborns to the list of covered services under the MO HealthNet Program
HCS HB 1935		Changes the laws regarding the application of a specific interest rate for specified late payments, repayments, loans, bonds, overpayments, and judgments
HB 1996		Changes the laws regarding collaborative practice arrangements between physicians and advanced practice registered nurses
HCR 25		Recognizes the important services provided by professional school nurses and strongly urges school districts to recognize their dedication and valuable role by compensating them as specified
		NURSING AND BOARDING HOMES
SB 494	Wright-Jones	Creates the Medical Harm Disclosure Act
SB 536	Chappelle-Nadal	Requires long-term care facilities to be encouraged to institute policies encouraging familial involvement in the well-being and support of its residents
SB 640	Schaaf	Modifies the Certificate of Need Program and amends the Health Facilities Review Committee
SB 678	Schaaf	Requires certain health care facilities to report adverse health events to the Department of Health and Senior Services
SS SCS SB 689		Modifies provisions relating to crimes committed against the elderly and disabled
HB 1095		Prohibits a licensed insurance company from issuing any policy or certificate of long-term care insurance unless the risks and rates have been approved by the Director of the Department of Insurance

No.	Author	Subject
HB 1401		Renames the Missouri Certificate of Need Law as the Missouri Long-term Care Certificate of Need law and limits the provisions of the law to only apply to long-term care facilities and services
HB 1847		Changes the admittance requirements for assisted-living facilities
		OPTOMETRY
SB 641	Pearce	Repeals the June 30, 2012 sunset clause for the Children's Vision Examination Program
SB 649	Ridgeway	Reauthorizes and revises the Children's Vision Examination Program and Commission
SB 750	Schmitt	Modifies provisions relating to advertisements by health care providers and delegation of authority
HB 1050		Prohibits any contract between a health carrier or health benefit plan and a dentist or optometrist from requiring a fee schedule established by the insurer if the services are not covered under the plan
HB 1081		Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider
HB 1333		Changes the laws regarding vision examinations for school students
HB 1339		Removes the June 30, 2012 expiration date of the provisions requiring every child enrolling in kindergarten or first grade in a public school to receive a comprehensive vision examination
		PARKS AND RECREATION
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
HB 1068		Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
HCS HB 1076 & 1302		Changes the laws regarding renewable energy
HB 1109		Prohibits any state or local governmental entity or public building, place, or setting from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
CCR SS#2 SCS HB 1170		Allows any county collector to add and collect a special property tax assessment to the property's annual real estate tax bill
HB 1191		Changes the laws regarding the State Park Earnings Fund and establishes the Renewable Energy Pilot Program for State Parks
HB 1360		Authorizes the Kansas City Chief of Police to determine whether city parks should remain open between specified times in the interest of public safety
HB 1452		Requires any person younger than 14 years of age to wear an approved personal flotation device when on a watercraft on Missouri waters unless the person is in a fully enclosed part of the watercraft
SCS HB 1504		Changes the laws regarding sales taxes
HB 1548		Requires organizations wanting to sponsor certain events and activities that are held in a state park or on a historic site to obtain liability insurance
HB 1548		Requires organizations wanting to sponsor certain events and activities that are held in a state park or on a historic site to obtain liability insurance
HB 1552		Authorizes the governing body of Carter County to impose, upon voter approval, a transient guest tax on additional sites
HCS HB 1623		Changes the laws regarding the membership of a city economic development tax board
SCS HCS HB 1640		Changes the laws regarding motor vehicles

No.	Author	Subject
SS HCS HB 1647		Changes the laws regarding public safety
HB 1720		Changes the laws regarding the powers of park rangers
HCS HB 1795		Changes the laws regarding newspaper recycling, solid waste and safe drinking water fees, environmental control, and asbestos abatement and establishes the Renewable Energy Pilot Program for State Parks
SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB1269, HB1641, HB1668, HB1737, HB1782, HB1868, AND HB1878		Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates
HCS HB 1815		Exempts the normal and customary use of state park trails and roads from the prohibition on the use of the trails and roads without written permission from the Department of Natural Resources
HB 1924		Establishes the Night Sky Protection Act to reduce the amount of light emitted into the night sky to near natural levels for specified protected places
HB 1967		Authorizes the governing body of any county located within a metropolitan park and recreation district that has passed a sales tax to submit the issue of repealing the sales tax to the voters
HCS HCR 32		Calls on the United States Congress to allocate at least 40% of the Land and Water Conservation Fund moneys to the State Assistance program for state and local capital parks projects
HCR 52		Strongly urges the National Park Service to draft its final General Management Plan for the Ozark National Scenic Riverways to recognize the importance the riverways provide to the state
		PAWNBROKERS
HB 1189		Specifies that a pawnbroker must require a valid proof of identification from each person from whom he or she receives sold or pledged property
		PHARMACY
SB 496	Wright-Jones	Enacts the Prevention First Act
HCS SB 690		Modifies provisions related to public safety
SS#3 SCS SB 710		Establishes a Prescription Drug Monitoring Program and modifies other provisions relating to controlled substances
CCS HCS SS SB 749		Provides protection for religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
SB 785	Parson	Modifies provisions relating to the dispensation of controlled substances
SB 812	Schaefer	Establishes the Missouri Electronic Prior Authorization Committee and pilot program
HB 1070		Allows a pharmacy to sell, purchase, or trade legend drugs to other retail pharmacies or authorized licensed practitioners under certain conditions
HB 1075		Prohibits a licensed pharmacy from being required to carry or maintain in inventory any specific prescription or nonprescription drug or device
HB 1081		Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider

No.	Author	Subject
HB 1122		Establishes the Prescription Drug Monitoring Program Act to monitor the prescribing and dispensing of controlled substances
SCS HCS HB 1193		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding the prescribing and dispensing of controlled substances
HCS HB 1274		Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HCS HB 1328		Changes the laws regarding the sale and possession of controlled substances
HB 1372		Changes the laws regarding the dispensing of controlled substances and establishes the Prescription Drug Monitoring Program Act
HB 1439		Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 1440		Requires a pharmacy to fill a valid and lawful prescription for any federal Food and Drug Administration-approved drug or device to prevent pregnancy, including emergency contraceptives, without delay
HB 1450		Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers
HB 1581		Requires all health carriers and health benefit plans providing prescription drug coverage to allow insureds to fill a mail order prescription at a participating in-network retail pharmacy
HB 1699		Requires a person who has reasonable cause to believe that the conduct of a pharmacist or health care professional is illegal and could cause serious injury to make a report to specified authorities
HB 1816		Requires a health carrier to provide Internet access of its standard fee schedules, prohibits a carrier from refusing to contract with any willing provider, and changes the requirements for provider referrals
SCS HCS HB 1827		Establishes the Missouri Electronic Prior Authorization Committee regarding national standards for the process of obtaining prior approval from an insurer for certain services or medications
HB 1987		Changes the laws regarding mental health screenings in schools and establishes the Administration of Psychotropic Medications to Children Act
		PHYSICAL THERAPISTS
HB 1355		Requires health carriers to reimburse a physical therapist in the same amounts as paid to a licensed physical therapist for rendering the same services regardless of the setting or venue
		PHYSICIANS
SB 512	Schaaf	Prohibits restrictive physician employment contracts
SB 526	Schaaf	Requires health carriers to credential health care professionals within 60 calendar days of receipt of complete application
SB 529	Schaaf	Prohibits hospitals from requiring physicians to agree to make patient referrals as a condition of receiving medical staff privileges
SB 678	Schaaf	Requires certain health care facilities to report adverse health events to the Department of Health and Senior Services
HCS SS SCS SB 682		Requires that certain pain management techniques be performed by licensed physicians
SB 707	Cunningham	Restricts the authority of radiology benefit managers to deny diagnostic testing ordered and recommended by a physician
HCS SS SB 742		Modifies provisions relating to health care including credentialing of health care professionals, medical records and pharmacy
SB 750	Schmitt	Modifies provisions relating to advertisements by health care providers and delegation of authority

No.	Author	Subject
SB 772	Brown	Enacts provisions regarding the prescribing and administering of abortion-inducing drugs
SB 830	Wasson	Modifies provisions relating to physician assistant supervision
SB 880	Wasson	Modifies provisions relating to physician assistant supervision during declared emergencies
SCS HCS HB 1072		Establishes the Volunteer Health Services Act to allow certain licensed health professionals to provide services without additional licensure requirements
HB 1081		Requires a health carrier that provides coverage for prescription eye drops to cover a refill without regard to a restriction for an early refill if it is authorized by the prescribing health care provider
HB 1087		Establishes the Adult Health Care Consent Act which specifies a priority of persons who can make health care decisions for a person who has been certified as unable to consent to his or her own care
SCS HCS HB 1134		Changes the laws regarding insurance coverage for services provided by a licensed occupational, speech, or physical therapist
SCS HCS HB 1193		Establishes the Prescription Drug Monitoring Program Act and changes the laws regarding the prescribing and dispensing of controlled substances
HCS HB 1274		Establishes the Abortion-inducing Drugs Safety Act which places restrictions on abortion-inducing drugs
HB 1371		Changes the laws regarding collaborative practice arrangements and advanced practice registered nurses
HB 1399		Requires the injection of therapeutic substances around the spine or spinal cord for the treatment of certain pain syndromes to be performed only by a licensed physician
HB 1421		Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 1450		Changes the laws regarding the electronic transmission of prescriptions and pharmacy benefit managers
HB 1529		Restricts the authority of a radiology benefit manager to deny coverage for diagnostic testing ordered and recommended by a licensed physician
HCS HB 1541		Specifies that anyone providing or participating in a medical procedure or research cannot be required to provide or participate in the activity if it violates his or her conscience or principles
HB 1565		Requires mandatory reporters of child abuse to report when they are working or acting in their official capacity and allows them to report when they are not
HB 1622		Requires any advertisements for health care services to include specified information and prohibits it from containing any misleading or false statements
HB 1684		Specifies that a person who is permanently disabled, regardless of age, is not required to provide a physician's statement when renewing a disabled license plate or windshield placard
HCS HB 1890		Changes the laws regarding health insurance coverage and contracts
HB 1933		Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2012 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HB 2094		Changes the laws regarding physician assistants
		PLANNING AND ZONING
HB 1492		Authorizes Cass County to establish a county municipal court
HCS HB 1612		Changes the laws regarding the resetting of a sign for any phase or portion of construction or reconstruction of any street or highway and requires the words "Thank You Troops" to be added to specified signs

No.	Author	Subject
		POLITICAL PARTIES
HCS SCS SBs 484, 477 & 606		Modifies provisions relating to telecommunications
SB 525	Engler	Provides for nonpartisan elections of judicial candidates and forbids certain judges and candidates from engaging in political activities
SB 652	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SCS HB 1036		Changes the laws regarding elections
HB 1046		Requires proof of identity and status as a United States natural born citizen for the office of President and Vice President to be submitted with other required certification documents to the Secretary of State
HB 1052		Establishes a closed primary election system
HCS HB 1059		Changes the required percentage necessary to initiate a recount of the votes cast in an election
SCS HCS HB 1060		Changes the laws regarding elections
HB 1230		Allows an employer or labor organization to obtain a political contribution through a payroll deduction if the employee or member consents to the contribution in writing annually
HB 1236		Changes the laws regarding the Fair Ballot Access Act by repealing the provision which requires a petition to form a new political party to contain the name of a resident of each Congressional district
HB 1380		Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property
HB 1415		Allows an individual at a general election to vote a straight party line ticket by voting for all candidates of the same political party with a single punch or mark
HB 1438		Allows a voter to cast an advance ballot
HB 1447		Changes the laws regarding telemarketing practices
HB 1480		Changes the laws regarding the state's No-call List and political telephone solicitations
HB 1653		Requires certain tax records to be disclosed to the Missouri Ethics Commission by certain entities who make more than $25,000 in campaign contributions during a year
HB 1756		Changes the laws regarding ethics
HB 1929		Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 1939		Changes the laws regarding conflicts of interest and lobbying, ethics, and campaign finance
HB 1963		Establishes a closed primary election system
HB 2031		Specifies that the presidential primary will be held in February and requires presidential preference primary results to take precedence over any presidential preference caucus
HB 2081		Changes the laws regarding political activities of a member of the Kansas City Police Department
		POLITICAL SUBDIVISIONS
SB 450	Rupp	Modifies the length of school board terms for certain school districts that became urban districts because of the 2010 census
SB 465	Schaaf	Allows Buchanan County and cities, towns, or villages within Buchanan County to establish a theater, cultural arts, and entertainment district
SB 497	Munzlinger	Increases the penalties for the crimes of trespassing and false impersonation and creates the crime of impersonating a public servant

No.	Author	Subject
HCS SB 578		Modifies provisions relating to property owned by the state
SCS SB 584		Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
SCS SB 589		Requires political subdivisions using automated traffic enforcement systems to distribute such fines to local school districts for transportation purposes
SB 597	Dempsey	Changes the governance of the St. Louis International Airport
SB 615	McKenna	Modifies provisions relating to liquor
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
CCS HCS SB 628		Modifies provisions relating to the judiciary
SB 652	Lager	Prohibits a political subdivision from restricting a firefighter from engaging in certain political activities
SB 680	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances incorporate statutory justifications
SB 688	Schmitt	Corrects a word that was mistakenly duplicated in a provision dealing with county commissions
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SB 698	Richard	Establishes construction contract bidding standards for political subdivisions
SB 704	Wright-Jones	Requires inverse condemnation or dangerous public property suits against municipal corporations be brought in the county where the land or any part lies
HCS SCS SB 722		Bars entities that invest in the energy sector in Iran from contracting with the state and political subdivisions
HCS SCS SB 726		Modifies provisions relating to financial transactions
SCS SB 729		Modifies provisions relating to county purchases
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
HCS SB 813		Modifies provisions relating to financial transactions
SB 820	Nieves	Adds training requirements for 911 dispatch operators and provides certain civil immunity
SB 874	McKenna	Modifies record-keeping provisions in the Property Assessment Clean Energy (PACE) Act
SB 888	Ridgeway	Authorizes Franklin County and Clay County to establish a municipal court if approved by the county commission
SB 905	Mayer	Allows certain political subdivisions to contract out engineering, water quality management, and maintenance services on existing water storage tanks
SB 910	Ridgeway	Allows political subdivisions to apply to the Office of Administration to use the state's ".mo.gov" internet domain name
HB 1037		Authorizes commissioners of certain road districts, upon majority vote, to be compensated up to $100 per month for their services
HB 1053		Establishes the Disaster Area Construction Act which exempts certain construction work done for a school district or a county, city, town, or village from the prevailing wage if it is in a disaster area

No.	Author	Subject
SCS HCS HB 1060		Changes the laws regarding elections
HB 1091		Requires a school district to exempt itself from the prevailing hourly wage for work done on behalf of a school located in a Governor-declared disaster area
HB 1092		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster
HB 1109		Prohibits any state or local governmental entity or public building, place, or setting from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HCS HB 1126		Changes the laws regarding a tax credit for a freight line company and the laws regarding certain vehicles owned by the State Highways and Transportation Commission and the Department of Transportation
SCS HCS HB 1140		Requires the Office of Administration to maintain public school and municipal and county government accountability information on the Missouri Accountability Portal
HB 1143		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HB 1151		Establishes the Missouri Electrical Industry Licensing Board to regulate and license electrical contractors
HB 1162		Requires a city or political subdivision which intends to expand solid waste collection services into certain areas to put the intent to a vote of the people in the expanded area
HB 1176		Allows a school district or a county, city, town, or village to exempt itself from the prevailing hourly wage for certain work if it is in a disaster area
HB 1179		Prohibits a large water user from conveying water withdrawn or diverted from the Southeast Missouri Regional Water District to a location outside the district if it interferes with another major user
HB 1200		Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
HB 1215		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1219		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 1235		Requires an election authority to conduct a record check to determine whether a person is prohibited from filing as a candidate for the election for which he or she is filing a declaration of candidacy
HB 1239		Exempts the residential property of individuals 70 years of age or older from increases in assessed valuation that are not from new construction or improvements and from rate increases
HCS HB 1275		Specifies the timeframe for the resubmission of a ballot issue in certain instances and the necessary percentage of approval for it to become effective
HB 1277		Allows the Missouri Highways and Transportation Commission to enter into infrastructure improvement agreements
HB 1293		Requires suits in inverse condemnation or involving dangerous conditions of public property against a municipal corporation to be brought only in the county where the land or any part of the land lies
HB 1304		Prohibits any political subdivision from incurring any indebtedness through the issuance of a bond unless it has been approved by the voters
HB 1314		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
SCS HCS HB 1324		Affirms the right of Missouri citizens to raise livestock in a manner adhering to state and local laws and ordinances as enacted on August 28, 2012, or at the commencement of operations
HB 1352		Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places

No.	Author	Subject
HCS HB 1356		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1357		Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference
HCS#2 HB 1358		Changes the laws regarding political subdivisions
HCS HB 1397		Changes the laws regarding political subdivisions
SS SCS HCS HB 1400		Changes the laws regarding the investment of certain public funds, perfection of security interests, Division of Finance examinations, and residential mortgage loan brokers
HB 1438		Allows a voter to cast an advance ballot
HCS HB 1458		Changes the laws regarding public safety, fire protection, and emergency services
HB 1483		Specifies that a political subdivision cannot prohibit a person with a valid concealed carry endorsement from carrying a concealed firearm onto a train or public bus
HB 1494		Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 1523		Specifies that, beginning January 1, 2013, certain specified building codes will be deemed the official state codes
HB 1536		Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes
HCS HB 1542 & 1101		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 1564		Specifies that any personal identifying information that is utilized in a voluntary registry of persons with health-related ailments to assist them during an emergency is not considered a public record
HB 1571		Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 1573		Changes the laws regarding political subdivisions
HB 1586		Authorizes any public library district to impose, upon voter approval, a sales tax to operate and maintain public libraries within the library district
HB 1589		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires a local ordinance regulating the discharge of firearms to incorporate statutory justifications
HB 1590		Authorizes the conveyance of specified properties owned by the state to the State Highways and Transportation Commission
HB 1591		Adds Jasper County to the list of counties authorized to impose, upon voter approval, a sales tax to operate and maintain public libraries within the library district
HCS HB 1609		Requires each school district to ensure that every student develops a personal plan of study prior to the end of the student's seventh grade year
HB 1618		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires a local ordinance regulating the discharge of firearms to incorporate statutory justifications
HCS HB 1623		Changes the laws regarding the membership of a city economic development tax board
HB 1626		Specifies that any district that becomes an urban school district as the result of a federal census will continue to hold elections on its current schedule
HB 1629		Allows a student to enroll in a school district other than the student's school district of residence for the purpose of attending virtual courses or programs

No.	Author	Subject
HB 1638		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires local ordinances regarding the discharge of firearms to incorporate statutory justifications
SS HCS HB 1647		Changes the laws regarding public safety
HB 1650		Allows each school district or charter school to establish and implement an age-appropriate curriculum to educate students about domestic violence
HB 1660		Allows for the establishment of an urban agriculture zone
HB 1671		Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wages
HB 1702		Changes the laws regarding the prompt pay of public works contracts
HCS HB 1738		Changes the laws regarding accessible parking
HB 1771		Requires a political subdivision to hold a public hearing on the issuance of any bond that has a pledge of future appropriations securing the bond's debt service before issuing the bond
HB 1773		Specifies that the underwriter and the rating agency for any bond issued by a local government must investigate any company or project benefitting from the bond
HB 1774		Requires to the Department of Economic Development to develop a system to apprise local governments of the department's opinion on certain proposals for economic development incentives
HB 1775		Requires the Department of Economic Development to share its information on a company seeking economic development incentives with local governments and economic development officials
HB 1776		Requires the governing body of any local government that issues an appropriation bond to provide insurance that repays the bond in the event of default
HB 1788		Changes the laws regarding the awarding of a contract for projects by any officer or agency of this state or any of its political subdivisions
HB 1792		Requires each school district to adopt a policy on how student records and communications are provided to parents who have joint legal or physical custody of a student
HCS HB 1809		Changes the laws regarding cleaning supplies for state buildings and schools, county building codes, and energy audits of public schools
HB 1810		Establishes the Iran Energy Divestment Act which bars any person or entity that invests in the energy sector in Iran from contracting with the state and political subdivisions
SS SCS HB 1820		Authorizes the Governor to convey specified state properties
HB 1825		Allows a fire truck to be used for specified patient transport under certain conditions
HB 1830		Changes the laws regarding a student transfer in an unaccredited district that is governed by a special administrative board
HB 1859		Specifies that a political subdivision cannot incur any indebtedness through the issuance of a conduit bond for the benefit of a for-profit entity unless specified conditions are met
SS SCS HCS HB 1865		Changes the laws regarding economic development incentives
HB 1891		Establishes minimum standards that a municipality in St. Louis County must meet in the provision of municipal and financial services and reports
HB 1902		Establishes the Purchasing from Disabilities Advisory Board regarding the procurement of goods and services by state agencies from persons who are disabled or have a disability
HB 1904		Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal

No.	Author	Subject
HB 1905		Changes the laws regarding solid waste management
HB 1947		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HB 1967		Authorizes the governing body of any county located within a metropolitan park and recreation district that has passed a sales tax to submit the issue of repealing the sales tax to the voters
HCS HB 1971		Changes the laws regarding political subdivisions
HB 1983		Authorizes a state sales and use tax exemption on all retail sales of any "Made in USA" product except a motor vehicle for a seven-day period in July 2013 and July 2014
HB 2027		Requires candidates for election to the board of the Springfield School District in which more than one seat is open to declare their candidacy for a specific seat
HB 2037		Adds to the powers and duties of the special administrative board of the St. Louis City Transitional School District the authority to divide the district into four subdistricts upon voter approval
HB 2076		Establishes a preference in governmental contracts for a person or organization who contributes to an alternatives to abortion agency or the Alternatives to Abortion Support Fund
HB 2093		Specifies that any issue to increase any tax, license, fee, or levy requiring voter approval under Article X of the Missouri Constitution must be placed on the ballot only on the general election day
HB 2098		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law
HB 2110		Changes the laws regarding county special road and bridge levies
HCR 57		Establishes the Committee on Fiscal Responsibility and Realignment of Political Subdivisions to evaluate the fiscal benefit of realigning the distribution of public fiscal, capital, and personnel resources
HJR 76		Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability
		PRISONS AND JAILS
CCS HCS SB 628		Modifies provisions relating to the judiciary
SCS SB 699		Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
SB 720	Kehoe	Requires defendants in counties with prisons that have average populations of 1,000 or more to follow certain procedures for obtaining a change in venue
SB 786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
HB 1067		Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 1136		Prohibits any person from smoking or using tobacco products in any area or on the grounds of a state correctional facility beginning July 1, 2013
HB 1175		Requires certain offenders 60 years of age or older serving a sentence of life without parole for a minimum of 50 years to receive a parole hearing
HB 1203		Allows money from the county law enforcement restitution fund to be used for county inmate work and service programs and limits the amount a county can assess an individual for certain offenses to $10
HCS HB 1220		Requires the Department of Corrections to establish a two-year pilot project to increase the access that children have to their incarcerated mothers

No.	Author	Subject
HB 1223		Changes the laws regarding certain policies and practices at correctional facilities
HCS HB 1272		Specifies that gross negligence will be the standard of proof in actions for damages brought against a public or private correctional or detention facility as a result of a death by suicide of any inmate
SS HB 1318		Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health
HB 1330		Lowers the population requirement of a Department of Corrections center in the county in determining the procedure to obtain a change of venue for a misdemeanor or felony
HB 1382		Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 1403		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 1474		Prohibits the Department of Corrections from charging an intervention fee to an inmate when he or she leaves prison
SCS HCS HB 1525		Establishes the Sentencing and Corrections Oversight Commission and changes the laws regarding criminal offenders under the supervision of the Department of Corrections
SS HCS HB 1647		Changes the laws regarding public safety
		PROBATION AND PAROLE
SB 518	Engler	Creates a mental health assessment pilot program for criminal offenders
SB 556	Curls	Allows courts to suspend imposition of an adult criminal sentence for certain juvenile offenders
SB 559	Curls	Allows petitions for expungement of certain criminal records
SCS SB 699		Modifies laws relating to criminal offenders under the supervision of the Department of Corrections
SB 787	Curls	WITHDRAWN
SB 823	Munzlinger	Allows the Board of Probation and Parole to conduct hearings with offenders via videoconference
HB 1067		Requires the Board of Probation and Parole to periodically review the case history of certain convicted offenders serving sentences of more than 15 years or life without parole
HB 1142		Changes the requirements for the use of private probation services
HB 1175		Requires certain offenders 60 years of age or older serving a sentence of life without parole for a minimum of 50 years to receive a parole hearing
HB 1238		Specifies that certain felons must be eligible for food stamp program benefits
HB 1253		Requires any person who pleads guilty to or is found guilty of certain misdemeanor or felony offenses or who has his or her probation revoked to be liable for specified costs
HB 1284		Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees
HB 1322		Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process for certain offenders
HB 1382		Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 1410		Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HB 1456		Authorizes the Department of Corrections to establish a mental health assessment pilot program for certain criminal offenders

No.	Author	Subject
HB 1474		Prohibits the Department of Corrections from charging an intervention fee to an inmate when he or she leaves prison
HB 1520		Repeals the provisions which allow for the use of the death penalty and specifies that certain persons sentenced to death must be sentenced to life without eligibility for parole
SCS HCS HB 1525		Establishes the Sentencing and Corrections Oversight Commission and changes the laws regarding criminal offenders under the supervision of the Department of Corrections
HB 1558		Removes the provision allowing the Board of Probation and Parole to charge an offender an intervention fee as a condition of parole
HB 1614		Requires at least 10% of any drug testing of violent offenders placed on probation, parole, or conditional release to be completed by the use of hair follicle testing
HB 1624		Changes the laws regarding clemency in death penalty cases
HB 1677		Authorizes a person to apply to a court for the expungement of certain criminal records
HCS HB 1700		Changes the laws regarding sexual offender registration
HB 1721		Allows certain offenders who were younger than 18 years of age at the time the offense was committed to be eligible for parole after 15 years of imprisonment under specified conditions
HB 1743		Requires a convicted sex offender to be told of his or her obligation to register as a sex offender at the time of adjudication instead of the current requirement of prior to release or discharge
HCS HB 1826		Allows the Board of Probation and Parole to conduct a hearing with an offender by means of a videoconference and authorizes the establishment of a mental health assessment process as a pilot program
		PROPERTY, REAL AND PERSONAL
SB 447	Goodman	Adds mail to the list of types of property that, when stolen, increase the classification of the crimes of stealing and receiving stolen property to Class C felonies
SB 458	Wright-Jones	Creates the Green Jobs-Green Missouri Act
HCS SCS SB 485		Modifies the law governing liens
SCS SB 490		Modifies the laws regarding certain private nuisance actions
SB 493	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight
SB 497	Munzlinger	Increases the penalties for the crimes of trespassing and false impersonation and creates the crime of impersonating a public servant
SB 509	Wright-Jones	Allows the governing body of St. Louis City to grant tax relief to certain properties to alleviate blight
HCS SCS SB 510		Modifies the laws regarding municipal annexations, the taxation of security companies, assessment of real estate, the termination of water and sewer services, and complaints about real estate appraisals
SB 549	Lembke	Modifies how school districts maintain vacant or unused school buildings
SB 555	Curls	Regulates certain contracts for the sale of residential real estate
HCS SCS SB 562		Modifies provisions relating to the transfer of property by certain state universities
HCS SCS SB 563		Modifies provisions relating to higher education
SB 575	Dixon	Allows Greene County to enact nuisance abatement ordinances
HCS SB 578		Modifies provisions relating to property owned by the state
SB 579	Parson	Eliminates a requirement that banks, savings institutions, and credit unions file a certain notice with the Missouri Real Estate Appraisers Commission

No.	Author	Subject
HCS SB 594		Modifies provisions relating to utility uses and service
SB 618	Schaaf	Requires auctioneers selling real estate to be licensed by the Real Estate Commission
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
CCS HCS SCS SB 635		Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
CCS SS SB 665		Authorizes the Governor to transfer certain pieces of real estate located throughout the state of Missouri
HCS SB 667		Modifies provisions relating to design professionals, school social workers, real estate appraising, and residential construction
HCS SB 668		Modifies several provisions of law concerning taxation, the composition of county sport complex authorities, fire protection district regulations, and real estate appraiser licensing
SB 670	Green	Allows debtors facing nonjudicial foreclosure to chose mediation or judicial foreclosure as alternatives
SCS SB 683		Modifies the laws relating to property exempt from execution or attachment
HCS SB 690		Modifies provisions related to public safety
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SB 704	Wright-Jones	Requires inverse condemnation or dangerous public property suits against municipal corporations be brought in the county where the land or any part lies
SB 730	Schaefer	Allows Boone County to adopt regulations to control the minimum standards of occupancy for residential units and to develop a program for licensing and inspecting the units
SB 738	Stouffer	Allows the killing of mountain lions
SB 741	Parson	Provides that law enforcement agencies only have to procure an independent audit of federal seizures if the proceeds from the federal seizures exceed $500,000
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 783	Curls	Modifies provisions of the Distressed Areas Land Assemblage Tax Credit
SCS SB 795		Authorizes the establishment of a land bank agency in Kansas City
SB 811	Dixon	Authorizes the Board of Governors of Missouri State University to convey certain real property to the City of Springfield
HCS SB 813		Modifies provisions relating to financial transactions
SB 814	Brown	Modifies provisions relating to state land survey duties
SB 838	Richard	Modifies provisions relating to funding for site remediation in certain municipal areas
SB 850	Purgason	Prohibits sterilization and disposition of seized or confiscated animals until the outcome of charges against the animals' owner have been determined
SB 874	McKenna	Modifies record-keeping provisions in the Property Assessment Clean Energy (PACE) Act
SB 885	Engler	Makes negligently casting flyrock onto property not under the responsibility of the person using explosives a violation of the Missouri Blasting Safety Act
SB 889	Lager	Modifies provisions relating to natural resources
SB 891	Lager	Allows telecommunications providers and rural electric cooperatives to attach equipment to other utility poles for smart grid or broadband purposes
SB 898	Schaefer	Provides an exemption to certain asbestos-related state requirements for certain entities
SB 903	Lamping	Provides the process for disposition of dogs involved in the crime of dog fighting

No.	Author	Subject
SB 908	Kehoe	Modifies provisions regarding the crime of trespass
SJR 36	Ridgeway	Caps the tax on real property and freezes the property taxes on individuals 62 years old or older
HB 1041		Authorizes the governing board of any state university to convey or transfer real property, except in fee simple, without an authorizing act of the General Assembly through August 28, 2017
HB 1047		Establishes the Common Interest Owners Bill of Rights Act
HB 1065		Authorizes a corporation or unincorporated association to be represented in small claims court for certain actions by its president or vice-president for any claim of $500 or less
HB 1071		Establishes the Missouri Radon Awareness Act which requires the seller of residential real property to provide the buyer with a disclosure of information on radon hazards
HB 1092		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster
HB 1103		Changes the laws regarding the maintenance of private roads and real estate appraisers and appraisal management companies
HCS HB 1111		Changes the laws regarding the release of towed abandoned property and requires the return of nonvehicular personal property within the towed vehicle regardless of payment arrangements
HB 1113		Changes the laws regarding contracts for public or private construction work
HB 1121		Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission
HB 1124		Requires an insurer to pay a claimant for the total face value amount of an insurance policy for any total loss or damage by any peril of covered property without claiming a diminished value of the property
HB 1125		Revises the crime of property damage in the first degree to include damaging a motor vehicle while making entry into it to steal or when the damage occurs while committing the crime within the vehicle
HB 1143		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HB 1159		Establishes the Senior's Retirement Protection Act which specifies that up to $125,000 of the value of the primary residence of certain elderly persons will be exempt from attachment or execution
HB 1189		Specifies that a pawnbroker must require a valid proof of identification from each person from whom he or she receives sold or pledged property
HB 1194		Changes the laws regarding agricultural crimes
HB 1195		Changes the laws regarding agricultural crimes
HB 1196		Changes the laws regarding a landowner's liability as it applies to an individual trespassing on the owner's land
HB 1197		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS#2 HB 1213		Changes the laws regarding the Bi-State Development Agency, vacation leave for state employees, Department of Revenue fee offices, advisory board association, and conveyance of state property
HB 1215		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1229		Specifies that a student at certain institutions of higher education has the right to record public classroom lectures for his or her personal use
HB 1239		Exempts the residential property of individuals 70 years of age or older from increases in assessed valuation that are not from new construction or improvements and from rate increases
HB 1249		Changes the laws regarding the taxation and sale of billboards and wireless transmission towers

No.	Author	Subject
HB 1286		Changes the laws regarding a landowner's liability as it applies to an individual trespassing on the owner's land
HCS HB 1311		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HB 1313		Limits the increase in assessed valuation of residential property by the percentage of increase in the Social Security benefits for the elderly and disabled who own and live in their principal residence
HB 1314		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS HB 1325		Authorizes the Governor to vacate an existing easement and to grant a new easement on and over certain state-owned property for the construction of a fire station in the City of Sedalia
HCS HB 1356		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS#2 HB 1358		Changes the laws regarding political subdivisions
HCS HB 1361		Allows telecommunications and broadband service providers or rural electric cooperatives to attach, maintain, and operate their equipment on another's pole under specified terms and conditions
HB 1377		Changes the laws regarding condemnation proceedings
HB 1380		Prohibits a property owners' association from preventing a property owner from placing political yard signs on his or her property
HCS HB 1397		Changes the laws regarding political subdivisions
HB 1409		Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
HB 1421		Changes the laws regarding the classification of marijuana as a controlled substance and allows its use for medicinal purposes under certain conditions
HB 1453		Adds Greene County to the list of counties authorized to enact certain nuisance abatement ordinances
HB 1489		Freezes the assessed valuation of residential property owned by certain taxpayers 67 years of age or older and limits increases in their property taxes
HCS#2 HB 1524		Specifies that the owners of property abutting a private road in the absence of any other agreement may petition the court to establish a plan of maintenance or improvement
HCS HB 1527		Changes the laws regarding property exempt from attachment
HB 1535		Exempts from state sales and use taxes certain business donations of tangible personal property held as inventory given to a sales tax exempt organization
HCS HB 1542 & 1101		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 1544		Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HB 1547		Permits county assessors to use the Kelly Blue Book or other credible resources when determining the trade-in value of a motor vehicle for personal property tax assessment purposes
HB 1548		Requires organizations wanting to sponsor certain events and activities that are held in a state park or on a historic site to obtain liability insurance
HB 1566		Changes the laws regarding contractors who perform home exterior and roof work
HB 1571		Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HCS HB 1585		Changes the laws regarding landlord-tenant actions

No.	Author	Subject
HB 1590		Authorizes the conveyance of specified properties owned by the state to the State Highways and Transportation Commission
HB 1611		Allows a debtor facing nonjudicial foreclosure of real estate under a power of sale to elect to participate in dispute resolution or convert to judicial foreclosure
HB 1633		Changes the laws regarding delinquent real estate taxes or mortgage notes
SCS HCS HB 1659 & 1116		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use
HB 1664		Establishes requirements for the taking of real property by adverse possession
HB 1676		Requires a homeowner and community improvement association to be organized as a nonprofit corporation and to comply with those liability insurance and alternative dispute resolution provisions
HB 1716		Establishes the Political Subdivision Construction Bidding Standards Act which creates bidding standards for contracts of $25,000 or more by certain political subdivisions
HCS HB 1723 & 1130		Changes the laws regarding the Distressed Areas Land Assemblage Tax Credit
HB 1748		Changes the laws regarding abandoned property
HB 1753		Specifies that aliens and foreign businesses may hold agricultural real estate in Missouri if it is owned on or before August 28, 2012
HB 1766		Specifies that any person who has a real estate appraisal ordered will have standing to file a complaint with the Real Estate Appraisers Commission
HB 1784		Adds an exemption to the real estate agent licensing laws for any communication regarding real estate made by an unlicensed entity which is not proven to be false or misleading
HCS HB 1818		Changes the laws regarding property taxes
SS SCS HB 1820		Authorizes the Governor to convey specified state properties
HB 1836		Authorizes the Governor to convey state property located in the City of Macon to the State Highways and Transportation Commission
HB 1849		Establishes the criteria to be followed by landlords and tenants of multifamily rental dwelling units regarding the control of bed bugs
SCS HCS HB 1860 & HCS HB 1254		Changes the laws regarding agricultural education in private schools, grain dealers, and agricultural crimes
HB 1885		Specifies that any person who has a real estate appraisal ordered will have standing to file a complaint with the Real Estate Appraisers Commission
HB 1896		Changes the laws regarding sexual offenses
HB 1908		Exempts certain businesses from specified state asbestos-related requirements if they are subject to specified federal requirements and applicable standards regarding construction and asbestos
HB 1919		Establishes new requirements for reporting underground infrastructure under the excavation safety requirements of Chapter 319, RSMo
HB 1943		Changes the laws regarding the management and maintenance of museum donations and collections
HB 1968		Increases the size requirements for a sign posting private property as off-limits to concealed firearms
HCS HB 1971		Changes the laws regarding political subdivisions
HB 1980		Changes the laws regarding property ownership restrictions on community college districts

No.	Author	Subject
HCS HB 1988		Changes the laws regarding real estate appraisers and real estate appraisal management companies
HB 2053		Changes the laws regarding a school district annexation petition
HB 2062		Makes technical changes to the definitions of "adult," "minor," and "real estate" as they relate to the conveyance of real estate
HB 2070		Changes the laws regarding mechanic's liens on residential real property
HB 2091		Specifies that a title lender is liable for the actions of the persons employed or contracted by him or her to take possession of titled personal property upon the expiration or default of a title loan
HB 2095		Establishes the Animal Ecological Terrorism Act
HB 2103		Changes the laws regarding smoking in public places
HB 2105		Allows the governing body of a county or municipality to require a gated community to have gate-operating devices that activate at the sound of an emergency vehicle siren
HB 2107		Changes the laws regarding blighted areas and eminent domain
HCR 8		Disapproves the State Tax Commission's proposed state regulation under Section 137.021, RSMo, establishing agricultural and horticultural land values for the 2013 and 2014 assessment years
HCR 46		Strongly urges Ameren, FERC, and affected property owners at the Lake of the Ozarks to cooperate and coordinate a swift resolution to the shoreline management plan that respects the rights of property owners
HJR 67		Proposes a constitutional amendment which freezes the level of tax liability on residential property owned by a person who is 65 years of age or older
		PSYCHOLOGISTS
SS SCS SB 803		Modifies provisions relating to behavior analysts and the Behavior Analyst Advisory Board
SS SCS HCS HB 1563		Changes the laws regarding healthcare services
		PUBLIC ASSISTANCE
SCS SB 474		Requires the Department of Social Services to take steps to mandate the use of photo identification for the food stamp program
SB 522	Curls	Modifies the eligibility requirements for food stamp assistance
SB 538	Chappelle-Nadal	Requires, subject to appropriations, an expansion of the variety of kosher foods approved under the Women, Infants and Children (WIC) Special Supplemental Food Program
SB 709	Schaaf	Disqualifies certain persons receiving public assistance from engaging in gaming activities
SB 855	Schaaf	Modifies the eligibility requirements for food stamps assistance as it relates to ineligible immigrants
SB 875	Goodman	Allows $9,999 in an irrevocable trust for certain funeral expenses to not be considered an asset when determining eligibility for public assistance
HB 1090		Prohibits the Missouri Housing Development Commission from requiring a prevailing wage on a project eligible for a housing tax credit if it is located in a disaster area
HB 1187		Requires all purchases made with Temporary Assistance for Needy Families benefits by a Missouri recipient to be limited to only in-state purchases
HB 1238		Specifies that certain felons must be eligible for food stamp program benefits
SCS HCS#2 HB 1323		Establishes the Low-Wage Trap Elimination Act and Sam Pratt's Law and changes the laws regarding child abuse and neglect investigations and unlicensed child care providers
HB 1394		Specifies that no public assistance benefits can be used by a recipient to purchase liquor or tobacco products

No.	Author	Subject
HB 1405		Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 1410		Allows certain inmates who become physically or mentally disabled, infirm, incompetent, or incapacitated to be released on parole if they are eligible for specified federal medical or financial benefits
HCS HB 1527		Changes the laws regarding property exempt from attachment
HB 1680		Changes the name of the Heroes at Home Program to the Show-Me Heroes Program and adds spouses of active duty United States military personnel to those eligible to receive its services
HB 1762		Prohibits the state, as an employer or provider of public or housing assistance, from requiring an applicant to disclose any prior felony plea or conviction
HCS HB 1877		Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 1882		Changes the eligibility requirements for food stamp assistance as it relates to an ineligible immigrant
HB 1888		Establishes the Office of Protection and Advocacy for Persons with Disabilities within the Office of Administration to protect the rights of individuals with disabilities and developmentally disabled persons
HB 1903		Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state
HB 2057		Changes the laws regarding illegal aliens and immigration status verification for public assistance benefit purposes
HB 2078		Requires the Children's Division to establish rules to modify the income eligibility criteria for individuals receiving a child care subsidy benefit
HCR 54		Strongly urges Congress to modify the eligibility requirements for SNAP food stamp benefits which result in less benefits for our citizen households than comparable noncitizen households
		PUBLIC BUILDINGS
SB 453	Cunningham	Establishes damage caps for Human Rights Act cases and workers' compensation discrimination cases
SB 488	Wright-Jones	Requires newly constructed state buildings to meet certain green building standards
HCS SS SCS SB 592		Modifies the law relating to the Missouri Human Rights Act and employment discrimination
SB 627	Schaefer	Provides authority to the Office of Administration for the provision of waste management services for all state agencies
SB 647	Richard	Provides for funding of the capitol complex revitalization project by modifying the historic preservation tax credit program
SB 704	Wright-Jones	Requires inverse condemnation or dangerous public property suits against municipal corporations be brought in the county where the land or any part lies
SB 862	Engler	Modifies the Missouri Public Prompt Payment Act
HB 1053		Establishes the Disaster Area Construction Act which exempts certain construction work done for a school district or a county, city, town, or village from the prevailing wage if it is in a disaster area
HCS HB 1076 & 1302		Changes the laws regarding renewable energy
HB 1109		Prohibits any state or local governmental entity or public building, place, or setting from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HCS HB 1198		Changes the laws regarding prevailing wages

No.	Author	Subject
HB 1290		Establishes requirements for environmentally sustainable construction for certain state-funded buildings
HCS HB 1305		Changes the laws regarding environmental standards
HB 1352		Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 1436		Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 1502		Creates the Higher Education Capital Fund to provide matching funds to public colleges and universities for capital projects under certain circumstances
HB 1791		Allows the Division of Facilities Management, Design, and Construction to provide waste management services for any state agency with specified exceptions
HCS HB 1809		Changes the laws regarding cleaning supplies for state buildings and schools, county building codes, and energy audits of public schools
SS SCS HB 1820		Authorizes the Governor to convey specified state properties
HB 2048		Prohibits any animal inside the State Capitol Building except for a service dog or other service animal
HB 2098		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Law
HB 2103		Changes the laws regarding smoking in public places
		PUBLIC OFFICERS
SB 478	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013
SB 479	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013
SS#2 SB 492		Modifies retirement benefits for new members of the general assembly and statewide elected officials and modifies interest paid on retirement refunds
SB 497	Munzlinger	Increases the penalties for the crimes of trespassing and false impersonation and creates the crime of impersonating a public servant
SB 502	Wright-Jones	Allows elected officials to be excused from jury duty during their term of office
SB 520	Schaaf	Requires a candidate who forms a committee to designate the office to which the candidate is seeking nomination or election
SB 545	Chappelle-Nadal	Requires certain public officials and certain staff members of the executive branch and legislature to submit to drug tests
SB 546	Purgason	Imposes campaign contribution limits
SB 605	Green	Eliminates duplicate filing of campaign finance disclosure reports
HCS SCS SB 671		Modifies provisions relating to elections
HCS SB 690		Modifies provisions related to public safety
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SCS SB 773		Establishes a March 27 to April 24 filing period for the 2012 state primary election
SB 786	Keaveny	Requires the State Auditor to audit and compare the costs of death penalty cases and first-degree murder cases in which the death penalty is not sought
SB 808	Lembke	Implements recall elections for U.S. Senators

No.	Author	Subject
SB 815	McKenna	Allows Jefferson County to enter into contracts with municipalities in the county for the performance of local government duties in those cities by county officers
SB 825	Justus	Imposes campaign contribution limits
SB 826	Crowell	Modifies the law relating to ethics
SCS SB 834		Requires certain funds received by sheriffs to be placed in a special fund in the county treasury
SB 851	Crowell	Bars legislators from lobbying and serving on boards commissions and committees for two years after leaving office
SB 857	Brown	Allows certain funds collected for a sheriff's operating costs to be used to supplement the sheriff's base salary
SCS HCS HB 1060		Changes the laws regarding elections
SS HCS HB 1106		Changes the laws regarding certain public officials
HB 1121		Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission
HCS HB 1169		Changes the laws regarding the investigation of a report of child abuse that arises from a spanking in a school
HB 1235		Requires an election authority to conduct a record check to determine whether a person is prohibited from filing as a candidate for the election for which he or she is filing a declaration of candidacy
HB 1284		Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees
HB 1365		Prohibits a felon from qualifying as a candidate for elected office in cities of the fourth classification
HCS HB 1488		Changes the laws regarding the regulation of public utilities
HB 1534		Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HB 1756		Changes the laws regarding ethics
HB 1760		Allows the board of aldermen in the City of Sugar Creek to provide by ordinance that the city marshal or chief of police be appointed instead of elected
HB 1965		Changes the deadline for filing as a candidate for all primary elections held in August for any county or state office from the last Tuesday in March to the second Tuesday in March
HB 2059		Allows fourth class cities to make the offices of city collector and chief of police appointed positions without requiring approval of the voters
		PUBLIC RECORDS, PUBLIC MEETINGS
SB 559	Curls	Allows petitions for expungement of certain criminal records
SB 603	Green	Creates an advance voting system for elections
HCS SB 690		Modifies provisions related to public safety
SB 764	Schaefer	Modifies provisons regarding the Sunshine Law
SB 787	Curls	WITHDRAWN
SCS HCS HB 1140		Requires the Office of Administration to maintain public school and municipal and county government accountability information on the Missouri Accountability Portal
HB 1190		Repeals provisions regarding the maintaining of police records in municipalities located within Jackson County, Jefferson County, St. Charles County, and St. Louis County

No.	Author	Subject
HCS#2 HB 1344		Authorizes a person to apply to a court for the closure of certain criminal records
HB 1564		Specifies that any personal identifying information that is utilized in a voluntary registry of persons with health-related ailments to assist them during an emergency is not considered a public record
HCS HB 1568		Changes the laws regarding the disclosure of certain foster care licensure information and the provisions regarding the Safe Place for Newborns Act
HB 1615		Changes the laws regarding actions against a person for conduct or speech at a public hearing or meeting
SS HCS HB 1647		Changes the laws regarding public safety
HB 1653		Requires certain tax records to be disclosed to the Missouri Ethics Commission by certain entities who make more than $25,000 in campaign contributions during a year
HB 1677		Authorizes a person to apply to a court for the expungement of certain criminal records
HB 1690		Changes the laws regarding arrearages and the expungement of certain records related to criminal nonsupport
HCS HB 1700		Changes the laws regarding sexual offender registration
HB 1771		Requires a political subdivision to hold a public hearing on the issuance of any bond that has a pledge of future appropriations securing the bond's debt service before issuing the bond
HB 1822		Changes the laws regarding domestic violence orders of protection
HCS HB 1970		Changes the laws regarding the Open Meetings and Records Law
HB 1975		Requires a professional sports team to make its financial records and ownership public if it is going to receive any state funds
HB 2056		Requires an insurer to obtain approval from the Department of Insurance, Financial Institutions and Professional Registration before changing any insurance premium rate by 15% or more
		PUBLIC SAFETY DEPT.
HCS SB 690		Modifies provisions related to public safety
HCS SB 701		Modifies various provisions relating to road use
SB 738	Stouffer	Allows the killing of mountain lions
SB 741	Parson	Provides that law enforcement agencies only have to procure an independent audit of federal seizures if the proceeds from the federal seizures exceed $500,000
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SCS SB 789		Modifies provisions relating to DNA profiling by the Missouri State Highway Patrol crime lab and the DNA Profiling Analysis Fund
SB 819	Nieves	Prohibits state enforcement of provisions of the National Defense Authorization Act for Fiscal Year 2012
SB 820	Nieves	Adds training requirements for 911 dispatch operators and provides certain civil immunity
SB 861	Purgason	Creates the Task Force on Government Continuity
SB 868	Kehoe	Modifies the filing of reports and fees relating to hazardous materials
SB 885	Engler	Makes negligently casting flyrock onto property not under the responsibility of the person using explosives a violation of the Missouri Blasting Safety Act

No.	Author	Subject
HB 1127		Requires certain specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 1306		Prohibits caffeinated malt beverages from being imported, produced, manufactured, distributed, or sold at any retail outlet in this state
HB 1412		Allows certain organizations who sell intoxicating liquor by the drink at retail or on their premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 1656		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund
HB 1724		Allows certain motor vehicles to operate on public highways with dyed fuel during any Governor-declared state emergency
HB 1750		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund
HB 1767		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund from June 5, 2012, to August 28, 2022
HB 1832		Specifies a form which any sheriff must accept as proof of firearms safety instructor qualification and that an applicant has passed a firearms safety course for a concealed carry endorsement
HCS HB 1900		Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act
HB 1904		Allows any contractor who engages in the installation or service of fire sprinkler systems to register with the State Fire Marshal
HB 1921		Requires a safety study to be conducted before specified entities decrease the number of firefighters or first responders assigned to a fire apparatus pump operation
HB 1954		Requires an applicant for a new or renewal liquor license for a period of more than 30 days to pay an additional $100 transaction fee for deposit into the Alcohol and Tobacco Control Trust Fund
HB 2040		Specifies that the requirement that every person operating or riding on a motorcycle on any state highway wear protective headgear will not apply from August 1 through August 21 of each year
HB 2066		Establishes the Missouri Liberty Preservation Act which prohibits state enforcement of specified sections of the National Defense Authorization Act for Fiscal Year 2012
		PUBLIC SERVICE COMMISSION
SB 458	Wright-Jones	Creates the Green Jobs-Green Missouri Act
HCS SCS SBs 484, 477 & 606		Modifies provisions relating to telecommunications
HCS SB 594		Modifies provisions relating to utility uses and service
SB 685	Crowell	Modifies ex parte communication requirements involving the Public Service Commission
SB 753	Green	Modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low-income customers
SB 759	Lager	Modifies provisions relating to utilities
CCS HCS SS SB 769		Modifies and creates provisions relating to state and local standards
SB 844	Lamping	Modifies provisions relating to the Public Service Commission
SB 868	Kehoe	Modifies the filing of reports and fees relating to hazardous materials
SB 869	Kehoe	Modifies provisions pertaining to the Public Service Commission, Office of Public Counsel, and nuclear plant development cost recovery

No.	Author	Subject
SB 891	Lager	Allows telecommunications providers and rural electric cooperatives to attach equipment to other utility poles for smart grid or broadband purposes
SB 902	Lamping	Modifies provisions relating to funding for the Office of Public Counsel and temporary rate adjustments for regulated utilities
HB 1191		Changes the laws regarding the State Park Earnings Fund and establishes the Renewable Energy Pilot Program for State Parks
HCS HB 1316		Changes the laws regarding public utilities and creates the Public Counsel Fund
HB 1332		Changes the laws regarding the infrastructure replacement surcharge for water corporations
HB 1487		Changes the laws regarding renewable energy mandates enacted by Proposition C in 2008
HCS HB 1488		Changes the laws regarding the regulation of public utilities
HB 1751		Requires the Department of Natural Resources to annually assess an electric utility in an amount not to exceed .005 of 1% of its annual intrastate operating revenues to encourage biomass energy projects
HB 1850		Establishes the Missouri Energy Efficiency Performance Standard
HB 1948		Requires an installer of modular units to be licensed by the Missouri Public Service Commission
HB 1974		Prohibits an investor-owned utility from including any costs associated with a settlement from a whistle-blower case in its rate case request to the Missouri Public Service Commission
		RAILROADS
SB 602	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees
SB 630	Parson	Extends the sunset on rolling stock tax credits
HCS HB 1117		Establishes the Missouri and Midwest Rail Integration and Improvement Commission Act and the Missouri and Midwest Rail Integration and Improvement Commission
HB 1510		Changes the laws regarding an exemption from state and local sales and use taxes on certain items relating to motor vehicles and common carriers
HB 1706		Changes the laws regarding contract carriers that transport railroad employees, tools, and supplies
		REDISTRICTING
HJR 87		Proposes a constitutional amendment reducing the number of members of the House of Representatives from 163 to 101
		RELIGION
SB 676	Nieves	Specifies how courts may rule in contractual disputes involving the law of other countries and jurisdictional issues involving other countries
SB 745	Lembke	Provides protections for Alternatives to Abortion Agencies to freely engage in religious practices
CCS HCS SS SB 749		Provides protection for religious beliefs as to the imposition of certain health care services such as abortion, contraception, or sterilization
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
SCS SJR 47		Removes a portion of the Missouri Constitution that prohibits distribution of public funds to religious organizations
SJR 49	Rupp	Prohibits laws interfering with religious beliefs
SCS HB 1104		Changes the laws regarding elections by requiring a voter to provide photo identification
HB 1109		Prohibits any state or local governmental entity or public building, place, or setting from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HB 1204		Changes the laws regarding unlawful picketing or protesting of a funeral

No.	Author	Subject
HB 1219		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 1227		Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
HB 1357		Specifies that the constitutions and laws of the United States and Missouri must protect the rights of an alternatives-to-abortion agency and its officers to freely engage in activities without interference
HB 1412		Allows certain organizations who sell intoxicating liquor by the drink at retail or on their premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 1512		Establishes the Civil Liberties Defense Act which specifies how courts may rule in contractual disputes involving the laws of other countries and in jurisdictional issues involving other countries
HB 1532		Establishes the House of Worship Act, creates the crime of disrupting a house of worship, and enhances the penalty for the crime of institutional vandalism
HB 1535		Exempts from state sales and use taxes certain business donations of tangible personal property held as inventory given to a sales tax exempt organization
HCS HB 1541		Specifies that anyone providing or participating in a medical procedure or research cannot be required to provide or participate in the activity if it violates his or her conscience or principles
HB 1548		Requires organizations wanting to sponsor certain events and activities that are held in a state park or on a historic site to obtain liability insurance
HB 1565		Requires mandatory reporters of child abuse to report when they are working or acting in their official capacity and allows them to report when they are not
HB 1730		Establishes protections for the religious beliefs and moral convictions of certain persons and entities regarding specified health care coverage
HCR 41		Declares the General Assembly's strong opposition to the newest regulation under the federal Patient Protection and Affordable Care Act which is contrary to the laws of Missouri
HJR 70		Proposes a constitutional amendment eliminating the prohibition on the use of public funds for the benefit of any religious or sectarian educational purpose
HJR 88		Proposes a constitutional amendment reducing the length of time a person must be a member of an organization before participating in the operation of a bingo game and removes the advertising restrictions
HJR 91		Proposes a constitutional amendment prohibiting a person from participating in the actual operation of a bingo game unless he or she has been a member of the licensed organization for at least one year
		RETIREMENT - LOCAL GOVERNMENT
HB 1039		Allows a retiree of the Missouri Local Government Employees' Retirement System to have his or her health insurance or long-term care insurance premium deducted from his or her retirement allowance
HB 1202		Allows a juvenile court employee to receive compensation from a county or city in addition to his or her state salary
HB 1573		Changes the laws regarding political subdivisions
HCS HB 1741 & 1543		Changes the laws regarding the death benefit for members of the County Employees' Retirement System and the defined contribution plan for employees of certain higher education institutions
HB 1857		Changes the laws regarding the Firemen's Retirement System of St. Louis for persons hired on or after August 29, 2012

No.	Author	Subject
		RETIREMENT - SCHOOLS
SB 581	Callahan	Modifies provisions relating to school district boundary line changes, school accreditation, and employment of retired teachers under certain circumstances
SCS SB 842		Modifies the Public School Retirement System of Missouri and the Public Education Employee Retirement System of Missouri
HB 1472		Allows a teacher within the Public School Retirement System of St. Louis to retire when the teacher's age added to the number of years of credited service is not less than 80 instead of 85
		RETIREMENT - STATE
SB 478	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013
SB 479	Crowell	Eliminates certain employee benefits for members of the General Assembly and statewide elected officials who first take office on or after January 1, 2013
SS#2 SB 492		Modifies retirement benefits for new members of the general assembly and statewide elected officials and modifies interest paid on retirement refunds
HCS SCS SB 625		Modifies fund transfers between retirement systems, modifies retirement for certain public officials, and sets interest paid on member contributions at T-Bill rate
SB 669	Lembke	Modifies the retirement plans for judges, statewide elected officials, and members of the General Assembly who first take office after January 1, 2013
HB 1138		Prohibits any member of the General Assembly from accruing creditable service under the Year 2000 Plan of the Missouri State Employees' Retirement System
HCS HB 1139		Establishes the 2012 State Employee Retirement Incentive Program which allows certain employees to receive a years of service benefit
HB 1202		Allows a juvenile court employee to receive compensation from a county or city in addition to his or her state salary
HB 1225		Requires members of the General Assembly to be subject to random drug testing during the legislative session
HB 1226		Prohibits a member of the General Assembly from being eligible to receive a retirement benefit based on his or her service unless he or she has served 16 years in the General Assembly
HB 1312		Prohibits General Assembly members who have not served at least three full biennial assemblies from accruing creditable service under the Year 2000 Plan in the Missouri State Employees' Retirement System
SCS HB 1331		Revises the computation of the accrued benefits when an employee transfers creditable service between the State Employees' Retirement System and the Department of Transportation Retirement System
HB 1600		Changes the retirement eligibility requirements for any person who becomes a member of the General Assembly on or after January 1, 2013
HCS HB 1922		Establishes the Missouri Department of Transportation and Highway Patrol Health Care Plan
		RETIREMENT SYSTEMS AND BENEFITS - GENERAL
SB 461	Keaveny	Allows the City of St. Louis to control its police force without state intervention
SB 535	Chappelle-Nadal	Allows the City of St. Louis to control its police force without state intervention
HCS SCS SB 625		Modifies fund transfers between retirement systems, modifies retirement for certain public officials, and sets interest paid on member contributions at T-Bill rate
SB 756	Engler	Modifies provisions regarding certain higher education employees' retirement
SB 852	Crowell	Places newly hired St. Louis City firemen into a new retirement system if the city adopts such a new system
SB 853	Crowell	Removes St. Louis City firemen hired after August 28, 2012 from the current retirement system and places them in a new system

No.	Author	Subject
SCS HB 1331		Revises the computation of the accrued benefits when an employee transfers creditable service between the State Employees' Retirement System and the Department of Transportation Retirement System
		REVENUE DEPT.
HCS SS SCS SB 443		Modifies the law with respect to the regulation of motor vehicles
SCS SB 451		Modifies provisions relating to school operations
CCS HCS SS SCS SB 470		Modifies various provisions relating to transportation
SB 472	Kraus	Modifies the provisions of certain tax credit programs and requires the Department of Revenue to apply any increase in revenue generated to a decrease in the corporate income tax rate
SB 531	Lamping	Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate
HCS SB 557		Modifies the law with respect to the issuance of certificates of titles
SB 561	Ridgeway	Imposes a sunset upon tax credit programs not currently subject to a sunset provision and requires the Department of Revenue to apply any increase in revenue generated to a decrease in the personal income tax rate
SB 564	Brown	Waives the motorcycle roads skills test for members of the armed forces who have successfully completed certain military motorcycle rider training courses
SB 570	Kraus	Requires that only one license plate be issued for all motor vehicles instead of the current two plates
SB 583	Wright-Jones	Allows employers to retain withholding taxes up to the amount spent on educational benefits for employees and unpaid interns or up to the amount spent on less than a year of job training for employees
SCS SB 584		Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
SB 586	Richard	Gives preference in the awarding of a fee office contract to a tax exempt organization whose primary administrative office is in the same county or legislative district as the fee office
SB 608	Wasson	Establishes the Missouri Health Insurance Exchange, the "Direct Payment Stop Loss Fund", and creates administrative procedure to collect unpaid medical claims
CCS SB 611		Modifies various provisions relating to the regulation of transportation
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
CCS HCS SB 628		Modifies provisions relating to the judiciary
SS SCS SB 633		Allows scrap metal operators to purchase older inoperable motor vehicles or vehicle parts from such vehicles without receiving a title under certain conditions
SB 642	Wasson	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
HCS SCS SB 648		Modifies law on temporary instruction permits, towing companies, and use of ignition interlock devices by drunk drivers
HCS SCS SB 673		Modifies law regarding motor vehicle licensing and driver's licenses
HCS SB 690		Modifies provisions related to public safety
HCS SCS SB 692		Modifies provisions relating to political subdivisions

No.	Author	Subject
SCS SB 706		Modifies provisions relating to school operations
SB 708	Wasson	Extends the sunset on the residential dwelling accessibility tax credit and modifies the allocation of tax credit cap from another tax credit program to this program
CCS#2 SS SCS SB 719		Modifies various provisions relating to the regulation of transportation
HCS SCS SB 726		Modifies provisions relating to financial transactions
SB 790	Crowell	Prohibits the Department of Revenue from redeeming certain tax credits until after June 30, 2013
SCS SB 818		Modifies the law regarding the issuance of temporary permit tags
SB 840	Ridgeway	Requires certain businesses to use an automated system for the collection of sales and use taxes
SB 848	Rupp	Modifies numerous provisions of law that specify the application of a particular interest rate
SB 879	Wasson	Allows insurers that purchase vehicles through the claims adjustment process to obtain salvage certificate of titles or junking certificates under certain conditions
SB 893	Kraus	Requires certain offenders to undergo criminal history checks in order to have their driver's licenses reinstated or have limited driving privileges granted
SB 894	Curls	Modifies the type of information required from applicants for a motor vehicle registration and a concealed carry endorsement
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
SJR 34	Purgason	Replaces all taxes on income with a sales and use tax
HCS HB 1030		Changes the laws regarding the collection of money owed to the state and establishes a state amnesty program
HB 1031		Establishes a tax amnesty program
HB 1035		Authorizes a one-time income tax deduction to a taxpayer for the cost of the construction or $5,000, whichever is less, of a storm shelter which was made in America
HB 1055		Authorizes a one-time income tax deduction to a taxpayer for the cost of the construction or $5,000, whichever is less, of a storm shelter which was made in America
HB 1064		Allows a scrap metal operator to acquire a vehicle or parts of a vehicle that is 10 years old or older without receiving the original certificate or title
HB 1069		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel
HB 1115		Establishes the Paperless Documents and Forms Act which requires the Department of Revenue to develop and implement a method of providing to the public all department documents and forms electronically
HB 1119		Allows a vehicle weighing 85,500 pounds or less to haul milk from a farm to a processing facility on highways other than the interstate highway system
HB 1132		Allows a person to obtain a Missouri Junior Golf Foundation special license plate
HB 1132		Allows a person to obtain a Missouri Junior Golf Foundation special license plate
HB 1133		Authorizes an income tax deduction for educational expenses for educating a dependent enrolled in a public, private, or parochial elementary or secondary school or home school
HB 1149		Requires an applicant taking the written portion of the driver's license examination to pay a $10 fee
SS SCS HCS HB 1150		Changes the laws regarding salvage motor vehicle titles, scrap metal operators, and statutory liens
HCS#2 HB 1155		Changes the laws regarding limited driving privileges and commercial driver's licenses

No.	Author	Subject
HCS HB 1186 & 1147		Requires Missouri driver's license examinations to only be administered in English
HCS HB 1210		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HCS#2 HB 1213		Changes the laws regarding the Bi-State Development Agency, vacation leave for state employees, Department of Revenue fee offices, advisory board association, and conveyance of state property
HB 1215		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1215		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1218		Increases from $14,300 to $16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker
HB 1233		Reauthorizes the income tax credit for a donation to a food pantry and repeals its sunset provisions
HB 1242		Specifies that the motorcycle road skills test is not required for a member of the armed forces who has successfully completed a military motorcycle rider training course that meets specified standards
HB 1247		Repeals the provisions which allow a member of the General Assembly to apply for a special license plate
HB 1248		Authorizes a check-off box for the Missouri Veterans' Medical Research Trust Fund to be added to the individual and corporate income tax forms and allows for a separate donation to be sent in with the taxes
HB 1264		Prohibits the assessment of any penalty or the issuance of a ticket for failing to renew a motor vehicle registration prior to the last day of the month following the expiration of the registration period
HB 1268		Changes the laws regarding the requirements of the governing body of a city, town, or village when its annual revenue from fines and court costs for traffic violations exceed 35% of its total annual revenue
SCS HCS HB 1278 & 1152		Changes the laws regarding certain tax credits and establishes the Developmental Disability Care Provider Tax Credit Program
HB 1281		Allows an honorably discharged veteran to apply to obtain a sticker to be placed on his or her driver's license or identification card indicating veteran status
HB 1314		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1314		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
SCS HCS#2 HB 1323		Establishes the Low-Wage Trap Elimination Act and Sam Pratt's Law and changes the laws regarding child abuse and neglect investigations and unlicensed child care providers
SS HCS HB 1329		Changes the laws regarding motor vehicles
HCS HB 1356		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS HB 1356		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1381		Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax

No.	Author	Subject
CCR CCS SS SCS HCS HB 1402		Changes the laws regarding transportation
HB 1427		Authorizes an income tax credit for certain small businesses who hire a person who is disabled or recently discharged from a correctional facility
HB 1429		Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence
HB 1435		Repeals the provisions which allow a pregnancy resource center tax credit to be transferred and the provisions regarding its sunset on August 28, 2012
HB 1445		Changes the funding mechanism for the tax credit for residential renovations for disability access and extends its expiration from December 31, 2013, to December 31, 2016
HB 1446		Authorizes an income tax deduction for 100% of tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college
HB 1451		Requires a window sticker to show current motor vehicle registration instead of a license plate tab
HB 1473		Specifies that filing a petition for trial de novo results in the stay of the driver's license suspension or revocation order and the issuance of a temporary license until a final order is issued
HB 1484		Establishes the Paperless Documents and Forms Act which authorizes the Department of Revenue to use technology to allow the filing of certain forms and the sending of certain notifications
HB 1486		Increases the excise tax on cigarettes from 17 cents to 33 cents per pack of 20 cigarettes to be deposited, less a 3% collection fee, into the General Revenue Fund
HB 1497		Establishes the Parent Time For Missouri Program in the Department of Elementary and Secondary Education to allow parents paid leave from work to help their children in their school
HB 1511		Changes from six months to 60 days the period of time that a temporary motorcycle permit is valid
HB 1528		Establishes the Intersection Safety Act regarding automated traffic enforcement systems
HCS HB 1542 & 1101		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 1569		Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 1571		Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HCS HB 1574 & 1097		Allows a person to apply for a veteran designation on his or her driver's license or identification card upon providing specified proof of service
HB 1593		Changes the laws regarding the Missouri New Markets Development Program and establishes the Missouri Angel Investment Incentive Act
HB 1606		Establishes the Missouri Earned Income Tax Credit Act authorizing an individual income tax credit equal to 20% of any earned income tax credit claimed by the taxpayer on his or her federal income tax return
HB 1613		Requires any not-for-profit entity which has been awarded a Department of Revenue fee office contract to submit an annual report on its receipts, expenditures, and contributions
HB 1616		Changes the laws regarding the Missouri individual income tax
HB 1617		Eliminates the state income tax deduction for federal income tax liability beginning January 1, 2013
HB 1627		Expands the restriction on the release of the home address or other information contained in Department of Revenue motor vehicle or driver registration records to include state and federal judges
HB 1635		Allows a person to pay the $25 emblem-use fee to the Missouri State Humane Association for a I'm Pet Friendly special license plate for deposit in the Missouri Pet Spay-Neuter Fund

No.	Author	Subject
SCS HCS HB 1637		Establishes the Missouri Sound Money Act of 2012 which changes the laws regarding legal tender
SCS HCS HB 1639		Establishes the Broad-Based Tax Relief Act of 2012, reduces the tax on business income and corporate income, and changes the laws regarding the collection of money owed to the state
SCS HCS HB 1640		Changes the laws regarding motor vehicles
HB 1660		Allows for the establishment of an urban agriculture zone
HB 1666		Authorizes a tax return check-off box on individual and corporate income tax forms for the newly created Lupus Revolving Research Trust Fund
HB 1669		Allows a temporary motorcycle instruction permit holder to renew the permit two additional times for up to a total of 18 months and applies the current permit restrictions to all holders, regardless of age
HB 1674		Allows the Department of Revenue to disclose information to the public regarding the annual number of cigarettes sold by each tobacco product manufacturer
HB 1679		Establishes the Sales Tax Technology Act regarding the electronic submission of sales tax data and payments
HB 1684		Specifies that a person who is permanently disabled, regardless of age, is not required to provide a physician's statement when renewing a disabled license plate or windshield placard
HB 1694		Changes the fee for a Breast Cancer special license plate from going to the Friends of the Missouri Women's Council to going to the Department of Health and Senior Services
HB 1695		Requires an annual 2% increase for Department of Revenue fee office contracts awarded to specified federal tax exempt organizations
HB 1707		Adds certain licensed emergency medical technicians to the list of individuals who can report anyone diagnosed or assessed with a condition that may prevent the safe operation of a motor vehicle
HCS HB 1710		Changes the laws regarding tax credits and requires the Department of Economic Development to establish the Missouri Works Training Program
HB 1718		Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HCS HB 1723 & 1130		Changes the laws regarding the Distressed Areas Land Assemblage Tax Credit
HB 1727		Changes the laws regarding taxation
HB 1733		Allows a municipality to adopt a resolution or ordinance that allows all-terrain and utility vehicles to operate on the streets and highways under its jurisdiction
HB 1734		Requires a motor vehicle dealer to give a purchaser the option of completing specified paperwork on his or her own and not having to pay an administrative fee or having the dealer to do it and pay the fee
HB 1759		Requires that the "Year Manufactured" on an outboard motor title reflect the year the dealer purchased it from the manufacturer
HB 1785		Allows a member of the National Rifle Association to obtain a National Rifle Association special license plate
HB 1786		Allows a member of the National Wild Turkey Federation to obtain a National Wild Turkey Federation special license plate
HB 1798		Authorizes a tax credit for the cost of labor and materials to construct or improve a data center
HB 1805		Establishes an income tax credit for the stipend or salary paid to certain interns

No.	Author	Subject
SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB1269, HB1641, HB1668, HB1737, HB1782, HB1868, AND HB1878		Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates
HB 1839		Allows for the issuance of a temporary third license plate to be placed in a vehicle's back window when the view of the rear license plate is obstructed by a bicycle rack or other item
HB 1861		Establishes the Broad-Based Tax Relief Act of 2012 which reduces the tax on business income and corporate income for sole proprietors, partners, and shareholders in S corporations
HB 1864		Allows a person to obtain a Pony Express special license plate
HB 1866		Exempts the sales tax on the receipt of a motor vehicle as a fishing or golfing tournament prize if the winner of the vehicle transfers the vehicle title within seven days and the purchaser pays the sales tax
HB 1871		Prohibits the issuance of a tax credit under certain programs for an otherwise qualifying job under certain circumstances when the jobs are relocated from a contiguous state
HCS HB 1875		Establishes a procedure by which insurers who purchase vehicles through the claims adjustment process can obtain a salvage title or junking certificate when they are unable to obtain a negotiable title
HB 1892		Allows a person who purchases a vehicle in another state with a certificate of destruction, junking certificate, or equivalent issued by the other state to apply for a salvage certificate of title
HB 1898		Creates the Missouri Juneteenth Heritage Memorial Fund and changes the distribution of funds from the nonresident entertainer and professional athletic team income tax to provide moneys to the fund
HB 1899		Allows a motor vehicle dealer selling a new motor vehicle up to 30 days to deliver the manufacturer's statement of origin to a purchaser if agreed upon by the dealer and the purchaser
HB 1912		Allows the Department of Revenue to create an emergency contact database for the holder of an instruction permit, driver's license, or non-driver's identification card
HCS HB 1935		Changes the laws regarding the application of a specific interest rate for specified late payments, repayments, loans, bonds, overpayments, and judgments
HB 1944		Authorizes an income tax return check-off box for the designation of a donation from an income tax refund to the newly created Pediatric Cancer Research Trust Fund
HB 1950		Requires health insurance issuers to pay an annual assessment which is to be placed in the Missouri Poison Center Funding Pool to support the Missouri Poison Center
HB 1957		Allows the Department of Revenue to create an emergency information database for holders of instruction permits, driver's licenses, and non-driver's identification cards
HB 1958		Allows for the issuance of a temporary third license plate to be placed in a vehicle's back window when the view of the rear license plate is obstructed by a bicycle rack or other item
HB 1960		Increases the fee for an alternative fuel decal and requires the moneys from the fee to be deposited into the State Highways and Transportation Department Fund instead of the Motor Fuel Tax Fund
HB 1979		Requires the issuance of a 30-day temporary nondriver's license in order for the Department of Revenue to verify the identity and citizenship of the applicant

No.	Author	Subject
HB 1983		Authorizes a state sales and use tax exemption on all retail sales of any "Made in USA" product except a motor vehicle for a seven-day period in July 2013 and July 2014
HB 1998		Changes the laws regarding health services and fees and moving violations and traffic offenses occurring within an active emergency zone
HB 2029		Allows a motor vehicle dealer 21 days after the sale or transfer of a motor vehicle or trailer to deliver the certificate of ownership to the buyer
HB 2034		Changes the definition of "blighted area" as it relates to an enhanced enterprise zone to include areas that are identified as distressed by specified federal designations
HB 2052		Allows a person 21 years of age or older to operate a motorcycle on any state highway without protective headgear if he or she has obtained a helmet-free endorsement from the Department of Revenue
HB 2061		Requires that only one license plate be issued for all motor vehicles instead of the current two plates with the exception of property-carrying commercial motor vehicles
HB 2063		Requires the Department of Revenue to issue a special driver's license to a person required to use an ignition interlock device
HB 2071		Allows a person to apply for a veteran designation on his or her driver's license or identification card upon providing specified proof of service
HB 2072		Requires the Director of Revenue to report to the Speaker of the House of Representatives and the President Pro Tem of the Senate a list of jurisdictions that have adopted a local use tax on specified items
HB 2077		Establishes the Missouri Yellow Dot Program within the Department of Revenue to provide emergency responders with health and emergency contact information when an individual is in an accident
HB 2083		Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and material needed following a disaster where utility service has been disrupted
HB 2090		Establishes the Missouri Supporting Families Income Tax Holiday Act which allows an exemption from state withholding taxes for state employees in a specified month determined by the Department of Revenue
HJR 50		Proposes a constitutional amendment authorizing an additional sales and use tax to be deposited into the Veterans' Trust Fund
		REVISION BILLS
HCS HB 1608		Repeals provisions and sections of law regarding unfunded and obsolete programs and establishes expiration dates for specified provisions
HB 1811		Corrects a typographical error in the statutory language regarding the unsuitability of an anatomical gift for transplantation or therapy by changing the word "transportation" to "transplantation"
		ROADS AND HIGHWAYS
SB 463	Keaveny	Increases the fine for seat belt violations from $10 to $50
CCS HCS SS SCS SB 470		Modifies various provisions relating to transportation
SB 517	Brown	Imposes an additional $1,500 fine for failing to drive in the right-hand lane
SB 567	Wright-Jones	Prohibits all drivers, regardless of age, from text messaging while operating moving motor vehicles on any highway in this state and prohibits anyone from being stopped solely to determine compliance with the state text messaging ban
CCS HCS SB 568		Modifies various provisions relating to transportation
SCS SB 589		Requires political subdivisions using automated traffic enforcement systems to distribute such fines to local school districts for transportation purposes

No.	Author	Subject
SS SB 607		Establishes procedure for resetting billboards during periods of highway construction
CCS SB 611		Modifies various provisions relating to the regulation of transportation
SB 632	Stouffer	Designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway"
CCS HCS SCS SB 635		Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
SCS SB 656		Modifies the law with respect to how municipalities and the legal system treat the lawful use of motor vehicles on public roads and modifies the commercial zone surrounding Kansas City
HCS SB 701		Modifies various provisions relating to road use
HCS SCS SB 714		Modifies provisions relating to the regulation of motor vehicles
SB 717	Stouffer	Creates the traffic offense of distracted driving
SB 736	Engler	Exempts St. Francois County from a requirement that certain amounts of money from the county's special road and bridge tax be spent in certain areas
SB 752	Kehoe	Authorizes the Missouri Highways and Transportation Commission to form a Public-Private Partnership by contract with private partners to finance, develop and operate Interstate 70 as a toll facility
HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847		Designates several highways and bridges and creates or modifies several special license plates
SB 805	Engler	Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances
SB 897	Schaefer	Prohibits law enforcement agencies from establishing roadside checkpoint or road block patterns based upon a particular vehicle type, including the establishment of motorcycle-only checkpoints
SCR 26	Stouffer	Establishes the Joint Interim Committee on Transportation Needs to study the transportation infrastructure needs of Missouri
HB 1037		Authorizes commissioners of certain road districts, upon majority vote, to be compensated up to $100 per month for their services
HB 1083		Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 1103		Changes the laws regarding the maintenance of private roads and real estate appraisers and appraisal management companies
HCS HB 1111		Changes the laws regarding the release of towed abandoned property and requires the return of nonvehicular personal property within the towed vehicle regardless of payment arrangements
HB 1118		Requires vehicles to yield the right-of-way to all pedestrians and bicyclists crossing a city or neighborhood street in Kansas City in an appropriate crosswalk
HB 1119		Allows a vehicle weighing 85,500 pounds or less to haul milk from a farm to a processing facility on highways other than the interstate highway system
HB 1120		Requires the Department of Transportation to add the words "Missouri Expresses Its Gratitude To Military Personnel For Their Service" to the "Welcome to Missouri" signs located on interstate highways
HCS HB 1126		Changes the laws regarding a tax credit for a freight line company and the laws regarding certain vehicles owned by the State Highways and Transportation Commission and the Department of Transportation

No.	Author	Subject
HB 1148		Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner
HCS HB 1186 & 1147		Requires Missouri driver's license examinations to only be administered in English
HCS HB 1212		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways and regarding vehicles hauling milk from a farm to a processing facility
HB 1277		Allows the Missouri Highways and Transportation Commission to enter into infrastructure improvement agreements
HB 1284		Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees
HB 1295		Requires a municipality to allow at least one street to be used by commercial vehicles to access any state highway and prohibits a civil action for the legal use of a motor vehicle on a public street
HB 1334		Establishes the Fair Fare Passenger Safety Act of 2012 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HB 1338		Requires the Department of Transportation to add the words "Thank You Troops" to the "Welcome to Missouri" signs located on interstate highways
HCS HB 1397		Changes the laws regarding political subdivisions
CCR CCS SS SCS HCS HB 1402		Changes the laws regarding transportation
HB 1419		Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance
HB 1430		Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 1433		Establishes the Show-me Green Initiative which allows a person or entity to submit a bid to the Department of Transportation to mow grass or vegetation along state roadways
HB 1436		Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 1443		Designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway"
HCS#2 HB 1524		Specifies that the owners of property abutting a private road in the absence of any other agreement may petition the court to establish a plan of maintenance or improvement
HB 1528		Establishes the Intersection Safety Act regarding automated traffic enforcement systems
HB 1537		Establishes the Show-Me Harvest Initiative which allows persons or entities to submit bids to the Department of Transportation to mow grass or vegetation along state roadways
HB 1575		Designates a portion of U.S. Highway 136 in Harrison and Gentry counties as the "Corporal Frank Buckles Memorial Highway"
HB 1590		Authorizes the conveyance of specified properties owned by the state to the State Highways and Transportation Commission
HB 1592		Changes the laws regarding county collectors and a county's special road and bridge levy and establishes the STAR Bonds Financing Act
HCS HB 1612		Changes the laws regarding the resetting of a sign for any phase or portion of construction or reconstruction of any street or highway and requires the words "Thank You Troops" to be added to specified signs

No.	Author	Subject
HB 1670		Requires only persons younger than 21 years of age to wear protective headgear when operating or riding as a passenger on any motorcycle or motortricycle
HB 1687		Designates the portion of State Route C that crosses over U. S. Highway 79 in Lincoln County as the "LCPL Patrick W. Schimmel Memorial Highway"
HB 1724		Allows certain motor vehicles to operate on public highways with dyed fuel during any Governor-declared state emergency
HB 1749		Changes the laws regarding failure to yield the right-of-way
SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB1269, HB1641, HB1668, HB1737, HB1782, HB1868, AND HB1878		Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates
SS SCS HB 1820		Authorizes the Governor to convey specified state properties
HB 1906		Designates the portion of Interstate 70 in the state of Missouri as the "Purple Heart Trail"
HB 1916		Revises the definition of "emergency vehicle" to include any vehicle operated by an authorized member of specified groups while responding to an emergency or in route to a fire station or ambulance garage
HB 1937		Requires every person riding a bicycle on a state road or highway to wear a reflective vest
HB 1998		Changes the laws regarding health services and fees and moving violations and traffic offenses occurring within an active emergency zone
HB 2035		Exempts motorcyclists 21 years of age and older from wearing protective headgear when operating or riding a motorcycle or motortricycle on any state highway
HB 2083		Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and material needed following a disaster where utility service has been disrupted
HB 2084		Designates the new Interstate 70 bridge over the Mississippi River connecting Missouri and Illinois as the "Stan 'The Man' Musial Mississippi River Expressway Bridge"
HB 2096		Repeals the provisions allowing certain counties to establish an alternative county highway commission
HCS HB 2100		Changes the laws regarding motor vehicles
HB 2110		Changes the laws regarding county special road and bridge levies
HJR 57		Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, constructions, landscaping, and land or building purchases
		SAINT LOUIS
SCS SB 451		Modifies provisions relating to school operations
SB 461	Keaveny	Allows the City of St. Louis to control its police force without state intervention
SB 503	Wright-Jones	Allows the Special Administrative Board governing the St. Louis City School District to sponsor charter schools under certain circumstances
SB 509	Wright-Jones	Allows the governing body of St. Louis City to grant tax relief to certain properties to alleviate blight

No.	Author	Subject
SB 535	Chappelle-Nadal	Allows the City of St. Louis to control its police force without state intervention
SS SCS SB 576		Modifies provisions relating to charter schools
SB 597	Dempsey	Changes the governance of the St. Louis International Airport
SB 601	Lembke	Modifies provisions relating to school personnel
CCS HCS SB 636		Modifies provisions relating to the judiciary
SB 643	Keaveny	Requires children in the St. Louis City School District and Kansas City School District to attend school at age five
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SCS SB 706		Modifies provisions relating to school operations
SCS SB 788		Requires appointment of St. Louis City circuit clerk
SB 838	Richard	Modifies provisions relating to funding for site remediation in certain municipal areas
SB 852	Crowell	Places newly hired St. Louis City firemen into a new retirement system if the city adopts such a new system
SB 853	Crowell	Removes St. Louis City firemen hired after August 28, 2012 from the current retirement system and places them in a new system
SJR 31	Chappelle-Nadal	Makes St. Louis City a part of St. Louis County
SJR 32	Chappelle-Nadal	Proposes a constitutional amendment to require the St. Louis Board of Freeholders to meet monthly and authorizes the people of St. Louis City and County to modify the Missouri Constitution regarding the Board
HB 1157		Changes the laws regarding the deadlines for the notification of reemployment and the offering of teacher contracts
HB 1163		Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contract with mandated haulers of trash collection except in North Kansas City, Kansas City, and St. Louis
CCR SS#2 SCS HB 1170		Allows any county collector to add and collect a special property tax assessment to the property's annual real estate tax bill
HCS HB 1228		Changes the laws regarding charter schools
HCS HB 1245		Changes the laws regarding tax credits and the Missouri Quality Jobs Act
HB 1293		Requires suits in inverse condemnation or involving dangerous conditions of public property against a municipal corporation to be brought only in the county where the land or any part of the land lies
HB 1466		Establishes the Math and Science Tutoring Act which establishes a pilot program for tutoring certain students in any St. Louis City public school
HB 1472		Allows a teacher within the Public School Retirement System of St. Louis to retire when the teacher's age added to the number of years of credited service is not less than 80 instead of 85
HCS HB 1476		Establishes the Freight Forwarders Incentive Act to encourage foreign trade through the Lambert-St. Louis International Airport
SS SCS HCS HB 1498		Changes the laws regarding liquor sales
HCS HB 1526		Changes the laws regarding school personnel
HB 1560		Changes the selection of the circuit clerk in the 22nd Judicial Circuit in St. Louis City from being elected by the qualified voters to being appointed by a majority of the circuit judges of the circuit

No.	Author	Subject
HB 1604		Establishes class sizes for school districts in St. Louis City and St. Louis County that are smaller than the minimum and desirable standards of the Department of Elementary and Secondary Education
HB 1648		Allows the board of election commissioners in Kansas City and St. Louis to establish voter centers on election days for a person to vote without going to his or her precinct voting location
HCS HB 1710		Changes the laws regarding tax credits and requires the Department of Economic Development to establish the Missouri Works Training Program
SS SCS HB 1820		Authorizes the Governor to convey specified state properties
HB 1843		Requires children in the St. Louis City School District and Kansas City School District to enroll in a school by age five
HB 1857		Changes the laws regarding the Firemen's Retirement System of St. Louis for persons hired on or after August 29, 2012
HB 1898		Creates the Missouri Juneteenth Heritage Memorial Fund and changes the distribution of funds from the nonresident entertainer and professional athletic team income tax to provide moneys to the fund
HB 1921		Requires a safety study to be conducted before specified entities decrease the number of firefighters or first responders assigned to a fire apparatus pump operation
HB 1973		Repeals the provisions authorizing the City of St. Louis to a have a reserve police force
HB 2037		Adds to the powers and duties of the special administrative board of the St. Louis City Transitional School District the authority to divide the district into four subdistricts upon voter approval
HB 2079		Changes the laws regarding the structure and conditions for the transitional school district that has the same boundaries as the City of St. Louis
HJR 68		Proposes a constitutional amendment authorizing state bonding authority for certain higher education capital improvements in the City of St. Louis and St. Louis County
		SAINT LOUIS COUNTY
SB 597	Dempsey	Changes the governance of the St. Louis International Airport
SJR 31	Chappelle-Nadal	Makes St. Louis City a part of St. Louis County
SJR 32	Chappelle-Nadal	Proposes a constitutional amendment to require the St. Louis Board of Freeholders to meet monthly and authorizes the people of St. Louis City and County to modify the Missouri Constitution regarding the Board
HB 1038		Phases out the current distribution method of the St. Louis County sales tax over 10 years until all the tax revenue is distributed based upon the location in which the sales were deemed consummated
CCR SS#2 SCS HB 1170		Allows any county collector to add and collect a special property tax assessment to the property's annual real estate tax bill
HB 1190		Repeals provisions regarding the maintaining of police records in municipalities located within Jackson County, Jefferson County, St. Charles County, and St. Louis County
HB 1293		Requires suits in inverse condemnation or involving dangerous conditions of public property against a municipal corporation to be brought only in the county where the land or any part of the land lies
HB 1335		Changes the distribution of certain local sales taxes in St. Louis County
HCS#2 HB 1358		Changes the laws regarding political subdivisions
HB 1416		Specifies that an attorney who presents a current valid Missouri Bar membership card to St. Louis County Courthouse security must not be subject to any security screening

No.	Author	Subject
HB 1463		Changes the laws regarding the distribution of certain local sales tax revenues in St. Louis County
SS SCS HCS HB 1498		Changes the laws regarding liquor sales
HB 1604		Establishes class sizes for school districts in St. Louis City and St. Louis County that are smaller than the minimum and desirable standards of the Department of Elementary and Secondary Education
HB 1693		Changes the laws regarding the approval of a redevelopment plan involving tax increment financing in St. Louis County, St. Charles County, and Jefferson County and its cities, towns, and villages
HB 1891		Establishes minimum standards that a municipality in St. Louis County must meet in the provision of municipal and financial services and reports
HB 1898		Creates the Missouri Juneteenth Heritage Memorial Fund and changes the distribution of funds from the nonresident entertainer and professional athletic team income tax to provide moneys to the fund
HB 1921		Requires a safety study to be conducted before specified entities decrease the number of firefighters or first responders assigned to a fire apparatus pump operation
HB 2092		Changes the laws regarding the distribution of county sales taxes in certain counties
		SALARIES
SB 558	Curls	WITHDRAWN
SB 857	Brown	Allows certain funds collected for a sheriff's operating costs to be used to supplement the sheriff's base salary
HB 1037		Authorizes commissioners of certain road districts, upon majority vote, to be compensated up to $100 per month for their services
HB 1053		Establishes the Disaster Area Construction Act which exempts certain construction work done for a school district or a county, city, town, or village from the prevailing wage if it is in a disaster area
HB 1089		Repeals the provisions regarding the prevailing hourly wage requirements and specifies that no person will be paid a prevailing wage with specified exceptions
HB 1090		Prohibits the Missouri Housing Development Commission from requiring a prevailing wage on a project eligible for a housing tax credit if it is located in a disaster area
HB 1091		Requires a school district to exempt itself from the prevailing hourly wage for work done on behalf of a school located in a Governor-declared disaster area
HB 1131		Requires the date that services for remuneration were first performed by a newly hired employee to be included on his or her withholding form
HB 1176		Allows a school district or a county, city, town, or village to exempt itself from the prevailing hourly wage for certain work if it is in a disaster area
HB 1177		Requires compensation paid by a municipality for certain services performed by a county officer to be paid directly to the county as provided in the contract
HCS HB 1198		Changes the laws regarding prevailing wages
HB 1202		Allows a juvenile court employee to receive compensation from a county or city in addition to his or her state salary
HB 1418		Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 1493		Changes the laws regarding how the prevailing hour wage requirement for a given occupational title is determined for a county
HB 1499		Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours

No.	Author	Subject
HB 1642		Establishes minimum salary requirements for all corrections officers and supervisors
HB 1643		Requires any state employee to receive a salary increase equal to the increased cost of health insurance premiums from the previous year
HB 1764		Authorizes the Director of the Department of Corrections to prescribe policies providing for salary increases for corrections officers
HB 1838		Specifies that nonexempt state employees can retain up to 80 compensatory hours at any time during the year
HB 1862		Requires the Department of Labor and Industrial Relations to establish the Equal Pay Commission
HB 1941		Requires the Office of Administration to maintain specified financial records of the Missouri Employers Mutual Insurance Company on the Missouri Accountability Portal
SCS HCS HCR 33		Reauthorizes the Joint Interim Committee on State Employee Wages
		SAVINGS AND LOAN
HB 1294		Changes the laws regarding consumer credit interest rates
HB 1409		Changes the laws regarding certain mortgage disclosures and requires any lender making a reverse mortgage loan to allow for the repayment of the loan after the death of the person who entered into the loan
		SCIENCE AND TECHNOLOGY
SB 482	Stouffer	Increases the statutory award amount for Alzheimer's disease research projects funded by the University of Missouri Board of Curators
SB 544	Chappelle-Nadal	Licenses clinical laboratory personnel
HCS SCS SB 563		Modifies provisions relating to higher education
SB 733	Richard	Revises statutes concerning the Missouri Science and Reinvestment Act and related statutes
SB 796	Justus	Repeals provision making changes enacted by Senate Bill 7 (1st Ext. Sess. 2011) contingent on the passage of another act
SB 896	Schaefer	Requires the General Assembly to consider youth smoking statistics when appropriating money from the Life Sciences Research Fund
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 1083		Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
SS SCS HCS HB 1094		Changes the laws regarding electronic payments to state agencies and departments and the electronic payment of funds received by a county health center
HB 1096		Allows a county health center to make authorized payments through an electronic funds transfer system
HB 1148		Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner
HB 1168		Repeals the provision authorizing state departments to directly purchase certain information technology products and services
HB 1216		Increases the maximum annual grant amount that the University of Missouri Board of Curators can award for a research project on Alzheimer's disease and related disorders
HB 1227		Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design

No.	Author	Subject
HB 1244		Allows a governmental entity to engage in projects involving a technology business facility used for specified purposes
HB 1246		Changes the laws regarding municipal technology business facility projects, the MO Jobs Training Program, and the Missouri Quality Jobs Act
HB 1276		Requires the State Board of Education and other public school entities to encourage students to explore scientific questions and to assist teaching of scientific theories of biological or chemical evolution
HB 1372		Changes the laws regarding the dispensing of controlled substances and establishes the Prescription Drug Monitoring Program Act
HB 1381		Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax
HB 1419		Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance
HB 1430		Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 1439		Changes the laws regarding sex education in schools and establishes the Compassionate Assistance for Rape Emergencies Act, the Birth Control Protection Act, and a women's health services program
HB 1441		Changes the laws regarding workers' compensation and unemployment benefits
SCS HB 1460		Extends the expiration date of the Statewide Court Automation Fund from September 1, 2013, to September 1, 2018, and the Court Automation Committee from September 1, 2015, to September 1, 2020
HB 1466		Establishes the Math and Science Tutoring Act which establishes a pilot program for tutoring certain students in any St. Louis City public school
HB 1484		Establishes the Paperless Documents and Forms Act which authorizes the Department of Revenue to use technology to allow the filing of certain forms and the sending of certain notifications
HB 1540		Changes the laws regarding workers' compensation
HB 1593		Changes the laws regarding the Missouri New Markets Development Program and establishes the Missouri Angel Investment Incentive Act
HB 1666		Authorizes a tax return check-off box on individual and corporate income tax forms for the newly created Lupus Revolving Research Trust Fund
HB 1679		Establishes the Sales Tax Technology Act regarding the electronic submission of sales tax data and payments
HB 1798		Authorizes a tax credit for the cost of labor and materials to construct or improve a data center
HB 1805		Establishes an income tax credit for the stipend or salary paid to certain interns
SCS HCS HB 1827		Establishes the Missouri Electronic Prior Authorization Committee regarding national standards for the process of obtaining prior approval from an insurer for certain services or medications
HB 1855		Establishes the Missouri Science, Technology, Engineering and Mathematics Initiative within the Department of Higher Education
HB 1870		Specifies that by January 1, 2014, the official ballot will be a paper ballot and requires all voting methods to produce the election results from paper ballots
HB 1933		Establishes the Abortion Ban for Sex Selection and Genetic Abnormalities Act of 2012 to prohibit an abortion solely due to the sex of the unborn child or a genetic abnormality diagnosis
HB 1944		Authorizes an income tax return check-off box for the designation of a donation from an income tax refund to the newly created Pediatric Cancer Research Trust Fund
HB 1999		Changes the laws regarding the Missouri Science and Innovation Reinvestment Act

No.	Author	Subject
HB 2028		Requires a summary and a description of a research project funded by the Spinal Cord Injury Fund to be submitted before or with the request for an appropriation to the appropriate appropriations committee
HCR 13		Supports the use of unbiased scientific research and data regarding the management practices for rivers and streams
HCR 55		Strongly urges strict enforcement of federal trade laws to protect domestic information technology and urges use all state powers to protect manufacturers and state agencies from illegal software
HJR 54		Proposes a constitutional amendment restricting appropriations to the Life Sciences Research Board from being used for specified types of projects
		SEARCH AND SEIZURE
CCS HCS SCS SB 631		Modifies provisions relating to animals and agriculture
SB 850	Purgason	Prohibits sterilization and disposition of seized or confiscated animals until the outcome of charges against the animals' owner have been determined
SB 903	Lamping	Provides the process for disposition of dogs involved in the crime of dog fighting
HCS HB 1444		Changes the laws regarding the confiscation of animals
HB 1672		Changes the auditing requirement for a law enforcement agency on the proceeds from federal forfeitures to only a reporting requirement
		SECRETARY OF STATE
SCS SB 442		Establishes photo identification requirements for voting
SB 486	Wright-Jones	Modifies law relating to voter registration and election offenses
SB 542	Chappelle-Nadal	Establishes a paper ballot as the official ballot
CCS HCS SCS SB 569		Modifies the law relating to elections, law enforcement districts, and transit authority taxes
SB 603	Green	Creates an advance voting system for elections
HCS SCS SB 671		Modifies provisions relating to elections
SCS SB 773		Establishes a March 27 to April 24 filing period for the 2012 state primary election
SB 808	Lembke	Implements recall elections for U.S. Senators
SCS SBs 817 & 774		Modifies the laws relating to initiative and referendum petitions
SB 826	Crowell	Modifies the law relating to ethics
SB 832	Wasson	Establishes a closed primary
SB 892	Kraus	Modifies the law relating to uniform military and overseas voters
SJR 23	Crowell	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 26	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
HB 1046		Requires proof of identity and status as a United States natural born citizen for the office of President and Vice President to be submitted with other required certification documents to the Secretary of State
SCS HCS HB 1060		Changes the laws regarding elections
HB 1080		Changes the laws regarding ethics, lobbying, and campaign finance
SCS HB 1104		Changes the laws regarding elections by requiring a voter to provide photo identification

No.	Author	Subject
CCR CCS SCS HB 1135		Requires the termination of all administrative rules based on the time of promulgation and allows an agency to repromulgate a rule that is set to terminate
HB 1263		Requires anyone requesting 10 or more voter registration applications to provide certain information to the Office of the Secretary of State
SCS HB 1331		Revises the computation of the accrued benefits when an employee transfers creditable service between the State Employees' Retirement System and the Department of Transportation Retirement System
HB 1345		Allows the Secretary of State to enter into an agreement with a nonprofit organization to print and distribute the Official State Manual
HB 1415		Allows an individual at a general election to vote a straight party line ticket by voting for all candidates of the same political party with a single punch or mark
HCS HB 1442		Fills a vacancy in the office of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, or State Treasurer by appointment by the Governor or a special election
HB 1464		Prohibits statewide elected officials and legislators elected to their first term on or after November 2, 2012, from acting, serving, or registering as a lobbyist within one year of leaving office
HB 1480		Changes the laws regarding the state's No-call List and political telephone solicitations
HB 1514		Allows for the establishment of a series limited liability company
HB 1628		Prohibits, upon voter approval, the Secretary of State from preparing a ballot summary statement if any family member of the secretary has a financial interest in the measure in excess of $50,000
SCS HCS HB 1637		Establishes the Missouri Sound Money Act of 2012 which changes the laws regarding legal tender
HB 1648		Allows the board of election commissioners in Kansas City and St. Louis to establish voter centers on election days for a person to vote without going to his or her precinct voting location
HB 1756		Changes the laws regarding ethics
HCS HB 1869		Changes the laws regarding elections
HB 1901		Requires each polling place for a federal, state, local, or school district election to have at least one accessible voting system that conforms to federal regulations for disabled voters
HB 1917		Changes the laws regarding candidate filing dates for primary elections
HB 1929		Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HB 2047		Establishes the Uniform Military and Overseas Voters Act
HB 2109		Changes the laws regarding voter registration
HCR 53		Submits a revised Summary Statement for House Committee Substitute No. 2 for Senate Joint Resolution No. 2 to the Secretary of State
HJR 40		Proposes a constitutional amendment authorizing the establishment of a Fair Ballot Commission to determine the propriety and correctness of proposed ballot language submitted by initiative or referendum
HCS HJR 47		Proposes a constitutional amendment changing the number of voter signatures that are required to place an initiative petition or a referendum on a ballot
HJR 52		Proposes a constitutional amendment requiring a two-thirds majority for voter approval of any initiative petition relating to harvesting bird, fish, game, wildlife, or forestry resources
HCS HJR 89		Proposes a constitutional amendment regarding advance voting and photo identification and allowing different requirements for certain absentee voting
HJR 92		Proposes a constitutional amendment regarding advance voting, required use of a government-issued photo identification to vote, and voting procedures based on physical presence or by absentee ballot

No.	Author	Subject
		SECURITIES
HCS SCS SB 591		Modifies provision regarding state and local revenues, various interest rates, and the authority of fire protection districts
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
CCS HCS SCS SB 635		Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
HCS SCS SB 726		Modifies provisions relating to financial transactions
HCS SB 813		Modifies provisions relating to financial transactions
SB 848	Rupp	Modifies numerous provisions of law that specify the application of a particular interest rate
HB 1121		Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission
HB 1153		Changes the laws regarding the perfection of security interests
HB 1192		Changes the laws regarding investment contracts of the Missouri Higher Education Savings Program
HCS HB 1256		Changes the laws regarding judicial procedures
HCS HB 1308		Repeals the requirement that certain irrevocable standby letters of credit possess the highest rating issued by specified nationally recognized agencies to be acceptable collateral for public deposits
HB 1349		Changes the laws regarding irrevocable life insurance trusts
SS SCS HCS HB 1400		Changes the laws regarding the investment of certain public funds, perfection of security interests, Division of Finance examinations, and residential mortgage loan brokers
HB 1514		Allows for the establishment of a series limited liability company
HB 1593		Changes the laws regarding the Missouri New Markets Development Program and establishes the Missouri Angel Investment Incentive Act
HCS HB 1935		Changes the laws regarding the application of a specific interest rate for specified late payments, repayments, loans, bonds, overpayments, and judgments
		SEWERS AND SEWER DISTRICTS
HCS SCS SB 510		Modifies the laws regarding municipal annexations, the taxation of security companies, assessment of real estate, the termination of water and sewer services, and complaints about real estate appraisals
HCS SCS SB 692		Modifies provisions relating to political subdivisions
SB 905	Mayer	Allows certain political subdivisions to contract out engineering, water quality management, and maintenance services on existing water storage tanks
HB 1143		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HCS#2 HB 1358		Changes the laws regarding political subdivisions
HB 1396		Prohibits certain entities in St. Charles County that do not process or treat their own sewage or wastewater from increasing its customer fee by a specified amount without a majority vote of the voters
HCS HB 1397		Changes the laws regarding political subdivisions
HB 1492		Authorizes Cass County to establish a county municipal court
HB 1573		Changes the laws regarding political subdivisions

No.	Author	Subject
HB 1671		Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wages
HB 1919		Establishes new requirements for reporting underground infrastructure under the excavation safety requirements of Chapter 319, RSMo
HB 1947		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HB 1959		Prohibits specified increases in premiums or fees charged for sewage or wastewater treatment in St. Charles County without approval by the voters
HB 1969		Changes the laws regarding the termination of water service
HB 1972		Requires the county office that administers the lateral sewer service line repair fee program to bill each condominium unit separately for its proportionate share of the fee
HB 1991		Requires a sewer district to notify the landowner of any delinquent charges owed and that he or she has 30 days to correct the delinquency or a lien will be placed on the property
HB 2067		Prohibits the council of a third or fourth class city from condemning property to manage wastewater runoff without exhausting all other possible remedies
		SEXUAL OFFENSES
CCS HCS SB 628		Modifies provisions relating to the judiciary
CCS HCS SB 636		Modifies provisions relating to the judiciary
HB 1102		Requires any person who observes a child being subjected to sexual abuse to immediately report or cause a report to be made to the Children's Division
HB 1185		Adds citizenship information to the sexual offender registration form and requires the State Highway Patrol to report to the federal government any non-U.S. citizen on the sexual offender registry
HB 1208		Specifies that the termination of parental rights in the case of rape cannot extinguish or bar the ordering or enforcement of a child support obligation for a child born as a result of the rape
HB 1322		Authorizes the Director of the Department of Corrections to establish, as a three-year pilot program, a mental health assessment process for certain offenders
HCS#2 HB 1344		Authorizes a person to apply to a court for the closure of certain criminal records
HB 1456		Authorizes the Department of Corrections to establish a mental health assessment pilot program for certain criminal offenders
HCS HB 1515		Changes the laws regarding crimes and criminal procedures
HCS HB 1700		Changes the laws regarding sexual offender registration
HB 1761		Removes the 10-year statute of limitation for certain actions to recover damages regarding child abuse and sexual offenses committed against a child
HB 1762		Prohibits the state, as an employer or provider of public or housing assistance, from requiring an applicant to disclose any prior felony plea or conviction
HCS HB 1826		Allows the Board of Probation and Parole to conduct a hearing with an offender by means of a videoconference and authorizes the establishment of a mental health assessment process as a pilot program
HB 1896		Changes the laws regarding sexual offenses
HB 2049		Increases the penalty for child molestation in the first degree when the victim is a child younger than 13 years of age to a class A felony
HJR 83		Proposes a constitutional amendment allowing a law to be retrospective in its operation with respect to a new obligation, duty, or disability imposed upon sexual offenders

No.	Author	Subject
		SOCIAL SERVICES DEPT.
SCS SB 457		Modifies provisions of mandatory reporting of child sexual abuse
SCS SB 474		Requires the Department of Social Services to take steps to mandate the use of photo identification for the food stamp program
SB 481	Stouffer	Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program
SB 500	Wright-Jones	Modifies state legal expense coverage of certain health professionals and modifies hospital patient safety policies
SB 511	Schaaf	Provides that no amendments shall be made to the Missouri State Medicaid Plan without first obtaining approval from the Joint Committee on MO HealthNet
SCS SB 548		Modifies certain tax credit programs
SB 550	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to health care
SB 556	Curls	Allows courts to suspend imposition of an adult criminal sentence for certain juvenile offenders
SB 617	Schaaf	Requires the Department of Social Services to promulgate rules specifying the eligibility process for the MO HealthNet Spenddown Program
SB 712	Lamping	Modifies the criteria for determining that a child is a special needs child for the purposes of the special needs adoption tax credit
SS SB 727		Creates a child care subsidy pilot program for parents to continue to receive subsidies while sharing in the costs of the benefits by enacting the Low-Wage Trap Elimination Act
HCS SB 739		Modifies provisons relating to administrative child support orders and the Sentencing Advisory Commission
HCS SCS SB 758		Modifies provisions relating to children
SB 766	Schaefer	Extends the sunset on the Residential Treatment Agency Tax Credit program until August 2018 and modifies other provisions of the program
SB 836	Schaaf	Requires certain state agencies to update and verify the accuracy of the information on the respective websites, as the websites pertain to social service programs
SB 855	Schaaf	Modifies the eligibility requirements for food stamps assistance as it relates to ineligible immigrants
HB 1032		Adds a licensed professional counselor to the list of those authorized to conduct a full investigation into whether an individual is suitable as an adoptive parent
HB 1078		Authorizes the MO HealthNet Division to implement a statewide dental delivery system to ensure recipient participation and access to providers of dental services under MO HealthNet
HB 1102		Requires any person who observes a child being subjected to sexual abuse to immediately report or cause a report to be made to the Children's Division
HCS HB 1137		Changes the laws regarding adoptions
HB 1172		Changes the laws regarding the Residential Treatment Agency Tax Credit Program and establishes the Developmental Disability Care Provider Tax Credit Program
HB 1187		Requires all purchases made with Temporary Assistance for Needy Families benefits by a Missouri recipient to be limited to only in-state purchases
HCS HB 1220		Requires the Department of Corrections to establish a two-year pilot project to increase the access that children have to their incarcerated mothers
HB 1238		Specifies that certain felons must be eligible for food stamp program benefits
HB 1267		Requires all children over 15 years of age who are in the foster care system or the Division of Youth Services Program to receive a visit to a state university or community or technical college in Missouri

No.	Author	Subject
SCS HCS HB 1278 & 1152		Changes the laws regarding certain tax credits and establishes the Developmental Disability Care Provider Tax Credit Program
SCS HCS#2 HB 1323		Establishes the Low-Wage Trap Elimination Act and Sam Pratt's Law and changes the laws regarding child abuse and neglect investigations and unlicensed child care providers
HB 1350		Establishes Nathan's Law which changes the laws regarding child care facilities
HB 1394		Specifies that no public assistance benefits can be used by a recipient to purchase liquor or tobacco products
HB 1459		Disqualifies a person from becoming a candidate for a school board if he or she has a substantiated report of child abuse or neglect on the Child Abuse and Neglect Registry
HB 1470		Expands the list of mandatory reporters of child abuse and neglect to include a coach, scout leader, youth leader, and any volunteer who has direct contact with children
HB 1491		Requires a mandatory reporter of child abuse and neglect to make a report and removes the option of causing a report to be made
HCS HB 1515		Changes the laws regarding crimes and criminal procedures
SS SCS HCS HB 1563		Changes the laws regarding healthcare services
HB 1565		Requires mandatory reporters of child abuse to report when they are working or acting in their official capacity and allows them to report when they are not
SS HCS HB 1576		Allows certain state-licensed foster parents to purchase health insurance from the Missouri Consolidated Health Care Plan at the premium rate established for state employees
HB 1577		Requires schools to implement specified criteria regarding the enrollment and educational success of foster care children
HB 1578		Exempts reimbursement payments made under a contract to provide respite care for children in foster care from individual and corporate income tax
HB 1713		Adds, subject to appropriations, prescribed, medically necessary hearing aids to the list of services covered under the MO HealthNet Program
HB 1714		Adds, subject to appropriations, comprehensive day rehabilitation services beginning soon after trauma for individuals with disabling impairment to the list of services covered under MO HealthNet benefits
HB 1842		Establishes the Joint Committee on Child Abuse and Neglect to make a continuing study and analysis of the state child abuse and neglect reporting and investigation system
HCS HB 1877		Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 1882		Changes the eligibility requirements for food stamp assistance as it relates to an ineligible immigrant
HB 1903		Requires the Department of Social Services to seek a federal waiver to mandate the use of photo identification for continued eligibility in the food stamp program administered in this state
HB 1977		Changes the laws regarding the reporting of cruelty, abuse, or neglect of the elderly, children, or animals
HB 1987		Changes the laws regarding mental health screenings in schools and establishes the Administration of Psychotropic Medications to Children Act
HB 1994		Allows prospective adoptive parents and the parents of a prospective adoptee to enter into a post adoption contract agreement to allow contact between the former parents and the adoptee
HB 2038		Establishes Jonathan's Law which changes the requirements for the certification and transfer of a juvenile case to a court of general jurisdiction
HB 2078		Requires the Children's Division to establish rules to modify the income eligibility criteria for individuals receiving a child care subsidy benefit

No.	Author	Subject
HCR 56		Strongly urges the MO HealthNet Division to allow all qualified managed care providers to participate in the MO HealthNet Program and the Commissioner of Administration to award contracts to such providers
		SOIL CONSERVATION
HB 1671		Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wages
		STATE DEPARTMENTS
HCS SS SCS SB 467		Requires agencies that receive federal grants to track and disclose the usage of the funds and the Governor to report withholdings
HCS SS SCS SB 469		Modifies provisions regarding administrative rules
SB 500	Wright-Jones	Modifies state legal expense coverage of certain health professionals and modifies hospital patient safety policies
SB 604	Green	Prohibits a state agency from requesting an additional appropriation of state moneys to satisfy an award of attorney fees and other expenses
SB 627	Schaefer	Provides authority to the Office of Administration for the provision of waste management services for all state agencies
SB 693	Crowell	Prohibits state agencies from printing calendars representing the agency to public and private entities
SB 694	Nieves	Modifies the use of the Capitol complex grounds by nonpublic entities
SB 700	Lamping	Repeals a provision requiring non-merit agencies to adopt dismissal procedures similar to merit procedures
SS SB 877		Requires each state department to quarterly report certain information about its employees to the General Assembly
SB 890	Lager	Modifies the law relating to professional conduct during Division of Finance examinations and confidentiality agreements
SB 899	Green	Requires a one time transfer of certain fund balances to the State General Revenue Fund
SJR 45	Nieves	Prohibits Missouri state government from recognizing, enforcing, or acting in furtherance of certain actions of the federal government
HB 1029		Requires the Oversight Division of the Committee on Legislative Research to conduct program evaluations of state agencies, including budget transparency and accountability
HCS HB 1030		Changes the laws regarding the collection of money owed to the state and establishes a state amnesty program
HB 1034		Requires the State Auditor to conduct a one-time comparative audit of at least five, but no more than 10, of the largest state agencies
SS SCS HB 1051		Requires the State Auditor to perform, on a one-time basis, a comparative audit of at least five, but no more than 10, of the largest state agencies and of each chamber of the General Assembly
SS SCS HCS HB 1094		Changes the laws regarding electronic payments to state agencies and departments and the electronic payment of funds received by a county health center
HB 1109		Prohibits any state or local governmental entity or public building, place, or setting from banning or restricting the practice, mention, celebration, or discussion of any federal holiday
HB 1121		Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission
CCR CCS SCS HB 1135		Requires the termination of all administrative rules based on the time of promulgation and allows an agency to repromulgate a rule that is set to terminate
HB 1168		Repeals the provision authorizing state departments to directly purchase certain information technology products and services

No.	Author	Subject
HCS HB 1214		Establishes the Missouri Entrepreneur Resource Virtual Network to provide resources for the development of businesses
HB 1222		Requires a two-year itemized zero-based budget analysis to be submitted by each state department to the chairs of the House Budget Committee and the Senate Appropriations Committee
HB 1265		Establishes the Veteran Workforce Act which requires the Office of Administration to develop rules and regulations ensuring a uniform hiring preference for veterans, disabled veterans, and their spouses
HB 1304		Prohibits any political subdivision from incurring any indebtedness through the issuance of a bond unless it has been approved by the voters
HB 1347		Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri
HCS HB 1383		Changes the laws regarding information that must be made available on the Missouri Accountability Portal
SS SCS HCS HB 1400		Changes the laws regarding the investment of certain public funds, perfection of security interests, Division of Finance examinations, and residential mortgage loan brokers
HB 1494		Requires any entity receiving state funds to publish the name and compensation of each lobbyist employed by the entity and the name and membership dues paid to any other entity
HB 1556		Establishes the Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee to assist these business enterprises in bidding on state contracts
HCS HB 1608		Repeals provisions and sections of law regarding unfunded and obsolete programs and establishes expiration dates for specified provisions
HB 1657		Prohibits a state agency from awarding a state contract to a contractor or subcontractor who performs the work outside of the United States
HB 1682		Prohibits any state department from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 1685		Changes provisions regarding the Missouri preference in state purchasing
HB 1702		Changes the laws regarding the prompt pay of public works contracts
SS SCS HCS HB 1731		Changes the laws regarding the use of gaming and tobacco settlement moneys
HB 1756		Changes the laws regarding ethics
HB 1788		Changes the laws regarding the awarding of a contract for projects by any officer or agency of this state or any of its political subdivisions
HB 1791		Allows the Division of Facilities Management, Design, and Construction to provide waste management services for any state agency with specified exceptions
HB 1810		Establishes the Iran Energy Divestment Act which bars any person or entity that invests in the energy sector in Iran from contracting with the state and political subdivisions
HB 1821		Repeals the provision requiring non-merit agencies to adopt dismissal procedures substantially similar to the dismissal procedures for merit employees
HB 1888		Establishes the Office of Protection and Advocacy for Persons with Disabilities within the Office of Administration to protect the rights of individuals with disabilities and developmentally disabled persons
HB 1902		Establishes the Purchasing from Disabilities Advisory Board regarding the procurement of goods and services by state agencies from persons who are disabled or have a disability
HB 1978		Requires the development of caseload standards by the departments of Health and Senior Services and Mental Health
HB 1984		Requires the Division of the Budget to report any expenditure of state funds in excess of $100,000 to the chairs of the House Budget Committee and the Senate Ways and Means and Fiscal Oversight Committee

No.	Author	Subject
HB 2028		Requires a summary and a description of a research project funded by the Spinal Cord Injury Fund to be submitted before or with the request for an appropriation to the appropriate appropriations committee
HB 2076		Establishes a preference in governmental contracts for a person or organization who contributes to an alternatives to abortion agency or the Alternatives to Abortion Support Fund
SCS HCS HCR 33		Reauthorizes the Joint Interim Committee on State Employee Wages
		STATE EMPLOYEES
SCS SBs 553 & 435		Requires authorization for certain labor unions to use dues and fees to make political contributions and bars them from withholding earnings from paychecks
HCS SCS SB 625		Modifies fund transfers between retirement systems, modifies retirement for certain public officials, and sets interest paid on member contributions at T-Bill rate
SB 700	Lamping	Repeals a provision requiring non-merit agencies to adopt dismissal procedures similar to merit procedures
HB 1040		Adds certain state-owned vehicles which are operated by Department of Transportation employees to the definition of "emergency vehicle" as it applies to Section 304.022, RSMo
HB 1121		Changes the laws regarding the filing of a financial interest statement with the Missouri Ethics Commission
HCS HB 1139		Establishes the 2012 State Employee Retirement Incentive Program which allows certain employees to receive a years of service benefit
HCS#2 HB 1213		Changes the laws regarding the Bi-State Development Agency, vacation leave for state employees, Department of Revenue fee offices, advisory board association, and conveyance of state property
HB 1265		Establishes the Veteran Workforce Act which requires the Office of Administration to develop rules and regulations ensuring a uniform hiring preference for veterans, disabled veterans, and their spouses
HB 1315		Requires a leave to be granted to state employees and certain other employees who are members of the United States Coast Guard Auxiliary when performing authorized military duties
SCS HB 1331		Revises the computation of the accrued benefits when an employee transfers creditable service between the State Employees' Retirement System and the Department of Transportation Retirement System
HB 1359		Changes the laws regarding state contracts and statewide student assessment results
HCS HB 1367		Specifies that any state employee performance review, if conducted, must be done by the employer or supervisor
HB 1418		Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 1499		Requires a Missouri state employee to be compensated an amount equal to the difference between his or her military compensation and state salary when the military leave of absence exceeds 120 hours
HB 1534		Declares the federal Patient Protection and Affordable Care Act as unauthorized by the United States Constitution and creates criminal penalties for persons enforcing or attempting to enforce the act
HB 1601		Designates the first Tuesday after the first Monday in November as a public holiday known as "Election Day"
HB 1632		Specifies that a state employee who works 10-hour days and 40 hours per week cannot be required to take two hours of vacation leave for paid holidays
HB 1643		Requires any state employee to receive a salary increase equal to the increased cost of health insurance premiums from the previous year
HB 1762		Prohibits the state, as an employer or provider of public or housing assistance, from requiring an applicant to disclose any prior felony plea or conviction

No.	Author	Subject
HB 1821		Repeals the provision requiring non-merit agencies to adopt dismissal procedures substantially similar to the dismissal procedures for merit employees
HB 1838		Specifies that nonexempt state employees can retain up to 80 compensatory hours at any time during the year
HB 2090		Establishes the Missouri Supporting Families Income Tax Holiday Act which allows an exemption from state withholding taxes for state employees in a specified month determined by the Department of Revenue
SCS HCS HCR 33		Reauthorizes the Joint Interim Committee on State Employee Wages
		STATE TAX COMMISSION
SB 723	Ridgeway	Modifies provisions of law regarding property tax assessment
SCR 19	Munzlinger	Disapproves the new values for agricultural and horticultural property filed by the State Tax Commission
SCS HCS HB 1300		Requires county assessors to use a specified single nationally recognized guide to determine the value of a motor vehicle for personal property tax assessment purposes
HB 1351		Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 1544		Requires a certificate of value to be filed with the assessor before the recorder of deeds can accept the filing of any document by which any interest in certain real property is conveyed
HJR 67		Proposes a constitutional amendment which freezes the level of tax liability on residential property owned by a person who is 65 years of age or older
		SUNSHINE LAW
HB 1127		Requires certain specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 1327		Authorizes a public body to close certain foster care licensure data and requires the Children's Division to prepare a detailed report of specific information obtained in the licensure process
HB 1564		Specifies that any personal identifying information that is utilized in a voluntary registry of persons with health-related ailments to assist them during an emergency is not considered a public record
HB 1627		Expands the restriction on the release of the home address or other information contained in Department of Revenue motor vehicle or driver registration records to include state and federal judges
HB 1645		Allows a person to file a verified petition for the expungement of certain misdemeanor offense records
HB 1653		Requires certain tax records to be disclosed to the Missouri Ethics Commission by certain entities who make more than $25,000 in campaign contributions during a year
HCS HB 1869		Changes the laws regarding elections
HB 1941		Requires the Office of Administration to maintain specified financial records of the Missouri Employers Mutual Insurance Company on the Missouri Accountability Portal
HCS HB 1970		Changes the laws regarding the Open Meetings and Records Law
		SURVEYORS
HCS SB 667		Modifies provisions relating to design professionals, school social workers, real estate appraising, and residential construction
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
SB 780	Wasson	Modifies the composition of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects
SB 814	Brown	Modifies provisions relating to state land survey duties

No.	Author	Subject
SB 889	Lager	Modifies provisions relating to natural resources
SS SCS HCS HB 1280		Establishes a peer review process for services provided by a licensed architect, landscape architect, professional land surveyor, or professional engineer
HCS HB 1395		Changes the laws regarding the Department of Natural Resources
HB 1852		Changes the laws regarding the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects
		TAX CREDITS
SB 436	Crowell	Subjects all state tax credits to appropriation
SCS SB 451		Modifies provisions relating to school operations
SB 471	Dixon	Extends the sunset on the Children in Crisis Tax Credit program
SB 472	Kraus	Modifies the provisions of certain tax credit programs and requires the Department of Revenue to apply any increase in revenue generated to a decrease in the corporate income tax rate
SB 481	Stouffer	Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program
SB 531	Lamping	Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate
SB 532	Schaefer	Extends the tax credit for donations to food pantries until August 2022
SCS SB 548		Modifies certain tax credit programs
SB 561	Ridgeway	Imposes a sunset upon tax credit programs not currently subject to a sunset provision and requires the Department of Revenue to apply any increase in revenue generated to a decrease in the personal income tax rate
SB 571	Kraus	Requires tax credit recipients to file campaign finance reports with the Missouri Ethics Commission
SB 582	Dempsey	Reauthorizes the pregnancy resource center tax credit
SCS SBs 588 & 585		Creates a tax credit to attract sporting events to the state
SB 630	Parson	Extends the sunset on rolling stock tax credits
SB 647	Richard	Provides for funding of the capitol complex revitalization project by modifying the historic preservation tax credit program
SB 662	Schmitt	Requires all tax credit programs created on or after August 28, 2012 to comply with the Tax Credit Accountability Act of 2004
HCS SB 668		Modifies several provisions of law concerning taxation, the composition of county sport complex authorities, fire protection district regulations, and real estate appraiser licensing
SCS SB 675		Repeals the renter's portion of the Missouri property tax credit
SB 684	Crowell	Places a one year moratorium on the authorization of certain tax credits
SB 691	Engler	Expands eligibility and increases benefits for suppliers of automobile manufacturers under the Manufacturing Jobs Program
SCS SB 706		Modifies provisions relating to school operations
SB 708	Wasson	Extends the sunset on the residential dwelling accessibility tax credit and modifies the allocation of tax credit cap from another tax credit program to this program
SB 712	Lamping	Modifies the criteria for determining that a child is a special needs child for the purposes of the special needs adoption tax credit
SB 748	Brown	Extends the sunset on the wood energy producers tax credit and caps the amount of tax credits available under the program each fiscal year

No.	Author	Subject
SB 753	Green	Modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low-income customers
SB 766	Schaefer	Extends the sunset on the Residential Treatment Agency Tax Credit program until August 2018 and modifies other provisions of the program
SB 783	Curls	Modifies provisions of the Distressed Areas Land Assemblage Tax Credit
SB 790	Crowell	Prohibits the Department of Revenue from redeeming certain tax credits until after June 30, 2013
SB 794	Schmitt	Establishes the Missouri Works program that provides tax incentives for qualifying companies
SB 838	Richard	Modifies provisions relating to funding for site remediation in certain municipal areas
SB 881	Pearce	Creates a tax credit for purchases of processed biomass engineered fiber fuel
SCS SB 906		Prohibits certain taxpayers from receiving benefits under certain programs administered by the Department of Economic Development
SCR 20	Rupp	Authorizes the Department of Economic Development to approve certain investments under the New Markets Development Program
HB 1035		Authorizes a one-time income tax deduction to a taxpayer for the cost of the construction or $5,000, whichever is less, of a storm shelter which was made in America
HB 1055		Authorizes a one-time income tax deduction to a taxpayer for the cost of the construction or $5,000, whichever is less, of a storm shelter which was made in America
HB 1069		Authorizes an income tax credit for a taxpayer who uses processed biomass engineered fiber fuel
HB 1090		Prohibits the Missouri Housing Development Commission from requiring a prevailing wage on a project eligible for a housing tax credit if it is located in a disaster area
HCS HB 1126		Changes the laws regarding a tax credit for a freight line company and the laws regarding certain vehicles owned by the State Highways and Transportation Commission and the Department of Transportation
HB 1154		Reduces the annual cumulative amount of tax credits that can be authorized for donations to a food pantry and extends the expiration date to December 31, 2020
HB 1164		Changes the job retention provisions in the Missouri Quality Jobs Act
HB 1172		Changes the laws regarding the Residential Treatment Agency Tax Credit Program and establishes the Developmental Disability Care Provider Tax Credit Program
HB 1200		Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
HB 1209		Specifies that the tax credit for qualified film production projects will expire December 31, 2012
HB 1218		Increases from $14,300 to $16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker
HB 1233		Reauthorizes the income tax credit for a donation to a food pantry and repeals its sunset provisions
HCS HB 1245		Changes the laws regarding tax credits and the Missouri Quality Jobs Act
HCS HB 1254		Changes the laws regarding agriculture
SCS HCS HB 1278 & 1152		Changes the laws regarding certain tax credits and establishes the Developmental Disability Care Provider Tax Credit Program
HB 1341		Specifies that the exclusion from eligibility in any demand-side program offered by an electrical corporation of certain tax credits will not apply to low-income programs and their participants
HB 1362		Reauthorizes the tax credit for a donation to a food pantry
HCS HB 1370		Authorizes an income tax credit for the eligible costs of bringing a sporting event to the state
HB 1376		Specifies that gold and silver issued by the federal government is legal tender in Missouri

No.	Author	Subject
HB 1427		Authorizes an income tax credit for certain small businesses who hire a person who is disabled or recently discharged from a correctional facility
HB 1429		Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence
HB 1435		Repeals the provisions which allow a pregnancy resource center tax credit to be transferred and the provisions regarding its sunset on August 28, 2012
HB 1445		Changes the funding mechanism for the tax credit for residential renovations for disability access and extends its expiration from December 31, 2013, to December 31, 2016
HB 1446		Authorizes an income tax deduction for 100% of tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college
HCS HB 1449		Prohibits the use of economic incentives to attract jobs from Kansas to Missouri if Kansas does likewise or requires Missouri to exceed Kansas's economic development funding in the metropolitan area
HCS HB 1476		Establishes the Freight Forwarders Incentive Act to encourage foreign trade through the Lambert-St. Louis International Airport
HB 1571		Establishes the Good Jobs First Act which provides development subsidies to certain corporations
HB 1593		Changes the laws regarding the Missouri New Markets Development Program and establishes the Missouri Angel Investment Incentive Act
HB 1606		Establishes the Missouri Earned Income Tax Credit Act authorizing an individual income tax credit equal to 20% of any earned income tax credit claimed by the taxpayer on his or her federal income tax return
HB 1616		Changes the laws regarding the Missouri individual income tax
HCS HB 1709		Establishes the Missouri Works Program
HCS HB 1710		Changes the laws regarding tax credits and requires the Department of Economic Development to establish the Missouri Works Training Program
HB 1718		Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HCS HB 1723 & 1130		Changes the laws regarding the Distressed Areas Land Assemblage Tax Credit
HB 1725		Extends the provisions regarding the tax credit for a Missouri wood energy producer and limits the total amount of tax credits to $4.5 million in any fiscal year
HB 1735		Establishes the Passport Scholarship Program to grant scholarships to students residing in an unaccredited school district to attend a qualified nonpublic school
HB 1736		Changes the laws regarding school operations
HCS HB 1740		Changes the laws regarding school operations
HB 1798		Authorizes a tax credit for the cost of labor and materials to construct or improve a data center
HB 1805		Establishes an income tax credit for the stipend or salary paid to certain interns
HB 1823		Prohibits specified companies from benefitting from a tax increment financing project
SS SCS HCS HB 1854		Changes the laws regarding services for individuals
SS SCS HCS HB 1865		Changes the laws regarding economic development incentives
HB 1871		Prohibits the issuance of a tax credit under certain programs for an otherwise qualifying job under certain circumstances when the jobs are relocated from a contiguous state

No.	Author	Subject
HB 1985		Changes the laws regarding the Historic Structures Rehabilitation Tax Credit
HB 1993		Extends the provisions regarding the Children in Crisis Tax Credit from August 28, 2012, to August 28, 2018
HB 2033		Specifies that no finding of blight under Chapter 135, RSMo, can be used to meet the conditions for blight under any other state statute
HB 2034		Changes the definition of "blighted area" as it relates to an enhanced enterprise zone to include areas that are identified as distressed by specified federal designations
HB 2041		Specifies that certain companies that provide telecommunications infrastructure will be eligible for linked deposit loans and authorizes a tax credit for the cost of Internet broadband equipment
HB 2089		Allows certain small businesses to be eligible to claim any state tax credit, deduction, and other exemption from tax that specified corporations are allowed to claim
		TAXATION AND REVENUE - GENERAL
SB 436	Crowell	Subjects all state tax credits to appropriation
SB 561	Ridgeway	Imposes a sunset upon tax credit programs not currently subject to a sunset provision and requires the Department of Revenue to apply any increase in revenue generated to a decrease in the personal income tax rate
SB 630	Parson	Extends the sunset on rolling stock tax credits
HCS SB 721		Modifies provisions of the tax increment financing law and authorizes the imposition of a transient guest tax for the city of Liberty
SB 724	Crowell	Prohibits the authorization of tax credit applications until the state agency finds that the applicant remedied delinquent taxes
SB 725	Crowell	Prohibits a municipality from adopting a redevelopment plan involving tax increment financing without a finding that the developer does not owe delinquent taxes
SB 746	Schaefer	Allows for the extension of certain county taxes upon voter approval
SB 759	Lager	Modifies provisions relating to utilities
SB 782	Curls	Establishes the Lupus Research Trust Fund
SB 792	Brown	Classifies a retailer with a machine that processes tobacco into a roll or tube as a manufacturer of cigarettes
SCS SB 906		Prohibits certain taxpayers from receiving benefits under certain programs administered by the Department of Economic Development
SB 912	McKenna	Authorizes the City of Pevely to impose a transient guest tax upon approval of the voters to fund the promotion of tourism
SJR 38	Kraus	Requires refunds to taxpayers when state revenues grow by seven and a half percent or more
SJR 46	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations
HB 1031		Establishes a tax amnesty program
HB 1092		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster
HB 1166		Allows a trust instrument to appoint a trust protector who is expressly granted one or more powers over the trust in the trust instrument
HCS HB 1275		Specifies the timeframe for the resubmission of a ballot issue in certain instances and the necessary percentage of approval for it to become effective
HB 1299		Adds the construction, reconstruction, repair, and maintenance of sidewalks to the definition of "transportation purposes" as it applies to expenditures of the transportation sales tax

No.	Author	Subject
HB 1381		Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax
HB 1405		Establishes the Missouri Universal Health Assurance Program to provide a publicly financed, statewide insurance program for all residents of this state
HB 1466		Establishes the Math and Science Tutoring Act which establishes a pilot program for tutoring certain students in any St. Louis City public school
HB 1478		Increases the tax on tobacco products and the excise tax on cigarettes of $.17 per pack of 20 cigarettes to $.89 per pack to be used for public education purposes
HB 1484		Establishes the Paperless Documents and Forms Act which authorizes the Department of Revenue to use technology to allow the filing of certain forms and the sending of certain notifications
HB 1486		Increases the excise tax on cigarettes from 17 cents to 33 cents per pack of 20 cigarettes to be deposited, less a 3% collection fee, into the General Revenue Fund
HB 1561		Allows for the organization of a low-profit limited liability company or L3C
HB 1578		Exempts reimbursement payments made under a contract to provide respite care for children in foster care from individual and corporate income tax
HB 1591		Adds Jasper County to the list of counties authorized to impose, upon voter approval, a sales tax to operate and maintain public libraries within the library district
SCS HCS HB 1659 & 1116		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use
HB 1682		Prohibits any state department from contracting with or providing money to any entity that has been found guilty of or pled guilty to violating any election, tax, or immigration law of this state
HB 1701		Exempts St. Francois County from the requirement that certain amounts of money from the county's special road and bridge tax be spent on specified purposes
HB 1727		Changes the laws regarding taxation
HB 1779		Authorizes tax increment financing in certain blighted areas that have sustained severe damage as the result of a natural disaster
HB 1823		Prohibits specified companies from benefitting from a tax increment financing project
HB 1964		Adds residential and commercial alarm and security entities to the list of businesses from which a third class city may collect a license tax
HB 1976		Increases, upon voter approval, the excise tax on cigarettes from 17 cents to 75% of the national average with a specified amount to be used for tobacco use prevention and cessation purposes
HB 2093		Specifies that any issue to increase any tax, license, fee, or levy requiring voter approval under Article X of the Missouri Constitution must be placed on the ballot only on the general election day
HCS HJR 43		Proposes a constitutional amendment prohibiting state appropriations in any fiscal year from exceeding certain limits
HJR 81		Proposes a constitutional amendment exempting from taxation all real and personal property of any citizen with a total service-connected disability or the surviving spouse if he or she has not remarried
		TAXATION AND REVENUE - INCOME
SB 471	Dixon	Extends the sunset on the Children in Crisis Tax Credit program
SB 472	Kraus	Modifies the provisions of certain tax credit programs and requires the Department of Revenue to apply any increase in revenue generated to a decrease in the corporate income tax rate
SB 481	Stouffer	Creates a tax credit for contributions to developmental disability care providers and modifies provisions of the residential treatment agency tax credit program

No.	Author	Subject
SB 530	Schaaf	Makes authorizations for allocations of nonresident entertainer and athlete income tax revenues perpetual
SB 531	Lamping	Modifies the low-income housing and historic preservation tax credit programs and requires any increase in revenue to be applied to a decrease in the individual income tax rate
SB 532	Schaefer	Extends the tax credit for donations to food pantries until August 2022
SCS SB 548		Modifies certain tax credit programs
SB 561	Ridgeway	Imposes a sunset upon tax credit programs not currently subject to a sunset provision and requires the Department of Revenue to apply any increase in revenue generated to a decrease in the personal income tax rate
SB 582	Dempsey	Reauthorizes the pregnancy resource center tax credit
SB 583	Wright-Jones	Allows employers to retain withholding taxes up to the amount spent on educational benefits for employees and unpaid interns or up to the amount spent on less than a year of job training for employees
CCS SB 611		Modifies various provisions relating to the regulation of transportation
SB 612	Lembke	Allows the full deductibility of federal income tax liability for state income tax purposes
SB 638	Lamping	Increases the tax on cigarettes by twenty-six cents and modifies the tax rates for state income taxes
SCS SB 661		Creates a phased-in individual income tax deduction for business income and reduces the corporate income tax rate over a five-year period
SCS SB 675		Repeals the renter's portion of the Missouri property tax credit
SB 684	Crowell	Places a one year moratorium on the authorization of certain tax credits
SB 691	Engler	Expands eligibility and increases benefits for suppliers of automobile manufacturers under the Manufacturing Jobs Program
SB 734	Richard	Establishes the Missouri Works Training Program
SB 748	Brown	Extends the sunset on the wood energy producers tax credit and caps the amount of tax credits available under the program each fiscal year
SB 794	Schmitt	Establishes the Missouri Works program that provides tax incentives for qualifying companies
SB 881	Pearce	Creates a tax credit for purchases of processed biomass engineered fiber fuel
SB 882	Pearce	Expands eligibility for the small business income tax deduction for new job creation
SJR 34	Purgason	Replaces all taxes on income with a sales and use tax
SJR 35	Ridgeway	Replaces all taxes on income with sales and use taxes that are capped at certain rates
SJR 46	Lager	Limits general revenue appropriations and mandates state income tax rate reductions in certain situations
HCS HB 1030		Changes the laws regarding the collection of money owed to the state and establishes a state amnesty program
HB 1035		Authorizes a one-time income tax deduction to a taxpayer for the cost of the construction or $5,000, whichever is less, of a storm shelter which was made in America
HB 1055		Authorizes a one-time income tax deduction to a taxpayer for the cost of the construction or $5,000, whichever is less, of a storm shelter which was made in America
HB 1131		Requires the date that services for remuneration were first performed by a newly hired employee to be included on his or her withholding form
HB 1133		Authorizes an income tax deduction for educational expenses for educating a dependent enrolled in a public, private, or parochial elementary or secondary school or home school
HB 1154		Reduces the annual cumulative amount of tax credits that can be authorized for donations to a food pantry and extends the expiration date to December 31, 2020

No.	Author	Subject
HB 1182		Authorizes an income tax deduction from a taxpayer's Missouri adjusted gross income for all income earned as a temporary election staff member
HCS HB 1210		Authorizes a claim clearinghouse to process and verify a request for an offset of an income tax refund and lottery winnings to satisfy an outstanding debt for ambulance services an individual received
HB 1224		Requires all employers and business entities to enroll and actively participate in a federal work authorization program and imposes stricter penalties for employing unauthorized aliens
HB 1248		Authorizes a check-off box for the Missouri Veterans' Medical Research Trust Fund to be added to the individual and corporate income tax forms and allows for a separate donation to be sent in with the taxes
HB 1427		Authorizes an income tax credit for certain small businesses who hire a person who is disabled or recently discharged from a correctional facility
HB 1429		Authorizes an income tax credit for certain costs incurred in the renovation of a taxpayer's rented dwelling or residence
HB 1446		Authorizes an income tax deduction for 100% of tuition and fees paid for up to the last nine or 18 hours required to complete an associate or bachelor degree from a public two-year or four-year college
HCS HB 1476		Establishes the Freight Forwarders Incentive Act to encourage foreign trade through the Lambert-St. Louis International Airport
HB 1484		Establishes the Paperless Documents and Forms Act which authorizes the Department of Revenue to use technology to allow the filing of certain forms and the sending of certain notifications
HB 1497		Establishes the Parent Time For Missouri Program in the Department of Elementary and Secondary Education to allow parents paid leave from work to help their children in their school
HCS HB 1542 & 1101		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 1606		Establishes the Missouri Earned Income Tax Credit Act authorizing an individual income tax credit equal to 20% of any earned income tax credit claimed by the taxpayer on his or her federal income tax return
HB 1616		Changes the laws regarding the Missouri individual income tax
HB 1617		Eliminates the state income tax deduction for federal income tax liability beginning January 1, 2013
SCS HCS HB 1637		Establishes the Missouri Sound Money Act of 2012 which changes the laws regarding legal tender
SCS HCS HB 1639		Establishes the Broad-Based Tax Relief Act of 2012, reduces the tax on business income and corporate income, and changes the laws regarding the collection of money owed to the state
HCS HB 1661		Changes the laws regarding the income tax deduction for job creation by small businesses
HB 1666		Authorizes a tax return check-off box on individual and corporate income tax forms for the newly created Lupus Revolving Research Trust Fund
HB 1694		Changes the fee for a Breast Cancer special license plate from going to the Friends of the Missouri Women's Council to going to the Department of Health and Senior Services
HCS HB 1717		Changes the laws regarding the withholding tax filing requirements and income tax deductions for certain small businesses
HB 1718		Establishes Bryce's Law which authorizes a tax credit for a person donating to a scholarship-granting organization for special needs students if it is not claimed on his or her federal income tax return
HB 1725		Extends the provisions regarding the tax credit for a Missouri wood energy producer and limits the total amount of tax credits to $4.5 million in any fiscal year
HB 1727		Changes the laws regarding taxation

No.	Author	Subject
HB 1728		Establishes the Missouri Jobs for Education Program
HB 1861		Establishes the Broad-Based Tax Relief Act of 2012 which reduces the tax on business income and corporate income for sole proprietors, partners, and shareholders in S corporations
HB 1871		Prohibits the issuance of a tax credit under certain programs for an otherwise qualifying job under certain circumstances when the jobs are relocated from a contiguous state
HB 1898		Creates the Missouri Juneteenth Heritage Memorial Fund and changes the distribution of funds from the nonresident entertainer and professional athletic team income tax to provide moneys to the fund
HB 1944		Authorizes an income tax return check-off box for the designation of a donation from an income tax refund to the newly created Pediatric Cancer Research Trust Fund
HB 1993		Extends the provisions regarding the Children in Crisis Tax Credit from August 28, 2012, to August 28, 2018
HB 1998		Changes the laws regarding health services and fees and moving violations and traffic offenses occurring within an active emergency zone
HB 1999		Changes the laws regarding the Missouri Science and Innovation Reinvestment Act
HB 2089		Allows certain small businesses to be eligible to claim any state tax credit, deduction, and other exemption from tax that specified corporations are allowed to claim
HB 2090		Establishes the Missouri Supporting Families Income Tax Holiday Act which allows an exemption from state withholding taxes for state employees in a specified month determined by the Department of Revenue
HJR 69		Proposes a constitutional amendment phasing out the state individual income tax and replaces the current sales and use tax with a sales tax on retail sales of new personal property and services
HJR 74		Proposes a constitutional amendment relating to income, earnings, and sales taxes
		TAXATION AND REVENUE - PROPERTY
SB 493	Stouffer	Allows the governing body of Macon County to grant tax relief to certain properties to alleviate blight
SB 509	Wright-Jones	Allows the governing body of St. Louis City to grant tax relief to certain properties to alleviate blight
HCS SCS SB 510		Modifies the laws regarding municipal annexations, the taxation of security companies, assessment of real estate, the termination of water and sewer services, and complaints about real estate appraisals
SB 513	Crowell	Prohibits the approval of new applications under the Missouri Downtown Economic Stimulus Act after August 28, 2012
HCS SCS SB 591		Modifies provision regarding state and local revenues, various interest rates, and the authority of fire protection districts
SB 598	Dempsey	Modifies provisions related to tax increment financing so that school districts and library districts are reimbursed for tax revenue the districts would have received
SB 659	Dempsey	Requires collectors in all counties, except for counties under township organization, to mail property tax bills thirty days before the taxes are delinquent and allows for a waiver of penalties and interest when bills are mailed late
HCS SB 668		Modifies several provisions of law concerning taxation, the composition of county sport complex authorities, fire protection district regulations, and real estate appraiser licensing
HCS SCS SB 692		Modifies provisions relating to political subdivisions
HCS SB 721		Modifies provisions of the tax increment financing law and authorizes the imposition of a transient guest tax for the city of Liberty
SB 723	Ridgeway	Modifies provisions of law regarding property tax assessment

No.	Author	Subject
SB 736	Engler	Exempts St. Francois County from a requirement that certain amounts of money from the county's special road and bridge tax be spent in certain areas
SB 776	Kraus	Eliminates a provision regarding how leases of commercial property at airports are assessed for property tax purposes
SB 777	Richard	Modifies the requirements of tax increment financing laws for certain redevelopment projects located in areas affected by certain natural disasters
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SCS SB 795		Authorizes the establishment of a land bank agency in Kansas City
SB 873	Lembke	Creates an exemption from real estate appraiser license requirement for persons representing property owners in appealing assessments
SB 874	McKenna	Modifies record-keeping provisions in the Property Assessment Clean Energy (PACE) Act
SCR 19	Munzlinger	Disapproves the new values for agricultural and horticultural property filed by the State Tax Commission
SJR 36	Ridgeway	Caps the tax on real property and freezes the property taxes on individuals 62 years old or older
SCS HB 1036		Changes the laws regarding elections
HB 1092		Changes the laws regarding the assessment of commercial real property destroyed by a natural disaster
SS HCS HB 1106		Changes the laws regarding certain public officials
HCS HB 1126		Changes the laws regarding a tax credit for a freight line company and the laws regarding certain vehicles owned by the State Highways and Transportation Commission and the Department of Transportation
CCR SS#2 SCS HB 1170		Allows any county collector to add and collect a special property tax assessment to the property's annual real estate tax bill
HB 1200		Reauthorizes the provisions regarding the Missouri Homestead Preservation Act until December 31, 2016
HB 1218		Increases from $14,300 to $16,000 the minimum base used to calculate the Senior Citizens Property Tax Credit, commonly known as circuit breaker
HB 1239		Exempts the residential property of individuals 70 years of age or older from increases in assessed valuation that are not from new construction or improvements and from rate increases
HB 1244		Allows a governmental entity to engage in projects involving a technology business facility used for specified purposes
HB 1249		Changes the laws regarding the taxation and sale of billboards and wireless transmission towers
HB 1250		Changes the laws regarding elections
SCS HCS HB 1300		Requires county assessors to use a specified single nationally recognized guide to determine the value of a motor vehicle for personal property tax assessment purposes
HB 1313		Limits the increase in assessed valuation of residential property by the percentage of increase in the Social Security benefits for the elderly and disabled who own and live in their principal residence
HB 1336		Allows cities and counties to adopt tax and fee amnesty provisions
HB 1351		Allows an individual who is 62 years of age or older to defer paying property taxes on his or her residence under certain conditions by filing a claim with the county assessor
HB 1378		Prohibits the transportation of a manufactured home unless the owner of the home has paid all property taxes on the home

No.	Author	Subject
HB 1398		Requires collectors in all counties except for counties under township organization to mail property tax bills 30 days before the taxes are delinquent
HB 1489		Freezes the assessed valuation of residential property owned by certain taxpayers 67 years of age or older and limits increases in their property taxes
HCS HB 1521		Requires collectors in all counties, except for counties under township organization, to mail or electronically send property tax bills 30 days before the taxes are delinquent
HB 1536		Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes
HB 1547		Permits county assessors to use the Kelly Blue Book or other credible resources when determining the trade-in value of a motor vehicle for personal property tax assessment purposes
HB 1592		Changes the laws regarding county collectors and a county's special road and bridge levy and establishes the STAR Bonds Financing Act
HB 1633		Changes the laws regarding delinquent real estate taxes or mortgage notes
SCS HCS HB 1659 & 1116		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use
HB 1660		Allows for the establishment of an urban agriculture zone
HB 1693		Changes the laws regarding the approval of a redevelopment plan involving tax increment financing in St. Louis County, St. Charles County, and Jefferson County and its cities, towns, and villages
HB 1701		Exempts St. Francois County from the requirement that certain amounts of money from the county's special road and bridge tax be spent on specified purposes
HB 1779		Authorizes tax increment financing in certain blighted areas that have sustained severe damage as the result of a natural disaster
HCS HB 1818		Changes the laws regarding property taxes
HB 1895		Allows University of Missouri extension councils to form extension districts made up of cooperating counties to fund extension programming
HB 1956		Requires a tax increment financing plan, project, designation, or amendment to be approved by at least two-thirds of the voters of the taxing entities that would be affected by the proposal
HCR 8		Disapproves the State Tax Commission's proposed state regulation under Section 137.021, RSMo, establishing agricultural and horticultural land values for the 2013 and 2014 assessment years
HJR 67		Proposes a constitutional amendment which freezes the level of tax liability on residential property owned by a person who is 65 years of age or older
HJR 71		Proposes a constitutional amendment authorizing an exemption for certain property from personal property tax for active-duty military personnel stationed outside the country
HJR 76		Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability
		TAXATION AND REVENUE - SALES AND USE
SB 465	Schaaf	Allows Buchanan County and cities, towns, or villages within Buchanan County to establish a theater, cultural arts, and entertainment district
CCS HCS#2 SCS SB 480		Modifies law with respect to motor vehicles and outboard motor titles
SB 513	Crowell	Prohibits the approval of new applications under the Missouri Downtown Economic Stimulus Act after August 28, 2012
SB 551	Brown	Exempts feed for captive wildlife and seed, limestone, and fertilizer used for crops to be fed to captive wildlife from state and local sales tax

No.	Author	Subject
SCS SB 584		Creates state and local sales and use tax exemptions for data storage centers and allows municipalities to enter into loan agreements, or sell, lease, or mortgage municipal property for a technology business facility project
SB 638	Lamping	Increases the tax on cigarettes by twenty-six cents and modifies the tax rates for state income taxes
HCS SB 668		Modifies several provisions of law concerning taxation, the composition of county sport complex authorities, fire protection district regulations, and real estate appraiser licensing
HCS SCS SB 692		Modifies provisions relating to political subdivisions
HCS SB 721		Modifies provisions of the tax increment financing law and authorizes the imposition of a transient guest tax for the city of Liberty
SB 740	Pearce	Extends the aviation jet fuel sales and use tax exemption and expands the use of the Aviation Trust Fund
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 840	Ridgeway	Requires certain businesses to use an automated system for the collection of sales and use taxes
SB 845	Keaveny	Allows a city that adopts or has already adopted a local option economic development sales tax to increase the number of members on the economic development tax board
SB 887	Ridgeway	Authorizes North Kansas City to impose a sales tax for improving public safety, upon approval of the voters
SJR 34	Purgason	Replaces all taxes on income with a sales and use tax
SJR 35	Ridgeway	Replaces all taxes on income with sales and use taxes that are capped at certain rates
HCS HB 1030		Changes the laws regarding the collection of money owed to the state and establishes a state amnesty program
HB 1038		Phases out the current distribution method of the St. Louis County sales tax over 10 years until all the tax revenue is distributed based upon the location in which the sales were deemed consummated
HB 1056		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HB 1114		Requires Taney County, upon voter approval of a county sales tax, to appoint an emergency services board to administer the central dispatching of emergency services
CCR SS#2 SCS HB 1170		Allows any county collector to add and collect a special property tax assessment to the property's annual real estate tax bill
HB 1197		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1197		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1215		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1215		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1244		Allows a governmental entity to engage in projects involving a technology business facility used for specified purposes
HB 1246		Changes the laws regarding municipal technology business facility projects, the MO Jobs Training Program, and the Missouri Quality Jobs Act

No.	Author	Subject
HB 1255		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HB 1255		Authorizes McDonald County to impose, upon voter approval, a surcharge on the rental of rooms and certain recreational equipment to offset the costs of providing emergency services in the county
HB 1310		Authorizes an exemption for motor fuel used exclusively for watercraft in this state from the motor fuel tax
HCS HB 1311		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HB 1314		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1314		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1321		Creates an exemption from the state and local sales and use tax on the purchase of feed for captive wildlife that will be ultimately sold at retail
SS HCS HB 1329		Changes the laws regarding motor vehicles
HB 1335		Changes the distribution of certain local sales taxes in St. Louis County
HCS HB 1356		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS HB 1356		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS#2 HB 1358		Changes the laws regarding political subdivisions
HB 1375		Adds deer to the definition of "livestock" for specified purposes
HCS HB 1397		Changes the laws regarding political subdivisions
HB 1431		Extends the expiration of the provisions regarding the sales tax exemption on the sale of aviation jet fuel and authorizes the City of Columbia to impose a transient guest tax
HB 1463		Changes the laws regarding the distribution of certain local sales tax revenues in St. Louis County
HB 1478		Increases the tax on tobacco products and the excise tax on cigarettes of $.17 per pack of 20 cigarettes to $.89 per pack to be used for public education purposes
HB 1484		Establishes the Paperless Documents and Forms Act which authorizes the Department of Revenue to use technology to allow the filing of certain forms and the sending of certain notifications
SCS HB 1504		Changes the laws regarding sales taxes
HB 1510		Changes the laws regarding an exemption from state and local sales and use taxes on certain items relating to motor vehicles and common carriers
HB 1535		Exempts from state sales and use taxes certain business donations of tangible personal property held as inventory given to a sales tax exempt organization
HB 1536		Allows, upon voter approval, a political subdivision to replace any personal property taxes levied for funding the political subdivision with a revenue-neutral increase in local sales or real property taxes
HCS HB 1542 & 1101		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 1552		Authorizes the governing body of Carter County to impose, upon voter approval, a transient guest tax on additional sites
HB 1569		Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri

No.	Author	Subject
HB 1586		Authorizes any public library district to impose, upon voter approval, a sales tax to operate and maintain public libraries within the library district
HB 1592		Changes the laws regarding county collectors and a county's special road and bridge levy and establishes the STAR Bonds Financing Act
HCS HB 1623		Changes the laws regarding the membership of a city economic development tax board
SCS HCS HB 1640		Changes the laws regarding motor vehicles
HB 1673		Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 4 cents per pack per year for four years until the excise tax on cigarettes reaches 33 cents per pack
HB 1679		Establishes the Sales Tax Technology Act regarding the electronic submission of sales tax data and payments
HB 1716		Establishes the Political Subdivision Construction Bidding Standards Act which creates bidding standards for contracts of $25,000 or more by certain political subdivisions
HB 1727		Changes the laws regarding taxation
HB 1800		Authorizes a state and local sales and use tax exemption for specified farm products sold at a farmers' market
HB 1802		Authorizes the City of North Kansas City to impose, upon voter approval, a sales tax to fund public safety improvements
HB 1804		Authorizes the City of Kansas City to collect, upon voter approval, its existing convention and tourism tax from certain exempt transient guests and patrons of food establishments
HB 1835		Removes the exemption from sales tax on the sales of newspaper supplies and equipment and requires that revenue to be used to pay for health care costs of certain blind individuals
HB 1866		Exempts the sales tax on the receipt of a motor vehicle as a fishing or golfing tournament prize if the winner of the vehicle transfers the vehicle title within seven days and the purchaser pays the sales tax
HB 1872		Clarifies the current exemptions from sales and use tax on specified items used in manufacturing, processing, compounding, mining, or producing any product
HB 1874		Establishes a seven-tenths of 1% sales tax on gasoline and increases the current sales tax on other goods by seven-tenths of 1% for transportation purposes and increases the excise tax on diesel fuel
HCS HB 1900		Changes the laws regarding executive branch reorganization, tax increment financing, annexation, employees, service dogs, and accessible parking and establishes the Iran Energy Divestment Act
HB 1909		Changes the laws regarding aircraft fuel, liens on aircraft, and anemometer towers
HB 1956		Requires a tax increment financing plan, project, designation, or amendment to be approved by at least two-thirds of the voters of the taxing entities that would be affected by the proposal
HB 1960		Increases the fee for an alternative fuel decal and requires the moneys from the fee to be deposited into the State Highways and Transportation Department Fund instead of the Motor Fuel Tax Fund
HB 1967		Authorizes the governing body of any county located within a metropolitan park and recreation district that has passed a sales tax to submit the issue of repealing the sales tax to the voters
HB 1982		Requires a business to separately state on each sales receipt a breakdown of each tax paid by the purchaser on a retail sale
HB 1983		Authorizes a state sales and use tax exemption on all retail sales of any "Made in USA" product except a motor vehicle for a seven-day period in July 2013 and July 2014
HB 2032		Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax to be used for specified purposes

No.	Author	Subject
HB 2072		Requires the Director of Revenue to report to the Speaker of the House of Representatives and the President Pro Tem of the Senate a list of jurisdictions that have adopted a local use tax on specified items
HB 2079		Changes the laws regarding the structure and conditions for the transitional school district that has the same boundaries as the City of St. Louis
HB 2080		Changes the laws regarding the sales and use tax on a trade-in or exchange transaction
HB 2092		Changes the laws regarding the distribution of county sales taxes in certain counties
HCS HB 2100		Changes the laws regarding motor vehicles
HB 2110		Changes the laws regarding county special road and bridge levies
HJR 50		Proposes a constitutional amendment authorizing an additional sales and use tax to be deposited into the Veterans' Trust Fund
HJR 56		Proposes a constitutional amendment reauthorizing the Department of Conservation sales and use tax until a general election in 2022 or a special election called by the Governor for that purpose
HJR 69		Proposes a constitutional amendment phasing out the state individual income tax and replaces the current sales and use tax with a sales tax on retail sales of new personal property and services
HJR 74		Proposes a constitutional amendment relating to income, earnings, and sales taxes
		TEACHERS
SCS SB 451		Modifies provisions relating to school operations
SB 543	Chappelle-Nadal	Modifies provisions relating to elementary and secondary education
SB 581	Callahan	Modifies provisions relating to school district boundary line changes, school accreditation, and employment of retired teachers under certain circumstances
SB 601	Lembke	Modifies provisions relating to school personnel
SB 654	Lager	Requires the school board of each school district and charter school to establish an evaluation system for teachers and teaching
SCS SB 706		Modifies provisions relating to school operations
SS#2 SCS SB 806		Modifies the teacher tenure systems
SCS SB 842		Modifies the Public School Retirement System of Missouri and the Public Education Employee Retirement System of Missouri
SCS HCS HB 1049		Changes the laws regarding bullying in schools and establishes specific components that a district must include in its antibullying policy
HB 1102		Requires any person who observes a child being subjected to sexual abuse to immediately report or cause a report to be made to the Children's Division
HB 1157		Changes the laws regarding the deadlines for the notification of reemployment and the offering of teacher contracts
HCS HB 1169		Changes the laws regarding the investigation of a report of child abuse that arises from a spanking in a school
HB 1227		Establishes the Missouri Standard Science Act which requires the equal treatment of science instruction regarding evolution and intelligent design
HB 1276		Requires the State Board of Education and other public school entities to encourage students to explore scientific questions and to assist teaching of scientific theories of biological or chemical evolution
HB 1366		Requires the school board of each school district and charter school to establish and maintain an evaluation system for teachers and teaching
HB 1388		Changes the laws regarding teacher tenure

No.	Author	Subject
HB 1418		Allows an employee of any public body to form and join a labor organization to collectively bargain regarding salaries and other conditions of employment
HB 1425		Requires each school district to establish a comprehensive program for student academic progression
HB 1466		Establishes the Math and Science Tutoring Act which establishes a pilot program for tutoring certain students in any St. Louis City public school
HB 1472		Allows a teacher within the Public School Retirement System of St. Louis to retire when the teacher's age added to the number of years of credited service is not less than 80 instead of 85
HCS HB 1526		Changes the laws regarding school personnel
HB 1565		Requires mandatory reporters of child abuse to report when they are working or acting in their official capacity and allows them to report when they are not
HB 1597		Changes the laws regarding bullying in schools
HB 1604		Establishes class sizes for school districts in St. Louis City and St. Louis County that are smaller than the minimum and desirable standards of the Department of Elementary and Secondary Education
HCS HB 1740		Changes the laws regarding school operations
HB 1893		Changes the laws regarding teacher and employee tenure in the City of St. Louis School District
HB 1920		Allows an unaccredited school district to use specified funding for early childhood education and allows for the establishment of a pilot project for awarding teacher credentials in an unaccredited district
HB 1932		Establishes smaller class sizes for the Kansas City School District than the established minimum and desirable standards of the Department of Elementary and Secondary Education
HCS HB 1935		Changes the laws regarding the application of a specific interest rate for specified late payments, repayments, loans, bonds, overpayments, and judgments
HB 1986		Requires the State Board of Education to contract for the analysis of statewide assessment results and requires each district to develop a policy on actions regarding employee tampering of assessment results
HB 2051		Prohibits the discussion of sexual orientation in public school instruction, material, or extracurricular activity except in scientific instruction on human reproduction
		TELECOMMUNICATIONS
HCS SCS SBs 484, 477 & 606		Modifies provisions relating to telecommunications
SB 501	Wright-Jones	Creates the Council on Digital Inclusion
HCS SB 594		Modifies provisions relating to utility uses and service
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 820	Nieves	Adds training requirements for 911 dispatch operators and provides certain civil immunity
SB 891	Lager	Allows telecommunications providers and rural electric cooperatives to attach equipment to other utility poles for smart grid or broadband purposes
HB 1083		Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
SS SCS HCS HB 1094		Changes the laws regarding electronic payments to state agencies and departments and the electronic payment of funds received by a county health center
HB 1096		Allows a county health center to make authorized payments through an electronic funds transfer system

No.	Author	Subject
HCS HB 1108		Requires telecommunications carriers and certain commercial mobile service providers to provide caller location information in certain emergency situations
HB 1114		Requires Taney County, upon voter approval of a county sales tax, to appoint an emergency services board to administer the central dispatching of emergency services
HB 1115		Establishes the Paperless Documents and Forms Act which requires the Department of Revenue to develop and implement a method of providing to the public all department documents and forms electronically
HB 1127		Requires certain specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 1129		Specifies that it is an unlawful merchandising practice to misrepresent the geographic location of a business
HB 1144		Changes the laws regarding insurance coverage under the Missouri Life and Health Insurance Guaranty Association Act
HB 1148		Prohibits anyone from using a hand-held electronic wireless communications device while driving unless the device is equipped for hands-free operation and is being used in that manner
HB 1229		Specifies that a student at certain institutions of higher education has the right to record public classroom lectures for his or her personal use
HB 1232		Specifies that any person who impersonates another actual person through or on a website for specified harmful purposes will be guilty of a class A misdemeanor
HB 1244		Allows a governmental entity to engage in projects involving a technology business facility used for specified purposes
HB 1246		Changes the laws regarding municipal technology business facility projects, the MO Jobs Training Program, and the Missouri Quality Jobs Act
HB 1249		Changes the laws regarding the taxation and sale of billboards and wireless transmission towers
HB 1279		Establishes the Employment Advertisement Fairness Act which prohibits a person or entity from including in a job advertisement certain statements requiring an applicant to be currently employed
HCS HB 1311		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HCS HB 1316		Changes the laws regarding public utilities and creates the Public Counsel Fund
HB 1334		Establishes the Fair Fare Passenger Safety Act of 2012 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HCS HB 1361		Allows telecommunications and broadband service providers or rural electric cooperatives to attach, maintain, and operate their equipment on another's pole under specified terms and conditions
HB 1379		Allows a business subscriber to place its telephone number on the state's No-call List
HB 1419		Prohibits all drivers, regardless of age, from text messaging while operating a moving motor vehicle on any highway in this state and prohibits anyone from being stopped solely to determine compliance
HB 1430		Prohibits all drivers, regardless of age, from text messaging while operating a moving vehicle unless the device being used is equipped with technology allowing for voice-recognition hands-free texting
HB 1447		Changes the laws regarding telemarketing practices
HCS HB 1458		Changes the laws regarding public safety, fire protection, and emergency services
SCS HB 1460		Extends the expiration date of the Statewide Court Automation Fund from September 1, 2013, to September 1, 2018, and the Court Automation Committee from September 1, 2015, to September 1, 2020
HB 1480		Changes the laws regarding the state's No-call List and political telephone solicitations

No.	Author	Subject
HCS HB 1488		Changes the laws regarding the regulation of public utilities
HB 1516		Changes the laws regarding the crime of assaulting a law enforcement officer, corrections officer, emergency personnel, or highway worker to include a utility worker
HB 1540		Changes the laws regarding workers' compensation
HCS HB 1549		Changes the laws regarding the state's No-call List by allowing a person to place his or her cell phone number on the list and prohibiting telemarketers from sending specified communications
HB 1569		Changes the laws regarding the collection of sales and use taxes relating to nexus with Missouri
HB 1629		Allows a student to enroll in a school district other than the student's school district of residence for the purpose of attending virtual courses or programs
HB 1656		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund
HB 1679		Establishes the Sales Tax Technology Act regarding the electronic submission of sales tax data and payments
HB 1683		Requires emergency dispatch operators to receive training on state laws regarding self defense and defense of others
HB 1691		Allows an applicant for a salvage dealer license to list a wireless telephone number as the means for the public to contact the place of business
HB 1705		Allows a residential subscriber to have his or her wireless telephone number added to the state's No-call List and prohibits sending unsolicited faxes or text messages to anyone on the list
HB 1712		Establishes a telephone tracking system pilot project for in-home services providers in Jackson, Cass, and Clay counties
HB 1750		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund
HB 1767		Extends the provisions regarding Internet cyber crime law enforcement task forces and the Cyber Crime Investigation Fund from June 5, 2012, to August 28, 2022
HB 1768		Changes the laws regarding county and statewide emergency 911 service boards
HB 1780		Changes the laws regarding county and statewide emergency 911 service boards
HB 1793		Establishes the Missouri International Agriculture Exchange website to allow Missouri agricultural producers to market Missouri-produced goods to international buyers
HCS HB 1826		Allows the Board of Probation and Parole to conduct a hearing with an offender by means of a videoconference and authorizes the establishment of a mental health assessment process as a pilot program
SCS HCS HB 1827		Establishes the Missouri Electronic Prior Authorization Committee regarding national standards for the process of obtaining prior approval from an insurer for certain services or medications
HCS HB 1877		Specifies that a recipient of Temporary Assistance for Needy Families benefits who makes an electronic benefit transaction at any casino or gaming establishment will be ineligible for benefits for three years
HB 1896		Changes the laws regarding sexual offenses
HB 1941		Requires the Office of Administration to maintain specified financial records of the Missouri Employers Mutual Insurance Company on the Missouri Accountability Portal
HB 2041		Specifies that certain companies that provide telecommunications infrastructure will be eligible for linked deposit loans and authorizes a tax credit for the cost of Internet broadband equipment
HB 2060		Prohibits an employer from requesting or requiring an employee or applicant to disclose any user name, password, or other means for accessing a personal account or service through an electronic device

No.	Author	Subject
HCR 14		Opposes the FCC reforms regarding broadband deployment in rural and hard-to-reach areas and urges the Missouri Congressional delegation to support to expand broadband and DSL in rural areas
		TELEVISION
HB 1209		Specifies that the tax credit for qualified film production projects will expire December 31, 2012
HB 1223		Changes the laws regarding certain policies and practices at correctional facilities
HCS HB 1361		Allows telecommunications and broadband service providers or rural electric cooperatives to attach, maintain, and operate their equipment on another's pole under specified terms and conditions
HCR 39		Strongly urges Congress to pass the Community Access Preservation (CAP) Act to ensure that public, educational, and governmental (PEG) programming channels continue to be available to the entire community
		TERRORISM
HCS HB 1970		Changes the laws regarding the Open Meetings and Records Law
		TOBACCO PRODUCTS
SB 523	Curls	Prohibits persons under the age of 18 from selling tobacco products
SB 629	Schaefer	Modifies the formula for determining how much money certain tobacco product manufacturers who are not participating in the Tobacco Master Settlement Agreement receive back from escrow funds
SB 638	Lamping	Increases the tax on cigarettes by twenty-six cents and modifies the tax rates for state income taxes
SB 664	Chappelle-Nadal	Enacts a statewide smoking ban
SB 792	Brown	Classifies a retailer with a machine that processes tobacco into a roll or tube as a manufacturer of cigarettes
SB 896	Schaefer	Requires the General Assembly to consider youth smoking statistics when appropriating money from the Life Sciences Research Fund
HB 1136		Prohibits any person from smoking or using tobacco products in any area or on the grounds of a state correctional facility beginning July 1, 2013
HB 1223		Changes the laws regarding certain policies and practices at correctional facilities
HB 1250		Changes the laws regarding elections
HB 1352		Repeals the Indoor Clean Air Act and establishes new laws regarding smoking in public places
HB 1394		Specifies that no public assistance benefits can be used by a recipient to purchase liquor or tobacco products
HB 1478		Increases the tax on tobacco products and the excise tax on cigarettes of $.17 per pack of 20 cigarettes to $.89 per pack to be used for public education purposes
HB 1486		Increases the excise tax on cigarettes from 17 cents to 33 cents per pack of 20 cigarettes to be deposited, less a 3% collection fee, into the General Revenue Fund
HB 1673		Increases the excise tax on cigarettes of 17 cents per pack of 20 cigarettes by 4 cents per pack per year for four years until the excise tax on cigarettes reaches 33 cents per pack
HB 1674		Allows the Department of Revenue to disclose information to the public regarding the annual number of cigarettes sold by each tobacco product manufacturer
SS SCS HCS HB 1731		Changes the laws regarding the use of gaming and tobacco settlement moneys
HB 1976		Increases, upon voter approval, the excise tax on cigarettes from 17 cents to 75% of the national average with a specified amount to be used for tobacco use prevention and cessation purposes
HB 2103		Changes the laws regarding smoking in public places

No.	Author	Subject
		TOURISM
HB 1191		Changes the laws regarding the State Park Earnings Fund and establishes the Renewable Energy Pilot Program for State Parks
HB 1197		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HB 1215		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS HB 1254		Changes the laws regarding agriculture
HCS HB 1298 & 1180		Changes the laws regarding a defendant's liability in a tort action and establishes the Agritourism Promotion Act
HB 1314		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS HB 1356		Requires the Director of the Department of Revenue to enter into the multistate Streamlined Sales and Use Tax Agreement and the department to implement the compliance provisions
HCS HB 1542 & 1101		Requires the Director of the Department of Revenue to enter into the Streamlined Sales and Use Tax Agreement and changes the laws regarding taxation
HB 1552		Authorizes the governing body of Carter County to impose, upon voter approval, a transient guest tax on additional sites
HCS HB 1623		Changes the laws regarding the membership of a city economic development tax board
HB 1804		Authorizes the City of Kansas City to collect, upon voter approval, its existing convention and tourism tax from certain exempt transient guests and patrons of food establishments
SCS HCS HB 1860 & HCS HB 1254		Changes the laws regarding agricultural education in private schools, grain dealers, and agricultural crimes
HB 2032		Authorizes the governing body of the City of Liberty to impose, upon voter approval, a transient guest tax to be used for specified purposes
		TRANSPORTATION
SB 444	Stouffer	Repeals a provision of law that requires MoDOT to submit to binding arbitration in negligence actions and allows the commission to delegate to designated hearing examiners the authority to conduct hearings and render final decisions
SB 452	Cunningham	Allows a pupil to enroll in an adjoining school district if the student's residence is located closer to a school in the adjoining district or in cases of transportation hardship
SB 463	Keaveny	Increases the fine for seat belt violations from $10 to $50
CCS HCS SS SCS SB 470		Modifies various provisions relating to transportation
SB 506	Wright-Jones	Creates the crimes of assault of an employee of a mass transit system while in the scope of his or her duties in the first, second, and third degree
SB 508	Wright-Jones	Requires persons convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation and prosecution of such offense to the agency
SB 517	Brown	Imposes an additional $1,500 fine for failing to drive in the right-hand lane
HCS SB 557		Modifies the law with respect to the issuance of certificates of titles
SB 567	Wright-Jones	Prohibits all drivers, regardless of age, from text messaging while operating moving motor vehicles on any highway in this state and prohibits anyone from being stopped solely to determine compliance with the state text messaging ban

No.	Author	Subject
CCS HCS SB 568		Modifies various provisions relating to transportation
SCS SB 589		Requires political subdivisions using automated traffic enforcement systems to distribute such fines to local school districts for transportation purposes
SB 597	Dempsey	Changes the governance of the St. Louis International Airport
SB 602	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees
SS SB 607		Establishes procedure for resetting billboards during periods of highway construction
SB 610	Lembke	Prohibits political subdivisions from using automated photo red light enforcement systems to enforce red light violations
CCS SB 611		Modifies various provisions relating to the regulation of transportation
SB 632	Stouffer	Designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway"
SB 642	Wasson	Increases penalties for moving violations and traffic offenses occurring within an active emergency zone
SCS SB 656		Modifies the law with respect to how municipalities and the legal system treat the lawful use of motor vehicles on public roads and modifies the commercial zone surrounding Kansas City
HCS SB 690		Modifies provisions related to public safety
HCS SB 701		Modifies various provisions relating to road use
HCS SCS SB 714		Modifies provisions relating to the regulation of motor vehicles
SB 717	Stouffer	Creates the traffic offense of distracted driving
HCS SCS SB 726		Modifies provisions relating to financial transactions
SB 740	Pearce	Extends the aviation jet fuel sales and use tax exemption and expands the use of the Aviation Trust Fund
SB 743	Brown	Exempts motorcyclists age 21 and older from wearing a helmet when operating a motorcycle or motortricycle
SB 752	Kehoe	Authorizes the Missouri Highways and Transportation Commission to form a Public-Private Partnership by contract with private partners to finance, develop and operate Interstate 70 as a toll facility
HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847		Designates several highways and bridges and creates or modifies several special license plates
SB 805	Engler	Increases the penalties and driver license suspension periods for those who fail to yield the right-of-way in certain instances
SCS SB 843		Allows motorists to purchase an additional third license plate to serve as a visible plate when a bicycle rack or other item obstructs the view of the mounted plate
SCR 24	Stouffer	Urges the Federal Motor Carrier Safety Administration to rescind its newly published rule regarding hours of service and refrain from adopting regulations concerning sleep apnea and other measures affecting the trucking industry
SCR 26	Stouffer	Establishes the Joint Interim Committee on Transportation Needs to study the transportation infrastructure needs of Missouri
SJR 33	Chappelle-Nadal	Proposes a constitutional amendment replacing the Highways and Transportation Commission with a Director of Transportation

No.	Author	Subject
HB 1040		Adds certain state-owned vehicles which are operated by Department of Transportation employees to the definition of "emergency vehicle" as it applies to Section 304.022, RSMo
HB 1040		Adds certain state-owned vehicles which are operated by Department of Transportation employees to the definition of "emergency vehicle" as it applies to Section 304.022, RSMo
HCS HB 1212		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways and regarding vehicles hauling milk from a farm to a processing facility
HB 1270		Designates the third full week in October as Missouri School Bus Safety Week
HB 1277		Allows the Missouri Highways and Transportation Commission to enter into infrastructure improvement agreements
HB 1299		Adds the construction, reconstruction, repair, and maintenance of sidewalks to the definition of "transportation purposes" as it applies to expenditures of the transportation sales tax
HB 1334		Establishes the Fair Fare Passenger Safety Act of 2012 which prohibits any person operating a motor vehicle for compensation and transporting passengers from using a hand-held wireless communications device
HB 1378		Prohibits the transportation of a manufactured home unless the owner of the home has paid all property taxes on the home
HB 1381		Prohibits the use of a global positioning system or other technology to monitor the mileage traveled by a motor vehicle in order to impose any mileage tax
CCR CCS SS SCS HCS HB 1402		Changes the laws regarding transportation
HB 1436		Adds an individual with mental disabilities to the list of people who must be afforded the same rights as those without disabilities in public places and the right to be accompanied by a service dog
HB 1454		Requires a person convicted of failing to pay a fare for the use of Bi-State Development Agency facilities to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution
HB 1483		Specifies that a political subdivision cannot prohibit a person with a valid concealed carry endorsement from carrying a concealed firearm onto a train or public bus
HB 1503		Creates the crimes of assault of a utility worker or an employee of a mass transit system in the first, second, and third degrees
HB 1510		Changes the laws regarding an exemption from state and local sales and use taxes on certain items relating to motor vehicles and common carriers
HCS HB 1612		Changes the laws regarding the resetting of a sign for any phase or portion of construction or reconstruction of any street or highway and requires the words "Thank You Troops" to be added to specified signs
SCS HCS HB 1640		Changes the laws regarding motor vehicles
HB 1706		Changes the laws regarding contract carriers that transport railroad employees, tools, and supplies

No.	Author	Subject
SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB1269, HB1641, HB1668, HB1737, HB1782, HB1868, AND HB1878		Changes the laws regarding the Breast Cancer Awareness Trust Fund, highway designations, recreational off-highway vehicles, municipal vehicles, and special license plates
HB 1808		Repeals the provision prohibiting the operation of certain vehicles transporting passengers in intrastate and interstate commerce unless the vehicle is equipped and operated according to federal regulations
SS SCS HB 1820		Authorizes the Governor to convey specified state properties
HB 1874		Establishes a seven-tenths of 1% sales tax on gasoline and increases the current sales tax on other goods by seven-tenths of 1% for transportation purposes and increases the excise tax on diesel fuel
HB 1937		Requires every person riding a bicycle on a state road or highway to wear a reflective vest
HB 2035		Exempts motorcyclists 21 years of age and older from wearing protective headgear when operating or riding a motorcycle or motortricycle on any state highway
HJR 57		Proposes a constitutional amendment authorizing the General Assembly to issue bonds to fund higher education improvements, constructions, landscaping, and land or building purchases
HJR 73		Proposes a constitutional amendment prohibiting the design or construction of toll roads or facilities in the state or from entering into a public-private partnership or agreement for a new toll road
		TRANSPORTATION DEPT.
SB 444	Stouffer	Repeals a provision of law that requires MoDOT to submit to binding arbitration in negligence actions and allows the commission to delegate to designated hearing examiners the authority to conduct hearings and render final decisions
CCS HCS SS SCS SB 470		Modifies various provisions relating to transportation
CCS HCS SB 568		Modifies various provisions relating to transportation
SB 602	Green	Enacts various regulations pertaining to contract carriers that transport railroad employees
SS SB 607		Establishes procedure for resetting billboards during periods of highway construction
CCS SB 611		Modifies various provisions relating to the regulation of transportation
HCS SCS SB 625		Modifies fund transfers between retirement systems, modifies retirement for certain public officials, and sets interest paid on member contributions at T-Bill rate
SB 632	Stouffer	Designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway"
SB 647	Richard	Provides for funding of the capitol complex revitalization project by modifying the historic preservation tax credit program
CCS SS SB 665		Authorizes the Governor to transfer certain pieces of real estate located throughout the state of Missouri
HCS SB 701		Modifies various provisions relating to road use

No.	Author	Subject
HCS SCS SB 714		Modifies provisions relating to the regulation of motor vehicles
CCS#2 SS SCS SB 719		Modifies various provisions relating to the regulation of transportation
SB 740	Pearce	Extends the aviation jet fuel sales and use tax exemption and expands the use of the Aviation Trust Fund
SB 752	Kehoe	Authorizes the Missouri Highways and Transportation Commission to form a Public-Private Partnership by contract with private partners to finance, develop and operate Interstate 70 as a toll facility
HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847		Designates several highways and bridges and creates or modifies several special license plates
SJR 33	Chappelle-Nadal	Proposes a constitutional amendment replacing the Highways and Transportation Commission with a Director of Transportation
HCS HB 1117		Establishes the Missouri and Midwest Rail Integration and Improvement Commission Act and the Missouri and Midwest Rail Integration and Improvement Commission
HB 1120		Requires the Department of Transportation to add the words "Missouri Expresses Its Gratitude To Military Personnel For Their Service" to the "Welcome to Missouri" signs located on interstate highways
HCS HB 1126		Changes the laws regarding a tax credit for a freight line company and the laws regarding certain vehicles owned by the State Highways and Transportation Commission and the Department of Transportation
HB 1277		Allows the Missouri Highways and Transportation Commission to enter into infrastructure improvement agreements
HB 1284		Adds an elected official or his or her staff to the list of persons protected by enhanced penalties for assault in the first, second, and third degrees
SCS HB 1331		Revises the computation of the accrued benefits when an employee transfers creditable service between the State Employees' Retirement System and the Department of Transportation Retirement System
HB 1338		Requires the Department of Transportation to add the words "Thank You Troops" to the "Welcome to Missouri" signs located on interstate highways
CCR CCS SS SCS HCS HB 1402		Changes the laws regarding transportation
HB 1433		Establishes the Show-me Green Initiative which allows a person or entity to submit a bid to the Department of Transportation to mow grass or vegetation along state roadways
HB 1443		Designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway"
HB 1528		Establishes the Intersection Safety Act regarding automated traffic enforcement systems
HB 1537		Establishes the Show-Me Harvest Initiative which allows persons or entities to submit bids to the Department of Transportation to mow grass or vegetation along state roadways
HB 1575		Designates a portion of U.S. Highway 136 in Harrison and Gentry counties as the "Corporal Frank Buckles Memorial Highway"
HB 1590		Authorizes the conveyance of specified properties owned by the state to the State Highways and Transportation Commission
HCS HB 1612		Changes the laws regarding the resetting of a sign for any phase or portion of construction or reconstruction of any street or highway and requires the words "Thank You Troops" to be added to specified signs

No.	Author	Subject
HB 1630		Changes the laws regarding the composition of the Missouri Highways and Transportation Commission
HB 1724		Allows certain motor vehicles to operate on public highways with dyed fuel during any Governor-declared state emergency
HB 1880		Requires the Department of Transportation to erect a sign at 1078 South Jefferson Street in the City of Lebanon recognizing the Independent Stave Company as a centennial business
HCS HB 1890		Changes the laws regarding health insurance coverage and contracts
HB 1906		Designates the portion of Interstate 70 in the state of Missouri as the "Purple Heart Trail"
HCS HB 1922		Establishes the Missouri Department of Transportation and Highway Patrol Health Care Plan
HB 2084		Designates the new Interstate 70 bridge over the Mississippi River connecting Missouri and Illinois as the "Stan 'The Man' Musial Mississippi River Expressway Bridge"
		TREASURER, STATE
SCS SB 451		Modifies provisions relating to school operations
HCS SCS SB 591		Modifies provision regarding state and local revenues, various interest rates, and the authority of fire protection districts
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
CCS HCS SCS SB 635		Modifies the law relating to financial institutions, school funds, private roads, real estate appraisal, agricultural education programs, liens, and state purchasing preferences
SCS SB 706		Modifies provisions relating to school operations
SB 848	Rupp	Modifies numerous provisions of law that specify the application of a particular interest rate
SJR 23	Crowell	Proposes a constitutional amendment to create term limits for all statewide elected officials
SJR 26	Lager	Proposes a constitutional amendment to create term limits for all statewide elected officials
HB 1080		Changes the laws regarding ethics, lobbying, and campaign finance
HB 1191		Changes the laws regarding the State Park Earnings Fund and establishes the Renewable Energy Pilot Program for State Parks
HCS HB 1308		Repeals the requirement that certain irrevocable standby letters of credit possess the highest rating issued by specified nationally recognized agencies to be acceptable collateral for public deposits
HB 1403		Changes the laws regarding workers' compensation and the Second Injury Fund
HCS HB 1442		Fills a vacancy in the office of United States Senator, Lieutenant Governor, Attorney General, Secretary of State, State Auditor, or State Treasurer by appointment by the Governor or a special election
HB 1464		Prohibits statewide elected officials and legislators elected to their first term on or after November 2, 2012, from acting, serving, or registering as a lobbyist within one year of leaving office
HB 1660		Allows for the establishment of an urban agriculture zone
HB 1881		Changes the laws regarding the Second Injury Fund
HB 1929		Establishes a public campaign financing system for state elections which allows a candidate to voluntarily agree to campaign finance limitations in exchange for public funding
HCS HB 1935		Changes the laws regarding the application of a specific interest rate for specified late payments, repayments, loans, bonds, overpayments, and judgments
HB 2104		Changes the laws regarding workers' compensation and the Second Injury Fund
		TREES AND OTHER PLANTS
HCS HB 1254		Changes the laws regarding agriculture

No.	Author	Subject
HB 1433		Establishes the Show-me Green Initiative which allows a person or entity to submit a bid to the Department of Transportation to mow grass or vegetation along state roadways
HB 1537		Establishes the Show-Me Harvest Initiative which allows persons or entities to submit bids to the Department of Transportation to mow grass or vegetation along state roadways
		UNEMPLOYMENT COMPENSATION
SCS SB 816		Redefines "misconduct" and "good cause" for the purposes of disqualification from unemployment benefits
HB 1066		Increases from $400 to $1,500 the minimum amount of gross wages that an employer must pay to an employee before the employer's unemployment compensation account will be charged
SCS HB 1112		Allows an insurance company to issue life insurance policies outside of the United States under specified conditions as well as specified unemployment insurance in connection with group life insurance
HB 2057		Changes the laws regarding illegal aliens and immigration status verification for public assistance benefit purposes
HB 2097		Specifies that for purposes of qualifying for waiting week credit and unemployment compensation benefits, good cause cannot include voluntarily quitting work to accept a job with equal or lesser wages
		UNIFORM LAWS
SB 445	Goodman	Establishes the Joint Committee on the Missouri Criminal Code
HCS SCS SB 726		Modifies provisions relating to financial transactions
SB 872	Justus	Modifies provisions relating to criminal law
SCR 28	Mayer	Establishes the Joint Committee on the Missouri Criminal Code to study the state's criminal laws
HB 1047		Establishes the Common Interest Owners Bill of Rights Act
HB 1153		Changes the laws regarding the perfection of security interests
HB 1166		Allows a trust instrument to appoint a trust protector who is expressly granted one or more powers over the trust in the trust instrument
CCR CCS SS SCS HCS HB 1402		Changes the laws regarding transportation
HB 1966		Renames The Uniform Business Records as Evidence Law to The Records of Regularly Conducted Activity and specifies what documents are not excluded by any hearsay rule
HB 2047		Establishes the Uniform Military and Overseas Voters Act
		URBAN REDEVELOPMENT
HCS HB 1254		Changes the laws regarding agriculture
HB 1573		Changes the laws regarding political subdivisions
SCS HCS HB 1659 & 1116		Allows the City of Kansas City to establish a land bank agency for the management, sale, transfer, and other disposition of tax delinquent land to return it to specified effective use
		UTILITIES
SB 458	Wright-Jones	Creates the Green Jobs-Green Missouri Act
HCS SCS SBs 484, 477 & 606		Modifies provisions relating to telecommunications
SB 685	Crowell	Modifies ex parte communication requirements involving the Public Service Commission

No.	Author	Subject
HCS SB 701		Modifies various provisions relating to road use
SB 753	Green	Modifies eligibility criteria for energy efficiency incentive programs offered by electric companies to low-income customers
SB 759	Lager	Modifies provisions relating to utilities
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 844	Lamping	Modifies provisions relating to the Public Service Commission
SB 869	Kehoe	Modifies provisions pertaining to the Public Service Commission, Office of Public Counsel, and nuclear plant development cost recovery
SB 891	Lager	Allows telecommunications providers and rural electric cooperatives to attach equipment to other utility poles for smart grid or broadband purposes
SB 902	Lamping	Modifies provisions relating to funding for the Office of Public Counsel and temporary rate adjustments for regulated utilities
HCS HB 1076 & 1302		Changes the laws regarding renewable energy
HB 1146		Specifies that the intrastate manufacturing of certain incandescent lightbulbs is not subject to federal law or regulation
HB 1285		Specifies that any person who uses a device to read electric usage off of a meter without the homeowner's consent will be guilty of class D felony
HB 1289		Prevents the use of electronic records from a smart meter as evidence in a criminal prosecution and imposes a civil penalty on a utility for transferring these records to anyone for any purpose
HCS HB 1305		Changes the laws regarding environmental standards
HCS HB 1311		Authorizes a state and local sales and use tax exemption on items related to data storage centers and server farm facilities
HCS HB 1316		Changes the laws regarding public utilities and creates the Public Counsel Fund
HB 1332		Changes the laws regarding the infrastructure replacement surcharge for water corporations
HB 1341		Specifies that the exclusion from eligibility in any demand-side program offered by an electrical corporation of certain tax credits will not apply to low-income programs and their participants
HCS HB 1361		Allows telecommunications and broadband service providers or rural electric cooperatives to attach, maintain, and operate their equipment on another's pole under specified terms and conditions
HB 1434		Changes the laws regarding the termination of water and sewer service due to delinquency of payment
HB 1487		Changes the laws regarding renewable energy mandates enacted by Proposition C in 2008
HCS HB 1488		Changes the laws regarding the regulation of public utilities
HB 1503		Creates the crimes of assault of a utility worker or an employee of a mass transit system in the first, second, and third degrees
HB 1516		Changes the laws regarding the crime of assaulting a law enforcement officer, corrections officer, emergency personnel, or highway worker to include a utility worker
HB 1573		Changes the laws regarding political subdivisions
SS HCS HB 1647		Changes the laws regarding public safety
HB 1716		Establishes the Political Subdivision Construction Bidding Standards Act which creates bidding standards for contracts of $25,000 or more by certain political subdivisions

No.	Author	Subject
HB 1724		Allows certain motor vehicles to operate on public highways with dyed fuel during any Governor-declared state emergency
HB 1751		Requires the Department of Natural Resources to annually assess an electric utility in an amount not to exceed .005 of 1% of its annual intrastate operating revenues to encourage biomass energy projects
HB 1850		Establishes the Missouri Energy Efficiency Performance Standard
HB 1974		Prohibits an investor-owned utility from including any costs associated with a settlement from a whistle-blower case in its rate case request to the Missouri Public Service Commission
HB 2083		Requires the Department of Transportation to issue emergency utility response permits for the transporting of equipment and material needed following a disaster where utility service has been disrupted
HCS HB 2100		Changes the laws regarding motor vehicles
HCR 49		Calls on Congress to disapprove the EPA's Mercury and Air Toxics Standards regulation and ensure that the EPA replaces it with a sensible regulation
		VETERANS
SB 466	Munzlinger	Modifies how money in the Gaming Commission Fund is allocated
CCS HCS SCS SB 498		Prohibits cities from restricting veterans organizations from operating re-sale shops in certain areas
SB 499	Munzlinger	Imposes an additional admission fee for excursion gambling boat licensees to fund Veterans Commission capital improvements
SB 672	Brown	Modifies higher education course credit requirements and healthcare-related professional licensure requirements for members of the armed forces
SB 702	Pearce	Renames the Heroes at Homes program the Show-Me Heroes program and modifies the provisions relating to it
SB 728	Pearce	Modifies provisions relating to the Veterans' Commission and veterans' affairs
SB 768	Kraus	Authorizes circuit courts to create veterans treatment courts
SB 793	Munzlinger	Modifies how funds from the lottery and the Gaming Commission Fund are distributed
SJR 28	Munzlinger	Amends the Constitution to require the development and sale of a veterans lottery ticket
HB 1068		Establishes in statute the Missouri State Park Board which is responsible for managing the Historical Marker Program
HB 1085		Adds an additional $1 to the excursion gambling boat entrance fee with the moneys to be deposited in the Veterans Commission Fund
HCS HB 1098 & 1084		Adds charitable veterans' organizations to the zoning exception regarding the establishment of a retail business selling donated goods in an area where other businesses engage in retail sales
HB 1099		Designates March 26 of each year as "Veterans of Operation Iraq/Enduring Freedom Day"
HB 1100		Designates March 30 of each year as "Vietnam Veterans Day"
SCS HB 1104		Changes the laws regarding elections by requiring a voter to provide photo identification
HCS HB 1110		Allows a circuit court to establish a veterans treatment court to dispose of criminal cases which stem from substance abuse or mental illness of military veterans or current military personnel
HB 1160		Requires an excursion boat licensee to pay an additional admission fee equal to 50% of the required fee to be deposited into the Veterans Commission Capital Improvement Trust Fund
HB 1161		Increases the annual amount of moneys to be transferred from the Gaming Commission Fund to the Veterans' Commission Capital Improvement Trust Fund
HB 1235		Requires an election authority to conduct a record check to determine whether a person is prohibited from filing as a candidate for the election for which he or she is filing a declaration of candidacy

No.	Author	Subject
HB 1241		Adds an additional $1 to the excursion gambling boat entrance fee with the moneys to be deposited in the Veterans Commission Fund
HB 1242		Specifies that the motorcycle road skills test is not required for a member of the armed forces who has successfully completed a military motorcycle rider training course that meets specified standards
HB 1248		Authorizes a check-off box for the Missouri Veterans' Medical Research Trust Fund to be added to the individual and corporate income tax forms and allows for a separate donation to be sent in with the taxes
HB 1265		Establishes the Veteran Workforce Act which requires the Office of Administration to develop rules and regulations ensuring a uniform hiring preference for veterans, disabled veterans, and their spouses
HB 1281		Allows an honorably discharged veteran to apply to obtain a sticker to be placed on his or her driver's license or identification card indicating veteran status
HB 1281		Allows an honorably discharged veteran to apply to obtain a sticker to be placed on his or her driver's license or identification card indicating veteran status
HB 1287		Requires the Missouri Gaming Commission to develop rules to allow patrons of excursion gambling boats to donate winnings to the newly created Missouri Veterans Fund to support veterans homes
HB 1294		Changes the laws regarding consumer credit interest rates
HB 1297		Changes the laws regarding the professional licensure and certification requirements of current and former military personnel
HB 1301		Changes the laws regarding the licensure requirements as an emergency medical technician for a honorably discharged veteran
HB 1303		Creates the Missouri Veterans Fund within the Missouri Gaming Commission to accept certain donations by patrons of excursion gambling boats to support Missouri veterans homes
HCS HB 1319, 1045 & 1369		Changes the laws regarding weapons
HB 1347		Gives a bidding preference in a state contract for products and services manufactured, produced, or assembled by certain veteran-owned businesses headquartered in Missouri
HB 1412		Allows certain organizations who sell intoxicating liquor by the drink at retail or on their premises to obtain a special permit to remain open until 3:00 a.m. each day and to open on Sundays at 9:00 a.m.
HB 1443		Designates a portion of Interstate 70 in Lafayette County as the "Sergeant Joe C. Specker Memorial Highway"
HB 1517		Authorizes the issuance of a military medallion, medal, and certificate to certain veterans who served in specified conflicts regardless of whether they are or ever were legal Missouri residents
HCS HB 1574 & 1097		Allows a person to apply for a veteran designation on his or her driver's license or identification card upon providing specified proof of service
HB 1575		Designates a portion of U.S. Highway 136 in Harrison and Gentry counties as the "Corporal Frank Buckles Memorial Highway"
HB 1579		Requires institutions of higher education to award educational credits to a veteran for certain courses that were a part of his or her military training or service
HB 1696		Requires the State Highway Patrol to waive any state fees associated with obtaining a concealed carry endorsement for an applicant who is a veteran
SS SCS HCS HB 1731		Changes the laws regarding the use of gaming and tobacco settlement moneys
HB 1764		Authorizes the Director of the Department of Corrections to prescribe policies providing for salary increases for corrections officers

No.	Author	Subject
HB 2058		Allows any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from the service to obtain a "Women Veterans" special license plate
HB 2071		Allows a person to apply for a veteran designation on his or her driver's license or identification card upon providing specified proof of service
HCR 5		Strongly urges all employers in this state to give all veterans in their employ a day off for Veterans Day
HCR 12		Designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice of service men and women who have given their lives in the line of duty
HCR 22		Encourages the Missouri Veterans Commission to work with the United States Department of Veterans Affairs to address the needs of women veterans and formally honors the heroic service of women veterans
HJR 45		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans Commission Capital Improvement Trust Fund
HJR 50		Proposes a constitutional amendment authorizing an additional sales and use tax to be deposited into the Veterans' Trust Fund
HJR 76		Proposes a constitutional amendment exempting a portion of a veteran's homestead property from property tax based on his or her degree of service-connected disability
HJR 79		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans' Commission Capital Improvements Trust Fund
HJR 80		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell a Veterans Lottery Ticket to support the Veterans' Commission Capital Improvements Trust Fund
HJR 81		Proposes a constitutional amendment exempting from taxation all real and personal property of any citizen with a total service-connected disability or the surviving spouse if he or she has not remarried
HJR 85		Proposes a constitutional amendment requiring the State Lottery Commission to develop and sell electronic pull-tab cards to support the Veterans' Commission Capital Improvements Trust Fund
HJR 88		Proposes a constitutional amendment reducing the length of time a person must be a member of an organization before participating in the operation of a bingo game and removes the advertising restrictions
		VETERINARIANS
SB 552	Brown	Adds veterinarians to the statute of limitations for medical malpractice actions against certain health care providers
SCS SB 566		Requires owners of dogs and cats under suspicion of carrying rabies to provide documentation of vaccination or else surrender the animal
SB 850	Purgason	Prohibits sterilization and disposition of seized or confiscated animals until the outcome of charges against the animals' owner have been determined
SB 903	Lamping	Provides the process for disposition of dogs involved in the crime of dog fighting
HB 1688		Specifies that any organization or entity that reintroduces any species of animal into this state must be financially responsible for any damage caused by the animal
		VICTIMS OF CRIME
SB 445	Goodman	Establishes the Joint Committee on the Missouri Criminal Code
SCS SB 457		Modifies provisions of mandatory reporting of child sexual abuse
HCS SB 690		Modifies provisions related to public safety
SB 823	Munzlinger	Allows the Board of Probation and Parole to conduct hearings with offenders via videoconference

No.	Author	Subject
HB 1079		Allows the State Registrar to issue a heritage birth certificate
HB 1102		Requires any person who observes a child being subjected to sexual abuse to immediately report or cause a report to be made to the Children's Division
HB 1127		Requires certain specified crime scene photographs and video recordings to be considered closed records and not subject to disclosure under the Open Meetings and Records Law
HB 1208		Specifies that the termination of parental rights in the case of rape cannot extinguish or bar the ordering or enforcement of a child support obligation for a child born as a result of the rape
SS HB 1318		Changes the laws regarding the use of a Social Security number as an employee number and the laws regarding mental health
HB 1382		Requires restitution to be paid through the office of the prosecuting or circuit attorney and authorizes certain administrative costs to be assessed and restitution to be taken from an inmate's account
HB 1411		Establishes the Task Force on Alternative Confinement for Victims of Human Sex Trafficking within the Department of Public Safety
HB 1437		Changes the laws regarding domestic violence
HB 1456		Authorizes the Department of Corrections to establish a mental health assessment pilot program for certain criminal offenders
HB 1470		Expands the list of mandatory reporters of child abuse and neglect to include a coach, scout leader, youth leader, and any volunteer who has direct contact with children
HB 1491		Requires a mandatory reporter of child abuse and neglect to make a report and removes the option of causing a report to be made
SCS HCS HB 1525		Establishes the Sentencing and Corrections Oversight Commission and changes the laws regarding criminal offenders under the supervision of the Department of Corrections
HB 1565		Requires mandatory reporters of child abuse to report when they are working or acting in their official capacity and allows them to report when they are not
HB 1607		Establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires hospitals and health care facilities to provide emergency contraception to sexual assault victims
HCS HB 1826		Allows the Board of Probation and Parole to conduct a hearing with an offender by means of a videoconference and authorizes the establishment of a mental health assessment process as a pilot program
HB 1896		Changes the laws regarding sexual offenses
		VITAL STATISTICS
SB 713	Lamping	Modifies provisions relating to adoption records
HB 1079		Allows the State Registrar to issue a heritage birth certificate
HCS HB 1137		Changes the laws regarding adoptions
HCS HB 1258, 1259, & 1260		Changes the laws regarding the acknowledgment of paternity and consent to an adoption
HB 1678		Changes the laws regarding midwifery
HB 2109		Changes the laws regarding voter registration
		WASTE - HAZARDOUS
HCS SB 701		Modifies various provisions relating to road use
SB 838	Richard	Modifies provisions relating to funding for site remediation in certain municipal areas
SB 889	Lager	Modifies provisions relating to natural resources

No.	Author	Subject
SS SCS HB 1251		Changes the laws regarding natural resources
SS HCS HB 1647		Changes the laws regarding public safety
HB 1752		Authorizes the Hazardous Waste Management Commission to adopt rules and regulations to ensure that Missouri is in compliance with the federal Resource Conservation and Recovery Act
		WASTE - RADIOACTIVE
SCS HCS HB 1640		Changes the laws regarding motor vehicles
HCR 29		Requests the Adjutant General of the Missouri National Guard to establish a voluntary reporting program for Missouri National Guard members and veterans who have been exposed to depleted uranium
		WASTE - SOLID
SB 627	Schaefer	Provides authority to the Office of Administration for the provision of waste management services for all state agencies
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
SB 778	Richard	Prohibits an annual adjustment for inflation for certain solid waste management fees
SB 849	Purgason	Modifies provisions relating to solid waste management
HB 1162		Requires a city or political subdivision which intends to expand solid waste collection services into certain areas to put the intent to a vote of the people in the expanded area
HB 1163		Establishes the Freedom to Choose Trash Collection Services Act which requires voter approval of any contract with mandated haulers of trash collection except in North Kansas City, Kansas City, and St. Louis
HB 1791		Allows the Division of Facilities Management, Design, and Construction to provide waste management services for any state agency with specified exceptions
HCS HB 1795		Changes the laws regarding newspaper recycling, solid waste and safe drinking water fees, environmental control, and asbestos abatement and establishes the Renewable Energy Pilot Program for State Parks
HB 1891		Establishes minimum standards that a municipality in St. Louis County must meet in the provision of municipal and financial services and reports
HB 1905		Changes the laws regarding solid waste management
		WATER PATROL
HCS SB 690		Modifies provisions related to public safety
CCS#2 SS SCS SB 719		Modifies various provisions relating to the regulation of transportation
HCS SB 760		Modifies various provisions relating to natural resources, use of weapons, and utilities
HB 1234		Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 1423		Prohibits any person who holds a permit issued by the Water Patrol Division to host specified activities on any waters of the state from knowingly violating any term of the permit
HB 1452		Requires any person younger than 14 years of age to wear an approved personal flotation device when on a watercraft on Missouri waters unless the person is in a fully enclosed part of the watercraft
HCS HB 1515		Changes the laws regarding crimes and criminal procedures

No.	Author	Subject
HB 1551		Creates the crime of operating a motorized vessel with excessive blood alcohol content when a person operates a motorized vessel on any navigable waterway with a blood alcohol content of .08 of 1% or more
HB 1646		Allows a person or company that rents or sells vessels to issue a temporary boating safety identification card to certain non-residents
		WATER RESOURCES AND WATER DISTRICTS
SCS SB 491		Modifies provisions pertaining to agriculture
HCS SS SB 781		Modifies provisions relating to emergencies and political subdivisions
SB 889	Lager	Modifies provisions relating to natural resources
SB 905	Mayer	Allows certain political subdivisions to contract out engineering, water quality management, and maintenance services on existing water storage tanks
SCR 15	Dempsey	Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
SCR 16	Stouffer	Urges the U.S. Army Corps of Engineers to modify its river management protocol to make flood control a top priority
SCR 25	Mayer	Urges the federal government to manage the Mississippi River to protect against devastating flood events
CCR SS SCS HB 1073 AND HCS HB 1477		Changes the criteria for the exclusion of certain manufacturers and processors from the definition of "grain dealer" as it applies to the Missouri Grain Dealer Law
HB 1143		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines
HB 1179		Prohibits a large water user from conveying water withdrawn or diverted from the Southeast Missouri Regional Water District to a location outside the district if it interferes with another major user
HB 1234		Requires a child younger than eight years of age to wear a personal flotation device when on a watercraft and when wading or swimming in public water deeper than three feet
HB 1332		Changes the laws regarding the infrastructure replacement surcharge for water corporations
HCS#2 HB 1358		Changes the laws regarding political subdivisions
HCS HB 1395		Changes the laws regarding the Department of Natural Resources
HB 1396		Prohibits certain entities in St. Charles County that do not process or treat their own sewage or wastewater from increasing its customer fee by a specified amount without a majority vote of the voters
HB 1434		Changes the laws regarding the termination of water and sewer service due to delinquency of payment
HB 1662		Creates a county drinking water supply lake authority in Christian County
HB 1671		Authorizes certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank without paying prevailing wages
HCS HB 1795		Changes the laws regarding newspaper recycling, solid waste and safe drinking water fees, environmental control, and asbestos abatement and establishes the Renewable Energy Pilot Program for State Parks
HB 1919		Establishes new requirements for reporting underground infrastructure under the excavation safety requirements of Chapter 319, RSMo
HB 1947		Authorizes any city, town, or village to impose, upon voter approval, a fee for the repair or replacement of residential lateral sewer service lines

No.	Author	Subject
HB 1949		Requires each of the farmer members of the State Soil and Water Districts Commission to have soil and water conservation district board experience at the time of appointment to the commission
HB 1959		Prohibits specified increases in premiums or fees charged for sewage or wastewater treatment in St. Charles County without approval by the voters
HB 1969		Changes the laws regarding the termination of water service
HCS HB 1971		Changes the laws regarding political subdivisions
HB 2067		Prohibits the council of a third or fourth class city from condemning property to manage wastewater runoff without exhausting all other possible remedies
HCR 31		Urges Congress to support a plan for the Upper Mississippi River Basin that provides flood-control without adverse impacts on existing levees and communities
		WEAPONS
SS SCS SBs 489 & 637		Modifies provisions relating to weapons
SB 680	Nieves	Repeals authority for political subdivisions to regulate open carrying of firearms and requires certain local ordinances incorporate statutory justifications
SB 872	Justus	Modifies provisions relating to criminal law
SB 884	Nieves	Modifies provisions related to firearms
SB 894	Curls	Modifies the type of information required from applicants for a motor vehicle registration and a concealed carry endorsement
SB 900	Munzlinger	Requires the Office of State Courts Administrator to take certain actions when a person fails to pay, or honor an agreement to repay, debt owed to a county jail
HCS HB 1319, 1045 & 1369		Changes the laws regarding weapons
HCS#2 HB 1344		Authorizes a person to apply to a court for the closure of certain criminal records
HB 1426		Specifies that a person commits the crime of unlawful use of weapons if he or she possesses a firearm while also knowingly in possession of a specified amount of a controlled substance
HB 1428		Revises the crime of unlawful use of weapons and authorizes the revocation of a concealed carry endorsement when the holder is convicted of committing a felony while in the possession of a firearm
HB 1437		Changes the laws regarding domestic violence
HB 1482		Specifies that the provisions regarding the crime of unlawful possession of a firearm will not apply to the possession of rifles or shotguns by a person who has not been convicted of a violent felony
HB 1483		Specifies that a political subdivision cannot prohibit a person with a valid concealed carry endorsement from carrying a concealed firearm onto a train or public bus
HB 1503		Creates the crimes of assault of a utility worker or an employee of a mass transit system in the first, second, and third degrees
HB 1589		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires a local ordinance regulating the discharge of firearms to incorporate statutory justifications
HB 1638		Repeals the authority of political subdivisions to regulate the open carrying of firearms and requires local ordinances regarding the discharge of firearms to incorporate statutory justifications
HB 1747		Changes the laws regarding weapons

No.	Author	Subject
HB 1833		Allows switchblades to be regulated in the same way as knives and exempts the concealed carry of hunting knives from the provisions regarding the unlawful use of a weapon
		WEIGHTS AND MEASURES
HCS HB 1212		Changes the laws regarding weight limitations for vehicles hauling livestock or agricultural products on state highways and regarding vehicles hauling milk from a farm to a processing facility
		WORKERS COMPENSATION
SB 500	Wright-Jones	Modifies state legal expense coverage of certain health professionals and modifies hospital patient safety policies
SS SCS SB 572		Modifies the law relating to workers' compensation
HCS SCS SB 591		Modifies provision regarding state and local revenues, various interest rates, and the authority of fire protection districts
SB 624	Lembke	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2014
HCS SCS SB 626		Limits liability for a manufacturer after a product has been materially altered and modifies certain interest rates
SB 660	Schmitt	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2013, and requires it to transfer $127 million of its surplus to General Revenue
SB 807	Dempsey	Modifies the law relating to the Second Injury Fund
SB 827	Crowell	Modifies the law relating to workers' compensation co-employee liability
SB 828	Crowell	Modifies the law relating to occupational disease under the workers' compensation system
SB 829	Crowell	Modifies the law relating to the Second Injury Fund
SB 848	Rupp	Modifies numerous provisions of law that specify the application of a particular interest rate
HCS SCS SB 856		Establishes the "Senate Interim Committee on the Structure of the Missouri Employers Mutual Insurance Company" to study whether MEMIC should be sold, privatized, or have its current structure modified
SB 866	Lembke	Requires Missouri Employers Mutual Insurance Company to transition into a private mutual insurance company by January 1, 2014
SB 878	Mayer	Modifies the law relating to workers' compensation
HB 1173		Specifies that an employer, or his or her employee, will not be liable for any injury or death for which compensation is recoverable under provisions of the Workers' Compensation Law
HB 1219		Changes the laws regarding unlawful discriminatory employment practices as they relate to the Missouri Human Rights Act and establishes the Whistleblower Protection Act
HB 1390		Establishes the Family Business Growth Act which allows up to two members of an employer's family to opt out of workers' compensation insurance
HB 1403		Changes the laws regarding workers' compensation and the Second Injury Fund
HB 1414		Removes the provision limiting the annual surcharge paid by employers to the Second Injury Fund to 3% of the employer's workers' compensation net deposits, premiums, or assessments
HB 1417		Allows an employee who is injured on the job to select his or her own health care provider to cure and relieve the effects of the injury at the expense of the employer
HB 1441		Changes the laws regarding workers' compensation and unemployment benefits
HB 1540		Changes the laws regarding workers' compensation
HB 1881		Changes the laws regarding the Second Injury Fund

No.	Author	Subject
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HB 2104		Changes the laws regarding workers' compensation and the Second Injury Fund

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1776	Wright-Jones	Brock, Jacqueline	581

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1435	Kehoe	Brooks, James O.E.	270
1436	Kehoe	Brooks, Michael S.	270
1916	Parson	Brooks, Mr. and Mrs. Richard Dale	705
1149	Rupp	Brotherton, Eric	52
1852	Crowell	Brown, Anne	649
1838	Dempsey	Brown, Jason	643
1628	Munzlinger	Brown, Robert E.	442
2041	Curls	Bruch, Bruce L.	966
2257	Schmitt	Brummell, Daniel	2293
1860	Wasson	Brummett, Shelby	666
1851	Crowell	Bruns, Roseann	649
1417	Kehoe	Brunson, Jordan Tyler	263
1458	Dempsey	Buchheit, Joan	292
1480	Nieves	Bueckendorf, Ryan	316
2085	Engler	Buffington, Rebecca	1139
1246	Schaaf	Burch, Betty	116
1251	Schmitt	Burckhalter, Bill	116
1473	Pearce	Burgess, Andrew Robert Leo	305
1881	Lamping	Burke, Halpin Robert "Hap"	682-683
1853	Crowell	Burkemper, Dan	649
1555	Lager	Burkhart, Trevor	344
2188	Engler	Burns, Casey Evon	1424
1563	Cunningham	Burns, Donnie L.	353
2239	Crowell	Burns, Jim	2287
1334	Lager	Burns, Mr. and Mrs. Norman	178
1800	Stouffer	Burrows, James Robert "Bob"	595
1692	Munzlinger	Burt, Woodrow W., Ph.D.	478
1600	Mayer	Butler County Community Resource Council	405
1422	Kehoe	Caesar, Justin Christopher	263
1679	Stouffer	Calton, Todd Matthew	472
2017	Wasson	Calvary Bible Church	862-863
1656	Munzlinger	Campbell, Mitchell Levi	446
1396	Lembke	Cantanzaro, Francis	240
1585	Lager	Carlock, Shaylee	368
1755	Purgason	Carlsen, Daniel T.	534

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2048	Engler	Carr, Janet	966-967
1494	Pearce	Carter, Jacob	316
1220	Crowell	Carter, Myron Bond "Trey", III	91
1260	Pearce	Carter, Renee	117
2218	Kraus	Cartridge World-Lee's Summit	1713
1404	Schaaf	Carver, Terrence Wayne "T.C.", III	253
2054	Crowell	Casey, Dina	1018
2055	Crowell	Casey, Neil	1018
1415	Kehoe	Castillo, Christopher	263
1242	Mayer	Cato, Jeannie L.	115-116
1757	Goodman	Centennial Anniversary of the RMS Titanic	534
1904/1921	Curls	Center High School 2012 Gold Star Award	696
1340	Richard	Cerebral Palsy of Tri-County, Incorporated	185
1218	Kraus	Certified Energy and Environmental Labs	91
1514	Pearce	Chapman, Nolan Garrett	332
1841	Wright-Jones	Chappelle, Richard Allen, Sr.	643
1977	Green	Chick, Curtis E., Jr.	784
1240	Schmitt	Chiropractic Wellness Center of South County	109
2053	Engler	Chitwood, Brooklyn	1018
1582	Rupp	Chivetta, C. Alexander	368
1285	Richard	Chlanda, William "Cody"	125
1195	Pearce	Christianson, Sean David	80
1747	Goodman	City of Branson Centennial Anniversary	533
1197	Schaefer	City of Columbia 100 Best Communities for Young People Award	84
1329	Justus	City of Grandview One Hundredth Anniversary	173
1232	Richard	City of Joplin 2012 Missouri Arts Award	92
2156	Lembke	Clancy-May, Dr Maureen E.	1241
2031	Engler	Clark, Jayne	966
1412	Kehoe	Clark, Lamar	263
1875	Mayer	Clark, Lydia Ellen	682
1485	Crowell	Clark, Scott R.	316
1945	Engler	Clarke, Michaelle	735
1772	Wright-Jones	Clayton, Xernona	581
1769	Wasson	Clemens, Senator Dan	581
1672	Parson	Coale, Mr. and Mrs. Larry	457

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1397	Lembke	Cochran, Eric	240
1217	Pearce	Cochran, Kyle Joseph	91
1396	Lembke	Coker, Ruth Graves	240
1419	Kehoe	Cokes, Daniel Antonio	263
1189	Engler	Coleman, Kenneth H.	80
1879	Purgason	College of the Ozarks Patriotic Education Travel Program	682
2063	Schaaf	Collins, Devan	1037
1477	Pearce	Collins, Erica	305
1596	Pearce	Collins, Morris L.	401
2214	Schaaf	Colvin, Mr. and Mrs. Gary	1713
1971	Justus	Composting and Organics Association of Missouri	783
2211	Chappelle-Nadal	Compton, Dr. Cheryl	1713
1842	Wright-Jones	Compton Hill Missionary Baptist Church One Hundred Fifty-second Anniversary	643
1212	Richard	Conduff, Ralph	85
2008	Brown	Connell, Candace L.	820
1177	Keaveny	Conway, Honorable James F.	69
1523	Pearce	Cook, Benjamin Xavier	333
1988	Kraus	Cook, Jeanie	784
1953	Crowell	Cook, Mark	735
1714	Keaveny	Cooper, Dr. Lynne M.	508
1526	Nieves	Costello, Honorable Gregory F.	337
1511	Pearce	Courtwright, Cameron Jacob	332
2034	Kehoe	Couty, Belinda	966
1936	Engler	Cowan, Sheila	735
1636	Crowell	Crader, Mark	442
1393	Rupp	Crane, Emily	240
1996	Goodman	Crane High School 2012 Gold Star Award	812
1925	Engler	Crane, Neila A.	710
2153	Cunningham/ Lamping	Creve Coeur Police Department	1236
2125	Wright-Jones	Crites, Ashley Marie	1146
1551	Brown	Crocker R-II School District 2011-2012 Distinction in Performance Award	344
1629	Mayer	Cross, Mack L.	442
2179	Chappelle-Nadal	Crosslin, Anna	1417
1833	Dempsey	Crossman, Kim	642

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2141	Ridgeway	Cruz, Patrick Emery Addison	1147
2104	Pearce	Cubbage, Alexa	1145
1705	Engler	Culton, Travis	491
1432	Purgason	Czerwonka, Kelby	264
1634	Richard	D&D Sexton	442
1735	Pearce	Daldrup, Cassie	524
1593	Munzlinger	Damon, Joshua Dean, Jr.	391
1910	Kehoe	Dampf, Marjorie	704
2019	Keaveny	Danback, Austin Joseph	863
1172	Pearce	Dandurand, Jonathon	68
1238	Goodman	Daniel, Reverend Jack L.	109
1253	Dempsey	Daues, Joe	116
2242	Stouffer	Davis, Mary Alice	2287
1703	Brown	Day, James	486
1736	Pearce	DeBerry, Mya Alexis	524
1478	Pearce	DeBerry, Myron L.	305
1704	Richard	Decan, Donald	486
1872	Kehoe	Decker, Adelaide Lolli	682
1734	Pearce	Degges, Kayla	524
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1809	Pearce	Delta Tau Alpha, University of Central Missouri	618
2135	Wright-Jones	Dempsey, Caitlin Elizabeth	1147
2112	Wright-Jones	Dennis, Ashley Marie	1146
1550	Brown	Dent-Phelps R-III School District 2011-2012 Distinction in Performance Award	344
1642	Parson	Derks, Paul Robert Bartlett	443
2120	Wright-Jones	deRoode, Nicole Elizabeth	1146
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2068	Lamping	Dielmann, Honorable Harold	1038
1522	Pearce	Dietz, August Frederick	332
2226	Mayer	Dildine, Connie V.	2131
1396	Lembke	Dill, Naomi	240
1610	Lembke/Schmitt	Dillon, Patricia	411
1164	Parson	Dockery, Brenden Michael	68
1621	Mayer	Dockins, Fred	413
1862	Wasson	Doran, Makennon	666

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1361	Wasson	Douglas County Herald One Hundred Twenty-fifth Anniersary	206
2124	Wright-Jones	Dowdy, Danielle J.	1146
1602	Schmitt	Downs, Charlie and Carolyn	405
1819	Nieves	Downtown Washington, Incorporated	642
1470	Richard	Drackert, Sabrina	305
1778	Wright-Jones	Drury, Shirley J.	581
2014	Pearce	Duffendack, Ryan James	856
1143	Dempsey	Duly Convened	4
1370	Ridgeway	Duncan, Emily	223
1646	Wasson	Dunn, Mr. and Mrs. Joe Bob	446
1894	Keaveny	Dunn, Sharniece	696
1281	Crowell	Durham, Mary-Eloise Lovelady	125
1900	Crowell	Eakins, Mr. and Mrs. Doyle	696
1989	Kraus	Earley, Rebecca	784
1871	Kraus	Eaton, Daniel "Dan"	682
2240	Parson	Eaton, Darace E.	2287
1767	Lembke	Ebert, Steven "Mik"	581
1504	Munzlinger	Echternacht, Mr. and Mrs. Harold	317
1762	Schmitt	Ecumenical Patriarchate of Turkey	551-552, 588, 1242, 2114
1616	Lembke	Edler, Connor J.	413
2084	Kraus	Edson, Michael	1139
1640	Green	Edwards, William	443
2097	Nieves	Egart, Stephen E.	1145
1779	Wright-Jones	Eichenberger, Frankie	581
2119	Wright-Jones	Eitel, Athena C.	1146
1664	Lager	Eldredge, Nick	447
1182	Schaefer	Elemental Enzymes, Inc.	76
1746	Munzlinger	Elliott, Joseph Andy	532
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1450	Wright-Jones	Emergent Sensor Technologies, LLC	288
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1615	Lembke	Esswein, Joseph Michael	413
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2074	Rupp	Ethridge, J. Neal	1068
1685	Pearce	Everhart, Bailey	472
1169	Pearce	Ewing, Shane Andrew	68
1482	Lager	Fagerstone, Nathan	316
1151	Curls	Farris, Isaac Newton, Jr.	59
2183	Munzlinger	Fast, Alice	1424
2096	Lamping	Favre, Jesse	1145
1812	Ridgeway	Fergen, Zachary	637
2204	Schmitt	Feurer, Alex	1616
1578	Kehoe	Finke Theatre	368
1181	Schaefer	FINSPEED	76
1895	Stouffer	First Baptist Church of New Franklin Two Hundredth Anniversary	696
2247	Richard	Fiscus, Keith	2289
1653	Lembke	Fisher, Ken	446
1626	Mayer, et al	Fite, Farrah	421
1978	Engler	Fitzgerald, Devin Michele	784
2123	Wright-Jones	Flotron, Alyssa Nicole	1146
1216	Pearce	Fontaine, Logan Chase	91
1521	Pearce	Ford, Christian Andrew	332
1845	Ridgeway	Foreman, Bob and Karli	643
2020	Lembke	Forst, Mary	863
1214	Pearce	Forsythe, Nick	91
2203	Rupp	Fortson, Jessica	1615-1616
1748	Lembke	Foster, Lisa	533
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1148	Rupp	Fox, Mr. and Mrs. Delbert	52
1722	Schaefer	Francis, Roy O.	522
1208	Brown	Frayer, Cassandra Renee	85
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1487	Crowell	Freeman, Bill and Linda	316
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1210	Brown	Frontier Environmental Technology, LLC	85
1721	Kraus	Fryer, Lukas Kevin	518
1866	Lager	Fuller, Addison C.	682
1915	Ridgeway	Fullmer, Sam	705
1590	Parson	Fulson Housing Group, LLC	391
1590	Parson	Fulson, Matt	391
1369	Munzlinger	Gaines, Michael	223
1576	Lager	Galbreath, Mr. and Mrs. Jim	363
1198	Crowell	Gaming Grounds	84-85
1451	Wasson	Gammill, Olivia	292
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2043	Green	Gant, Mary	966
1276	Stouffer	Garcia, Maria	124
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1655	Brown	Gasconade County R-I School District Board of Education 2012 School District of Distinction in Arts Education Award	446
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2101	Munzlinger	Geisbuhler, Heidi	1145
1954	Wright-Jones	George, Sherman	735
1407	Kehoe	Gerlette, Debbie	263
1947	Engler	Gibson, Phyllis	735
2000	Dempsey	Gibson, Sherry	812
2222	Lager	Giles, Garrett Thomas Hayden	2131
1840	Lager	Gillespie, James Eldon	643
1991	Kraus	Gillespie, Kelly R.	784
1942	Parson	Gillette, Mr. and Mrs. Ralph	735
1957	Lager	Ginther, Mr. and Mrs. Leo E.	736
1716	Nieves	Girardier, Virginia "Ginny"	508
1686	Dixon	Girl Scouts of Missouri Heartland	478
2209	Pearce	Glawe, Rebecca "Becki"	1713
2001	Dempsey	Glazer's Distributors of Missouri	812
1520	Pearce	Godfrey, Dylan Mark	332
1505	Munzlinger	Goers, Mr. and Mrs. Dale	317

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2192	Pearce	Goetz, Elda	1424
1405	Schaaf	Goforth, Alex Michael	253
2165	Chappelle-Nadal	Goheen, Oriola Binuyo	1241
1235	Lamping	Gold, Gertrude Fogel	109
1327	Justus	Goldwasser, Ori Dotan	173
1802	Stouffer	Gonder, Donna Jean	596
2138	Wright-Jones	Gonz, Kathryn Elizabeth Alberta	1147
1868	Ridgeway	Gonzalez, David	682
1913	Engler	Gooch, Connie Jo	705
1792	Schaaf	Grable, Mr. and Mrs. Jesse	595
1805	Lager	Gragg, Mr. and Mrs. Bob	608
2044	Dempsey	Gray, Matilda	966
1428	Dixon	Great Circle	264
1466	Dixon	Greatwood, Rachel	298
1471	Dixon	Green-Beckham, Dorial	305
1547	Brown	Green Forest R-II School District 2011-2012 Distinction in Performance Award	344
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1902	Crowell	Gregory, Elizabeth	696
1833	Dempsey	Griffith, Chris	642
1645	Mayer	Griggs, Mariah	443
1390	Richard	Griner, Josh	240
1371	Ridgeway	Grubbs, Susanna	223
1402	Schaaf	Grundberg, Lauren	253
2158	Chappelle-Nadal	Gudeta, Seifu	1241
1529	Lager	Guilford, Mr. and Mrs. Lloyd	337
1717	Richard	Gullett, Mike	508
1950	Schmitt	Gunn, Michael	735
1924	Engler	Gunn, Sister Patricia, SSND	710
1460	Dempsey	Gunning, Thomas	292
2202	Richard	Haag, Seth	1615
1604	Schmitt	Haas, Rich	405
1163	Kehoe	Hackmann, Spenser Aaron	68
1293	Crowell	Hahn, Everly Grey	125
1753	Schaefer	Haith, Frank	533
2126	Wright-Jones	Hall, Brianna Reed	1146
1535	Lager	Hall, Gavin	337

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1222	Rupp	Ham-Beene, Shannon	91
1366	Lager	Hamilton, Justin	206
2039	Lager	Hamilton, Mr. and Mrs. Raymond	966
1237	Nieves	Hammack, William Lee	109
1829	Dempsey	Hancock, Saint Charles Police Officer Tim	642
2216	Kraus	Hansen, John	1713
1323	Crowell	Hargis, Jamie	165
1323	Crowell	Hargis, John, Jr.	165
1305	Crowell	Hargiss, Barbara	144
1591	Schaefer	Harper, Kimberly	391
1174	Pearce	Harris, Alexander Kalan "Alex"	69
1215	Pearce	Harris, Ian Alan	91
1849	Crowell	Hartmann, Deidre	649
2193	Nieves	Harvey, Colton Nash	1424
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1439	Schaefer	Hayford, Meredith	274
1452	Crowell	Haynes, Mr. and Mrs. Keith E.	292
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2150	Lembke	Heinrich, Stephen Joseph	1213
1395	Crowell	Heisserer, Mr. and Mrs. Louis A. "Butch"	240
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1425	Parson	Henderson, Lindsay	263-264
1609	Lembke/Schmitt	Henderson, Martha	411
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1310	Crowell	Hensley, Mr. and Mrs. Bobby G.	149
1673	Parson	Hensley, Mr. and Mrs. Raymond	457
2201	Pearce	Hermann, Taylor	1615
2127	Wright-Jones	Hesselbein, Michele Elizabeth	1146-1147
2128	Wright-Jones	Hesselbein, Rebekah Ann	1147
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1718	Richard	Hicks, Donald J. "Don"	508
1554	Lager	Hicks, Justin	344
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2263	Munzlinger	Hill, David	2293

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1528	Lager	Hill, Mr. and Mrs. Randall	337
1750	Ridgeway	Hill, Wilbur, D.O.	533
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2090	Kehoe	Hogg, James E.	1145
1821	Wright-Jones	Holloway, Amanda Earlene	642
2066	Wright-Jones	Holloway, Kaylan D.	1038
1571	Brown	Holmes, Amanda	362
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1764	Dempsey	Hommes, Dakota James	581
2229	Parson	Hoover, Mr. and Mrs. Lee	2131
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2265	Kehoe	Hopkins, Travers Kenneth Eugene	2293
1846	Parson	Horace Mann Elementary School	649
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1193	Richard	Housh, Marjorie	80
1859	Wasson	Howald, Tessa	666
1557	Rupp	Howard, Madison	345
1308	Parson	Howe, Mr. and Mrs. James William	149
2175	Keaveny	Howe, Sara	1417
1684	Stouffer	Hoyle, Rosa	472
1651	Lembke	Hubbard, Michelle	446
1335	Kehoe	Huesgen, Georgina A. "Gina"	178
2023	Engler	Huff, Julie	863
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1187	Crowell	Hull, Mr. and Mrs. Robert C., Jr.	79-80
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1391	Richard	Jackson, Jim	240
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1162	Kehoe	Jacquot, Kas	68
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2089	Kehoe	Jamestown One Hundred Seventy-fifth Anniversary	1145
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1814	Ridgeway	Jarrard, James Zachary	637
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1454	Dempsey	Jett, Kevin	292
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2088	Kehoe	Jolly, Megan L.	1139
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1926	Engler	Kennon, Mary G.	710
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1917	Goodman	Lampe, Nora Elise Krueger	705
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1927	Engler	Layne, Janet M.	710
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2059	Crowell	LeDure, Mr. and Mrs. Bobby	1018
1815	Ridgeway	Lee, Joshua	637
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2071	Lembke	Lemay Fire Protection District	1038
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1438	Mayer	Libla, David	270
1438	Mayer	Libla, Doug	270
1695	Schaefer	Lidholm, Susan	485
1597	Ridgeway	Linard, Evan Jonathan	405
1660	Lembke	Livingston, Christopher E.	446

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2244	Stouffer	Livingston, Debbie	2289
1606	Schmitt	Llwelyn's Pub	406
1203	Justus	LMG Construction Services, LLC	85
2212	Nieves	Loberg, Truman Hobert	1713
1648/1713	Parson	Locke, Cameron	446
1760	Kehoe	Loehner, Christian James "CJ"	551
2028	Kehoe	Loman, Mr. and Mrs. Fred	888
1396	Lembke	Longeinrich, William	240
1741	Lager	Luke, Dakota	524
1742	Lager	Luke, Derek	524
1328	Justus	Luke, Michael Andre "Mike"	173
2057	Crowell	Lukefahr, Mr. and Mrs. Dewey	1018
1374	Schaaf	Luton, Kevin	223
2232	Kehoe	Lutz, Leo	2131
1958	Lager	Lyle, Joe M.	736
2255	Schmitt	Lynas, Christopher	2293
2147	Goodman	Lynch, William	1213
1534	Lager	Lynn, Mike	337
1743	Lager	Macali, Ian	524
1255	Dempsey	MacCallum, Loretta	116
1669	Goodman	Mackey, Dayton	447
1348	Lager	Macrander, Mr. and Mrs. D.C.	200
1306	Crowell	Madison Medical Center	144
1566	Brown	Maerz, Thomas	362
1674	Parson	Mahalovich, Mr. and Mrs. Frank	457
1199	Crowell	Main Street Flooring and Interiors	85
1733	Pearce	Maple, Nellie	524
1525	Wasson	Marcuson, Jacob Lee	337
1546	Brown	Maries County R-I School District 2011-2012 Distinction in Performance Award	344
1545	Brown	Maries County R-II School District 2011-2012 Distinction in Performance Award	344
1345	Munzlinger	Mark Twain Boyhood Home and Museum	185
1828	Dempsey	Marks, Steven	642
1992	McKenna	Markus, Steve	812
2086	Rupp	Marroquin, Adam	1139
2223	Lager	Marrs, Mr. and Mrs. Don	2131

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2250	Stouffer	Marshall FFA Chapter	2293
2049	Engler	Martin, Cindy	967
2062	Schaaf	Martin, Mary Kay	1037
1506	Munzlinger	Martin, Mr. and Mrs. Donald	317
2210	Pearce	Martinez, Michaela	1713
1556	Lager	Mason, Mr. and Mrs. Jim	344-345
1154	Lager	Mathes, Mr. and Mrs. Dale	59
1441	Schaefer	Matson, Michael EH	275
1737	Lager	Matson, Mr. and Mrs. Curtis	524
1719	Mayer	May, Charles (Stubbee)	508
1965	McKenna	Mayer, Matthew J.	749
2262	Dempsey	Mayer, Saint Charles Police Officer Ken	2293
1765	Dempsey	McBride, Brandon S.	581
1364	Schmitt	McCallum, Kimberli, M.D., C.E.D.S.	206
1966	McKenna	McClain, Glen	749
1449	Wright-Jones	McCowan, Reverend Elston K.	288
1912	Engler	McCutcheon, Sheila	704
2117	Wright-Jones	McDonald, Katherine Mary	1146
1303	Crowell	McDonald's of Fredericktown	144
2047	Engler	McDowell, Janet	966
1794	Schaaf	McKern, Abbey	595
1781	Wright-Jones	McKinney, Kimberly	581-582
1922	Engler	McKinney, Paula	710
2067	Wright-Jones	McLean, Roshaunda	1038
1413	Kehoe	McMillan, Marquial DeMarcus	263
1797	Brown	Mead, Mr. and Mrs. Bill	595
1975	Schaaf	Means, Mr. and Mrs. Lawrence	783-784
1652	Lembke	Medina, Kathy	446
1160	Stouffer	Meed, Jonathan Tanner Theodore "Jon"	68
2065	Wright-Jones	Mees, Molly C.	1038
1159	Stouffer	Mehl, Theodore John	68
1940	Parson	Meloy, Mr. and Mrs. John F. "Bill"	735
2167	Chappelle-Nadal	Mengiste, Tsehay	1241
1379	Nieves	Merrill, Alice Throop	232
2144	Brown	Merrow, Kaitlyn	1161
2159	Chappelle-Nadal	Metaferia, Gedlu B.	1241

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1930	Dixon	Metzger, Gary E.	717
1960	Kehoe	Meyer, Sandra E.	745
2130	Wright-Jones	Michaels, Amanda Louise	1147
1639	Engler	Milan, Adam Shane	443
2016	Engler	Milfeld, Tarrole	857
1250	Schmitt	Miller, Alvin and Romona	116
1488	Pearce	Miller, Brittany	316
1420	Kehoe	Miller, Christopher Charles	263
1565	Brown	Miller, Ivy	362
2266	Ridgeway	Miller, John	2293
2171	Purgason	Miller, Mr. and Mrs. Robert John	1337
1213	Pearce	Mills, Collin Nicholas	91
1350	Engler	Mills, Levi William	200
1970	Justus	Missouri Alliance for Drug Endangered Children	783
1785	Crowell	Missouri Alpha Delta Kappa Sorority	582
1888	Munzlinger	Missouri Association of Osteopathic Physicians and Surgeons	683
1933	Cunningham	Missouri Baptist Medical Center	722
1723	Pearce	Missouri Community College Association	522
1687	Richard	Missouri Gas Energy	478
1355	Brown	Missouri Society of Professional Engineers	200
1993	Wright-Jones	Missouri Stroke Month May 2012	812
1837	Dempsey	Mitchell, Kristina	643
1314	Schmitt	Molini, Reverend Thomas M.	155
1583	Goodman	Monett Area Community Foundation	368
1771	Wright-Jones	Montgomery, Robbie	581
2035	Kehoe	Mooney, Jeanelle	966
1396	Lembke	Moore, Alwal Anheuser	240
1761	Kehoe	Moore, Jamison William	551
1782	Wright-Jones	Moore, Sandra	582
2254	Schmitt	Moore, Thomas	2293
1202	Mayer	Morehead, Dr. William	85
1831	Dempsey	Moreno, Monica	642
1817	Ridgeway	Morgan, Christopher T.	637
1601	Schmitt	Moss, Lee	405
1274	Goodman	Mount Vernon Rotary Club	124
1898	Crowell	Mowery, Linda	696

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2131	Wright-Jones	Muehlhauser, Carlyn Elizabeth	1147
2152	Crowell	Mueller, Mr. and Mrs. Brett Alexander	1236
2018	Chappelle-Nadal	Muldrew, Janice	863
1270	Stouffer	Murdock, Shelby	124
1816	Ridgeway	Murphy, Andrew Michael	637
2046	Engler	Murphy, Peggy	966
2091	Kehoe	Murphy, Robert D.	1145
1689	Mayer	Murray, Dolores K.	478
1833	Dempsey	Murri, Paul	642
2121	Wright-Jones	Musick, Rachel Anne	1146
1726	Brown	Myers, Chloe	523
1818	Callahan	Myers, Dennis C.	641-642
1190	Engler	Myers, Earnie L.	80
1826	Dempsey	Myers, Saint Charles Police Detective Mike	642
2092	Engler	Naeger, Lawrence and Fairan	1145
1564	Engler	Naeger, Lawrence J.	353
1878	Lamping	Naert, Xenia R.	682
2132	Wright-Jones	Nagel, Kelsey Caroline	1147
1984	Kraus	Nalivaiko, Cathy	784
2075	Dempsey	National Day of Prayer	1100-1101, 1212
2056	Crowell	Nations, Bonnie	1018
1367	Schaaf	Nelson, Mr. and Mrs. Carl Dewaine	223
1607	Schmitt	Neubauer, Sylva	406
1351	McKenna	Neupert, Dawn	200
2105	Pearce	Nevada School District Regional Technical Center recipients of Certification in Financial Literacy	1145
1171	Pearce	Nevels, Dustin Wayne	68
2163/2180	Chappelle-Nadal	Newete, Abere	1241
1587	Dempsey	Niagara Foundation	391
2024	Engler	Nickelson, Mike	863
2172	Wasson	Nixa Sucker Day 2012 festivities	1342-1343
1598	Ridgeway	Nolting, Stephen Dean	405
2104	Pearce	Norcross, Taylor	1145
2098	Munzlinger	Nuernberger, Logan	1145
1248	McKenna	O'Donnell, Billyo	116
1839	Schaefer	O'Haro, Andrew Brennen	643
1508	Curls	O'Neil, John "Buck"	317

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1297	Kehoe	Obi, Noel	125-126
2040	Lager	Ockenfels, Mr. and Mrs. Frank, Jr.	966
1588	Lembke	Oestreich, Ronald D. and Anne E.	391
1286	Richard	Ogle, Jason Eric, II	125
1865	Lager	Ogle, Michael John	682
2261	Nieves	Oldenburg, Richard	2293
1507	Keaveny	Ollie Stewart/Southside Wellness Center	317
2083	Stouffer	Olson, Lance E.	1139
1396	Lembke	Olson, Vernon	240
1416	Kehoe	Omokaro, Osadeba	263
2251	Pearce	Orr, Dr. Deborah	2293
1155	Dempsey	Orr, James H., DDS	59
1544	Brown	Osage County R-I School District 2011-2012 Distinction in Performance Award	344
1543	Brown	Osage County R-II School District 2011-2012 Distinction in Performance Award	344
1165	Brown	Osage County R-III Fatima High School Boys Cross Country Team	68
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1542	Brown	Osage County R-III School District 2011-2012 Distinction in Performance Award	344
2143	Brown	Our Savior Lutheran Church, Soup Kitchen/Meal Program	1161
1584	Goodman	Overeem, Ron	368
2108	Wright-Jones	Owens, Lea Ann	1145
1226	Nieves	Ownby, William Benjamin	91
2207	Richard	Ozark Christian College	1616
1752	Ridgeway	P'Pool, Zachary Michael	533
1500	Munzlinger	Paris, James, American patriot	317
1972	Schaaf	Park Hill South High School 2012 Gold Star Award	783
1943	Richard	Park, Sunny Jim	735
2032	Engler	Patterson, Vicki	966
1783	Wright-Jones	Patton, Valerie	582
1241	Schmitt	PEAK Physique	109
1702	Brown	Pearson, Angelique	486
1905	Engler	Peden, Rebecca Anne	696
1856	Mayer	Peeler, Pamela	654-655
1688	Rupp	Peetz, Bradley Thomas	478

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1667	Schaefer	Pemberton, Gentry	447
1368	Nieves	Perez, Marc S.	223
1886	Munzlinger	Perrine, Mr. and Mrs. Don	683
1353	Pearce	Person, James "Aaron"	200
1519	Pearce	Petree, Joshua Russell	332
1901	Crowell	Petry, Dianna	696
1178	Engler	Pfaff, Pam	69
1541	Brown	Phelps County R-III School District 2011-2012 Distinction in Performance Award	344
1723	Pearce	Phi Theta Kappa's 2012 All-Missouri Academic Team	522
2109	Wright-Jones	Phillips, LeAnne Elizabeth	1146
2234	Green	Phipps, Alan	2136
1826	Dempsey	Piasecki, Saint Charles Police Detective Derek	642
1349	Engler	Pingel, Brendan Michael	200
2182	Goodman	Pinkley, Mr. and Mrs. Thomas L.	1418
1605	Schmitt	Pinkner, Jerry	406
1618	Brown	Pirtle, Sergeant First Class Jeremy David	413
1798	Stouffer/Pearce	Plzak, Miles	595
1289	Lamping	PNC Arts Alive	125
1658	Lembke	Pohl, Michelle Lynn	446
1835	Dempsey	Polansky, Alexandra	642
1784	Wright-Jones	Polk, Mary Attyberry	582
1617	Brown	Poncet, Judith	413
2010	Stouffer	Porterfield, Joshua Luke	856
2038	Lager	Powell, Mr. and Mrs. Everett	966
1650	Lembke	Prange, Debbie	446
1291	Crowell	Premier Rehab, LLC	125
2116	Wright-Jones	Prescott, Amanda Brook	1146
2050	Brown	Prewett, Peggy	1012
2237	Pearce	PrimeLending	2137
1453	Dempsey	Probst, Richard	292
1727/2104	Pearce	Puller, Dominic	523
1319	Mayer	Pulliam, Willie Mae	165
2011	Dixon	PURE EARTH SOAPS, LLC	856
1909	Kraus	Putting Families First	704
2052	Engler	Pyles, Harley	1017-1018
1465	Green	Radichel, Eric Bradley	292

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1464	Green	Radichel, Joseph Matthew	292
1848	Curls	Rambo, Mr. and Mrs. Edward Charles	649
1356	Purgason	Ramsey, Hannah	200
1962	McKenna	Randall, Robert	749
2176	Crowell	Rankin, Mr. and Mrs. Marshall	1417
1803	Stouffer	Rasa, Susie Elaine	602
1497	Munzlinger	Rash, Mr. and Mrs. William Philip, Sr.	316
1599	Callahan	Rastberger, Connie	405
1560	Kraus	Raytown Rotary Club	345
2225	Lager	Read, Mr. and Mrs. Paul	2131
1956	Brown	Reagan, Ron	736
1389	Richard	Redd, Jack	240
1381	Lembke	Redel, Joseph	232
1983	Kraus	Redel, Kathe	784
2094	Schaefer	Redington, Mike	1145
2220	Kraus	ReDiscover	1713
1170	Pearce	Reed, Cody	68
1357	Purgason	Reed, Mattison Noelle	200
1254	Dempsey	Reese, Mary	116
1614	Justus	Reeves Wiedeman Co.	411
1613	Lembke/Schmitt	Regions Bank Sunset Hills	411
1786	Kehoe	Rexrode, Commander Timothy A., USN	582
2003	Dixon	Reynolds, Coach Brian	812
1225	Brown	Reynolds, Mr. and Mrs. Vernon	91
1518	Pearce	Reynolds, Trevor James	332
2155	Lembke	Rhoades, Carla	1241
2213	Schaaf	Richey, Joseph L.	1713
2099	Munzlinger	Riebold, Katherine	1145
2174	Lager	Riekhof, Gabriel	1417
1146	Green	Ries, Fred	52
1708	Kraus	Righter, Roscoe	491
1424	Kehoe	Riley, Matthew, III	263
1967	Mayer	Ripley County Public Water Supply District #1	754
2184	Rupp	Robbins, Andrew	1424
1493	Pearce	Roberson, Sky	316
2185	Crowell	Roberts, Mr. and Mrs. Darel	1424

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1145	Callahan	Roberts, Nicholas Brett "Nick"	52
2264	Mayer	Robinson, Laura J.	2293
1595	Cunningham	Robinson, Rebecca	391
1184	Schaefer	Rock Bridge High School Athletics Department	76
2133	Wright-Jones	Rockfield, Brittany Lynn	1147
2115	Wright-Jones	Roehl, Allison N.	1146
2173	Wasson	Rogers, Lieutenant General Marc E.	1343
1179	Engler	Rogers, Ree	69
2170	Munzlinger	Rohde, Bill	1337
1540	Brown	Rolla 31 School District 2011-2012 Distinction in Performance Award	344
2233	Stouffer, et al	Rolling Pin Bakery, The	2136
1313	Green	Rone, Maureen	150
1481	Nieves	Ronzio, Julie	316
1911	Engler	Roop, Karen	704
1377	Goodman	Ross, Mr. and Mrs. Gilbert	223
1311	Crowell	Roth, Mr. and Mrs. Richard	149
1275	Stouffer	Ruboneka, Claude	124
2107	Wright-Jones	Ruhbeck, Elizabeth Elaine	1145
1876	Mayer	Ruhl, Dr. Helena M.	682
1249	Schmitt	Russell, Seth and Nicole	116
1759	Parson	Rusty Jug Barbeque & Root Beer Saloon	550-551
1533	Lamping	Ryan, Cornelius "Neil"	337
2134	Wright-Jones	Saindon, Emily Kay	1147
1558	Schmitt	Saint Louis Ballet	345
2206	Goodman	Saints Peter and Paul Catholic Church	1616
1539	Brown	Salem R-80 School District 2011-2012 Distinction in Performance Award	344
2249	Stouffer	Saline County Career Center Ag Construction Program	2292-2293
1446	Stouffer	Saline County Courthouse	275
1312	Crowell	Sander, Mr. and Mrs. Darrell W.	149
2137	Wright-Jones	Sartori, Abigail Ann	1147
1928	Dixon	Scanlon, Dr. Robert C., III	716
1906	Engler	Schembra, Thomas J.	696
1890	Kehoe	Schepers, Nicholas J. "Nick"	696
1261	Stouffer	Schmidli, Clay	124
1502	Munzlinger	Schmidt, Joetta	317
2189	Lamping	Schmiemeier, Heather	1424

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1574	Lager	Schmitz, Mr. and Mrs. James	362
1257	Dempsey	Schneider, Cort	116
1665	Kehoe	Schneider, Karen	447
2027	Kehoe	Schnieders, Don	888
1579	Kehoe	Schnieders, Don and Ruth Ann	368
2026	Kehoe	Schnieders, Jack	888
1378	Schmitt	Schrock, Michael Charles	232
1252	Schmitt	Schulter, Collen	116
1264	Stouffer	Schultz, Evangeline	124
1944	Engler	Schunks, Ellen	735
1838	Dempsey	Schwartz, Stephanie	643
1365	Lager	Schwenneker, Jacob	206
1699	Schaefer	Scott, Amy	485
1330	Curls	Scott, James H., Sr.	178
1394	Nieves	Scott, Mary	240
1729	Pearce	Scott, Taylor	524
1372	Nieves	Searcy, Evan E.	223
1192	Richard	Seidl, Luke Allen	80
1269	Stouffer	Selman, Paige	124
1603	Schmitt	Sepe, Peter	405
1637	Crowell	Seyer, Mr. and Mrs. Ray	442
1410	Keaveny	Shakespeare Festival Saint Louis	263
1205	Stouffer	Shannon, Mr. and Mrs. Carter	85
1516	Pearce	Shaw, Liam Harrison	332
1843	Wright-Jones	Sheet Metal Workers Local 36	643
1282	Crowell	Shelby Rhynn Ford	125
1873	Kehoe	Shelden, Calvin J.	682
1272	Wright-Jones	Sheldon Arts Foundation	124
1147	Green	Shelton, Gregory Patrick "Greg"	52
1501	Munzlinger	Shelton, Mr. and Mrs. Joe Henry	316-317
1288	Lamping	Sher, Donald	125
1455	Dempsey	Sherman, Tracy	292
1188	Engler	Shiverdeck, Charles A.	80
2252	McKenna	Shobe, Reverend Bob	2293
1949	Crowell	Shoemaker, Corrections Officer I Robert	735
1770	Wasson	Shoemaker, Shaynna	581

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1290	Crowell	Short, Heather	125
2029	Engler	Short, Wayne	966
1763	Pearce	Shreves, J. Phillip "Phil"	552
1456	Dempsey	Shrum, Kevin	292
1638	Engler	Shy, Michael Anthony	443
1409	Keaveny	Siddali, Dr. Silvana	263
1333	Lager	Siemer, Mr. and Mrs. Rex	178
1153	Lager	Silkett, Mr. and Mrs. Jimmie	59
2006	Wright-Jones	Simmons-Pitts, Azelie	813
1273	Schaefer	Simons, Jennifer	124
1808	Schaaf	Simpson, Diane	611
1830	Ridgeway/ Schaaf	Simpson, Diane	642
1342	Munzlinger	Simpson, Juanita "Baba"	185
1745	Parson	Simpson, Mr. and Mrs. Delbert	532
1823	Dempsey	Sissom, Saint Charles Police Officer Derek	642
1320	Schmitt	Sisters of Loretto Two Hundredth Anniversary	165
1959	Dempsey	Skyles, Jill	745
1880	Lamping	Sloan, Lukas F.	682
1359	Munzlinger	Sloop, Rex	200
2077	Dixon	Smith, Alberta	1101
1418	Kehoe	Smith, Carlton	263
1388	Richard	Smith, Chance	240
1897	Crowell	Smith, Darrick	696
1408	Keaveny	Smith, Dr. Jeffrey	263
1914	Ridgeway	Smith, Gunnar	705
1536	Green	Smith, Marques Vaughn	337
1994	Brown	Smith, Melvyn "Smitty"	812
1790	Lager/Pearce	Smith, Mr. and Mrs. Bill	595
2146	Lager	Smith, Mr. and Mrs. Gerald	1161
1484	Lager	Smith, Mr. and Mrs. Paul	316
1893	Keaveny	Sneed, Teman	696
1969	Schaefer	Snow, Director Bradley	783
1788	Kraus	Soendker, Michael Glenn	593
2139	Wright-Jones	Solomon, Claire R.	1147
1343	Munzlinger	Solter, Mr. and Mrs. John C.	185
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1732	Pearce	Sommerkamp, Kimberly	524
1387	Richard	Souder, Josh	240
2208	Lamping	Spainhower, Theckla	1622
1492	Pearce	Sparks, Dominique	316
2205	Schmitt	Spaulding, Larry Lee	1616
1995	Goodman	Spencer, Ethan T.	812
1766	Wright-Jones	Spight, Clarence, Jr.	581
1173	Pearce	Spindle, Timothy T.	68
1287	Richard	Splitter, Brandon	125
1201	Dixon	Springfield Branch of the National Association for the Advancement of Colored People	85
1561	Dixon	Springfield Fire Department	345
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1884	Pearce	Staab, Dr. James B. "Jim"	683
1885	Pearce	Stachowiak, Alan G.	683
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1625	Schaaf	Stanway, Tyler Zackariah	421
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2060	Richard	Stella Baptist Church	1037
1196	Schaaf	Steltenpohl, Mr. and Mrs. Billy R.	80
1447	Crowell	Stepenoff, Dr. Bonnie	275
2045	Engler	Stephens, Teresa	966
1489	Pearce	Stevens, Brittany	316
1479	Pearce	Stevens, Mable	305
1675	Parson	Stevenson, Mr. and Mrs. Everett	457
2007	Wright-Jones	Stewart, Ollie M.	813
1396	Lembke	Stockhausen, Charles	240
1266	Stouffer	Stotts, Leah	124
1461	Dempsey	Stout, Virgil "Red"	292
2243	Stouffer	Stow, Marjorie	2287
1623	Kraus	Straham, Winifred "Winnie"	421

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1594	Munzlinger	Strickler, Stu	391
1296	Kehoe	Strid, Myles	125
2196	Kehoe	Strope, Jim	1425
2005	Schaaf	Strube, Mr. and Mrs. Alfred J.	813
1974	Schaaf	Stubbs, Mr. and Mrs. Richard V.	783
1682	Ridgeway	Studebaker, Mariah	472
1820	Lager	Stufflebean, Mr. and Mrs. Dean	642
1720	Kraus	Sullivan, Kyle Matthew	518
1567	Brown	Sumpter, Michael	362
1697	Schaefer	Sun, Nick	485
1468	Lembke/Schmitt	Sunset Auto Company	298
2013	Dixon	Superior Rents & Sales, Inc.	856
1191	Richard	Surgi, Aaron	80
1317	Richard	Surgi, Louis Edward	157
1517	Pearce	Swainston, Ryan Matthew	332
2164	Chappelle-Nadal	Swerason, Most Reverend Dr. Carl	1241
2070	Brown	Tabrizi, Jamie Reza	1038
1985	Kraus	Tacke, Laura	784
2157	Chappelle-Nadal	Tafere, Negasi	1241
1559	Wasson	Tallaksen, Steve	345
2200	Chappelle-Nadal	Tan, Spencer	1448
1986	Kraus	Taylor, Janie	784
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2042	Richard	Teeter, Mr. and Mrs. Charles	966
1968	Mayer	Temple Baptist Church	754
1142	Dempsey	Temporary Rules	3
1813	Ridgeway	Termorshuizen, Samuel Richard	637
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1223	Rupp	Thieman's Carpet Company	91
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1649	Lembke	Thieret, Therese	446
1929	Wright-Jones	Thomas, Elvis	717
1304	Crowell	Thomas, Harold	144
1265	Stouffer	Thomas, Johannah	124
1375	Schaaf	Thomas, Ryan Lee	223
2145	Lager	Thompson, Payden	1161

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1858	Wasson	Thompson, United States Army First Sergeant Terry	666
1463	Lager	Thomson, Mr. and Mrs. Dick	292
1513	Pearce	Tickemyer, Zaxxon Kent	332
1824	Dempsey	Tiemann, Retired Police Officer Rich	642
2245	Stouffer	Tietsort, Dwight E.	2289
1512	Pearce	Titsworth, Skyler Ray	332
1157	Stouffer	Toole, Zachary James	68
1532	Lamping	Tooley, Edward D.	337
1339	Crowell	Tracy, Oliver Clinton Leon	185
1635	Richard	Transport Distribution Company	442
2227	Mayer	Treppler, Rachel	2131
1773	Wright-Jones	Triplett, Kacie Starr	581
1524	Pearce	True, Carolyn	337
1486	Crowell	Trump, Evan	316
1690	Mayer	Tucker, Elenor Ruth	478
1691	Mayer	Tucker, William "Bill"	478
1832	Dempsey	Tucknott, Lindsey	642
1863	Rupp	Tuley, Nicholas Patrick	682
1624	Schaaf	Turk, Mr. and Mrs. Duane	421
1587	Dempsey	Turkish American Society of Missouri	391
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2231	Mayer	Twin Rivers Regional Medical Center	2131
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1982	Haefner	Armstrong, Katelynn	988
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2202	Wallingford	Arnn, Jordan	1075
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1434	Kelley (126)	Barton County Memorial Hospital	710
3220	Hoskins	Barton, Matthew	1935
3086	Keeney	Barton, Melissa	1656
2273	Asbury	Barton, Rachel	1092
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1705	Bernskoetter	Blankenship, William	917
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2286	Fitzwater	Brand, Hester	1092
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2935	Higdon	Brock, Derek	1563
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941	Shumake	Brown, Melanie	454
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1324	Houghton	Brown, Robert	614
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2982	Cross	Cook, Jeanie	1623
2983	Wallingford	Cook, Mark	1623
1720	Nolte	Cook, Matt	917
1062	Lasater	Cook, Zane Robert	533
473	Cookson	Cookson, Carroll and Rozelle	193
1821	Scharnhorst	Cooley, Jeffrey	977
1335	Jones (063)	Cooper, Lynne	650
3254	Schupp	Cooper, Nicolette	2031
3116	Long	Cooper, Tannen Manning	1797
1391	Burlison	COPD	668
1930	Reiboldt	Cope, Pam	988
1233	Kelley (126)	Copeland, Matthew Evan	601
2699	Shively	Copenhaver, Richard	1300
3232	Lichtenegger	Corbin, Jimmie and Elwanda	2031
1795	Solon	Corkins, Hope	977
780	Johnson	Cornelius, Brad and Lyndall	393
2165	Solon	Cornwell, Myra	1075
1016	Reiboldt	Coropron, Phyllis	510
2127	Solon	Corr, Matthew James	1050
1240	Korman	Costello, Gregory	601
2321	Sommer	Costello, Nicole	1131

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2410	Schad	Costigan, Kyla	1165
2529	McManus	Counts, Lajuana	1225
2565	Frederick	Courtois, Carolyn Lee	1225
713	Sifton	Courtois, Jamie	366
2688	Bernskoetter	Couty, Belinda	1300
1881	Fraker	Cowherd, Mahala	988
248	Schieber	Cox, David	104
3021	Brandom	Cox, Hunter	1623
1983	Haefner	Cox, Marlee	988
1193	Nolte	Crabtree, Joseph	601
1368	Brandom	Crader, Mark	668
3216	Brown (116)	Craig, Emily	1935
2349	Elmer	Crane High School	1148
3024	Keeney	Crank, D.; Stewart, J.; Sanders, R.	1656
1514	Kirkton	Crawley, Lauren Elizabeth	744
1427	Jones (117)	Creastmead Plantation	710
2083	Bernskoetter	Criddle, Ti Ashanay	1050
755	Shively	Crist, Janine	383
2571	Aull	Criswell, Barbie	1275
2996	Brandom	Crites, Michell	1623
2619	Schupp	Cropf, Hannah	1275
1440	Quinn	Cropp, Jeannie	710
999	Swinger	Cross, Mack	510
998	Day	Cross, William and Ina Maxine	510
2383	Sommer	Crossman, Kim	1165
2088	Bernskoetter	Crowe, Breanna	1050
1596	Hummel	Crowley, Jack	884
2152	Torpey	Crozier, Emily	1075
1731	Swinger	Crysler, Vickie	952
3257	Fisher	Cubbage, Alexandra	2031
1975	Asbury	Culbertson, Jess	988
2625	Marshall	Cull, Andrew	1275
1040	Fitzwater	Culton, Travis Aaron	533
387	Entlicher	Cunningham, Alan	172
388	Entlicher	Cunningham, Alan	172
129	Asbury	Cunningham, Bob	57
2492	Kirkton	Cunningham, Thomas Daniel Vogel Paul Rost	1165

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915	Solon	Curless, Joanna Lynn	443
2116	Fraker	Curnutt, Betty	1050
2481	Day	Curran, Alexis	1165
227	Brown (085)	Curran, Paula	104
2633	Marshall	Curry, Brittany	1275
138	Cookson	Curry, Mary Ann	57
950	Denison	Curtis, William David	465
1005	Denison	Curtis, William David	510
1443	Brown (116)	Cutting, Phil	710
1103	Franz	Czerwonka, Kelby	560
545	Flanigan	D and D Sexton	215
546	Flanigan	D and D Sexton	215
3274	Guernsey	D and J Enterprises	2352
1286	Brattin	Daldrup, Cassie	614
1322	Nolte	Daldrup, Sarah	614
1548	Shively	Dale, Connie	824
2604	Asbury	Dale, Kalob	1275
2047	Solon	Dale, Zachary	1050
681	Phillips	Dalton, Steven	311
3096	Hubbard	Daly, Gregory	1656
271	Cauthorn	Daly, Susan	104
463	Fuhr	Dammrich, Juliana	193
2295	Barnes	Dampf, Marjorie Rupp	1131
2552	Kratky	Danback, Austin	1225
2073	Richardson	Dancer, Deborah	1050
63	Hoskins	Dandurand, Jonathon	37
547	Kelley (126)	Daniel, Elizabeth	215
1490	Diehl	Dankner, Rachel Leigh	727
3144	Richardson	Darden, James	1848
1149	Jones (089)	Darnell, Austin	601
586	Zerr	Darter, Lauren	279
2151	Torpey	Daubendiek, Sarah	1075
239	Zerr	Daues, Joe	104
1524	Torpey	Daugherty, Jacob Aaron	744
2318	Sommer	Daugherty, Jennifer	1131
1172	Jones (089)	Davis, Chris	601
754	Shively	Davis, David	383

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925	Meadows	Davis, Donald	443
1243	Lair	Davis, Donnie and Mary	601
1825	Keeney	Davis, Emily	977
2710	Lair	Davis, Floyd Ben	1300
1851	Keeney	Davis, Gregg	977
3137	Nolte	Davis, Kirk	1848
2806	Torpey	Davis, Kyle Andrew Watkins	1461
1738	Kelley (126)	Davis, Rayma Bekebrock	952
726	Reiboldt	Dawson, Kate	366
1913	Berry	Day, Brennen Michael	988
1532	Korman	Day, James	744
194	Cookson	Day, Max and Gloria	80
112	Lair	Dean, Bill and Grace	46
349	Guernsey	Deason, Lois	150
626	Zerr	Debo, Jessica	279
3291	Swinger	DeBretto, Sarah Theresa Farmer	2352
82	Fraker	DeCamp, Lesah posthumous	37
3160	White	Decan, Donald	1848
3045	Kirkton	Deck, Anna Morgan	1656
2462	Day	Deckard, Evan	1165
1612	Keeney	DeClue, Courtney	884
1939	Scharnhorst	Dedic, Taylor	988
107	Denison	DeForest, Max J.	46
1287	Brattin	Degges, Kayla	614
3141	Hampton	Dell, Earl Donnie and Carolyn Kay	1848
399	Entlicher	Delmont, Brandon	172
784	Leara	Deloney, Olivia	393
2638	Phillips	Demeke, Karla	1275
2802	Weter	DeMoss, Matthew	1461
2477	Day	Dendekker, Tuenis	1165
703	Brown (116)	Denney, Kelsey	349
1953	Asbury	Denslow, Jacob	988
457	Fuhr	Depasquale, Evan	193
1799	Pollock	Deputy, Hazel Hayes	977
1115	Brown (116)	Derks, Paul Robert Bartlett	601
2062	Lampe	Descendants of Mary Whitney Phelps	1050
2436	Franklin	Deskin, Maddie	1165

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1722	Nolte	Deters, Kyle	917
2157	Rowland	DeYoung, Jane	1075
1646	Richardson	Diamond, Virgie	917
395	Entlicher	Dickerson, Devin	172
808	Franklin	Dickerson, Randy	414
2036	Lichtenegger	Dickerson, Taylor	1050
350	Guernsey	Dickinson, Lucille	150
842	Jones (089)	Dieckhaus, Chris	435
2761	Brown (116)	Dieckman, Elmer and Pearl	1461
224	Brown (085)	Diel, Gage	104
3065	Schupp	Dielmann, Harold	1656
1260	Brown (085)	Dierkes, Melissa	614
371	Bernskoetter	Dietrich, Jean	162
2879	Keeney	Dildine, Connie	1516
1688	Gosen	Dillard, Erin	917
3169	Jones (063)	Dillard, Robert	1935
1070	Leara	Dillon, Patricia	533
289	Brown (116)	DiMarsico, Kelsey	122
336	White	Dines, Ione	150
2897	Scharnhorst	Dintleman, Joshua	1516
3008	Brandom	Dirnberger, Carrissa	1623
3200	Day	Dittman, Sylvia	1935
2150	Sifton	Dittrich, Michael	1075
490	Nolte	Dobbins, George and Essie	193
123	Brown (116)	Dockery, Brenden Michael	57
1114	Keeney	Dockins, Fred	601
2706	Lair	Dodd, Sandra	1300
66	Wells	Dodson, Hailey	37
888	Solon	Doescher, Drew	443
1352	Haefner	Doherty, Casey	650
1513	Kirkton	Dolan, Douglas	744
1227	Cierpiot	Domsch, Sarah	601
2004	Scharnhorst	Donaway, Charlotte	1029
1663	Solon	Doolin, Thad	917
657	Rowland	Dora R-III School District	297
1803	Weter	Doran, Makennon	977
1669	Solon	Dorian, Emilie	917

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2325	Sommer	Dorn, Susan	1131
1158	Jones (089)	Dorner, Hailey	601
2326	Phillips	Dorr, Jeanne	1131
1468	Shively	Dorrell, Lynn	727
1089	Jones (063)	Dorsey, Myrtle	560
1400	Taylor	Dougherty, Patrick	668
282	Dugger	Douglas County Herald	104
2691	Entlicher	Douglas Haun and Heidemann PC	1300
2272	Asbury	Douglas, Caige	1092
2277	Asbury	Douglas, Hunter	1092
2280	Asbury	Douglas, Summer	1092
74	Lair	Dover, Jerry	37
2592	Asbury	Downing, Alyssa	1275
3007	Brandom	Downing, Samantha	1623
2112	Brown (116)	Downs, Dee	1050
1997	Dieckhaus	Downtown Washington, Inc.	1029
708	Richardson	Drerup, Claire Betz	366
2586	Asbury	Dresback, Kayley	1275
419	Jones (117)	Drew, LaDonna June	184
2135	Riddle	Dreyer, Anna	1050
1060	Leara	Driemeyer, Mary	533
1127	Harris	Drummond, Janet	601
1441	Quinn	Drummond, Sara	710
1839	Leach	Drury University Swim Team	977
3013	Brandom	Drury, Maria	1623
1090	Jones (063)	Drury, Shirley	560
1860	Keeney	Duckworth, Lacey	977
2547	Franz	Dudko, Kristina	1225
1721	Nolte	Duer, Jeffrey Joseph	917
2428	Franklin	Duggan, Cathy	1165
2094	Bernskoetter	Dumas, Zachariah	1050
3255	Schupp	Dumontier, Danielle	2031
2439	Franklin	Duncan, Layne	1165
3321	Guernsey	Dungy, Bennett Ryan	2586
625	Zerr	Dunham, Katherine	279
3180	Schupp	Dunlap, Conor	1935
1079	Elmer	Dunn, Joe Bob and Rose Lynn	560

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370	Kelly (024)	Dunn, Ron	162
2354	Nasheed	Dunn, Sharniece	1148
114	Riddle	Dunnavant, Don and Doris	46
1065	Brown (085)	Durbin, Alan and Helen	533
3341	Riddle	Durbin, Brittney	2586
1941	Scharnhorst	Durell, Dyllon	988
2533	Korman	Durrell, Olivia	1225
501	Redmon	Durst, Paul and Irene	203
1055	Guernsey	Dustman, Myles	533
2697	Shively	Eagan, Cathy	1300
2501	Grisamore	Earley, Rebecca	1165
2903	Marshall	Eason, Bailey	1516
474	Cookson	East Carter High School Lady Softball Redbirds	193
1342	Brattin	East Lynne 40 School District	650
201	Lauer	Eastern Jackson County Builders and Developers	80
1846	Cierpiot	Eaton, Daniel	977
464	Fuhr	Ebenreck, Madelyn	193
1535	Leara	Ebert, Mik	744
445	Fuhr	Ecker, Lucie	193
25	Montecillo	Eckert, Shirley	28
1365	Bahr	ECUMENICAL PATRIARCHATE	650
1074	Leara	Edward Jones Dale Roethemeyer Office	533
3304	Davis	Edwards, Broderick	2586
352	Guernsey	Edwards, Lyle and Arloa	150
1237	Webb	Edwards, William	601
1858	Keeney	Eftink, Catherine	977
2204	Wallingford	Eftink, Luke	1075
3047	Franz	Eggert, Tyler	1656
2207	Redmon	Eggleston, Patricia Ann	1075
467	Fuhr	Ehlers, Kirsten	193
3143	Sommer	Ehlmann, Jean	1848
2570	Aull	Ehrhardt, Sidney	1275
486	Bernskoetter	Ehrsam, Barbara	193
1091	Jones (063)	Eichenberger, Frankie	560
2132	Riddle	Eichman, Destri	1050
193	Brown (116)	Eierman, Johnny	80
229	Brown (085)	Eisele, Zoe	104

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2525	McManus	Eisenbrandt, James	1225
2001	Elmer	Eisman, Diann	1029
1611	Keeney	Elam Pyles, Darian	884
830	Kelley (126)	Eldorado Springs FFA	414
1213	Klippenstein	Eldredge, Nick	601
127	Webber	Elemental Enzymes	57
1863	Keeney	Elfrink, Emily	977
1864	Keeney	Elfrink, Joseph	977
1303	Brown (085)	Elking, Allison	614
1358	Haefner	Eller, Casie	650
1530	Houghton	Elliott, Joseph Andy	744
2952	Cookson	Ellis, Andrew	1563
1143	Jones (089)	Ellis, Brock	601
2618	Schupp	Ellis, Caleb Michael Weiss	1275
1419	Torpey	Ellis, Earl Elwood and Mary	668
3166	Hough	Ellis, Judy	1935
1219	McNeil	Ely, Sarah	601
1423	Kraus	Eminence High School Lady Redwings Basketball Team	710
92	Fitzwater	Eminence R-I HS Girls Volleyball	46
1373	Fitzwater	Eminence R-I School District	668
1624	Keeney	Endicott, Holly	884
624	Zerr	Endsley, Nicholas	279
184	Korman	Engel, Philip Wayne	80
2847	McCaherty	England, Kaitlin	1461
1192	Quinn	Eniade, Elias	601
704	Hough	Ennis, Dolora Jones	349
1092	Jones (063)	Erickson, Cindy	560
1915	Berry	Erskine, Vanessa Mae	988
1765	McDonald	Esch, Andie	952
2268	Asbury	Eskew, Aaron	1092
1905	Ruzicka	Eskew, Donald and Fern	988
335	White	Essary, Shirley	150
314	Lichtenegger	Essner, Danny	139
1355	Haefner	Esswein, Maria	650
378	Nasheed	Estes, Camerron	162
2863	Tilley	Ethridge, Neal	1516
1347	Haefner	Etling, Brian	650

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3337	Grisamore	Eulinger, Jordan Tyler	2586
2053	Solon	Evans, Jamie	1050
578	Ruzicka	Evatt, Steve	262
788	Leara	Evenson, Suzy	393
2403	May	Everett, Gordon	1165
1125	Hoskins	Everhard, Bailey	601
391	Entlicher	Everly, Kendra	172
397	Entlicher	Everly, Kendra	172
1049	Schad	Evers, Noah	533
1043	Schad	Evers, Victoria	533
822	Kelley (126)	Everton FFA	414
59	Hoskins	Ewing, Shane Andrew	37
650	Rowland	Fairview R-XI School District	297
1965	Asbury	Fallis, Jordan	988
3066	Jones (089)	Falun Dafa Practitioners of St. Louis	1656
355	Keeney	Family Triology Chrissy Hurst	150
574	Dugger	Famsey, Hannah	242
249	Schieber	Fane, Todd	104
2514	Aull	Fangmann, Mary Lee	1225
2486	Day	Farhat, Aya	1165
2225	Phillips	Farley, Steven	1092
3122	Lampe	Farr, Meyer Ruthann	1797
1157	Jones (089)	Farr, Morgan	601
1130	Pace	Farr, W.C.	601
1298	Brown (085)	Farrell, Courtney	614
96	McDonald	Farren, Colby	46
2427	Franklin	Farris, Maureen	1165
119	Kratky	Favre, John Jack	57
1121	Berry	Fehner, Kathleen	601
2317	Sommer	Feldewerth, Andrea	1131
3140	Sommer	Feldman, Laurie	1848
3263	Hampton	Felts, Narvel	2352
1531	Houghton	Fennewald, Fred	744
2901	Marshall	Ferguson, Devin	1516
1499	Diehl	Ferguson, Jazmyn Imani Scales	727
1491	Diehl	Fern, Austin Decatur	727
1584	Colona	Fernandez, Nicholas	871

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1954	Asbury	Fessler, Donald	988
623	Zerr	Fessler, Tess	279
2755	Haefner	Fick, Lori	1461
2583	Asbury	Fifer, Joey	1275
1001	Reiboldt	Findley, Lea Ann	510
2223	Johnson	Findleyk, Robert and Rose	1092
1412	Taylor	Finley, Jacari	668
1687	Gosen	Finnegan, Mitchell	917
108	Asbury	FINSPEED	46
1552	Quinn	First Baptist Church of New Franklin	871
534	Kelly (024)	First Student of Columbia	215
1293	Brown (085)	Fischer, Grace	614
855	Kelly (024)	Fischer, Lauren	435
2008	Scharnhorst	Fischer, Marissa	1029
3235	Davis	Fiscus, Keith	2031
3068	Colona	Fish, Nicola	1656
1880	Burlison	Fish, Wildlife and Natural Resources	977
1178	Schad	Fisher, Jonathan	601
1022	Brown (085)	Fisher, Ken	510
1363	Shumake	Fisher, Melburn and Eunice	650
622	Zerr	Fitch, Maia	279
1316	Nolte	Fitts, Natalie	614
641	White	Fitzjarrell, Sheral	279
3237	Sommer	Five Acres Animal Shelter	2031
621	Zerr	Fix, Kelsey	279
1592	Flanigan	Flanigan, Bren	884
448	Fuhr	Fleischman, Adam	193
1868	Allen	Fleming, Kristin	977
1392	Johnson	Fletchall, Virgil and Dortha	668
1684	Gosen	Flores, Abigail	917
1517	Kirkton	Floretta, Maura	744
20	Leara	Florich, Mary Anne	28
2019	Pace	FOCUS St. Louis	1029
1811	Scharnhorst	Fogarty, Demi	977
2131	Riddle	Fogel, Emmie	1050
894	Solon	Foley, Micholas	443
1284	Brown (085)	Foltz, Dalton	614

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56	Hoskins	Fontaine, Logan	37
620	Zerr	Forbes, Dillon	279
619	Zerr	Forbes, Evan	279
2785	Hummel	Ford, Claire	1461
438	Largent	Ford, Connor	184
2298	Higdon	Ford, Joseph	1131
1183	Schad	Ford, Katie	601
3266	Oxford	Ford, Rita	2352
661	Aull	Forqueran, Kelsey	297
2692	Sifton	Forst, Mary	1300
656	Rowland	Forsyth R-III School District	297
1428	Rowland	Forsyth R-III School District	710
62	Hoskins	Forsythe, Nick	37
2988	Lasater	Fort Osage Fire Department	1623
28	Rizzo	Forte, Darryl	28
1988	Neth	Forth, Brandon	1029
2958	Day	Fortner, Emily	1563
2031	Lichtenegger	Fosse, Nick	1050
2246	Webber	Foster Care of the Midwest	1092
1432	Fraker	Foster, Anne	710
163	Kelley (126)	Foster, Jealisy	66
699	Aull	Foster, Lauren	349
303	Reiboldt	Four States Dental Care	122
850	Houghton	Fowler, Jessie	435
1690	Gosen	Fox, Hannah	917
2301	Franklin	Fracica, Elizabeth	1131
1742	Leara	Francis, Rick	952
1444	Kelly (024)	Francis, Roy	710
1703	Bernskoetter	Francka, Baylee	917
376	Bernskoetter	Frank, Elmer and Mary	162
1718	Kirkton	Frank, Lydia	917
1960	Asbury	Franke, Alexander	988
970	Schatz	Franklin County R-II School District	489
1205	Solon	Franklin, Addie	601
1645	Holsman	Franklin, Marian	917
2288	Kelley (126)	Fray, Kaycia	1092
334	White	Freelander, Michael	150

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963	Wallingford	Freeman, Bill and Linda	489
618	Zerr	Freeman, Laura	279
135	Schneider	Freiezo	57
2540	Franz	Fremgen, Annina	1225
2808	Denison	Frey, Garrett	1461
516	Entlicher	Friar, Sydney	203
2556	Fraker	Frick, Margaret	1225
265	Gatschenberger	Friends of the Wentzville Parks	104
875	Sommer	Frisella, Michael	435
1598	Schneider	Fritz, Susan	884
87	Schieber	Frost, Jenny Lu	37
1847	Cierpiot	Fryer, Luke	977
1823	Brown (085)	Fuchs, Kathleen Ann	977
3261	Solon	Fuerst, Alice	2031
2174	Guernsey	Fuller, Addison	1075
733	Cox	Fulson Housing Group Matt Fulson	366
1634	Keeney	Fults, Sarah	884
212	Haefner	Furrer, Matthew	104
215	Haefner	Furrer, Timothy	104
3176	Schupp	Gainer, Brendan	1935
309	Shumake	Gaines, Michael	139
655	Rowland	Gainsville R-V School District	297
2651	Cross	Galbraith, Therese	1300
1992	Johnson	Galbreath, Jim and Judy	1029
2184	Wallingford	Galemmo, Jennifer	1075
617	Zerr	Gallagher, Jackson	279
1234	Conway (014)	Gallagher, Joseph	601
275	Schoeller	Gallivan, David and Audrey Ruth	104
1302	Brown (085)	Gamble, Joseph	614
2081	Bernskoetter	Gamble, Kathryn	1050
133	Lichtenegger	Gaming Ground	57
957	Elmer	Gammill, Olivia	489
3142	Bernskoetter	Ganey, David	1848
2892	Scharnhorst	Gangavarapu, Mahathi	1516
2309	Lair	Garber, Dave	1131
2005	Scharnhorst	Gardner, Brad	1029
942	Brattin	Garlett, Christopher Lee	454

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782	Leach	Garner, Deborah	393
1924	Berry	Garr, Amanda Michelle	988
811	Brown (116)	Garr, Cory	414
1890	Reiboldt	Garren, Maddie	988
1414	Taylor	Garrett, Tremayne	668
3192	Torpey	Garringer, Cheryl	1935
1778	Klippenstein	Garrison, Terry	952
2122	Wright	Gary and Donna Deardorff	1050
365	Gosen	Gass, Jacob Anthony	162
3033	Franz	Gastineau, Kole	1656
2516	Torpey	Gates, Rachel	1225
851	Houghton	Gatson, Kasey	435
2976	Schneider	Gaunt, Carol	1623
67	Wells	Gayer, Larry and Susan	37
3212	Schupp	Geary, Nora	1935
1319	Nolte	Geiger, Grace Marie	614
2775	Sommer	General Motors Wentzville Assembly Plant	1461
1013	Wallingford	George, Homes	510
273	Cauthorn	George, Judy	104
728	Cross	Gerding, Jonathan Taylor	366
2251	Diehl	Gerding, Tommy	1092
727	Cross	Gerding, Zachary James	366
700	Bernskoetter	Gerlette, Debbie	349
1706	Bernskoetter	Gerstner, Brock	917
418	Jones (117)	Gholson, Jim	184
1957	Asbury	Gibb, Sarah	988
2667	Brown (085)	Gibbs, Kyle	1300
1640	Swinger	Gibson, Lonnie Dale	884
2560	Funderburk	Gibson, Sherry	1225
2336	Montecillo	Giegling, Jonathan	1148
3003	Brandom	Gifford, Merandia	1623
3312	Korman	Gigax, Judith	2586
3306	Korman	Gilbert, Laurie	2586
2798	Day	Gilbert, Nathan	1461
3186	Klippenstein	Giles, Garrett Thomas Hayden	1935
1990	Klippenstein	Gillespie, James Eldon	1029
2502	Grisamore	Gillespie, Kelly	1165

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2045	Swinger	Gillette, Teresa Kay	1050
1420	Hinson	Girardier, Virginia	710
2990	Oxford	Girls Inc.	1623
1772	Entlicher	Girls Scouts of America Stockton Troop	952
1697	Entlicher	Girls Scouts of the Missouri Heartland	917
434	Largent	Glasscock, Wade Patrick	184
2711	Flanigan	Glaze, Larry	1386
1159	Jones (089)	Glazebrook, Grand	601
1539	Zerr	Glazers Distributors of Missouri	744
2678	Brown (085)	Gleason, Kaitlyn	1300
1377	Solon	Gleich, Julie	668
3228	Redmon	Glisan, Nancy	2031
46	Flanigan	Glover, Brian	28
2041	Stream	Glunt, John	1050
709	Richardson	Godsy, Lauren	366
616	Zerr	Goebel, Haley	279
2342	Montecillo	Goeddel, Joseph	1148
423	Lair	Goetting, Julia	184
829	Kelley (126)	Golden City FFA	414
2121	Wright	Golden Living Center	1050
178	Holsman	Goldwasser, Ori Dotan	80
3172	Lauer	Gomez, Jessica	1935
2964	Day	Gomez, Margarita	1563
2391	Aull	Gonder, Donna Jean	1165
38	Guernsey	Gondringer, Abigail Marie	28
1769	McDonald	Gonzales, Emily	952
3222	Entlicher	Gooch, Cara Nicole	1935
2493	Torpey	Gooch, Christen	1165
1658	Asbury	Goodding, Katrina	917
3162	Neth	Gracemor Elementary School	1848
2240	Richardson	Gragg, Sally	1092
1861	Keeney	Graham, Casey	977
3283	Franklin	Graham, Gary	2352
1244	Lair	Graham, Maddi	601
2959	Day	Graham, Patricia Rose	1563
510	Holsman	Grandview Missouri	203
1497	Diehl	Graney, Richard Daniel	727

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3110	Hodges	Granger, Danice	1797
1416	Taylor	Granger, Jordan	668
2109	McGeoghegan	Grant, Lorene Mae	1050
3225	Molendorp	Grantham, Kristen	2031
1986	Neth	Graskemper, Bryce	1029
2432	Franklin	Grasshoff, Courtney	1165
2258	Diehl	Gratz, Kelsey	1092
3011	Brandom	Gray, Andrea	1623
2032	Lichtenegger	Gray, Micayla	1050
1110	Molendorp	Grazier, Sheryl	601
1906	Schoeller	Great Circle	988
664	Reiboldt	Great Western Dining Service	297
132	Hough	Greatwood, Rachel	57
1291	Brown (085)	Grebing, Hannah	614
1152	Jones (089)	Green, Amie	601
2333	Shively	Green, Betty	1148
1776	Klippenstein	Green, Edd D.	952
912	Solon	Green, Kendall	443
3071	Torpey	Green, Sarah	1656
225	Brown (085)	Green, Spencer	104
2406	Wallingford	Green, Walker and Jelettia	1165
204	Leach	Greene County Commission	80
1781	Schoeller	Greene County Historic Sites Board	952
1059	Cookson	Greene, Michael	533
823	Kelley (126)	Greenfield FFA	414
1228	Phillips	Greenwalt, Sophia	601
1677	Long	Greer, Zena	917
1364	Shumake	Gregg, Harold and Alona Sissy	650
35	Leara	Gregg, Joel	28
1181	Schad	Grellner, Chantz	601
343	Haefner	Greubel, Matthew	150
895	Solon	Griesbauer, Erin	443
2381	Sommer	Griffith, Chris	1165
615	Zerr	Griffith, Melissa	279
1910	Denison	Griffith, Willena	988
1052	Reiboldt	Griggs, James	533
1238	Hodges	Griggs, Mariah Monett	601

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2889	Scharnhorst	Grimm, Allison	1516
3080	Keeney	Grindstaff, Alexis	1656
3085	Keeney	Grindstaff, Alexis	1656
772	Kelley (126)	Griner, Josh	383
2452	Day	Grizzell, Jess	1165
3155	Nasheed	Groce, Carolyn	1848
2616	Nasheed	Groce, Jason	1275
2201	Wallingford	Groshong, Grace	1075
2620	Wyatt	Grove, James	1275
3187	Kirkton	Grow, Roger	1935
696	Leach	Grubbs, Brian	328
814	Neth	Grubbs, Susanna	414
1327	Webber	Grupe, Mary	650
2788	Hummel	Guelker, Sophia	1461
1575	Sifton	Guetschow, MacKenzie	871
2591	Asbury	Guffey, Caitlyn	1275
2698	Shively	Guildoo, Karen	1300
2429	Franklin	Gulshen, Ann Luetkemeyer	1165
392	Entlicher	Gumm, Shawn	172
1678	Gosen	Gummi, Ravali	917
2108	Bernskoetter	Gunn, Steven	1050
220	Marshall	Gutherie, Frederick	104
2628	Marshall	Guthier, Kylie	1275
1869	Allen	Gutierrez, Larissa	977
892	Solon	Gutierrez, Micheia	443
614	Zerr	Haake, Andrea	279
1477	Keeney	Haas, Morgan	727
1969	Asbury	Hackett, Brett	988
169	Bernskoetter	Hackmann, Spenser Aaron	66
470	Lauer	Hadden, Ralph	193
995	Lauer	Hadler, Delmar and Ruth	510
2033	Lichtenegger	Haertling, Dru	1050
853	Fuhr	Hagemann Elementary School	435
2243	Swinger	Hagerthy, Cassidy	1092
3324	Smith (071)	Hahn, Eric	2586
1794	Solon	Hake, Isabella	977
3300	Conway (014)	Haldiman, Brenda	2352

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2413	Schad	Haley, Koren	1165
2961	Day	Hall, Dawniel	1563
1625	Keeney	Hall, Holly	884
2797	Day	Hall, Kodi	1461
1519	Kirkton	Hall, Michael Arthur	744
2327	Nance	Hall, Ralph	1148
3076	Keeney	Hall, Sierra	1656
951	Cierpiot	Halphin, Meagan	465
262	Gatschenberger	Ham Beene, Shannon	104
1632	Keeney	Hamblin, Abbie	884
2947	Lair	Hamilton, Raymond and Catherine	1563
1209	Solon	Hammontree, Riley	601
3196	Flanigan	Hampshire, Josh	1935
2232	Meadows	Hampton, Christopher Michael	1092
1854	Keeney	Hampton, Kasie	977
3245	Swinger	Hampton, Kimberly	2031
2367	Sommer	Hancock, Tim	1165
2171	Solon	Handy, Tristan	1075
3242	Wallingford	Hanebrink, Amy	2031
2768	Carter	Hankerson, Elijah H. III	1461
8	Solon	Hannaman, Keith	12
1099	Solon	Hannman, Keith	560
3161	Cox	Harden, Gage	1848
1653	Asbury	Hardy, Hannah	917
2220	Fitzwater	Hardy, Heber	1092
512	Keeney	Hargis, John and Jamie Hargis	203
346	Keeney	Hargiss, Barbara	150
1376	Fitzwater	Harmon, Cliff	668
1382	Fitzwater	Harmon, Cliff and Kathleen	668
2018	Webber	Harper, Kimberly	1029
3314	Grisamore	Harper, Seth Austin	2586
180	Molendorp	Harris, Alexander Kalan	80
2359	Nance	Harris, Brandon Michael	1165
843	Jones (089)	Harris, Chelsea	435
55	Hoskins	Harris, Ian	37
3317	Grisamore	Harris, James Andrew	2586
2117	Quinn	Harrisburg High School Girls Basketball Bulldogs	1050

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1343	Brattin	Harrisonville R IX School District	650
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72	Lair	Hart, Harold and Bonnie	37
2023	Lichtenegger	Hartmann, Deidre	1050
562	Dugger	Hartville R-II School District	242
3174	Lauer	Hartwig, Cara	1935
1792	Solon	Harvey, Carson	977
3248	Dieckhaus	Harvey, Colton Nash	2031
1779	Klippenstein	Harvey, William	952
1164	Jones (089)	Harville, Taylor	601
293	McCaherty	Haskins, Brian	122
2870	Denison	Hass, Sophie	1516
2316	Sommer	Hastings, Terri	1131
304	Solon	Hatley, Patrcia	122
1949	Scharnhorst	Haug, Sarah	988
3093	Reiboldt	Haupt, Sandy	1656
1012	Reiboldt	Haupt, Stephen	510
1390	Shively	Hawkins, John and Hazelle	668
2631	Marshall	Hayes, Diamond	1275
1874	Allen	Hayes, Michael	977
1124	Berry	Haynes, Elizabeth	601
541	Fisher	Haynie, William Wade	215
1901	Berry	Hays, Ethan	988
3323	Smith (071)	Haywood Gaskin, Angela	2586
1681	Gosen	Healy, Sarah	917
2673	Brown (085)	Hecht, Natalie	1300
2029	Lichtenegger	Hecht, Ray	1050
1270	Weter	Hedgpeth, Chlorene	614
2458	Day	Hegg, Charlotte	1165
2719	Sifton	Hehmeyer, Barbara	1386
2648	Kander	Heier, Devin	1300
1973	Asbury	Heimann, John	988
2010	Scharnhorst	Heimos, Callahan	1029
3233	Kirkton	Heitman, Liz	2031
613	Zerr	Helderle, Briana	279
3303	Haefner	Helling, LeAnn	2586

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3206	Day	Helton, Abigail	1935
2185	Wallingford	Hemmann, Nicole	1075
2929	Higdon	Henderson, Aille	1563
2443	Franklin	Henderson, Devin	1165
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1069	Leara	Henderson, Martha	533
3052	Franz	Henderson, Tafton	1656
1241	Fuhr	Hendrickson, Carl	601
2320	Sommer	Hendrix, Stephanie	1131
2734	Newman	Henke, Linda	1386
3146	Quinn	Henke, Nancy	1848
612	Zerr	Hennessey, Alexa	279
1320	Solon	Hennessy, Jessica Catherine	614
2178	Anders	Hennessy, John Michael	1075
2920	Brown (116)	Henning, Alexa	1563
887	Solon	Henning, Chris	443
1896	Berry	Henshaw, Jaci	988
3058	Franz	Hensley, Colten	1656
3000	Brandom	Henson, Blake	1623
1278	Keeney	Henson, Kelly	614
906	Solon	Henson, Kyle	443
1707	Bernskoetter	Hentges, Hale	917
2763	Haefner	Herbert, Monica	1461
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891	Solon	Herman, Michael	443
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719	Sifton	Hernandez, Ricardo	366
1784	Solon	Herrman, John	977
2491	Day	Herrmann, Carl	1165
565	Guernsey	Herrold, Dale and Carol	242
2440	Franklin	Herst, Gavin	1165
1966	Asbury	Hess, Kolten	988
2205	Wallingford	Hessenkemper, Morgan	1075
2313	Sommer	Hesskamp, Cliff	1131
1903	Berry	Hiatt, Trevan	988
1979	Cox	Hiatt, Viola	988

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2956	Day	Hicks, Billie	1563
3125	Jones (063)	Hicks, Brittany	1797
1202	Solon	Hicks, Jordan	601
1672	Solon	Hicks, Miller	917
2912	Marshall	Higbe, Cameron	1516
3335	Korman	Hileman, Laurene	2586
3246	Hampton	Hill, Buddy Mack	2031
2158	Neth	Hill, Wilbur	1075
1255	Jones (063)	Hilliard, David	614
2621	Aull	Hinnah, Debby	1275
579	Torpey	Hinson, Jim	262
2924	Swinger	Hipp, Emily	1563
1170	Jones (089)	Hirsch, John	601
1502	Lauer	Hissong, Mark	744
2562	Brandom	Hively, Elizabeth	1225
721	Sifton	Hixson, Rachel	366
221	Brown (085)	Hodzic, Nedim	104
874	Jones (089)	Hoeferlin, Erica	435
1007	Hinson	Hoffman, Gilbert	510
921	Ruzicka	Hoffman, Homer and Margo	443
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3344	Barnes	Hogg, James	2586
1740	Schad	Hogue, Meghann	952
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1413	Taylor	Hollan, Dorian	668
2639	Phillips	Holland, Steve	1275
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2662	Bernskoetter	Holloway, Sarah	1300
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3002	Brandom	Holmes, Bethany	1623
1618	Keeney	Holmes, Eli	884
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2876	Denison	Hopkins, Natalie	1516
2968	Brown (116)	Horace Mann Elementary School	1563
3010	Brandom	Horman, Dallon	1623
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2034	Lichtenegger	Hosp, Drew	1050
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1818	Scharnhorst	Houston, Ellen	977
1828	Keeney	Hovis, Evan	977
1350	Haefner	Hovis, Margaret	650
1142	Jones (089)	Howard, Abby	601
611	Zerr	Howard, Brandon	279
1642	Schad	Howard, Charles Andrew	884
453	Fuhr	Howard, Samuel	193
1802	Weter	Howard, Tessa	977
1331	Jones (117)	Hoyle, Rosa	650
1024	Brown (085)	Hubbard, Michelle	510
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2253	Diehl	Huber, Meghan	1092

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2786	Hummel	Huelsing, Megan	1461
502	Schad	Huesgen, Georgina	203
2760	Brown (116)	Huff, Delmar and Leanna	1461
2130	Riddle	Huff, Michaela	1050
2140	Riddle	Huff, Solomon	1050
1433	Brown (116)	Huff, Susan	710
1134	Jones (089)	Huffines, Grey	601
26	Brown (116)	Huffman, Aubrey and Betty	28
287	Cauthorn	Huffman, George	122
2361	Fitzwater	Huffman, Mona	1165
1655	Asbury	Hughes Jackson, Jaylen	917
2573	Solon	Hulen, Christian	1275
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1197	Reiboldt	Hulley, Julia	601
285	Kelley (126)	Hulsey, Gerald	104
2399	Aull	Humburg, Barbara	1165
427	Lauer	Hummel, Rachel	184
3294	Schoeller	Hummert, Jason	2352
2886	Scharnhorst	Humphrey, Nathan	1516
3101	Torpey	Humphrey, Shannon	1656
435	Largent	Humphreys, Steven Richard	184
2415	Schad	Humphreys, Tara	1165
2926	Higdon	Hunn, Andrew	1563
2731	Smith (071)	Hunt, Ashley	1386
1951	Asbury	Hunt, Camryn	988
1805	Weter	Hunt, Logan	977
539	White	Hunt, Virgil	215
2954	Day	Hunter, Tanaii	1563
890	Solon	Huntley, Jai	443
2874	Denison	Huntsman, Gavin	1516
2739	Brown (085)	Hurst Bayless, Connie	1386
1619	Keeney	Hurt, Catherine	884
437	Largent	Hutcherson, Douglas Wyatt	184
2424	Franklin	Hutchinson, Marcia	1165
300	Kelly (024)	Hyatt Wade, Sharyn	122
191	Nance	Hyder, Dick	80

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2412	Schad	Ilgenfritz, Todd	1165
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567	Ruzicka	Ingle, Carol Jean	242
556	Jones (117)	Inglish, David and Clara	227
2569	Molendorp	Ingram, Barbara	1275
1962	Asbury	Ingram, Kylea	988
228	Brown (085)	Inman, Samantha	104
1882	Fraker	Ipock, Pamela Faye	988
316	Lair	Ireland, Donald and Betty	139
1895	Berry	Irwin, Megan	988
1508	Kirkton	Isaacson, Margaret	744
173	Hughes IV	Ivanhoe Neighborhood Council	80
2056	Solon	Jackman, Amy	1050
2549	McGhee	Jackson County Family Week	1225
1177	Schad	Jackson, Cory	601
2098	Bernskoetter	Jackson, Emily	1050
2090	Bernskoetter	Jacobs, Christopher	1050
2353	Nasheed	Jacobs, Curteisha	1148
2603	Asbury	Jacoby, Zane	1275
6	Barnes	Jacquot, Kas	12
1214	Oxford	JAD Productions Jason Deem	601
1538	Zerr	Jakes on Main Scott Newcomer	744
2859	Aull	James, Bob	1516
1557	Wright	James, Dustin	871
2862	Nasheed	James, Jeanelle	1516
2923	Jones (117)	Jamestown Missouri	1563
1226	Nasheed	Jamison Memorial Christian Methodist	601
1356	Haefner	Jandro, Julia	650
101	Ruzicka	Jaqua, Beryl Royster Gourley	46
1138	Jones (089)	Jarboe, Jackson	601
2422	Schad	Jarrett, Olivia	1165
2902	Marshall	Jasinski, Rosie	1516
825	Kelley (126)	Jasper FFA	414
1605	Brown (116)	Jay and Sadie Heetland	884
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2612	Nasheed	Jenkins, Brittany	1275
2161	Solon	Jenkins, Chris	1075
2949	Lair	Jenkins, Gary and Patsy	1563
2050	Solon	Jenkins, John	1050
2613	Nance	Jenkins, Serena	1275
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1540	Zerr	Jim Thros Auto Repair Jim Thro	744
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172	Leach	JMARK Business Solutions	80
3290	Lampe	Johanson, Gunnar	2352
2199	Wallingford	Johnson, Ayana	1075
3189	Cox	Johnson, Chase	1935
3031	Franz	Johnson, Cheyenne	1656
2167	Solon	Johnson, Corey	1075
2343	Montecillo	Johnson, Grace	1148
2114	Brown (116)	Johnson, Ivan	1050
3305	Korman	Johnson, Jane	2586
2175	Reiboldt	Johnson, Jessica	1075
2523	Schatz	Johnson, Jim	1225
3219	Hoskins	Johnson, Kelsey	1935
2242	Swinger	Johnson, Mary Ellen	1092
1473	Keeney	Johnson, Matthew	727
2599	Asbury	Johnson, Mikayla	1275
991	Wyatt	Johnson, Owen Pearse	510
3325	Smith (071)	Johnson, Rose Mary	2586
211	Haefner	Johnson, Sara	104
2503	Grisamore	Johnson, Susie	1165
2265	Lampe	Johnson, Taressa	1092
3048	Franz	Johnson, Tiawana	1656
2449	Day	Johnson, Vernon	1165
610	Zerr	Johnston, Madeline	279
1330	Schupp	Jonas, Courtney	650
2637	Phillips	Jones, Carol	1275
1236	Diehl	Jones, Courtney	601
2609	Nasheed	Jones, Derick	1275

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2764	Haefner	Jones, Elizabeth	1461
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2992	Lant	Jones, Jasmine	1623
1154	Jones (089)	Jones, Katherine	601
1417	Taylor	Jones, Keith	668
802	Leara	Jones, Kelly	393
2216	McNeil	Jones, Kristine	1092
2737	Swinger	Jones, Louise	1386
1889	Reiboldt	Jones, Megan	988
1702	Bernskoetter	Jones, Nathaniel	917
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1267	Brown (085)	Juengst, Nathan	614
1353	Haefner	Juergens, Timothy	650
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2977	Jones (089)	Kasper, Alex Michael	1623
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2465	Day	King, Brandi	1165
2575	Wallingford	King, Cynthia	1275
83	Fraker	King, Fay	37
1113	Keeney	King, Joe	601
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2758	Schoeller	Koffman, John	1461
3082	Keeney	Kohl, Colin	1656
634	Barnes	Kohler, Craig	279
1218	Lair	Kohrs, Don and Joan	601
274	Cauthorn	Koirtyohann, Steve	104
1301	Brown (085)	Kolnik, Ashley	614
2668	Brown (085)	Komanestsky, Michael	1300
2970	Schneider	Korns, Samantha	1563
1003	Reiboldt	Kraft, Marsha	510
1442	Nichols	Kramer, Gail	710
58	Hoskins	Kreher, Nathan David	37
1604	Brown (116)	Kreisler, Dillard	884
1914	Berry	Krohne, Hannah Jane	988
883	Lauer	Krueger, Claudia	435
2601	Asbury	Kruse, David	1275
3201	Day	Kubinski, Larra	1935
481	Riddle	Kuda, Shirley	193
2656	Bernskoetter	Kuensting, Suzanne	1300
880	Sommer	Kuhl, Michael	435
607	Zerr	Kuhn, Kelsey	279
206	Haefner	Kuntze, Joshua	104

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1002	Reiboldt	Kwetcham, Madaline	510
1999	Schoeller	KWFC Radio	1029
1204	Solon	Kywanfard, Rasul	601
2337	Montecillo	La Bonte, Kyle	1148
751	Wyatt	LaFaver, Dale and Eileen	383
1485	McGhee	Lafayette County C-1 High School Football Huskers	727
3214	Sommer	Lakamp, Matthew Robert	1935
2647	Kander	Lal, Sheela	1300
817	Kelley (126)	Lamar Career and Technical Center	414
769	Kelley (126)	Lamar Elementary School	383
832	Kelley (126)	Lamar FFA	414
1755	Kelley (126)	Lamar High School	952
1754	Kelley (126)	Lamar High School Band and Directors	952
1750	Kelley (126)	Lamar High School Board of Education	952
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1749	Kelley (126)	Lamar High School Opposition Analyst	952
1752	Kelley (126)	Lamar High School Principal	952
1748	Kelley (126)	Lamar High School Pyrotechnician	952
1747	Kelley (126)	Lamar High School Radio Announcers	952
1751	Kelley (126)	Lamar High School Superintendents	952
2749	Kelley (126)	Lamar HS Football Ball Boys	1461
2747	Kelley (126)	Lamar HS Football Filmer	1461
2748	Kelley (126)	Lamar HS Football Manager	1461
2750	Kelley (126)	Lamar HS Football Statisticians	1461
2746	Kelley (126)	Lamar HS Football Trainer	1461
1256	Guernsey	Lambert, Craig	614
1527	Hodges	Lamberts Cafe	744
1940	Scharnhorst	Lance, Caroline	988
1594	Reiboldt	Landes Trucking Truck Wash	884
1856	Keeney	Landewee, Leah	977
1852	Keeney	Landewee, Seth	977
1028	Sifton	Landherr, Jason	510
3177	Schupp	Landmann, Lukas	1935
117	Kelley (126)	Landrum, Ann	57
2781	Hummel	Landwehr, Jason	1461

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1509	Kirkton	Lane, Elizabeth	744
1402	Taylor	Laney, Trevor	668
2378	Sommer	Lang, Robert	1165
497	Black	Langley, Brad	203
2134	Riddle	Langworthy, Bailey	1050
2365	Berry	Lanning, John Bowman	1165
667	Marshall	Lanning, Richard Lucas	297
3138	Lichtenegger	Lappe, Amanda	1848
3171	Lauer	Larimer, Reyndon	1935
2346	Montecillo	Larkin, Abigail	1148
2896	Scharnhorst	Larsen, Anna	1516
1879	Allen	Laughlin, Jacquelyn	977
373	Bernskoetter	Laux, Paul	162
2938	Franklin	LaVanchy, John Foster	1563
329	Kander	Lawhon, Patrick	139
1257	Crawford	Lawrence, Derek	614
1631	Keeney	Lawrence, Stephanie	884
2065	Elmer	Lawson, Deborah	1050
57	Hoskins	Lawson, Mitch	37
2414	Schad	Lawson, William Cole	1165
2839	McCaherty	Lay, Ryan	1461
1175	Shively	Laye, Shayd	601
3094	Reiboldt	Lazure, Dan	1656
787	Leara	Leahy, Emma	393
809	Kelley (126)	Leaming, Ron Perry and Gail Ann	414
1383	Bernskoetter	Learning in Retirement Lincoln University	668
283	Sater	LeCompte, James William III	104
2925	Lampe	LeCompte, Zane Michael	1563
2590	Asbury	Ledbetter, Sydnie	1275
3036	Franz	Ledgerwood, Taylor	1656
1714	Fraker	Lee Cameron, Loretta Sue	917
247	Schieber	Lee, Boon	104
1569	Sifton	Lee, Marday	871
1450	Guernsey	Lee, Nathaniel Paul	727
1401	Taylor	Lee, Steve	668
235	Wright	LeGrand's Communications, Incorporated	104
3016	Brandom	Leible, Mollie	1623

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1459	Schieffer	Leitman, Homer and Patricia	727
2986	Sifton	Lemay Fire Protection District	1623
1826	Keeney	Lemons, Gage	977
932	Thomson	Lemons, Jacob	443
2663	Bernskoetter	LePage, Tayler	1300
2937	Higdon	Leroy, Josh	1563
90	Jones (117)	Lester, Jeffrey	46
1374	Fitzwater	Lesterville R-IV School District	668
946	Lauer	Lets Move Blue Springs	454
2838	McCaherty	Leuthhauser, Jessica	1461
232	Brown (085)	Leverenz, Mark	104
841	Jones (089)	Levy, Parker	435
1793	Solon	Lewis, Aaron	977
1600	Shively	Lewis, Bill	884
2993	Wyatt	Lewis, Bill	1623
2274	Asbury	Lewis, John	1092
1083	Reiboldt	Lewis, Linda	560
2753	Smith (071)	Lewis, Nicholas Anthony	1461
554	Asbury	Lewis, Opal	227
2146	Shively	Lewis, Sarah	1075
1198	Solon	Lewis, Xavior	601
820	Kelley (126)	Liberal FFA	414
1389	Neth	Liberty North High School Boys Basketball Eagles	668
488	Richardson	Libla, David	193
489	Richardson	Libla, Doug	193
2510	Houghton	Lienhard, Margaret Ann	1225
2218	Solon	Liggett Trail Education Center	1092
2917	Lichtenegger	Light, Mike	1563
2843	McCaherty	Lightfoot, Dakota	1461
2844	McCaherty	Lin, Yu Xuan	1461
1931	Silvey	Linard, Evan Jonathan	988
18	Leara	Linck, Debbie Nelson	28
50	Schieffer	Lincoln County R-III	28
740	Leara	Lindwedel, Sam	366
1000	Reiboldt	Lineberry, Susan	510
1628	Keeney	Little, Kevin	884

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1107	Rowland	Lloyd, Curtis	601
1661	Asbury	Lloyd, Fallon	917
318	Nolte	LMG Construction	139
3293	Schoeller	Lobsinger, Danielle	2352
1196	Entlicher	Locke, Cameron	601
824	Kelley (126)	Lockwood FFA	414
1462	Bernskoetter	Loehner, Christian James	727
68	Hough	Logan Rogersville R-VIII Football Wildcats	37
2126	Solon	Logan, Jeremy	1050
1635	Brown (116)	Lohman, Fred and Judy	884
1008	Solon	Lomax, Sarah Beth	510
2426	Franklin	Lombardo, Chris	1165
3280	Jones (117)	Longan, Rachel	2352
1393	Rowland	Looney, William Ray	668
1160	Jones (089)	Lopez, Isabel	601
1972	Asbury	Lopez, Marcos	988
3193	Torpey	Lord, Natascha	1935
876	Sommer	Loser, Joseph Robert	435
80	Fraker	Lowe, Bill	37
3150	Conway (014)	Lowe, Bill	1848
861	Jones (089)	Lu, Richard	435
3046	Bernskoetter	Luadzers, Belinda	1656
2445	McManus	Lucas, Linda	1165
3163	Fitzwater	Lucas, Luther Otho	1935
1712	Bernskoetter	Ludwig, Eric	917
3236	Loehner	Ludwig, Trent	2031
2189	Wallingford	Lueders, Brianna	1075
916	Thomson	Luke, Dakota Alan	443
919	Thomson	Luke, Derek Ethan	443
179	Holsman	Luke, Michael Andre	80
2811	Denison	Lusk, Maddie	1461
27	Brown (116)	Lutman, Larry and Jeanie	28
1912	Marshall	Luton, Adam	988
668	Marshall	Luton, Kevin	297
3286	Franklin	Luttrell, Charlene	2352
462	Fuhr	Lutz Dreyer, Duncan	193

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2934	Higdon	Lux, Sky	1563
2464	Day	Lykins, Peyton	1165
2416	Schad	Lyle, Dylan	1165
2438	Franklin	Lynch, Garrett	1165
1201	Solon	Lynch, Kaylee	601
1587	Brown (116)	Lynn, Rebecca	871
1246	Cookson	Lynxwiler, Jerry	614
1867	Allen	Lyon, Sarah	977
2470	Day	Lyons, Vicky	1165
2310	Lair	Maasdam, Robert and Mary	1131
3326	Smith (071)	Mabry, Laura	2586
917	Thomson	Macali, Ian	443
240	Zerr	MacCallum, Loretta	104
2714	Torpey	Mace, Rebecca	1386
337	Cauthorn	MacFarlane, Beverly	150
380	Schupp	Mack, Evan	172
2099	Bernskoetter	MacLaughlin, Brad	1050
577	Shively	Macon Lions Club	262
2685	Oxford	Madden, Kevin	1300
183	Pace	Madden, Levance and Rosalyn	80
2097	Bernskoetter	Maddox, Kyle	1050
345	Keeney	Madison Medical Center	150
1061	Nasheed	Mae, Blunnie	533
914	Solon	Maget, Zachary	443
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1017	Reiboldt	Mailes, Sue	510
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3281	Hodges	Majors, June	2352
1207	Solon	Malaeulu, Matai	601
3136	Richardson	Malden High School	1848
1163	Jones (089)	Maldonado, Isabel	601
2563	Sommer	Malkmus, Donna	1225
2475	Day	Malone, Esther	1165
1945	Scharnhorst	Malone, Molly	988
1180	Schad	Malzner, Jordon	601
1567	Sifton	Mandal, Ajla	871
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2568	Cookson	Mann, Linda	1275
2289	Kelley (126)	Mannen, Harold	1092
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1560	Wright	Manuel, Ethan	871
2981	Wright	Manuel, Joshua	1623
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1288	Brattin	Maple, Nellie	614
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2334	Kelly (024)	Marching Mizzou	1148
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2720	Burlison	Mari, Leilani	1386
2824	Torpey	Marines veterans	1461
3124	Shumake	Mark Twain Home and Museum	1797
653	Rowland	Mark Twain R-VIII School District	297
1162	Jones (089)	Markovitz, Sean	601
2369	Sommer	Marks, Steven	1165
2075	Casey	Markus, Steve	1050
2557	Fraker	Marlin, Elmeree	1225
2875	Denison	Marquart, Carson	1516
2777	Gatschenberger	Marroquin, Adam	1461
2860	Aull	Marshall FFA Chapter	1516
494	Kelley (126)	Marti, Jerry	193
1132	Jones (089)	Martin, Alayna	601
1184	Schad	Martin, Bailey	601
1652	Asbury	Martin, Blake	917
1176	Shumake	Martin, Donald and Sherrie	601
2558	Fraker	Martin, Donna	1225
1167	Jones (089)	Martin, Jason	601
454	Fuhr	Martin, Justin	193
934	Redmon	Martin, Lena Rebecca	443
85	Smith (071)	Martin, Mary Frances	37
420	Jones (117)	Martin, Rita	184
1649	Asbury	Martin, Sydni	917
449	Fuhr	Martin, Tomas	193
2900	Marshall	Martin, Wren	1516
714	Sifton	Marty, Jo	366

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1435	Holsman	Maschler, Lucia	710
2945	Kander	Masenthin, Logan	1563
899	Solon	Massey, Baylor	443
2967	Fitzwater	Massie, Carol	1563
1968	Asbury	Mast, Gage	988
1917	Berry	Masters, Andrew Bobby	988
233	Brown (085)	Masterson, Margaret	104
812	Pollock	Mathis, Scetta Mae	414
2632	Marshall	Matthews, Ben	1275
2861	Nasheed	Matthews, Blake	1516
2012	Scharnhorst	Matthews, Spenser	1029
3190	Neth	Matthys, Cassidy Cheyenne	1935
1894	Berry	Mattli, Joe	988
1161	Jones (089)	Matz, Caroline	601
1482	Keeney	Maurer, Jordan	727
145	Denison	Maus, Almon Henry	66
2769	Sommer	Maus, C.J.	1461
1583	Colona	Mausshardt, Stephen Henry	871
1692	Torpey	Maxwell, Susan	917
2468	Day	Maxwell, Trent	1165
1430	Wright	May, Charles Stubbee	710
1148	Jones (089)	May, Hannah	601
3113	May	May, Parrie	1797
1476	Keeney	Mayberry, Taylor	727
2368	Sommer	Mayer, Ken	1165
2235	Meadows	Mayer, Matthew	1092
1141	Jones (089)	Mayes, Destiny	601
3054	Franz	Mayfield, Brooke	1656
1279	Keeney	Mayfield, Maria	614
3202	Day	Mayhew, Deandrea	1935
537	Kelly (024)	MBS Textbook Exchange	215
2819	Denison	McAlister, Coco	1461
1956	Asbury	McAlpin, Victoria	988
2208	Redmon	McBee, Rhonda	1075
1595	Schneider	McBride, Brandon	884
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2245	Meadows	McClain, Glen	1092
1638	Lair	McClain, Jim and Diana	884
2915	Webb	McClain, Katherine	1516
1955	Asbury	McClaskey, Emily	988
1050	Reiboldt	McClintock, Yvonne	533
1406	Taylor	McCluer North HS Boys Basketball Stars	668
71	Lair	McClure, Mike	37
763	Pierson	McCowan, Elston	383
2708	Lair	McCoy, Mary	1300
2695	Houghton	McCrory, Michael	1300
901	Solon	McCubbin, Abigail	443
1146	Jones (089)	McCue, Sean	601
34	Swinger	McDaniel, Andrew	28
3105	Franklin	McDaniel, Joyce	1797
3338	Grisamore	McDannel, Joshua James	2586
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2209	Redmon	McDonald, Jeri	1075
3025	Klippenstein	McDowell, Ernest Beau Michael	1656
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3074	Keeney	McElvain, Julia	1656
2670	Brown (085)	McEnery, Allison	1300
216	Haefner	McFarland, Shannon	104
759	Brown (050)	McGhee, Mike	383
1922	Berry	McGilton, Dakota Levi	988
258	Marshall	McGinness, Adam	104
1757	McDonald	McGrew, Bailey	952
2054	Solon	McGuire, Victoria	1050
734	Leara	McIntyre, Ethan	366
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1606	Marshall	McKern, Abbey	884
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2752	Smith (071)	McRath, Daniel	1461
1035	Smith (071)	McShane, Blunnie Mae	533
3179	Schupp	McTigue, Mikayla	1935
2067	Quinn	Mederios, Kevin	1050
1023	Brown (085)	Medina, Kathy	510
2882	Brattin	Meek, Steven	1516
2405	Leara	Mehlville Fire Protection District	1165
1925	Berry	Meidmaier, David Michael	988
528	Jones (089)	Meier, Gavin	203
3184	Lichtenegger	Meinhardt, Ashley Nicole	1935
3295	Schoeller	Meinsen, Benjamin	2352
3275	Lager	Melling, Micah	2352
2074	Richardson	Melson, Michael	1050
2329	Klippenstein	Mendenall, Donna	1148
1505	Lair	Meneely, Dorlene	744
1948	Scharnhorst	Menghini, Melissa	988
3060	Franz	Menz, Hailey	1656
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3175	Schupp	Mertens, James	1935
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2810	Denison	Metzger, Chase	1461
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1275	Keeney	Meyer, Chasity	614
2850	McCaherty	Meyer, Clayton	1461
839	Jones (089)	Meyer, Erin	435
1724	Quinn	Meyer, Kelly	917
2013	Scharnhorst	Meyer, Rachel	1029
1694	Torpey	Meyer, Ron	917
2292	Schad	Meyer, Sandra	1131
1220	McNeil	Meyer, Susan Elaine	601

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1554	Wright	Milam, Holly	871
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1713	Wallingford	Miles, Dorothy	917
2396	Aull	Miles, Greg	1165
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2960	Day	Miller, Britnie	1563
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2323	Sommer	Miller, Jennifer	1131
2762	Brown (116)	Miller, Jim and LaVera	1461
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213	Haefner	Miller, Matthew	104
3268	Scharnhorst	Miller, Ornon Henson	2352
270	Cauthorn	Miller, Robby	104
2474	Day	Miller, Sara	1165
2305	Guernsey	Miller, Tristin Wyatt	1131
1608	Keeney	Miller, Victor	884
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1633	Keeney	Mills, Brock	884
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2092	Bernskoetter	Mire, Adam	1050
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1580	Sifton	Mirgaux, Morgan	871
2883	Brattin	Misner, Tina	1516
2495	Justus	Missouri Alliance for Drug Endangered Children	1165
967	Tilley	Missouri Alpha Delta Kappa Soriety Teachers	489
1306	Schatz	Missouri Baptist Sullivan Hospital	614
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2377	Sommer	Mitchell, Kristina	1165
1528	Haefner	Mitchell, Stephen Bernard	744
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789	Leara	Mittenzwey, Nathan	393
2222	Wyatt	Mo. Assn. Osteopathic Physicians	1092
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2402	May	Mohanty, Abinash	1165
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360	Stream	Molini, Thomas	150
2434	Franklin	Momfort, Camlyn	1165
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2104	Bernskoetter	Monson, Beau	1050
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1094	Jones (063)	Montgomery, Robbie	560
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948	Sommer	Moore, Allen Ray	454
982	Nasheed	Moore, Asia	489
1463	Bernskoetter	Moore, Jamison William	727
3301	Smith (071)	Moore, Jerrod	2352
863	Jones (089)	Moore, Khahyil	435
1095	Jones (063)	Moore, Sandra	560
1944	Scharnhorst	Moorman, Dylan	988
2898	Scharnhorst	Morefield, Lucas	1516
2374	Sommer	Moreno, Monica	1165
2834	McCaherty	Morgan, Brittany	1461
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760	Barnes	Morgan, Delphia	383
3103	Franklin	Morgan, Linda	1797
1053	Reiboldt	Morley, Mary Lou	533
2921	Houghton	Morris, Frances	1563
2812	Denison	Morris, Joey	1461
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879	Sommer	Morris, Levi	435
881	Sommer	Morris, Levi	435
1974	Asbury	Morris, Rick	988
2580	Asbury	Morris, Sadie	1275
522	Jones (089)	Morris, Tiffany	203
3053	Franz	Morrison, Zach	1656
3320	Guernsey	Morriss, Jayden Wade	2586
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12	Brown (116)	Morrow, Randy	12
1759	McDonald	Mortensen, Abagail	952
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1585	Lair	Mossbarger, Lloyd and Doris	871
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2066	Elmer	Mountjoy, Donna	1050
1283	Keeney	Mouser, Kory	614

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2182	Wallingford	Mueller, Luke	1075
871	Jones (089)	Mueller, Michael	435
326	Ruzicka	Muench, Jack	139
2693	Molendorp	Muenks, Jane	1300
372	Bernskoetter	Muessig, Darlene	162
1916	Berry	Muiller, Joel Michael	988
2837	McCaherty	Mullins, Alex	1461
1780	Carter	Mulvaney, James Patrick	952
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1269	Brown (085)	Murawski, Emily	614
3134	Barnes	Murphy, Robert D.	1848
2485	Day	Murray, Brenna	1165
1656	Asbury	Murray, Claire	917
1464	Keeney	Murray, Dolores	727
2382	Sommer	Murri, Paul	1165
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2086	Bernskoetter	Mustain, Shelby	1050
2782	Hummel	Muxo, Michael	1461
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3083	Keeney	Myers, Caleb	1656
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2373	Sommer	Myers, Mike and Derek Piasecki	1165
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3243	Carlson	Naert, Xenia	2031
2597	Asbury	Nagel, Brock	1275
2504	Grisamore	Nalivaiko, Cathy	1165
3148	Keeney	Nation, Jessica	1848
959	Jones (089)	National Day of Prayer	488
2825	Torpey	National Guard veterans	1461
190	Jones (063)	National Sales Network	80
2463	Day	Navarro, Ameythist	1165

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954	Koenig	Neary, William Lewis	465
913	Solon	Neeley, Lena	443
2276	Asbury	Neese, Laney	1092
1764	McDonald	Neff, James	952
678	Lauer	Neidlinger, Aaron	311
2049	Solon	Neir, Dawson	1050
2598	Asbury	Nejedly, Bobbi	1275
810	Lasater	Nelson, Ethan	414
2635	Marshall	Nelson, Korin	1275
2456	Day	Nelson, Larry	1165
2133	Riddle	Nelson, Taylor	1050
3241	Jones (117)	Nemec, Daniel James	2031
3004	Brandom	Nenninger, Lauren	1623
1563	Wright	Nenninger, Patrick	871
1506	Lair	Neptune, Joe	744
847	Jones (063)	Netscher, Cade	435
739	Leara	Neu, Christian	366
826	Kelley (126)	Nevada FFA	414
64	Hoskins	Nevels, Dustin Wayne	37
973	Schatz	New Haven School District	489
2978	Wright	Newberry, Lesta	1623
246	Schieber	Newburger, Susan	104
1650	Asbury	Newcomb, Cameron	917
2330	Klippenstein	Newell, Deborah	1148
2055	Solon	Newton, Joshua	1050
966	Tilley	Niagara Foundation	489
911	Solon	Nicely, Kayla	443
1186	Schad	Nichols, Caleb	601
1165	Jones (089)	Nichols, Elinor	601
1106	Rowland	Nichols, Thomas	601
3029	Franz	Nicholson, Deedra	1656
3030	Franz	Nicholson, Deedra	1656
3336	Grisamore	Nickles, Jason Lee	2586
845	Jones (089)	Nicol, Leslie	435
1682	Gosen	Nieder, Kendall	917
3051	Franz	Nielsen, Christian	1656

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1020	Reiboldt	Nielsen, Linda	510
2011	Scharnhorst	Niemeyer, Elaine	1029
3198	Jones (117)	Niendick, Courtney	1935
2703	Lair	Nigh, Terry	1300
2916	Webb	Nimmers, Alexis	1516
870	Jones (089)	Nischwitz, Emily	435
659	Elmer	Nixa High School Bowling Team	297
3099	Elmer	Nixa Sucker Day Parade and Grand Marshall Mark Ove	1656
3234	Spreng	Nizam, Rafa	2031
2172	Solon	Noah, Meadow	1075
3037	Franz	Noble, Grace	1656
3042	Franz	Noble, Grace	1656
1689	Gosen	Noe, Madeline	917
674	Brown (116)	Noel, Steven and Gail	311
1932	Silvey	Nolting, Stephen Dean	988
2796	Day	Noonan, Nicole	1461
3256	Fisher	Norcross, Taylor	2031
2919	Molendorp	Norman, Ronda	1563
1978	Asbury	Norris, Ammamarie	988
670	Smith (150)	Norris, Lisa	297
3167	Shively	North East Community Action Corp	1935
821	Kelley (126)	Northeast Vernon County FFA	414
1836	Keeney	Northern, Kate	977
563	Dugger	Norwood R-I School District	242
1995	Swinger	Nunnery, John	1029
359	Lampe	Nutter, James	150
2082	Bernskoetter	Nyakoojo, Pius	1050
1786	Solon	Nyart, Alana	977
1492	Diehl	Oakley, Zoe	727
2444	Haefner	Oakville Choir Department	1165
1984	Haefner	Oakville High School Band	988
1150	Jones (089)	Oberg, Mia	601
1203	Solon	Oberman, Emma	601
2694	Houghton	Oberman, Neil	1300
635	Barnes	Obi, Noel	279
1466	Solon	OBrien, Colin	727
1465	Solon	OBrien, Jace	727

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2308	Lair	Ockfels, Frank and Barbara	1131
1136	Jones (089)	OConnor, Christopher	601
3215	Lant	ODell, Alexandra	1935
2918	Molendorp	Odneal, Patricia	1563
496	Curtman	ODonnell, Billyo	193
1597	Schneider	ODonnell, Cynthia	884
1782	Solon	ODonnell, Micah	977
3139	Lichtenegger	Oehl, Dustin	1848
584	Lichtenegger	Oehl, John Ryan and Teresa Anne Miller	262
1928	Zerr	Oetting, Wayne	988
2973	Davis	Oglesby, Michael	1563
2080	Kelly (024)	OHaro, Andrew Brennen	1050
605	Zerr	Ohlms, Zachary	279
2700	Lampe	OLaughlin, Emily	1300
1300	Brown (085)	Oldani, Katlyn	614
3339	Dieckhaus	Oldenburg, Richard	2586
1247	Kirkton	OLeary, Timothy	614
3297	Talboy	Olmstead, Kyle Allen	2352
1976	Asbury	OLoughlin, Morgan	988
2728	Shively	Olson, Lance	1386
1521	Kirkton	OMalley, John Mulcahy	744
1911	Brown (050)	Omega Psi Phi	988
84	Fraker	ONeal, Danny Sr.	37
3170	Denison	ONeal, James	1935
1700	Bernskoetter	Ordway, McKenzie	917
1379	Aull	Orearville R-IV School District	668
2680	Brown (085)	Orlando, Paige	1300
3121	Schieber	Orlowski, Jacob Thomas	1797
2328	Hoskins	Orr, Deborah	1148
189	Parkinson	Orr, James	80
2787	Hummel	Ortinau, Zach	1461
1208	Solon	Ortiz, Alissa	601
13	Brown (116)	Orton, Bret and Jodi	12
1216	Loehner	Osage County Special Services	601
1037	Klippenstein	Osborn High School	533

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1773	Wyatt	Osteopathic Medicine	952
2888	Scharnhorst	Oster, Emily	1516
161	Kelley (126)	OSullivan, Erin	66
2344	Montecillo	Ott, Andrew	1148
210	Haefner	Oulamine, Ines	104
857	Bernskoetter	Ousley, Kimberly	435
2095	Bernskoetter	Ousley, Kimberly	1050
1510	Kirkton	Overall, Allison Elizabeth	744
922	Ruzicka	Overeem, Ron	443
2227	Phillips	Owens, Samuel	1092
290	Schatz	Ownby, William Benjamin	122
3195	Leach	Ozark Area Community Action Corp.	1935
1801	Weter	Ozark High School JROTC Rifle Team	977
1078	Weter	Ozark R-VI School District	533
542	Schoeller	Ozarks Technical Community College	215
1872	Allen	Padberg, Brendan	977
2658	Bernskoetter	Paden, Nicole	1300
1156	Jones (089)	Pahl, Caitlin	601
2995	Asbury	Palmatory, Kevin	1623
1620	Keeney	Palmer, Jaymes	884
604	Zerr	Palmer, Keegan	279
1454	Shumake	Palmyra Spectator	727
864	Jones (089)	Panchot, Jean Luc	435
492	Kelley (126)	Pancreatic Cancer Awareness Network	193
2213	Reiboldt	Pangle, Anthony	1075
2128	Riddle	Pani, Isaiah	1050
2362	Loehner	Pankau, Dianne	1165
458	Fuhr	Pantano, Juliana	193
996	Swearingen	Paris, Lou	510
1014	Swearingen	Paris, Lou	510
2264	Diehl	Parish, Madeline	1092
2214	Schieber	Park Hill South High School	1075
1010	Reiboldt	Parker, Donice	510
2322	Sommer	Parker, Ellen	1131
1981	Schieffer	Parker, Jacob	988

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2446	McManus	Parker, Marsha	1165
1626	Keeney	Parker, Maycie	884
2395	Aull	Parkhurst, Jeanne	1165
2357	Phillips	Parks, Ed	1165
2953	Meadows	Parks, Grover Allen Bud	1563
2176	Reiboldt	Parmele, Tyler Matthew	1075
1313	Nolte	Parnacott, Margaret Nancy	614
3239	McGhee	Parrish, Marilyn	2031
176	Hughes IV	Parry, Mark	80
2173	Guernsey	Parsons, Dakota Lee and Madilynn Lily	1075
1200	Solon	Parton, Ethan	601
269	Cauthorn	Pascoe, Dustin	104
988	Nasheed	Patel, Drew	489
1708	Bernskoetter	Patino, Amanda	917
2871	Denison	Patterson, Gannon	1516
3088	Reiboldt	Patterson, Keith	1656
1096	Jones (063)	Patton, Valerie	560
2702	Wallingford	Pauley, John	1300
207	Haefner	Pauyls, Alexis	104
1388	Torpey	Payne, Natalie	668
2867	Denison	Payne, Sophie	1516
2820	Denison	Pearce, Emma	1461
1767	McDonald	Pearl, Stephen III	952
1849	Korman	Pearson, Angelique	977
1221	McNeil	Pearson, Susan Jean	601
2247	Fitzwater	Peden, Rebecca	1092
2044	Swinger	Peeler, Pamela	1050
3095	Haefner	Pehar, Josip	1656
1674	Solon	Pelham, Zach	917
1297	Brown (085)	Pelizzaro, Julia	614
1760	McDonald	Pelzel, Amber	952
2400	Aull	Pemberton, Marilyn	1165
2733	Newman	Penberthy, Charles	1386
960	Bahr	Penberthy, Michael Anthony	489
2852	McCaherty	Penning, Erin	1461
1762	McDonald	Perez, Adriana	952
1961	Asbury	Perkins, Morgan	988

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267	Cauthorn	Perll, Peter	104
1876	Allen	Perrier, Kaitlyn	977
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2829	McCaherty	Peschel, Julia	1461
1304	Brown (085)	Pesek, Zachary	614
2615	Torpey	Petelin, Amanda	1275
527	Jones (089)	Peters, Mike	203
2830	McCaherty	Peters, W. Cole	1461
3100	Torpey	Petersen, Alexis	1656
2490	Day	Petitt, Vance	1165
2144	Wallingford	Petry, Dianna	1075
357	Ruzicka	Phillips, Archie and Glenda	150
979	Smith (150)	Phillips, Bennet Dee	489
3005	Brandom	Phillips, Bethany	1623
414	Wyatt	Phillips, James and Octa	184
724	Sifton	Phillips, Johanna	366
205	Haefner	Pickens, Kristine	104
3131	Franklin	Pickford, Judith	1848
1886	Harris	Pieper, Theodore	988
2928	Higdon	Pierce, Jaclyn	1563
2581	Asbury	Pierce, Koby	1275
2332	Taylor	Pierson, Tommie Lawrence and JoAnn	1148
1345	Haefner	Pike, Katelyn	650
1943	Scharnhorst	Pillitteri, Sydney	988
368	Black	Pingel, Brendan Michael	162
1621	Keeney	Pinkley, Ethan	884
3209	Shively	Pippin, Sherry Etta	1935
1084	Reiboldt	Pitcher, Bari	560
559	Dugger	Plainview R-VIII School District	242
2110	Phillips	Plummer, Randy	1050
1551	Quinn	Plzak, Miles	824
266	Newman	PNC Arts Alive	104
1119	Neth	Poe, Katrina	601
2890	Scharnhorst	Pohl, Dreyton	1516

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1030	Sifton	Pohl, Michelle Lynn	510
603	Zerr	Pohle, Samantha	279
835	Haefner	Point Elementary School	435
1503	Lauer	Pointe of Hope Church	744
2379	Sommer	Polansky, Alexandra	1165
147	Entlicher	Polk County Health Center	66
1097	Jones (063)	Polk, Mary Attyberry	560
1248	Jones (089)	Pollard, John George	614
2655	Bernskoetter	Pollock, Ryan	1300
980	Smith (150)	Poncet, Judith	489
3133	Franklin	Pool, Kim	1848
2623	Marshall	Poos, Brett	1275
1460	Richardson	Poplar Bluvv Vietnam Veterans	727
3106	Franklin	Porter, Barney	1797
515	Solon	Porter, Brennen Taylor	203
2574	Solon	Porter, Donald Doug	1275
1918	Berry	Porter, Emily Brooke	988
3226	Molendorp	Porter, Mackenzie	2031
1348	Haefner	Porterfield, Emily	650
1486	Diehl	Portnoi, Tally Ethel	727
1636	Wyatt	Poston, Travis Andrew	884
2840	McCaherty	Poth, Caitlyn	1461
1370	Fitzwater	Potosi R-III School District	668
195	Fitzwater	Potosi Trojan Marching Band	80
1500	Solon	Potter, Gertrude	744
3145	Richardson	Powell, Diane	1848
1659	Asbury	Powell, TLeah	917
1994	Silvey	PPool, Zachary Michael	1029
1026	Brown (085)	Prange, Debbie	510
3019	Brandom	Pratt, Lauren	1623
1431	Rowland	Premer, Jerry	710
313	Lichtenegger	Premier Rehab Physical Therapy	139
687	Solon	Price, Sandra	328
2454	Day	Pritchard, Barbara	1165
750	Wyatt	Probasco, Harold and Opal	383
1971	Asbury	Prock, Kyrsten	988
1544	Smith (071)	Professor Carbone Lopez and Students	824

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2360	Nance	Propst, Aaron Michael	1165
2814	Denison	Prosser, Gavin	1461
1458	Webber	Pruitt, Michelle	727
2070	Richardson	Pryor, Amanda	1050
2473	Day	Pryor, Matthew	1165
416	Conway (027)	Puett, Jeanie	184
3258	Fisher	Puller, Dominic	2031
2640	Phillips	Purcell, Susan	1275
171	Leach	Pure Earth Soaps	80
149	Hoskins	Purinton, Sadie	66
2675	Brown (085)	Puto, Madeline	1300
3211	Shively	Pyle, Linda	1935
2930	Higdon	Pyles, Kaley	1563
3253	Schupp	Qu, Shixi	2031
3188	Kirkton	Quinn, Julie	1935
2652	Quinn	Quinn, Pauline	1300
2877	Denison	Quinn, Winston	1516
645	Webb	Radichel, Eric Bradley	279
646	Webb	Radichel, Joseph Matthew	279
1494	Diehl	Rai, Achintya	727
348	Solon	Rainbow Center Blue Springs	150
3147	Keeney	Rainey, Regina	1848
2338	Montecillo	Rakowiecki, Sara	1148
2998	Brandom	Ramsey, Christian	1623
2236	Meadows	Randall, Robert	1092
1512	Kirkton	Rankin, Emily Grace	744
764	Casey	Rankin, Peter	383
2388	Aull	Rasa, Susan Elaine	1165
1263	Brown (085)	Rasch, Hannah	614
1701	Bernskoetter	Rauch, Gretchen	917
276	Nolte	Ravenscroft, Jared	104
1813	Scharnhorst	Ravichandar, Pujita	977
1407	Taylor	Ray, Bryon	668
2194	Wallingford	Rayfield, Avery	1075
1344	Brattin	Raymore Peculiar R II School District	650
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2551	Largent	Redding, Tina and Kevin	1225
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2505	Grisamore	Redel, Kathe	1165
1590	Fraker	Redfearn, Donna	871
2526	McManus	Redfearn, Paul	1225
2705	Lair	Redford, Willa	1300
2972	Quinn	Redington, Mike	1563
3289	Lampe	Reece, Stoney	2352
54	Hoskins	Reed, Cody	37
1832	Keeney	Reed, Jake	977
2857	Klippenstein	Reed, John	1516
1593	Reiboldt	Reed, LaDean	884
1835	Keeney	Reed, Lane	977
575	Dugger	Reed, Mattison Noelle	242
1399	Taylor	Reed, Randy	668
840	Jones (089)	Reed, Sabby	435
122	Phillips	Reeds Spring R-IV School District	57
2455	Day	Reese, Linda	1165
241	Zerr	Reese, Mary	104
1570	Sifton	Reeves, Gina	871
2611	Nasheed	Reeves, Lauren	1275
2795	Day	Regan, Christopher	1461
1081	Elmer	Regan, Malinda	560
1067	Leara	Regions Bank Sunset Hills	533
1841	Haefner	Reinbold, Alex	977
1101	Haefner	Reinhold, Jerry Reinhold Electric	560
1215	Loehner	Reinsch, Clarence and Helen	601
311	Bernskoetter	Reinsch, Jerome and Rose Marie	139
3041	Franz	Renegar, Rickie	1656
1623	Keeney	Renshaw, Sarah	884
2679	Brown (085)	Renz, Jenna	1300
1295	Brown (085)	Reppell, Jacob	614

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1308	Bernskoetter	Rexrode, Timothy	614
1838	Leach	Reynolds, Brian	977
1489	Diehl	Reynolds, George Bingham	727
896	Solon	Reynolds, Jacob	443
2602	Asbury	Reynolds, Makayla	1275
1711	Bernskoetter	Rhea, John	917
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2766	Shively	Rhoades, Shirley	1461
2577	Sifton	Rhodes, Carla	1275
2643	Phillips	Rhodes, Kris	1275
939	Casey	Rhodes, Roland	454
3018	Brandom	Rhymer, Katie	1623
3104	Franklin	Rice, Virginia	1797
686	Rowland	Richard R-V School District	328
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2713	Torpey	Richards, Nancy	1386
2600	Asbury	Richards, Nathaniel	1275
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3055	Franz	Richter, Kelly	1656
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2865	Denison	Robbins, Halle	1516
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858	Bernskoetter	Roberts, Caleb	435
2759	Wallingford	Roberts, Darel and Betty	1461
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1729	Torpey	Roberts, Sondra	917
3039	Franz	Robertson, Nathan	1656
2078	Richardson	Robertson, Sara	1050
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1899	Berry	Rogers, Ashley	988
2267	Asbury	Rogers, Landon	1092
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2085	Bernskoetter	Ross Conway, OShay	1050
2716	Torpey	Ross, Brandon	1386
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3229	Redmon	Ross, Luke	2031
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1235	Weter	Rosser, Wallace David	601
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804	Leara	Rottman, Patrick	393
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1660	Asbury	Rowe, Mark	917
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1609	Keeney	Rowold, Caleb	884
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2030	Lichtenegger	Rushin, Ben	1050
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2538	Franz	Ryan, Brandon	1225
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3342	Riddle	Salmon, Ben	2586
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2626	Marshall	Sampsell, Blaire	1275
2237	Molendorp	Samson, Jared Ingall	1092
2494	Brown (050)	Samuel U. Rodgers Health Center	1165
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1426	Jones (117)	Save the Katy Bridge Coalition	710
2231	Denison	Scanlon, Robert	1092
3247	Schatz	Scantlan, Ellen Lillian	2031
1817	Scharnhorst	Scarfino, Elizabeth	977
2999	Brandom	Schaefer, Adam	1623
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3265	McGhee	Scheperle, Andrew Michael	2352
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1810	Scharnhorst	Schlote, Sarah	977
600	Zerr	Schlueter, Alexis	279
429	Stream	Schluter, Collen	184
2828	McCaherty	Schmeid, Ahsley	1461
800	Leara	Schmidt, Deanna	393
756	Wyatt	Schmidt, Joetta	383
1947	Scharnhorst	Schmidt, Kevin	988
362	Brown (116)	Schmitz, Claudia	162
2851	McCaherty	Schmoll, Mackenzie	1461
243	Zerr	Schneider, Cort	104
2833	McCaherty	Schneider, Daniel	1461
2725	Solon	Schneider, Gary Stephen	1386
1266	Brown (085)	Schneider, Jacob	614
1211	Riddle	Schneider, Karen	601
2578	Sifton	Schneider, Marjy	1275
251	Schieber	Schnell, Denise	104
582	Bernskoetter	Schniedcers, Don and Ruth Ann	262
682	Dieckhaus	Schonaerts, Samuel	328
3020	Brandom	Schott, Mariah	1623
1829	Keeney	Schrader, Tanya	977
3333	Sommer	Schreiber, Bob	2586
2835	McCaherty	Schreiber, Rebecca	1461
1048	Schad	Schrimpf, Justin	533
775	Torpey	Schrimshaw, Kayla	383
644	Stream	Schrock, Michael Charles	279
785	Leara	Schroff, Graham	393
3231	Fitzwater	Schrum, Scott	2031
2893	Scharnhorst	Schuller, Kevin	1516
599	Zerr	Schulte, Audrey	279
3250	Bernskoetter	Schulte, Jamie	2031
2664	Bernskoetter	Schulte, Shannan	1300
1362	Richardson	Schultz and Summers Engineering	650
2965	Denison	Schultz, Helen	1563
844	Jones (089)	Schulz, Taylor	435
3168	Shively	Schuman, Julie	1935
3129	Franklin	Schwandtt, Joe	1848

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2385	Sommer	Schwartz, Stephanie	1165
2186	Wallingford	Schweiss, Katherine	1075
1292	Brown (085)	Schwer, Vivian	614
3015	Brandom	Schwettman, Tyler	1623
2767	Shively	Schwieter, Connie	1461
1770	Brandom	Scott County Central High School Boys Basketball B	952
1892	Berry	Scott, Jordan	988
924	Wallingford	SEABEE Chapter Island 5	443
2079	Richardson	Sealwel, Judith	1050
583	Dieckhaus	Searcy, Evan	262
3062	Solon	Sebelski, Leo	1656
2355	Phillips	Secrest, Mary Lou	1165
3050	Franz	Seeley, Keith	1656
2909	Marshall	Seevers, Eric	1516
1566	Wright	Seger, Haley	871
1666	Solon	Seib, Easton	917
2302	Solon	Seibold, Ethan	1131
2269	Asbury	Seidel, Emma	1092
238	Davis	Seidl, Luke Allen	104
1670	Solon	Seigler, Mackenzie	917
2058	Solon	Self, Brandon	1050
99	Reiboldt	Seneca Food Pantry	46
98	Reiboldt	Seneca Funeral Home	46
302	Reiboldt	Seneca High School Cheerleaders	122
2610	Nasheed	Session, Apresia	1275
2137	Riddle	Sessler, Camryn	1050
1168	Jones (089)	Seward, Taylor	601
994	Wallingford	Seyer, Raymond and Rose Mary	510
1840	Fitzwater	Shaffer, Paul and Alverna	977
3115	Long	Shanklin, Justin Davis	1797
401	Entlicher	Shanks, Mariah	172
407	Entlicher	Shanks, Mariah	172
408	Entlicher	Shanks, Mariah	172
1871	Allen	Shanks, Samuel	977
94	Aull	Shannon, Carter and Dora Alice	46
3223	Flanigan	Shannon, Libby	2031
2646	Lichtenegger	Sharp, Judy	1300

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2279	Asbury	Sharp, Lacie	1092
2696	Redmon	Sharpe, Ashley	1300
1885	Reiboldt	Shaver, Roy	988
2641	Phillips	Shaw, Beverly	1275
3114	Long	Shaw, Brandon Miguel	1797
1064	Hampton	Shaw, Michael Wayne	533
1480	Keeney	Shaw, Zachary	727
1985	Jones (063)	Sheet Metal Worker Local 36	1029
2927	Higdon	Shelby, Melissa	1563
2291	Schad	Shelden, Calvin	1131
330	Hubbard	Sheldon Arts Foundation	139
831	Kelley (126)	Sheldon FFA	414
1478	Keeney	Shell, Lindsay	727
295	McCaherty	Shelton, Chris	122
86	Webb	Shelton, Gregory Patrick	37
2518	McNeil	Shelton, Susan	1225
95	McDonald	Shepheard, Blake	46
256	Marshall	Sherwood, Sharon	104
598	Zerr	Shin, Jin Soo	279
555	Brown (116)	Shipley, Destiny	227
1717	Fraker	Shipman, Karen	917
2430	Franklin	Shipp, Kelsie	1165
2155	Torpey	Shireman, Kevin	1075
2624	Marshall	Shively, Ben	1275
3097	Cierpiot	Shively, Kristen	1656
288	Casey	Shiverdeck, Charles	122
3224	Flanigan	Shivley, Preston	2031
3205	Day	Shoemaker, Kayli	1935
2447	Keeney	Shoemaker, Robert	1165
1312	Fraker	Shoemaker, Shaynna	614
643	Lair	Shoot, Steve	279
2483	Day	Short, Hannah	1165
315	Lichtenegger	Short, Heather	139
2479	Day	Short, Kristen	1165
3022	Brandom	Short, Sydney	1623
3251	Thomson	Showalter, Jordan	2031
2141	Riddle	Showers, Jacob	1050

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2139	Riddle	Shramek, Braden	1050
2450	Day	Shreve, Susette Virginia McCouch	1165
17	Leara	Shrewsbury, John and Renee	28
1280	Keeney	Shrum, Lucas	614
968	Fitzwater	Shy, Michael Anthony	489
725	Colona	Siddali, Silvana	366
1815	Scharnhorst	Siebert, Erin	977
801	Leara	Sigmund, Joanna	393
49	Wright	Signature Packaging and Paper LLC	28
415	Keeney	Sikes, Katie Leah Thomas	184
1715	Fraker	Sikes, Louise	917
570	Schieffer	Silex R-I School District	242
2910	Marshall	Silvers, Mick	1516
2548	Houghton	Silvey, Cora Lee	1225
1639	Lair	Simmer, Jean	884
2060	Molendorp	Simmons, Glen and Carol	1050
698	Aull	Simnitt, Erin	349
2345	Montecillo	Simon, Theresa	1148
2003	Allen	Simon, Timothy	1029
339	Cauthorn	Simons, Jennifer	150
2392	Aull	Simonton, Jeanne	1165
2564	Frederick	Simpson, Cherrie Anton	1225
2423	Lair	Simpson, Colton	1165
1647	Nolte	Simpson, Diane	917
382	Wyatt	Simpson, Juanita Baba	172
2530	McManus	Simpson, Richard	1225
1667	Solon	Sims, Danielle	917
2676	Brown (085)	Sinay, Jack	1300
947	Koenig	Singer, Charmayne Faye	454
1844	Dugger	Sinning, Karen and Gary	977
683	Dieckhaus	Sinnott, Michael	328
1123	Kirkton	Sisters of Loretto at the Foot of the Cross	601
2887	Scharnhorst	Sitek, Mason	1516
1082	Reiboldt	Skinner, Jody	560
1346	Haefner	Skitt, Ralph	650
2931	Higdon	Skrbina, Garrett	1563
868	Jones (089)	Skubic, Keith	435

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981	Nasheed	Slater, Aaliyah	489
597	Zerr	Slater, Hannah	279
790	Leara	Slesinski, Michelle	393
1515	Kirkton	Slinkard, Elizabeth	744
2950	Carlson	Sloan, Lukas	1563
3270	Hodges	Sloan, Roberta	2352
712	Sifton	Slonski, Aaron	366
2757	Leach	Smith, Alberta	1461
886	Richardson	Smith, Ann	443
2907	Marshall	Smith, Ben	1516
1744	Taylor	Smith, Bruce	952
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3329	Smith (071)	Smith, Charles	2586
3279	Tilley	Smith, David	2352
1445	Guernsey	Smith, Gerald and Sharon	727
813	Jones (063)	Smith, Jeffrey	414
1893	Berry	Smith, Junea	988
2229	Phillips	Smith, Keedy	1092
2156	Newman	Smith, Linda	1075
2566	Frederick	Smith, Linda Kay	1225
1080	Elmer	Smith, Lucinda	560
3034	Franz	Smith, Makenne	1656
2299	Solon	Smith, Maria	1131
2451	Day	Smith, Marianne	1165
2394	Aull	Smith, Melody	1165
1140	Jones (089)	Smith, NyEilla	601
3130	Franklin	Smith, Pat	1848
1601	McManus	Smith, Robert Glenn	884
3072	Haefner	Smith, Shelley	1656
487	Richardson	Smith, Tammy	193
2311	Wells	Smith, Tyler	1131
2543	Franz	Smoot, Jessica	1225
422	Lair	Smoot, Vernon and Cheryl	184
976	Webb	Smoots, Melodie Renee	489
1921	Berry	Snapp, Gregory Wayne	988
1739	Kelley (126)	Sneed, Lori	952

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2401	May	Sneed, Teman	1165
2193	Wallingford	Snodgrass, Audrey	1075
792	Leara	Snodsmith, Connor	393
39	Guernsey	Snow, Mildred	28
1056	Guernsey	Snyder, Londyn May	533
2203	Wallingford	Sobti, Archna	1075
2296	Schoeller	Socorro, Jose	1131
2244	Leach	Socorro, Jose Inger	1092
1891	Berry	Soe, Brian	988
2671	Brown (085)	Soell, Nicole	1300
1848	Cierpiot	Soendker, Michael Glenn	977
1637	May	Soldan High School Boys Basketball Tigers	884
2397	Aull	Solomon, Ronna	1165
242	Zerr	Sommer, Mike	104
1128	Hoskins	Sommerkamp, Kimberly	601
177	Hughes IV	Song, Michael	80
441	Fuhr	Sopovic, Selma	193
791	Leara	Sorensen, Alex	393
1865	Allen	Sorrentino, Alexander	977
2595	Asbury	Soto, Emily	1275
773	Kelley (126)	Souder, Josh	383
1369	Fitzwater	South Iron County R-I School District	668
1329	Fitzwater	South Reynolds County R-II School District	650
846	Jones (089)	Southards, Ben	435
2115	Hodges	Southeast Correctional Center	1050
47	Wright	Southeast HealthPoint Fitness of Jackson	28
1698	Richardson	Southern Bank	917
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2409	Schad	Sparrow, Ross	1165
1076	Weter	Sparta R-III School District	533
396	Entlicher	Spear, Ashley	172
400	Entlicher	Spear, Ashley	172
1553	Wright	Spears, Jacob	871
3069	Colona	Speck, Valerie	1656
2487	Day	Spellman, Steven	1165
499	Jones (117)	Spencer, Charles and Bertha	203

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2224	Rowland	Spencer, Ethan	1092
904	Solon	Spencer, Jacob	443
1397	Solon	Spigarelli, Mark	668
61	Hoskins	Spindle, Timothy	37
2869	Denison	Spinelli, Claire	1516
2169	Solon	Spire, Taylar	1075
1077	Weter	Spokane R-VII School District	533
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475	Leach	Springfield Area Chamber of Commerce	193
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1033	Black	Sprous, Larry and Robin	510
2854	McCaherty	Spurgeon, Nick	1461
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1253	Wieland	St. Pius X High School Volleyball Lancers	614
1254	Wieland	St. Pius X High School Volleyball Lancers	614
1958	Asbury	Stacey, Bradley	988
2340	Montecillo	Stahl, Christopher	1148
167	Kelley (126)	Stahl, Jerica	66
2035	Lichtenegger	Stahlman, Ashley	1050
1929	Hinson	Stahlman, Tom	988
1934	Nolte	Stalder, Kelsey Elizabeth	988
2858	Silvey	Staley High School Football Falcons	1516
1151	Jones (089)	Stalter, Nicholas	601
76	Leara	Stammer, Mike	37
2372	Sommer	Stanczak, John	1165
945	Lauer	Stand Up Blue Springs	454
1662	Solon	Stand Up Blue Springs Lets Move Blue Springs	917
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1664	Solon	Stanton, Leandra	917
1231	Wells	Stark, Ronnie and Dot	601
2159	Solon	Starr, Shannon	1075

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143	Lauer	StartKC	66
151	Cross	StartKC	66
2283	Richardson	Staten, Brittany	1092
2037	Lichtenegger	Statler, Alex	1050
1504	Lair	Stedem, Charles	744
2421	Schad	Steen, Krista	1165
2183	Wallingford	Steffens, Trent	1075
118	Black	Stegall, Charles and Charlotte	57
2832	McCaherty	Stege, Dylan	1461
908	Solon	Steinbach, Amanda	443
2722	Lant	Stella Baptist Church	1386
1021	Reiboldt	Stelts, Beverly	510
956	Lichtenegger	Stephenoff, Bonnie	489
1425	Jones (117)	Stephens, David and Thelma Louise	710
1571	Sifton	Stephenson, Emina	871
2855	McCaherty	Stewart, Cameron	1461
3260	Schupp	Stiehl, Drew	2031
786	Leara	Stimac, Colleen	393
3059	Franz	Stockton, Dalton	1656
2650	Kander	Stokely, Walter	1300
730	Schieber	Stone, Arnold and Jean	366
2484	Day	Stoneking, Jessica	1165
230	Brown (085)	Stotler, Katherine	104
1525	Torpey	Stoutenborough, Kyle Jay	744
3249	Wyatt	Stoverink, Julia Kathryn	2031
944	Lauer	Straham, Winifred	454
2513	Aull	Stramel, Julian and Gladys	1225
1572	Sifton	Straub, Tontanisha	871
2020	Franklin	Straw, Stephen Tyler	1050
1946	Scharnhorst	Streb, Sydney	988
2124	Wright	Strickland, Ruth	1050
2057	Solon	Stricklin, Blake	1050
480	Riddle	Strid, Myles	193
509	Aull	Strodtman, Jim	203
3330	Smith (071)	Strong, Darrell	2586
3343	Barnes	Strope, Jim	2586
596	Zerr	Stross, Shannon	279

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1696	Jones (117)	Struttmann, Matthew Garrett and Ashley Baret Waint	917
358	Quinn	Stuart, Jacquie	150
2905	Marshall	Stuck, Kyle	1516
1117	Nolte	Studebaker, Mariah	601
2864	Shively	Sturdy, Ruth Ann	1516
2356	Phillips	Stutzman, Bruce	1165
231	Brown (085)	Suljic, Vahdeta	104
1603	Guernsey	Sullenger, Liam	884
1562	Wright	Sullinger, Lindsey	871
972	Schatz	Sullivan School District	489
1361	Lauer	Sullivan, Kyle Matthew	650
762	Wells	Summersville R-II School District	383
2145	Lant	Sunny Jim Park	1075
148	Hough	Superior Rents & Sales	66
325	Davis	Surgi, Aaron Joseph	139
320	Davis	Surgi, Louis Edward	139
566	Lampe	Susser, Julie	242
2017	Scharnhorst	Sust, Anna	1029
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2196	Wallingford	Sutton, Blakelee	1075
2987	Sifton	Svetanics, Neil	1623
2170	Solon	Swafford, Liz	1075
3308	Korman	Swanson, Arlene	2586
1385	Brown (116)	Swearngin, Sterling and Lula Mae	668
2594	Asbury	Sweatt, Courtney	1275
1131	Jones (089)	Sweet, Keely	601
1777	Klippenstein	Sweiger, Crystal	952
595	Zerr	Swengrosh, Stephanie	279
2059	Solon	Swenson, Gabe	1050
322	Kelly (024)	Swift, John	139
1447	Guernsey	Swinford, Martena	727
594	Zerr	Swinson, Anneka	279
878	Sommer	Swinson, Anneka	435
2441	Franklin	Swofford, Drew	1165
3109	Hinson	Swofford, Paul and Elaine	1797
1332	Jones (117)	Swope, Kenneth	650

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2849	McCaherty	Talarski, Alicia	1461
3091	Reiboldt	Talbert, Donna	1656
1800	Wells	Talbott, Ralph and Marlene	977
291	McCaherty	Talbott, Sherri	122
1105	Molendorp	Tally, Becky	560
1185	Schad	Tambke, Denver	601
174	Hughes IV	Tan, Teng Kee	80
1075	Weter	Taneyville R-II School District	533
442	Fuhr	Tank, Caroline	193
1704	Bernskoetter	Tannehill, Ryan	917
1006	Reiboldt	Tanner, Debbie	510
2093	Bernskoetter	Tanner, Elizabeth	1050
1842	Lair	Tate, Steve and Sharon	977
1952	Asbury	Taylor, Arick	988
3119	Long	Taylor, Brett Cameron	1797
2506	Grisamore	Taylor, Janie	1165
390	Entlicher	Taylor, Kole	172
393	Entlicher	Taylor, Kole	172
394	Entlicher	Taylor, Kole	172
2499	Grisamore	Taylor, Sara	1165
1410	Taylor	Taylor, Zac	668
2773	Sommer	Team Target	1461
2789	Hummel	Teeter, Rebecca	1461
1469	Shively	Teeter, Rustina Ruth	727
253	Marshall	Temperelli, Mary	104
2522	Richardson	Temple Baptist Church	1225
403	Entlicher	Tennison, Rebecca	172
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1262	Brown (085)	Tesoro, Bruno	614
2051	Solon	Tharp, Karly	1050
1734	Gatschenberger	The Child Center	952
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1424	Jones (117)	The Finke Theatre	710
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2712	Torpey	Theen, Jennifer	1386
2190	Wallingford	Theiss, Derek	1075
2661	Bernskoetter	Theroff, Mary Elizabeth	1300
1862	Keeney	Thiele, Dana	977
2119	Wright	Thiele, Nick	1050
261	Gatschenberger	Thiemans Carpet Company	104
1025	Brown (085)	Thieret, Therese	510
2669	Brown (085)	Thierry, Colin	1300
369	Bernskoetter	Thoenen, Daniel	162
862	Jones (089)	Thoman, Max	435
2817	Denison	Thomas, Alyson	1461
3315	Grisamore	Thomas, Benjamin Lowell	2586
1716	Fraker	Thomas, Carmen	917
2545	Franz	Thomas, Christopher	1225
1723	Nolte	Thomas, Connor	917
344	Keeney	Thomas, Harold	150
2087	Bernskoetter	Thomas, Katherine	1050
1411	Taylor	Thomas, Latron	668
1318	Nolte	Thomas, Rachel Lynn	614
2778	Elmer	Thomas, Robert Tim	1461
669	Marshall	Thomas, Ryan Lee	297
2520	Barnes	Thomas, Victor	1225
2914	Webb	Thompson, Christian	1516
593	Zerr	Thompson, Emily	279
1616	Keeney	Thompson, Haleigh	884
1617	Keeney	Thompson, Haleigh	884
2064	Solon	Thompson, Jacob	1050
2063	Solon	Thompson, James	1050
1265	Brown (085)	Thompson, John	614
3210	Shively	Thompson, Paula	1935
1806	Weter	Thompson, Terry	977
508	Houghton	Thompson, Tom	203
1474	Keeney	Thomsen, Daniel	727
1926	Berry	Thorne, Nathan Marlowe	988
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2077	Richardson	Thurman, Craig	1050
1884	Reiboldt	Tice, Chase	988
2191	Wallingford	Tiehes, Emily	1075
3064	Schupp	Tielking, Allison	1656
2366	Sommer	Tiemann, Rich	1165
2943	Schaefer	Tietsort, Dwight	1563
16	Leara	Tiller, Jennifer	28
1073	Leara	Tiller, Jennifer	533
3006	Brandom	Tilley, Tara	1623
2339	Montecillo	Tillman, Emma	1148
2282	Richardson	Tillman, Quinton	1092
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2726	Entlicher	Todd Leonard the Rusty Jug	1386
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3087	Ellinger	Toles, Valeria	1656
2809	Denison	Tolleson, Chase	1461
1317	Nolte	Tomes, Emma Lynn	614
15	Leara	Tomey, Steve	28
3152	Reiboldt	Tomlin, Susie	1848
78	Fraker	Tonella, Meredith	37
3159	Fisher	Torontow, John	1848
1039	Torpey	Torpey, Julie Anne	533
2147	Shively	Totten, Kathy	1075
1311	White	Transport Distribution Company	614
3149	McNary	Trautman, Donald William	1848
3244	Fuhr	Trautwein Elementary School	2031
3070	Shumake	Treaster, Kenneth	1656
1305	Cox	Trevino, Stephanie	614
1299	Brown (085)	Tringale, Ann Marie	614
2211	Wallingford	Trinity Lutheran Girls Basketball Panthers	1075
1098	Jones (063)	Triplett, Kacie Starr	560
1820	Scharnhorst	Trn, Jack	977
2160	Solon	Trober, Zian	1075
1942	Scharnhorst	Trojahn, Kyle	988
961	Wallingford	Trump, Evan	489

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2980	Torpey	Tryon, Tanner	1623
3075	Keeney	Tucker, John	1656
1546	Brown (116)	Tucker, Leon and Florence	824
2384	Sommer	Tucknott, Lindset	1165
297	McCaherty	Tuggle, Retta	122
2287	Dieckhaus	Tuley, Nicholas Patrick	1092
351	Guernsey	Tull, Willie and Donna	150
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2979	Torpey	Turner, Donald	1623
2089	Bernskoetter	Turner, Ishmeak	1050
2741	Lair	Turner, Shelly	1461
1289	Brattin	Turos, Hannah	614
1648	Asbury	Tustison, Emilie	917
581	Bernskoetter	Twehous Excavating	262
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1145	Jones (089)	Twombly, Rebecca	601
1963	Asbury	Tyler, Kremia	988
662	Sifton	Uebel, Tyler	297
1822	Scharnhorst	Ullo, Katharine	977
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1550	Webber	University of Missouri Mens Basketball Tigers	824
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498	Sifton	Use of House Chamber Glory Awards	203
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93	Zerr	Use of House Chamber MO Community College Assn.	46
1726	Barnes	Use of House Chamber YMCA Youth in Government	917
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2654	Bernskoetter	Valdes, Alaina	1300
2627	Marshall	Valentine, James	1275
2884	Scharnhorst	Valley Park Senior High School	1516
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964	Hampton	Vandelicht, Tracey Ann	489
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1824	Keeney	VanGennip, Lorie	977
2022	Lichtenegger	Vangilder, Julie	1050
2200	Wallingford	Vangilder, Macy	1075
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3267	Stream	Varble, Curtis Lee	2352
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2071	Richardson	Vaughn, Rondalyn	1050
1555	Wright	Veale, Aaron	871
1518	Kirkton	Veltz, Madeleine	744
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1898	Berry	Veselic, McKenzie	988
3132	Franklin	Vest, Kimberly	1848

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3238	Holsman	Vick, Christopher	2031
592	Zerr	Vierling, Deanna	279
2579	Asbury	Viley, Devin	1275
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2285	Tilley	Villmer, Jordan	1092
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2417	Schad	Visser, Arron	1165
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1877	Allen	Viviano, Claire	977
1261	Brown (085)	Vogan, Taryn	614
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2721	Shumake	Volkmer, Harold	1386
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1174	Jones (089)	Voss, Carol	601
2790	Hummel	Voss, Riley	1461
2467	Day	Vrba, Jordyn	1165
910	Solon	Vrentas, Johnathan	443
2895	Scharnhorst	Wagner, Adrianna	1516
706	Leach	Wagoner, Craig	366
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526	Jones (089)	Wakefield, Elliott	203
2677	Brown (085)	Walden, Timothy	1300
2634	Marshall	Waldrip, Haley	1275
1271	Keeney	Walka, Rebecca	614
1577	Sifton	Walker, Jeremy	871
591	Zerr	Walker, Leana	279
354	Leara	Walker, Matthew	150
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3038	Franz	Walkup, Demittra	1656
3287	Franklin	Wallace, Gaya	2352
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3117	Long	Wallentine, Jakob Scott	1797
2142	Pace	Wallis, Danielle	1075
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2261	Diehl	Waltke, Adam	1092
2358	Nance	Walton, Cheryl	1165
1537	Zerr	Wamhoff Financial Planning and Accounting	744
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2217	Solon	Warmund, Landon Scott	1092
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2701	Lampe	Warren, Olivia	1300
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2143	Fitzwater	Weaver, James	1075
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1325	Houghton	Webb, Dorothy	614
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2567	Torpey	Webb, Judy	1275
2717	Still	Webber, Anna	1386
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3084	Keeney	Weekley, Bryan	1656
3078	Keeney	Weekley, Gene	1656
2105	Bernskoetter	Wehmeyer, Craig	1050
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2212	Fallert	Wehner, Michael	1075
2793	Day	Weider, Jared	1461
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2971	Kirkton	Weissflug, Kenneth	1563
2123	Wright	Welborn, Briney	1050
794	Leara	Welborn, Kathleen	393
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1998	Silvey	Whitaker, Quinton Cole	1029
2727	Brandom	White Ross, Mary	1386
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2842	McCaherty	White, Brenden	1461
2100	Bernskoetter	White, Caleb	1050
2014	Scharnhorst	White, Dominique	1029
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2480	Day	White, Joshua	1165
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1797	Richardson	Williams, Mortina	977
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1676	Solon	Willis, Kylee	917
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2027	Lichtenegger	Wills, Brandon	1050
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2215	Kelley (126)	Yockey, Julie	1075
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2872	Denison	Ziegler, Aidan	1516
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2791	Day	Zimmer, Amber	1461
1987	Neth	Zimmerman, Jayson	1029
2674	Brown (085)	Zimmerman, John	1300
2234	Meadows	Zimmerman, Jules	1092
2043	Brown (116)	Zimmerschied, Joyce	1050
587	Zerr	Zimpfer, Abigail	279
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JOURNAL OF THE SENATE

NINETY-SIXTH GENERAL ASSEMBLY

OF THE

STATE OF MISSOURI

SECOND REGULAR SESSION

FIRST DAY—WEDNESDAY, JANUARY 4, 2012

The Senate was called to order at 12:00 noon by Lieutenant Governor Peter Kinder.

The Reverend Carl Gauck offered the following prayer:

Gracious God, we come before You in this New Year with our prayers for a successful new session as we deal with the needs within our state. We come grateful to serve and glad to be together once again. We come prepared with many bills already pre-filed and ready for their progression for our consideration. We come to pray that we will deal with each bill with serious discernment how each will contribute to moving Missouri forward in a sluggish economy and benefit our people. So abide with us this day and let Your Spirit direct our thoughts and actions during 2012. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

Senator Dempsey announced that photographers from KTVI-TV, Missouri News Horizon, Jefferson City News Tribune, ABC 17-KMIZ, KOLR 10 Springfield and the Senate had been given permission to take video and pictures in the Senate Chamber; and the Senate photographer had been given permission to take video in the Senate Gallery.

MESSAGES FROM THE SECRETARY OF STATE

The President laid before the Senate the following communication from the Secretary of State, which was read:

To the Honorable Senate of the 96th General Assembly, Second Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the Senate for the 96th General Assembly (Second Regular Session) of the State of Missouri, elected at the November 4, 2008 General Election, the November 2, 2010 General Election and the February 22 Special Election.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 4th day of January, 2012.

/s/ Robin Carnahan

(Seal) **SECRETARY OF STATE**

MISSOURI STATE SENATORS

Elected November 4, 2008

District	Name
1st	James W. Lembke
3rd	Kevin Engler
5th	Robin Wright-Jones
7th	Jane Cunningham
9th*	Shalonn (Kiki) Curls
11th	Victor Callahan
13th	Timothy P. Green
15th	Eric S. Schmitt
17th	Luann Ridgeway
19th	Kurt U. Schaefer
21st	William H. (Bill) Stouffer
23rd	Tom Dempsey
25th	Robert N. Mayer
27th	Jason G. Crowell
29th	Jack A. L. Goodman
31st	David Pearce
33rd	Chuck Purgason

* **Elected at Special Election held February 22, 2011.**

MISSOURI STATE SENATORS

Elected November 2, 2010

District	Name
2nd	Scott T. Rupp
4th	Joseph P. Keaveny

6th	**Mike Kehoe**
8th	**Will Kraus**
10th	**Jolie L. Justus**
12th	**Brad Lager**
14th	**Maria Chappelle-Nadal**
16th	**Dan W. Brown**
18th	**Brian Munzlinger**
20th	**Jay Wasson**
22nd	**Ryan G. McKenna**
24th	**John T. Lamping**
26th	**Brian Nieves**
28th	**Michael L. Parson**
30th	**Bob Dixon**
32nd	**Ronald F. (Ron) Richard**
34th	**Rob Schaaf**

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason
Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senators

Nieves Rupp—2

Vacancies—None

The Lieutenant Governor was present.

The President declared the Second Regular Session of the 96th General Assembly convened.

RESOLUTIONS

Senator Dempsey offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1142

BE IT RESOLVED, by the Senate of the Ninety-sixth General Assembly of Missouri, Second Regular Session, that the rules adopted by the Ninety-sixth General Assembly of the State of Missouri, First Regular Session, as amended, insofar as they are applicable, be adopted as the rules for the control of the deliberations of the Senate of the Ninety-sixth General Assembly, Second Regular Session.

Senator Dempsey offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1143

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the Second Regular Session of the Ninety-sixth General Assembly is duly convened and is now in session and ready for consideration of business.

President Pro Tem Mayer assumed the dais and delivered the following address:

Opening Address

Senator Rob Mayer, President Pro Tem

Second Regular Session, 96th General Assembly

January 4, 2012

Lt. Governor Kinder, members of the Missouri Senate, our families, friends, and fellow Missourians:

We have returned here today to begin the second regular session of the 96th General Assembly with many similar challenges facing us today as we did one year ago. For nine of us this is our final session due to term limits. The senator from the St. Francois, the senator from the 11th, the senator from the 13th, the senator from the Clay, the senator from Stoddard, the senator from Cape Girardeau, the senator from Lawrence, and the senator from Howell, it has been an honor and privilege to serve with each of you.

For eight others it is a reelection year.

Given these factors some predict not much will be accomplished. I say the time for speculation is over. Rather we must act, and do so swiftly to pass a balanced budget without a tax increase for the people of Missouri and to help put Missourians back to work in this stagnant and weak economy. Missouri's taxpayers and workforce deserve nothing less.

One of our toughest challenges this year will again be crafting a state budget that spends no more than the state takes in through revenue collections. As we weather the biggest economic recession since the Great Depression, Missouri is one of a few states in good financial condition. In fact, we are one of only seven states with a Triple A Bond rating.

That is because over the past three years we have been prudent and made tough fiscal decisions. Our current budget lives within the taxpayers' means, funds the critical functions of government, protects our most vulnerable and makes education funding a priority.

To date, our state's revenue is showing signs of growth, but not much. Unfortunately, slow revenue growth, increased mandatory expenses in programs like Medicaid, and the end of more than $400 million in one-time federal stabilization dollars means we could be forced to make further reductions in the upcoming budget for Fiscal Year 2013.

In 2010, I led the appropriations process in order to reduce spending by more than half a billion dollars to make sure the state lived within its means. The Senate, in cooperation with the House, took the reins after the governor presented an unbalanced budget and came to us mid-session to share the full and dismal financial reality our state faced.

We made tough decisions. And we will be prepared to make tough decisions again. However, we first need a governor that will present an honest budget forecast – no matter how unpopular – and then recommend a budget that is balanced. That includes not basing his balanced budget on special legislation that must pass.

To do so, he must embrace common sense solutions such as those presented by the Missouri Working Group on Sentencing and Corrections. This unprecedented, bipartisan and inter-branch collaboration has examined the data and made recommendations on how to give taxpayers a better public safety return on their corrections dollars while keeping Missouri safe.

Missouri's prison population more than doubled between 1990 and 2005, with the total number of inmates hovering at 30,000 today. More alarming is that during that same period, spending on corrections increased by 249 percent. Along with other state leaders, I helped establish this working group led by the senators from the 29th and 10th that has found we can improve public safety and lower the burden on taxpayers by adopting proven, evidenced-based approaches to reduce recidivism and hold offenders accountable. I expect our chamber to pass legislation based on this working group's recommendations that will provide Missouri with a better public safety return on its investment in corrections.

In the same vein, we will also visit the recommendations senators made last year as part of our Rebooting Government Initiative. In this ongoing budget crisis, we must continually examine ways to reduce the size and scope of state government so taxpayers can afford to sustain it.

I understand, we understand, and now the governor must understand, it is ideas like these that we must consider in order to continue to

make education funding a priority.

Education will continue to be a priority for us. In the current fiscal year that began July 1, we demonstrated our commitment to education by voting to maintain the school funding formula at its current level; voting to lessen a 7 percent cut to higher education proposed by the governor by adopting a $12 million increase for Missouri's two- and four-year colleges and universities; and voting to increase Missouri's K-12 school busing line item by $10 million that the governor is currently withholding.

By lessening that 7 percent cut, we allowed our colleges and universities to find and pass on real savings to out-of-pocket expenses students would have incurred. We're hoping the governor will release the K-12 transportation funding to help prevent local schools from having to raid funding for our classrooms or other dollars directed to education.

Plus, we voted to restore funding to ACCESS Missouri Scholarships to help Missouri students attend the in-state public or private college or university of their choice.

We will continue to make education a priority in funding and resources in the 2012 Legislative Session.

This year, we will also continue our efforts to help put Missourians back to work in good paying jobs with benefits. A few years ago, we eliminated the corporate franchise tax for three out of every four Missouri businesses. Last session, we were successful in setting in motion a phase-out of this unfair, double taxation for all Missouri businesses. We said this move would encourage investment by large corporations in Missouri and it has. Since its passage, two major auto-manufacturing companies have announced plans to invest a total of nearly $1.5 Billion creating 3,260 new jobs. Rather than growing government through higher taxes, we have allowed corporations to invest this money in growing their businesses and hiring new employees.

But our work is not done. While the number of unemployed Missourians has decreased, it is still too high. As of November, 8.2 percent or more than 250,000 Missourians are still out of work.

As we talk about creating jobs, it is important to understand we are not in a vacuum. We must compete nationally, and even globally, in order to have new companies locate here and existing companies choose to expand their operations here.

Our plan in the Senate starts by curbing excessive regulations, restoring balance to the Missouri Human Rights Act and returning the Workers' Compensation System as the exclusive remedy for workplace accidents.

A measure filed in the Senate would rein in excessive regulations and rules created by state agency boards comprised of un-elected bureaucrats. Few things can bring private sector growth to a halt more quickly than overly contrived red tape. That is why we must tear down the walls that are economic barriers to all businesses in Missouri. Oversight and accountability of these regulations would come about through several key goals, including creating ten-year sunsets for new and existing rules and regulations; preventing obsolete, duplicative or conflicting rules; consideration of eliminating unnecessary paperwork; and ensuring rules are narrowly tailored while still providing adequate protection of the public.

We will revisit legislation the governor vetoed that would improve employers' ability to hire and retain quality workers by ending lawsuit abuses. The bill would bring state law in line with federal human rights laws, allowing employers to invest more in jobs rather than spending money on lawsuit abuses and their increased attorneys' fees.

We will also work to restore protections for individual employees from personal lawsuits for honest accidents at work. Missouri employees and employers currently face higher risks due to a court decision. By abrogating this decision, Missouri employees will no longer be at risk of personal lawsuits stemming from workplace injuries and will no longer have to seek insurance to protect against lawsuits if an accident were to occur.

We all realize one of the keys to our success when it comes to economic development is directly tied to the development of our future workforces. If we fail to have a prepared, highly educated and well-trained workforce we will not be able to attract new businesses to locate here – especially those that demand employees with specialty degrees or skill sets.

We must also address the revolving door of drop outs and failed policies in our state's two largest school districts: St. Louis and Kansas City. Both have a decades-old cycle of failing their students. We must look to promote solutions to end this vicious cycle by bringing these school districts up to par so that every Missouri student has an equal opportunity for a world-class education.

We will also work to make sure Missourians are better represented when it comes to the select few who ultimately interview and choose the appellate judges who serve the people of our state. There must be more transparency and accountability than what exists in the current process.

Last year we took a step to enhance the accountability of how Missourians' tax dollars are spent. The work of a new committee began

and its members were tasked with examining how state departments were spending taxpayer dollars.

When I created this committee last year, I could not have envisioned how important it would be in determining the state's role in failed economic development projects in Missouri communities. The senator from the first and his colleagues continue to delve into the details of at least two failed projects – Mamtek and WiFi Sensors.

And they will not stop until they finish their due diligence in determining whether or not our state economic development department did their due diligence when recommending these ultimately failed projects. This committee will report on how to prevent similar failures from happening to other Missouri communities.

We have much to do this year. As we each prepare ourselves to be away from our families and communities for the coming months, also prepare yourself to be ready to act and complete these important goals to benefit the people of Missouri.

In the Senate, we have enjoyed a unique cooperation that bridges party lines. At the end of the day, we work together to do what is in the best interest of Missourians. With that foundation, I believe we can accomplish much this year to put Missouri on a successful, long-term sustainable path for the future.

Thank you.

In accordance with Section 9.141, RSMo, the Bill of Rights was read.

On motion of Senator Dempsey, the Senate recessed until 2:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012, while the Senate was not in session.

James Avery Jr., Republican, 7301 Summer Manor Drive, St. Louis, St. Louis County, Missouri 63129, as a member of the Labor and Industrial Relations Commission, for a term ending June 27, 2016, and until his successor is duly appointed and qualified; vice, Alice Bartlett, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 29, 2011, while the Senate was not in session.

Margaret Benz, 10842 Kennerly Road, Saint Louis, Saint Louis County, Missouri 63128, as a member of the MO HealthNet Oversight Committee, for a term ending October 30, 2013, and until her successor is duly appointed and qualified; vice, RSMo 208.955.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102
January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

James T. Blair IV, Republican, 49 Manderleigh Estates Court, Frontenac, Saint Louis County, Missouri 63131, as a member of the Conservation Commission, for a term ending June 30, 2017, and until his successor is duly appointed and qualified; vice, James T. Blair IV, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102
January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 10, 2011, while the Senate was not in session.

Stephen Bough, Democrat, 1025 Arno Road, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2013, and until his successor is duly appointed and qualified; vice, Phyllis A. Washington, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102
January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Katherine Suzanne Bradley, Republican, 2 Country Club Road, Saint Joseph, Andrew County, Missouri 64505, as a member of the Missouri Gaming Commission, for a term ending April 29, 2014, and until her successor is duly appointed and qualified; vice, Katherine Suzanne Bradley, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102
January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Erin Burlison-Huss, 1221 Cypress Point Drive, O'Fallon, Saint Charles County, Missouri 63366, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, for a term ending December 31, 2012, and until her successor is duly appointed and qualified; vice, Erin Burlison-Huss, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102
January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

Michael J. Bushur, 205 Southeast Somerset Drive, Lee's Summit, Jackson County, Missouri 64063, as a member of the Truman State University Board of Governors, for a term ending January 1, 2014, and until his successor is duly appointed and qualified; vice, Lucas Freeland, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2011, while the Senate was not in session.

Marsha M. Campbell, Democrat, 6318 Morningside Drive, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri Health Facilities Review Commitee, for a term ending January 1, 2013, and until her successor is duly appointed and qualified; vice, James Tellatin, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102
January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012, while the Senate was not in session.

Christine Chadwick, Independent, 232 North Kingshighway Boulevard Unit 2602, St. Louis City, Missouri, 63108, as a member of the Harris-Stowe State University Board of Regents, for a term ending July 7, 2016, and until her successor is duly appointed and qualified; vice, Luther Rollins, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102
January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Deron L. Cherry, Republican, 13800 South Pebblebrook Lane, Greenwood, Jackson County, Missouri 64034, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2016, and until his successor is duly appointed and qualified; vice, Deron L. Cherry, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102
January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Curtis Chick, Democrat, 1902 Sun Meadow, Jefferson City, Cole County, Missouri 65109, as a member of the Labor and Industrial Relations Commission, for a term ending July 27, 2014, and until his successor is duly appointed and qualified; vice, John Hickey, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Timothy R. Cisar, 370 Palmer Drive, Lake Ozark, Camden County, Missouri 65049, as a member of the Crime Laboratory Review Commission, for a term ending April 1, 2013, and until his successor is duly appointed and qualified; vice, Timothy R. Cisar, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Francis S. Cole, 710 South Hanley 11C, Clayton, Saint Louis County, Missouri 63105, as a member of the Missouri Task Force on Prematurity and Infant Mortality, for a term ending January 1, 2015, and until his successor is duly appointed and qualified; vice, RSMo 210.105.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2011, while the Senate was not in session.

Ryan S. Cook, 237 Northwest 58th Road, Clinton, Henry County, Missouri 64735, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2015, and until his successor is duly appointed and qualified; vice, Wayne Van Jean, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 10, 2011, while the Senate was not in session.

David B. Cosgrove, Democrat, 527 Newport Avenue, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Missouri Housing Development Commission, for a term ending October 13, 2013, and until his successor is duly appointed and qualified; vice, Timothy M. Joyce, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

John Cowherd, Republican, 1303 Deer Lane, Mount Vernon, Lawrence County, Missouri 65712, as a member of the Clean Water Commission, for a term ending April 12, 2014, and until his successor is duly appointed and qualified; vice, William Easley, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Thelma Crawford, Democrat, 4701 North Holly Court, Kansas City, Clay County, Missouri 64116, as a member of the Clay County Board of Election Commissioners, for a term ending June 15, 2015, and until her successor is duly appointed and qualified; vice, Thelma Crawford, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2011, while the Senate was not in session.

Timothy D. Cudd, 1367 Timothy Ridge Drive, Saint Charles, Saint Charles County, Missouri 63304, as a member of the Board of Private Investigator and Private Fire Investigator Examiners, for a term ending December 20, 2016, and until his successor is duly appointed and qualified; vice, RSMo 324.1102.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Francis Dorrel, Republican, 215 West Edwards, Maryville, Nodaway County, Missouri 64468, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Francis Dorrel, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 29, 2011, while the Senate was not in session.

Timothy Dorsey, Republican, 1343 Westbend Drive, Dardenne Prairie, Saint Charles County, Missouri 63368, as a member of the Missouri Fire Safety Education/Advisory Commission, for a term ending April 26, 2015, and until his successor is duly appointed and qualified; vice, RSMo 320.094.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

Robert Dowis, Democrat, 32802 First Street, Conception, Nodaway County, Missouri 64433, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Gary Panethiere, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Linda Duffy, Republican, 1811 Woodrail Avenue, Columbia, Boone County, Missouri 65203, as a member of the Missouri Community Service Commission, for a term ending December 15, 2013, and until her successor is duly appointed and qualified; vice, Linda Duffy, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

James Dallas Everett, Democrat, 10 South Vine View Street, Platte City, Platte County, Missouri 64079, as a member of the Platte County Election Board, for a term ending January 11, 2015, and until his successor is duly appointed and qualified; vice, Stephen L. Foster, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

Marvin Ferguson, Republican, 6502 Northwest Melody Lane, Parkville, Platte County, Missouri 64152, as a member of the Platte County Election Board, for a term ending January 11, 2013, and until his successor is duly appointed and qualified; vice, Christopher C. Dalton, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

James B. Fleischaker, Democrat, 2402 South Indiana, Joplin, Jasper County, Missouri 64804, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2017, and until his successor is duly appointed and qualified; vice, H. Dwight Douglas, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

Brian Fogle, Democrat, 1125 East Kingsbury, Springfield, Greene County, Missouri 65807, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2012, and until his successor is duly appointed and qualified; vice, Thomas Strong, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102
January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2011, while the Senate was not in session.

Charles R. Giessing, 134 Trimfoot Terrace, Farmington, Saint Francois County, Missouri 63640, as a member of the Board of Private Investigator and Private Fire Investigator Examiners, for a term ending December 20, 2014, and until his successor is duly appointed and qualified; vice, RSMo 324.1102.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102
January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2011, while the Senate was not in session.

Lori L. Glasscock, 1200 A2 Duane Swift Parkway, Jefferson City, Cole County, Missouri 65109, as a member of the Board of Cosmetology and Barbers Examiners, for a term ending July 1, 2013, and until her successor is duly appointed and qualified; vice, Annie R. Dixon, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102
January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Christine Grace, 7107 Madison Creek Drive, Columbia, Boone County, Missouri 65203, as a member of the Missouri Task Force on Prematurity and Infant Mortality, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, RSMo 210.105.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 29, 2011, while the Senate was not in session.

Todd E. Gray, Independent, 5714 Spring Meadow Drive, Fulton, Callaway County, Missouri 65251, as a member of the Missouri Fire Safety Education/Advisory Commission, for a term ending April 26, 2015, and until his successor is duly appointed and qualified; vice, Timothy Dorsey, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

Bradley G. Gregory, Republican, 1800 W. Northwood, Boliver, Polk County, Missouri 65613, as a member of the Missouri Development Finance Board, for a term ending September 14, 2015, and until his successor is duly appointed and qualified; vice, Louis B. Eckelkamp, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Mary E. Grimes, 801 South Skinker Boulevard #4-C, Saint Louis, Saint Louis County, Missouri 63105, as a member of the Missouri Task Force on Prematurity and Infant Mortality, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, RSMo 210.105.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Constance Gully, 803 Bermuda Drive, Normandy, Saint Louis County, Missouri 63121, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 11, 2013, and until her successor is duly appointed and qualified; vice, Constance Gully, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Jennifer Gundy, 21371 Infantry Road, Walker, Vernon County, Missouri 64790, as a member of the Missouri Quality Home Care Council, for a term ending March 1, 2014, and until her successor is duly appointed and qualified; vice, Jennifer Gundy, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 30, 2011 while the Senate was not in session.

Jason R. Hall, 4142 Shenandoah, St. Louis City, Missouri 63110, as Director of the Department of Economic Development, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2011, while the Senate was not in session.

John C. Hanneke, Democrat, 1522 Wild Goose Run, Saint Charles, Saint Charles County, Missouri 63303, as a member of the Credit Union Commission, for a term ending January 1, 2015, and until his successor is duly appointed and qualified; vice, John C. Hanneke, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 29, 2011, while the Senate was not in session.

Ann E. Harris, 3228 Moreau View Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Board of Nursing Home Administrators, for a term ending November 21, 2014, and until her successor is duly appointed and qualified; vice, RSMo 344.060.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Robert Helm, 5175 East Farm Road 138, Springfield, Greene County, Missouri 65809, as a member of the Missouri State Board of Accountancy, for a term ending July 1, 2016, and until his successor is duly appointed and qualified; vice, Patricia A. Soltys, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Pamela Q. Henrickson, Republican, 416 Schellridge Road, Jefferson City, Cole County, Missouri 65109, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2017, and until her successor is duly appointed and qualified; vice, Pamela Q. Henrickson, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

David Herman, 233 Braeshire Drive, Ballwin, St. Louis County, Missouri 63021, as a member of the State Advisory Council on Emergency Medical Services, for a term ending January 5, 2013, and until his successor is duly appointed and qualified; vice, David Herman, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Peter W. Hofherr, Democrat, 19300 County Road 1000, Saint James, Phelps County, Missouri 65559, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Mary Sheid, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Ruth M. Hollenbeck, 2719 Towne Oaks Drive, Saint Louis, Saint Louis County, Missouri 63129, as a member of the Missouri Task Force on Prematurity and Infant Mortality, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, RSMo 210.105.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Stephen B. Hoven, Republican, 645 Huntley Heights Drive, Ballwin, Saint Louis County, Missouri 63021 as a member of the Missouri State University Board of Governors, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Michael Duggan, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Carrie T. Hruza, 6 Ames Place Drive, Saint Louis, Saint Louis County, Missouri 63124, as a member of the State Board of Optometry, for a term ending June 30, 2014, and until her successor is duly appointed and qualified; vice, Cathy L. Frier, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Le Greta Hudson, Democrat, 4706 New Castle Drive, Columbia, Boone County, Missouri 65203, as a member of the State Committee of Dietitians, for a term ending June 11, 2013, and until her successor is duly appointed and qualified; vice, Le Greta Hudson, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Joseph Hunt, Democrat, 7500 Bull Run Drive, Saint Louis, Saint Louis County, Missouri 63123, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Joseph Hunt, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

Amy G. Johnson, 5020 Northwest 85th Court, Kansas City, Platte County, Missouri 64154, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2014, and until her successor is duly appointed and qualified; vice, Laura Confer, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

Sherry Jones, Republican, 20841 LIV 431, Dawn, Livingston County, Missouri 64638, as a member of the State Fair Commission, for a term ending December 29, 2014, and until her successor is duly appointed and qualified; vice, Janice T. McElwrath, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Sue Kendig, 281 Barker Court, Ballwin, Saint Louis County, Missouri 63021, as a member of the Missouri Task Force on Prematurity and Infant Mortality, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, RSMo 210.105.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 1, 2011, while the Senate was not in session.

Jerome D. Lee, 665 S. Skinker Blvd., Apt. 15C, St. Louis City, Missouri 63105, as Director of the Department of Public Safety, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 29, 2011, while the Senate was not in session.

Michael S. Levitt, 803 West 69th Terrace, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri Board of Nursing Home Administrators, for a term ending November 21, 2014, and until his successor is duly appointed and qualified; vice, RSMo 344.060.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 10, 2011, while the Senate was not in session.

Ronald J. Levy, 21 Clermont Lane, Saint Louis, Saint Louis County, Missouri 63124, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, for a term ending December 31, 2016, and until his successor is duly appointed and qualified; vice, Patrick Naeger, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 10, 2011, while the Senate was not in session.

Linda S. Luebbering, 2434 Scenic Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, for a term ending December 31, 2016, and until her successor is duly appointed and qualified; vice, Nicole L. Loethen, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Christopher Maglio, 24169 State Highway F, Kirksville, Adair County, Missouri 63501, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until his successor is duly appointed and qualified; vice, Christopher Maglio, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 10, 2011, while the Senate was not in session.

Michael P. Marlo, Independent, 718 Winding Creek Drive, Wentzville, Saint Charles County, Missouri 63385, as a member of the Missouri Fire Safety Education/Advisory Commission, for a term ending April 26, 2012, and until his successor is duly appointed and qualified; vice, RSMo 320.094.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Joyce E. Massey, 16150 Panther Drive, Lebanon, Laclede County, Missouri 65536, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2013, and until her successor is duly appointed and qualified; vice, Joyce Massey, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2011, while the Senate was not in session.

Thomas M. Meyer, Democrat, 314 N. Lorimier, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2018, and until his successor is duly appointed and qualified; vice, Albert M. Spradling III, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

Beverly Miller, Democrat, 406 Bluebird Lane, Lebanon, Laclede County, Missouri 65536, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Brian Hammons, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Julie Molendorp, Republican, 8200 East 161st Street, Belton, Cass County, Missouri 64012, as a member of the Missouri Real Estate Appraisers Commission, for a term ending September 12, 2014, and until her successor is duly appointed and qualified; vice, Julie Molendorp, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Kendra Neely-Martin, Democrat, 1222 Yukon, Saint Louis, Saint Louis County, Missouri 63137, as a member of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2018, and until her successor is duly appointed and qualified; vice, Reginald Dickson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Melinda Ohlemiller, 85 Highgate Road, Saint Louis, Saint Louis County, Missouri 63132, as a member of the Missouri Task Force on Prematurity and Infant Mortality, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, RSMo 210.105.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2011, while the Senate was not in session.

Richard D. Orr, Democrat, 806 East Clark Street, Warrensburg, Johnson County, Missouri 64093, as a member of the Credit Union Commission, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Charles Waalkes, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Shirley Patterson, 4202 Brentwood Drive, Columbia, Boone County, Missouri 65203, as a member of the Coordinating Board for Early Childhood, for a term ending at the pleasure of the Governor and until her successor is duly appointed and qualified; vice, Shirley Patterson, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

Melanie R. Rippetoe, 8213 Jefferson Avenue, Vinita Park, St. Louis County, Missouri 63114, as a member of the Missouri Higher Education Loan Authority, for a term ending October 22, 2015, and until her successor is duly appointed and qualified; vice, John Smith, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

Kevin Roberts, Democrat, 9977 Venita Lane, Hillsboro, Jefferson County, Missouri 63050, as a member of the State Fair Commission, for a term ending December 29, 2014, and until his successor is duly appointed and qualified; vice, Elizabeth Schlueter, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Stephen Roling, 11920 Summit, Kansas City, Jackson County, Missouri 64145, as a member of the Mental Health Commission, for a term ending June 28, 2012, and until his successor is duly appointed and qualified; vice, Stephen Roling, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 29, 2011, while the Senate was not in session.

Charles Michael Roth, 205 Emerald Vale Drive, Pacific, Franklin County, Missouri 63069, as a member of the Missouri Board of Nursing Home Administrators, for a term ending November 21, 2013, and until his successor is duly appointed and qualified; vice, RSMo 344.060.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Stephen M. Sauter, Independent, 17328 Radcliffe Place Drive, Wildwood, Saint Louis County, Missouri 63025, as a member of the Missouri Housing Development Commission, for a term ending October 13, 2013, and until his successor is duly appointed and qualified; vice, Claudia Onate Greim, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Kelly Schultz, 10455 East Mexico Gravel, Columbia, Boone County, Missouri 65202, as The Missouri Child Advocate in the Office of Child Advocate for Children's Protection and Services, for a term ending December 7, 2016, and until her successor is duly appointed and qualified; vice, Kelly Schultz, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

James T. Seigfreid, 1108 Kismet Drive, Warrensburg, Johnson County, Missouri 64093, as a member of the Missouri Task Force on Prematurity and Infant Mortality, for a term ending January 1, 2015, and until his successor is duly appointed and qualified; vice, RSMo 210.105.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2012 while the Senate was not in session.

James F. Shrewsbury, Democrat, 6048 Guilford Place, St. Louis City, Missouri 63109, as a member of the Regional Convention Center and Sports Complex Authority, for a term ending May 31, 2016, and until his successor is duly appointed and qualified; vice, Jerry Hunter, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

David W. Sigars, 11145 Mulberry Road, Neosho, Newton County, Missouri 64850, as the student representative to the Missouri Southern State University Board of Governors, for a term ending December 31, 2011, and until his successor is duly appointed and qualified; vice, Ezekiel P. Tarrant, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Debra Stenger, 1328 Village View Court, Saint Paul, Saint Charles County, Missouri 63366, as a member of the Advisory Committee for 911 Service Oversight, for a term ending April 9, 2015, and until her successor is duly appointed and qualified; vice, Debra Stenger, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 14, 2011, while the Senate was not in session.

Stephen Stoll, 716 Richard Avenue, Festus, Jefferson County, Missouri 63028, as a member of the Public Service Commission, for a term ending December 13, 2017, and until his successor is duly appointed and qualified; vice, Robert Clayton, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Charles Surface, Republican, 3402 South Park Street, Joplin, Jasper County, Missouri 64804, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2016, and until his successor is duly appointed and qualified; vice, Charles Surface, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 29, 2011, while the Senate was not in session.

Janice T. Unger, 1044 Oakhand Drive, Jackson, Cape Girardeau County, Missouri 63755, as a member of the Missouri Board of Nursing Home Administrators, for a term ending November 21, 2013, and until her successor is duly appointed and qualified; vice, RSMo 344.060.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Craig Van Matre, Democrat, 450 Covered Bridge Road, Columbia, Boone County, Missouri 65203, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2013, and until his successor is duly appointed and qualified; vice, Craig Van Matre, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 21, 2011, while the Senate was not in session.

Susan L. Venable, Democrat, 8402 Northwest 68th Street, Kansas City, Platte County, Missouri 64152, as a member of the Credit Union Commission, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Lawrence Giesing, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Wallis Warren, Democrat, 2671 Jefferiesburg Road, Beaufort, Franklin County, Missouri 63013, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2014, and until her successor is duly appointed and qualified; vice, Wallis Warren, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Gus S. Wetzel II, Republican, 1700 South Eighth Street, Clinton, Henry County, Missouri 64735, as a member of the University of Central Missouri Board of Governors, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Richard P. Phillips, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 26, 2011, while the Senate was not in session.

Dennis Wood, Republican, 284 Lillian Lane, Kimberling City, Stone County, Missouri 65686, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2014, and until his successor is duly appointed and qualified; vice, Dennis Wood, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 31, 2011, while the Senate was not in session.

Roger L. Worthington, Democrat, 402 Ryefield Ridge, Columbia, Boone County, Missouri 65203, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2014, and until his successor is duly appointed and qualified; vice, Jaye Jackson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

OFFICE OF THE GOVERNOR
State of Missouri
Jefferson City
65102

January 4, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 29, 2011, while the Senate was not in session.

Donald L. Yost Jr., 708 Fox Run, Moberly, Randolph County, Missouri 65270, as a member of the Board of Nursing Home Administrators, for a term ending November 21, 2014, and until his successor is duly appointed and qualified; vice, RSMo 344.060.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above appointments to the Committee on Gubernatorial Appointments.

FIRST READING OF PRE-FILED SENATE BILLS

As provided by Chapter 21, RSMo 2000, Sections 21.600, 21.605, 21.615 and 21.620, the following pre-filed Bills and/or Joint Resolutions were introduced and read for the first time:

SB 434–By Callahan and Pearce.

An Act to repeal sections 162.041, 162.431, and 163.087, RSMo, and to enact in lieu thereof three new sections relating to changes in school district boundary lines.

SB 435–By Crowell.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with a referendum clause.

SB 436–By Crowell.

An Act to repeal sections 32.105, 32.110, 32.111, 32.112, 32.115, 99.1205, 100.286, 100.297, 100.850, 135.015, 135.020, 135.090, 135.110, 135.305, 135.327, 135.352, 135.460, 135.484, 135.490, 135.535, 135.545, 135.546, 135.550, 135.562, 135.575, 135.600, 135.630, 135.679, 135.680, 135.700, 135.750, 135.766, 135.967, 135.1150, 143.119, 143.471, 148.030, 148.400, 208.770, 253.550, 253.559, 320.093, 348.430, 348.432, 348.434, 348.505, 375.774, 376.745, 376.975, 447.708, 620.495, 620.1039, 620.1881, and 660.055, RSMo, and to enact in lieu thereof fifty new sections relating to subjecting tax credit programs to appropriations.

SB 437–By Crowell.

An Act to repeal sections 26.220, 26.225, 115.237, 115.239, 115.307, 115.507, 115.511, 115.512, 115.515, 115.517, and 115.555, RSMo, and to enact in lieu thereof fourteen new sections relating to the joint election of governor and lieutenant governor, with a contingent effective date.

SB 438–By Mayer.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions, and a referendum clause.

SB 439–By Mayer.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to the suspension of prevailing wage in natural disaster areas.

SB 440–By Engler.

An Act to repeal sections 383.015, 383.016, 383.035, 383.037, and 383.206, RSMo, and to enact in lieu thereof seven new sections relating to malpractice insurance.

SB 441–By Engler.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to special license plates.

SB 442–By Stouffer.

An Act to repeal sections 115.427 and 115.430, RSMo, and to enact in lieu thereof two new sections relating to voter photo identification, with an effective date.

SB 443–By Stouffer.

An Act to repeal sections 301.147, 302.309, 302.341, 302.700, and 577.023, RSMo, and to enact in lieu thereof six new sections relating to the regulation of motor vehicles, with penalty provisions in existing language, a contingent effective date for certain sections, and an effective date for a certain section.

SB 444–By Stouffer.

An Act to repeal section 226.095, RSMo, and to enact in lieu thereof one new section relating to the Missouri department of transportation.

SB 445–By Goodman.

An Act to amend chapter 556, RSMo, by adding thereto one new section relating to the criminal justice system, with an expiration date.

SB 446–By Goodman.

An Act to repeal section 50.565, RSMo, and to enact in lieu thereof one new section relating to the county law enforcement restitution fund.

SB 447–By Goodman.

An Act to repeal sections 570.030 and 570.080, RSMo, and to enact in lieu thereof two new sections relating to stealing offenses, with penalty provisions.

SB 448–By Rupp.

An Act to repeal sections 210.211 and 210.245, RSMo, and to enact in lieu thereof four new sections relating to child care, with penalty provisions.

SB 449–By Rupp.

An Act to amend chapter 633, RSMo, by adding thereto one new section relating to developmental disabilities facilities.

SB 450–By Rupp.

An Act to repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to school directors in urban districts, with an emergency clause.

SB 451–By Cunningham.

An Act to repeal section 177.088, RSMo, and to enact in lieu thereof two new sections relating to the utilization of resources and services.

SB 452–By Cunningham.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to school enrollment.

SB 453–By Cunningham.

An Act to repeal sections 213.111 and 287.780, RSMo, and to enact in lieu thereof two new sections

relating to damages in discrimination cases.

SB 454–By Pearce.

An Act to repeal sections 163.011 and 163.031, RSMo, and to enact in lieu thereof two new sections relating to state funding for elementary and secondary education, with an emergency clause.

SB 455–By Pearce.

An Act to repeal sections 173.005 and 173.040, RSMo, and to enact in lieu thereof two new sections relating to duties prescribed to the coordinating board for higher education.

SB 456–By Pearce.

An Act to repeal section 167.131, RSMo, and to enact in lieu thereof one new section relating to student transfers, with an emergency clause.

SB 457–By Schmitt.

An Act to repeal section 210.115, RSMo, and to enact in lieu thereof one new section relating to persons required to report child abuse and neglect.

SB 458–By Wright-Jones.

An Act to amend chapters 393, 442, and 640, RSMo, by adding thereto fifteen new sections relating to the green jobs-green Missouri act.

SB 459–By Wright-Jones.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to public works projects.

SB 460–By Wright-Jones.

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to kindergarten attendance.

SB 461–By Keaveny.

An Act to repeal sections 84.010, 84.220, 86.200, 86.213, 105.483, and 105.726, RSMo, and to enact in lieu thereof thirteen new sections relating to the St. Louis police force, with penalty provisions.

SB 462–By Keaveny and Lamping.

An Act to repeal sections 408.500 and 408.505, RSMo, and to enact in lieu thereof two new sections relating to unsecured loans of five hundred dollars or less, with existing penalty provisions.

SB 463–By Keaveny.

An Act to repeal section 307.178, RSMo, and to enact in lieu thereof one new section relating to seat belts, with penalty provisions.

SB 464–By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the authority for creating and operating health insurance exchanges in Missouri, with a referendum clause.

SB 465–By Schaaf.

An Act to repeal sections 67.2500 and 67.2510, RSMo, and to enact in lieu thereof two new sections relating to theater, cultural arts, and entertainment districts.

SB 466–By Munzlinger.

An Act to repeal section 313.835, RSMo, and to enact in lieu thereof one new section relating to the gaming commission fund.

SB 467–By Munzlinger.

An Act to amend chapter 33, RSMo, by adding thereto one new section relating to documentation of grants of federal funds.

SB 468–By Munzlinger.

An Act to repeal sections 34.203, 34.206, 34.209, 34.212, 34.216, 34.217, 290.210, 290.250, 290.260, 290.262, 290.290, and 290.340, RSMo, and to enact in lieu thereof fourteen new sections relating to public construction.

SB 469–By Dixon.

An Act to repeal section 536.041, RSMo, and to enact in lieu thereof three new sections relating to the review of state administrative rules.

SB 470–By Dixon.

An Act to repeal sections 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof thirteen new sections relating to motor carrier transportation regulated by the state highways and transportation commission.

SB 471–By Dixon.

An Act to repeal section 135.327, RSMo, and to enact in lieu thereof one new section relating to the children in crisis tax credit.

SB 472–By Kraus.

An Act to repeal sections 99.1205, 135.155, 135.305, 135.313, 135.350, 135.352, 135.484, 135.535, 135.679, 135.700, 135.750, 135.967, 137.1018, 143.071, 253.550, 253.557, 253.559, 348.430, 348.432, 348.505, 447.708, and 620.1910, RSMo, and to enact in lieu thereof twenty-one new sections relating to taxation.

SB 473–By Kraus.

An Act to amend chapter 27, RSMo, by adding thereto one new section relating to federal enforcement of immigration laws, with a referendum clause.

SB 474–By Kraus.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to food stamps.

SB 475–By Lamping.

An Act to repeal sections 26.220, 26.225, 115.237, 115.239, 115.307, 115.515, and 115.517, RSMo, and to enact in lieu thereof ten new sections relating to the joint election of governor and lieutenant governor,

with a contingent effective date.

SB 476–By Lamping.

An Act to repeal sections 408.500 and 408.505, RSMo, and to enact in lieu thereof three new sections relating to unsecured loans of five hundred dollars or less, with existing penalty provisions.

SB 477–By Crowell.

An Act to repeal sections 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof five new sections relating to telephone calls.

SB 478–By Crowell.

An Act to repeal sections 103.005, 103.085, 103.095, 104.1072, 104.1075, and 104.1084, RSMo, and to enact in lieu thereof six new sections relating to employee benefits of certain elected state officials.

SB 479–By Crowell.

An Act to repeal sections 104.1072, 104.1075, and 104.1084, RSMo, and to enact in lieu thereof four new sections relating to employee benefits of certain elected state officials.

SB 480–By Stouffer.

An Act to repeal sections 144.030 and 390.020, RSMo, and to enact in lieu thereof two new sections relating to regulation of motor carriers.

SB 481–By Stouffer.

An Act to repeal section 135.1150, RSMo, and to enact in lieu thereof two new sections relating to tax credits for certain contributions.

SB 482–By Stouffer.

An Act to repeal section 172.803, RSMo, and to enact in lieu thereof one new section relating to funding for research projects by the University of Missouri board of curators.

SB 483–By Rupp.

An Act to amend chapter 173, RSMo, by adding thereto four new sections relating to the early high school graduation scholarship program.

SB 484–By Rupp.

An Act to repeal sections 130.047, 407.1095, 407.1098, 407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

SB 485–By Cunningham.

An Act to repeal sections 430.020 and 430.082, RSMo, and to enact in lieu thereof two new sections relating to statutory liens against personalty.

SB 486–By Wright-Jones.

An Act to repeal sections 115.205 and 115.631, RSMo, and to enact in lieu thereof three new sections relating to elections, with penalty provisions.

SB 487–By Wright-Jones.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to minority and women's business enterprises, with an expiration date.

SB 488–By Wright-Jones.

An Act to amend chapter 8, RSMo, by adding thereto one new section relating to environmentally sustainable construction for state-funded buildings.

SB 489–By Munzlinger.

An Act to repeal sections 571.020 and 571.111, RSMo, and to enact in lieu thereof two new sections relating to weapons, with existing penalty provisions.

SB 490–By Munzlinger.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to civil actions.

SB 491–By Munzlinger.

An Act to repeal sections 262.815 and 414.255, RSMo, and to enact in lieu thereof two new sections relating to agriculture.

SB 492–By Crowell.

An Act to repeal section 104.1084, RSMo, and to enact in lieu thereof one new section relating to retirement of certain elected state officials.

SB 493–By Stouffer.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to property tax relief for the alleviation of blight in certain counties.

SB 494–By Wright-Jones.

An Act to amend chapter 192, RSMo, by adding thereto eleven new sections relating to reporting of medical harm events, with penalty provisions.

SB 495–By Wright-Jones.

An Act to amend chapter 191, RSMo, by adding thereto two new sections relating to the compassionate assistance for rape emergencies act.

SB 496–By Wright-Jones.

An Act to repeal section 170.015, RSMo, and to enact in lieu thereof seven new sections relating to increasing preventive health services through the prevention first act.

SB 497–By Munzlinger.

An Act to repeal sections 569.140, 569.150, 575.010, and 575.120, RSMo, and to enact in lieu thereof four new sections relating to increasing the penalties for certain crimes, with penalty provisions.

SB 498–By Munzlinger.

An Act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations.

SB 499–By Munzlinger.

An Act to repeal section 313.820, RSMo, and to enact in lieu thereof one new section relating to an additional admission fee for excursion gambling boat licensees to fund veterans commission capital improvements.

SB 500–By Wright-Jones.

An Act to repeal section 105.711, RSMo, and to enact in lieu thereof three new sections relating to certain health care professionals.

SB 501–By Wright-Jones.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the council on digital inclusion.

SB 502–By Wright-Jones.

An Act to repeal section 494.430, RSMo, and to enact in lieu thereof one new section relating to jury duty.

SB 503–By Wright-Jones.

An Act to repeal sections 160.400 and 160.405, RSMo, and to enact in lieu thereof two new sections relating to charter schools.

SB 504–By Wright-Jones.

An Act to repeal sections 307.365 and 643.320, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle inspections, with penalty provisions.

SB 505–By Wright-Jones.

An Act to amend chapter 376, RSMo, by adding thereto two new sections relating to the promotion of the efficient use of health care revenues by requiring health carriers to expend a certain percentage of their total annual revenues on health services, with penalty provisions.

SB 506–By Wright-Jones.

An Act to amend chapter 565, RSMo, by adding thereto three new sections relating to the creation of the crime of assaulting an employee of a mass transit system while in the scope of his or her duties, with penalty provisions.

SB 507–By Wright-Jones.

An Act to repeal section 376.782, RSMo, and to enact in lieu thereof one new section relating to health insurance coverage for mammography screenings.

SB 508–By Wright-Jones.

An Act to repeal section 70.441, RSMo, and to enact in lieu thereof one new section relating to reimbursing bi-state development agency for the reasonable costs attributable to investigating and prosecuting fare evasion offenses, with penalty provisions.

SB 509–By Wright-Jones.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to property tax relief

for the alleviation of blight in St. Louis City.

SB 510–By Cunningham.

An Act to repeal section 137.076, RSMo, and to enact in lieu thereof one new section relating to assessment of real property for tax purposes.

SB 511–By Schaaf.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the state Medicaid plan.

SB 512–By Schaaf.

An Act to amend chapter 431, RSMo, by adding thereto one new section relating to restrictive physician employment covenants.

SB 513–By Crowell.

An Act to repeal section 99.975, RSMo, and to enact in lieu thereof one new section relating to the Missouri downtown and rural economic stimulus act.

SB 514–By Crowell.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions, and a referendum clause.

SB 515–By Schaaf.

An Act to repeal section 374.184, RSMo, and to enact in lieu thereof one new section relating to health insurance.

SB 516–By Schaaf.

An Act to repeal section 105.463, RSMo, and to enact in lieu thereof two new sections relating to gubernatorial appointments.

SB 517–By Brown.

An Act to repeal section 304.015, RSMo, and to enact in lieu thereof one new section relating to the imposition of an additional fine for failing to drive in the right-hand lane except under certain conditions, with penalty provisions.

SB 518–By Engler.

An Act to amend chapter 559, RSMo, by adding thereto one new section relating to a mental health assessment pilot program.

SB 519–By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance.

SB 520–By Schaaf.

An Act to repeal section 130.016, RSMo, and to enact in lieu thereof one new section relating to political committee filing requirements.

SB 521–By Curls.

An Act to repeal section 452.340, RSMo, and to enact in lieu thereof one new section relating to child support.

SB 522–By Curls.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to eligibility for food stamps.

SB 523–By Curls.

An Act to repeal section 407.933, RSMo, and to enact in lieu thereof one new section relating to sale of cigarettes, with penalty provisions.

SB 524–By Curls.

An Act to repeal section 215.020, RSMo, and to enact in lieu thereof one new section relating to the Missouri housing development commission.

SB 525–By Engler.

An Act to repeal sections 478.010 and 478.320, RSMo, and to enact in lieu thereof three new sections relating to nonpartisan judicial elections, with an effective date for a certain section.

SB 526–By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to prompt credentialing act.

SB 527–By Schaaf.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to financial aid for higher education.

SB 528–By Wright-Jones.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to special license plates.

SB 529–By Schaaf.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to physician privileges.

SB 530–By Schaaf.

An Act to repeal section 143.183, RSMo, and to enact in lieu thereof one new section relating to nonresident entertainer income taxes.

SB 531–By Lamping.

An Act to repeal sections 135.352, 143.011, 253.550, 253.557, and 253.559, RSMo, and to enact in lieu thereof five new sections relating to taxation.

SB 532–By Schaefer.

An Act to repeal section 135.647, RSMo, and to enact in lieu thereof one new section relating to a tax credit for donations to food pantries.

SB 533–By Schaaf.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to certificate of need.

SB 534–By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to diagnostic imaging services.

SB 535–By Chappelle-Nadal.

An Act to repeal sections 84.010, 84.220, 86.200, 86.213, 105.483, and 105.726, RSMo, and to enact in lieu thereof thirteen new sections relating to the city of St. Louis, with penalty provisions.

SB 536–By Chappelle-Nadal.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

SB 537–By Chappelle-Nadal.

An Act to repeal section 565.090, RSMo, and to enact in lieu thereof one new section relating to harassment, with a penalty provision.

SB 538–By Chappelle-Nadal.

An Act to repeal section 191.807, RSMo, and to enact in lieu thereof one new section relating to the women, infants and children special supplemental food program.

SB 539–By Chappelle-Nadal.

An Act to amend chapter 292, RSMo, by adding thereto one new section relating to workplace violence, with a penalty provision.

SB 540–By Chappelle-Nadal.

An Act to amend chapters 34 and 290, RSMo, by adding thereto two new sections relating to employment practices.

SB 541–By Chappelle-Nadal.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to workforce development.

SB 542–By Chappelle-Nadal.

An Act to repeal sections 115.225 and 115.237, RSMo, and to enact in lieu thereof two new sections relating to voting methods.

SB 543–By Chappelle-Nadal.

An Act to repeal sections 168.124, 168.211, and 168.221, RSMo, and to enact in lieu thereof eight new sections relating to elementary and secondary education.

SB 544–By Chappelle-Nadal.

An Act to amend chapter 324, RSMo, by adding thereto sixteen new sections relating to the licensing of clinical laboratory science personnel, with penalty provisions.

SB 545–By Chappelle-Nadal.

An Act to amend chapter 105, RSMo, by adding thereto two new sections relating to public officials.

SB 546–By Purgason.

An Act to amend chapter 130, RSMo, by adding thereto one new section relating to campaign contribution limits.

SB 547–By Purgason.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

SB 548–By Purgason.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to the imposition of a sunset upon certain tax credit programs.

SB 549–By Lembke.

An Act to amend chapter 177, RSMo, by adding thereto one new section relating to school property.

SB 550–By Schaaf.

An Act to amend chapters 192, 208, 376, and 630, RSMo, by adding thereto four new sections relating to health care.

SB 551–By Brown.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to tax exemptions for captive wildlife.

SB 552–By Brown.

An Act to repeal section 516.105, RSMo, and to enact in lieu thereof one new section relating to actions against veterinarians.

SB 553–By Brown.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with a referendum clause.

SB 554–By Curls.

An Act to repeal section 534.030, RSMo, and to enact in lieu thereof one new section relating to foreclosure notice to tenants.

SB 555–By Curls.

An Act to amend chapter 442, RSMo, by adding thereto twenty-four new sections relating to executory contracts for the conveyance of certain real property.

SB 556–By Curls.

An Act to repeal section 211.073, RSMo, and to enact in lieu thereof one new section relating to sentences under dual jurisdiction.

SB 557–By Brown.

An Act to repeal section 301.190, RSMo, and to enact in lieu thereof one new section relating to the vehicle examination process used for the issuance of prior salvage motor vehicle titles.

SB 558–Withdrawn.

SB 559–By Curls.

An Act to repeal sections 561.026 and 577.054, RSMo, and to enact in lieu thereof three new sections relating to petitions to expunge certain criminal records.

SB 560–By Ridgeway.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the authority for creating and operating health insurance exchanges in Missouri, with a referendum clause.

SB 561–By Ridgeway.

An Act to repeal section 143.011, RSMo, and to enact in lieu thereof two new sections relating to taxation.

SB 562–By Dixon, Parson, Wasson and Richard.

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing boards of certain state universities, with an emergency clause.

SB 563–By Dixon.

An Act to repeal section 174.450, RSMo, and to enact in lieu thereof one new section relating to the governing board of Missouri State University, with an emergency clause.

SB 564–By Brown.

An Act to repeal section 302.173, RSMo, and to enact in lieu thereof one new section relating to the waiver of the motorcycle roads skills test for members of the armed forces who have successfully completed certain military motorcycle rider training courses.

SB 565–By Schaaf.

An Act to repeal section 376.961, RSMo, and to enact in lieu thereof one new section relating to the board of directors of the Missouri health insurance pool.

SB 566–By Brown.

An Act to amend chapter 322, RSMo, by adding thereto one new section relating to vaccination of dogs and cats against rabies, with a penalty provision.

SB 567–By Wright-Jones.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to text messaging while operating a motor vehicle.

SB 568–By Parson.

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to emergency vehicles, with existing penalty provisions.

SB 569–By Kraus.

An Act to repeal section 115.123, RSMo, and to enact in lieu thereof one new section relating to dates for conducting elections.

SB 570–By Kraus.

An Act to repeal sections 301.064, 301.120, 301.130, and 301.144, RSMo, and to enact in lieu thereof four new sections relating to the issuance of state license plates.

SB 571–By Kraus.

An Act to repeal section 135.802, RSMo, and to enact in lieu thereof two new sections relating to campaign finance disclosure for tax recipients.

SB 572–By Dempsey.

An Act to repeal sections 287.120, 287.140, 287.141, 287.143, 287.149, 287.160, 287.210, 287.220, 287.690, and 287.715, RSMo, and to enact in lieu thereof eleven new sections relating to workers' compensation, with an emergency clause for certain sections.

SB 573–By Dixon.

An Act to repeal section 488.426, RSMo, and to enact in lieu thereof one new section relating to a surcharge on civil court cases.

SB 574–By Dixon.

An Act to repeal section 67.2010, RSMo, and to enact in lieu thereof one new section relating to county ordinance violations in certain counties.

SB 575–By Dixon.

An Act to repeal section 67.402, RSMo, and to enact in lieu thereof one new section relating to nuisance abatement ordinances.

SB 576–By Stouffer.

An Act to repeal sections 29.205, 160.400, 160.405, 160.410, 160.415, and 160.420, RSMo, and to enact in lieu thereof nine new sections relating to charter schools.

SB 577–By Goodman.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications.

SB 578–By Parson.

An Act to authorize the conveyance of property owned by the state in Pettis County to the City of Sedalia.

SB 579–By Parson.

An Act to repeal section 339.1115, RSMo, and to enact in lieu thereof one new section relating to certain notices required by the Missouri appraisal management company registration and regulation act.

SB 580–By Parson.

An Act to repeal section 313.807, RSMo, and to enact in lieu thereof one new section relating to the licensing period for certain licenses issued by the Missouri gaming commission.

SB 581–By Callahan and Pearce.

An Act to repeal sections 162.041, 162.081, 162.431, 163.087, and 167.131, RSMo, and to enact in lieu thereof six new sections relating to school districts, with an emergency clause.

SB 582–By Dempsey.

An Act to repeal section 135.630, RSMo, and to enact in lieu thereof one new section relating to a tax credit for contributions to pregnancy resource centers.

SB 583–By Wright-Jones.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the economic-education partnership program.

SB 584–By Richard and Kehoe.

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for data storage centers.

SB 585–By Richard and Kehoe.

An Act to amend chapter 67, RSMo, by adding thereto two new sections relating to tax incentives to attract sporting events to Missouri.

SB 586–By Richard.

An Act to repeal section 136.055, RSMo, and to enact in lieu thereof one new section relating to nonprofit fee offices.

SB 587–By Chappelle-Nadal.

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to domestic violence education in elementary and secondary schools.

SB 588–By Schmitt.

An Act to amend chapter 67, RSMo, by adding thereto two new sections relating to tax incentives to attract sporting events to Missouri.

SB 589–By Kraus.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to automated traffic enforcement systems.

SB 590–By Kraus.

An Act to amend chapters 161 and 577, RSMo, by adding thereto three new sections relating to unlawfully present aliens, with penalty provisions.

SB 591–By Parson.

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to motor

vehicle valuations.

SB 592–By Lager.

An Act to repeal sections 213.010, 213.101, and 213.111, RSMo, and to enact in lieu thereof four new sections relating to unlawful discriminatory practices.

SB 593–By Parson.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to services provided by athletic trainers.

SB 594–By Kraus.

An Act to repeal sections 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof five new sections relating to the no-call list.

SB 595–By Kraus.

An Act to repeal section 162.961, RSMo, and to enact in lieu thereof one new section relating to due process hearing panel members.

SB 596–By Brown.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to the suspension of prevailing wage in natural disaster areas.

SJR 23–By Crowell.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for statewide elected officials.

SJR 24–By Crowell.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to elective state officers.

SJR 25–By Crowell.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 9 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to members of the House of Representatives.

SJR 26–By Lager.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for statewide elected officials.

SJR 27–By Munzlinger.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 40(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the conservation commission.

SJR 28–By Munzlinger.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

SJR 29–By Lamping.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 20, 20(a), 22, 25 and 32 of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to the adjournment of the legislative session.

SJR 30–By Lamping.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to elective state officers.

SJR 31–By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 30(a), 30(b), 31, 32(a), 32(b), 32(c), and 33 of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the city and county of St. Louis.

SJR 32–By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 30(a) of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the board of freeholders.

SJR 33–By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 29 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the department of transportation.

SJR 34–By Purgason.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 4(d) of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the revenue-neutral replacement of state taxes on income with an amended sales and use tax.

SJR 35–By Ridgeway.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 1 and 6(a) of article X of the Constitution of Missouri, and adopting eleven new sections in lieu thereof relating to taxation.

SJR 36–By Ridgeway.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, adopting two new sections relating to property taxation.

SJR 37–By Crowell.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and

7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to meetings of apportionment commissions.

SJR 38–By Kraus.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article X of the Constitution of Missouri, and adopting one new section relating to a limitation upon state revenue growth.

SJR 39–By Cunningham.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, relating to prohibiting laws interfering with freedom of choice in health care.

SJR 40–By Kraus.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 13 of article I of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to individual rights in legal proceedings.

SJR 41–By Lembke.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 16, 25(a), 25(b), 25(c)(1), 25(c)(2), 25(d), 25(e), 25(f), and 25(g) of article V of the Constitution of Missouri, and adopting six new sections in lieu thereof relating to the election of judges.

SJR 42–By Lembke.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 25(a) and 25(d) of article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to senate approval for gubernatorial appointments of judges.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 597–By Dempsey.

An Act to repeal sections 92.045, 305.510, and 305.515, RSMo, and to enact in lieu thereof four new sections relating to the Missouri-St. Louis metropolitan airport authority, with an effective date.

SB 598–By Dempsey.

An Act to amend chapter 99, RSMo, by adding thereto one new section relating to tax increment financing.

SB 599–By Schaefer.

An Act to repeal section 160.522, RSMo, and to enact in lieu thereof one new section relating to gifted education.

SB 600–By Lembke.

An Act to amend chapter 544, RSMo, by adding thereto one new section relating to the service of warrants in this state by agents of the federal government.

SB 601–By Lembke.

An Act to repeal sections 168.221 and 168.291, RSMo, and to enact in lieu thereof one new section

relating to employment of school personnel.

SB 602–By Green.

An Act to amend chapter 389, RSMo, by adding thereto twelve new sections relating to regulation of contract carriers that transport railroad employees, with penalty provisions and an emergency clause.

SB 603–By Green.

An Act to repeal sections 115.275 and 115.289, RSMo, and to enact in lieu thereof three new sections relating to advance voting.

SB 604–By Green.

An Act to repeal section 536.087, RSMo, and to enact in lieu thereof one new section relating to appropriations of awards for attorney fees and expenses against a state agency.

SB 605–By Green.

An Act to repeal section 130.026, RSMo, and to enact in lieu thereof one new section relating to campaign finance disclosure reports.

SJR 43–By Green.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits.

SJR 44–By Green.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 20 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the legislative sessions of the general assembly.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-sixth General Assembly, Second Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 1**.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Tuesday, January 17, 2012, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-sixth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 2**.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 18, 2012, to receive a message from the Honorable Richard B. (Rick) Teitelman, Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-sixth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

In which the concurrence of the Senate is respectfully requested.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1144, regarding the Fifty-fifth Wedding Anniversary of Mr. and Mrs. Leo L. Lady, El Dorado Springs, which was adopted.

Senator Callahan offered Senate Resolution No. 1145, regarding Nicholas Brett "Nick" Roberts, Independence, which was adopted.

Senator Green offered Senate Resolution No. 1146, regarding the Eightieth Birthday of Fred Ries, Oakwood, which was adopted.

Senator Green offered Senate Resolution No. 1147, regarding Gregory Patrick "Greg" Shelton, Florissant, which was adopted.

On behalf of Senator Rupp, Senator Dempsey offered Senate Resolution No. 1148, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Delbert Fox, Moscow Mills, which was adopted.

On behalf of Senator Rupp, Senator Dempsey offered Senate Resolution No. 1149, regarding Eric Brotherton, Old Monroe, which was adopted.

Senator Pearce offered Senate Resolution No. 1150, regarding the Tenth Anniversary of "Uncorked:

The Wine Show", which was adopted.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

December 6, 2011

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am removing Senator Scott Rupp from the following committee:

Senate General Laws Committee

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

Also,

December 6, 2011

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Brian Munzlinger to the following committee:

Senate General Laws Committee

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

Also,

January 3, 2012

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am removing Senator Scott Rupp from the following committee:

Senate Appropriations

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

Also,

January 3, 2012

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Ron Richard to the following committee:

Senate Appropriations

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Wright-Jones introduced to the Senate, her son, Damon Alexander Jones, St. Louis.

Senator Schaaf introduced to the Senate, Theresa Emerson, Parkville; and Mary Hill, Liberty.

Senator Mayer introduced to the Senate, his wife, Nancy, Dexter; Roman Patten, Jefferson City; and Rachel Treppler.

Senator Curls introduced to the Senate, Branden Gregory, St. Louis.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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SECOND DAY–THURSDAY, JANUARY 5, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 434-Callahan and Pearce
SB 435-Crowell
SB 436-Crowell
SB 437-Crowell
SB 438-Mayer
SB 439-Mayer
SB 440-Engler
SB 441-Engler
SB 442-Stouffer
SB 443-Stouffer
SB 444-Stouffer
SB 445-Goodman
SB 446-Goodman
SB 447-Goodman
SB 448-Rupp
SB 449-Rupp
SB 450-Rupp
SB 451-Cunningham

SB 452-Cunningham
SB 453-Cunningham
SB 454-Pearce
SB 455-Pearce
SB 456-Pearce
SB 457-Schmitt
SB 458-Wright-Jones
SB 459-Wright-Jones
SB 460-Wright-Jones
SB 461-Keaveny
SB 462-Keaveny and Lamping
SB 463-Keaveny
SB 464-Schaaf
SB 465-Schaaf
SB 466-Munzlinger
SB 467-Munzlinger
SB 468-Munzlinger
SB 469-Dixon
SB 470-Dixon
SB 471-Dixon
SB 472-Kraus
SB 473-Kraus
SB 474-Kraus
SB 475-Lamping
SB 476-Lamping
SB 477-Crowell
SB 478-Crowell
SB 479-Crowell
SB 480-Stouffer
SB 481-Stouffer
SB 482-Stouffer
SB 483-Rupp
SB 484-Rupp
SB 485-Cunningham
SB 486-Wright-Jones
SB 487-Wright-Jones
SB 488-Wright-Jones
SB 489-Munzlinger
SB 490-Munzlinger
SB 491-Munzlinger
SB 492-Crowell
SB 493-Stouffer
SB 494-Wright-Jones
SB 495-Wright-Jones
SB 496-Wright-Jones
SB 497-Munzlinger
SB 498-Munzlinger
SB 499-Munzlinger
SB 500-Wright-Jones
SB 501-Wright-Jones
SB 502-Wright-Jones
SB 503-Wright-Jones
SB 504-Wright-Jones
SB 505-Wright-Jones
SB 506-Wright-Jones
SB 507-Wright-Jones
SB 508-Wright-Jones
SB 509-Wright-Jones
SB 510-Cunningham
SB 511-Schaaf
SB 512-Schaaf
SB 513-Crowell
SB 514-Crowell
SB 515-Schaaf
SB 516-Schaaf
SB 517-Brown
SB 518-Engler
SB 519-Schaaf
SB 520-Schaaf
SB 521-Curls
SB 522-Curls
SB 523-Curls
SB 524-Curls
SB 525-Engler
SB 526-Schaaf
SB 527-Schaaf
SB 528-Wright-Jones
SB 529-Schaaf
SB 530-Schaaf
SB 531-Lamping
SB 532-Schaefer
SB 533-Schaaf
SB 534-Schaaf
SB 535-Chappelle-Nadal
SB 536-Chappelle-Nadal
SB 537-Chappelle-Nadal
SB 538-Chappelle-Nadal
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SB 543-Chappelle-Nadal
SB 544-Chappelle-Nadal
SB 545-Chappelle-Nadal
SB 546-Purgason
SB 547-Purgason
SB 548-Purgason
SB 549-Lembke
SB 550-Schaaf
SB 551-Brown
SB 552-Brown
SB 553-Brown
SB 554-Curls
SB 555-Curls
SB 556-Curls
SB 557-Brown
SB 559-Curls
SB 560-Ridgeway
SB 561-Ridgeway
SB 562-Dixon, et al
SB 563-Dixon
SB 564-Brown
SB 565-Schaaf
SB 566-Brown
SB 567-Wright-Jones
SB 568-Parson
SB 569-Kraus
SB 570-Kraus
SB 571-Kraus
SB 572-Dempsey
SB 573-Dixon
SB 574-Dixon
SB 575-Dixon
SB 576-Stouffer
SB 577-Goodman
SB 578-Parson
SB 579-Parson
SB 580-Parson
SB 581-Callahan and Pearce
SB 582-Dempsey
SB 583-Wright-Jones
SB 584-Richard and Kehoe
SB 585-Richard and Kehoe
SB 586-Richard
SB 587-Chappelle-Nadal
SB 588-Schmitt
SB 589-Kraus
SB 590-Kraus
SB 591-Parson
SB 592-Lager
SB 593-Parson
SB 594-Kraus
SB 595-Kraus
SB 596-Brown
SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke
SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SJR 23-Crowell
SJR 24-Crowell
SJR 25-Crowell
SJR 26-Lager
SJR 27-Munzlinger
SJR 28-Munzlinger
SJR 29-Lamping
SJR 30-Lamping
SJR 31-Chappelle-Nadal
SJR 32-Chappelle-Nadal
SJR 33-Chappelle-Nadal
SJR 34-Purgason
SJR 35-Ridgeway
SJR 36-Ridgeway
SJR 37-Crowell
SJR 38-Kraus
SJR 39-Cunningham
SJR 40-Kraus
SJR 41-Lembke
SJR 42-Lembke
SJR 43-Green
SJR 44-Green

INFORMAL CALENDAR

RESOLUTIONS

HCR 1-Jones (89) (Dempsey)

HCR 2-Jones (89) (Dempsey)

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Journal of the Senate

SECOND REGULAR SESSION

SECOND DAY—THURSDAY, JANUARY 5, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

Heavenly Father, it is a day of travel for most of us and we ask You watch “our going out and coming in”. We pray You keep us mindful of our responsibilities as we drive home to be with loved ones. And keep us open to Your prompting as we deal with constituents and find ways to assist those in need. May we be found in Your Holy presence and grow in our understanding of Your Word. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

Absent—Senators—None

Absent with leave—Senators

Crowell	Green	Keaveny	Kehoe	Nieves	Parson—6

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 1151, regarding Isaac Newton Farris Jr., which was adopted.

Senator Lager offered Senate Resolution No. 1152, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dean Hall, Oregon, which was adopted.

Senator Lager offered Senate Resolution No. 1153, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Jimmie Silkett, Savannah, which was adopted.

Senator Lager offered Senate Resolution No. 1154, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dale Mathes, Maryville, which was adopted.

Senator Dempsey offered Senate Resolution No. 1155, regarding James H. Orr, DDS, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 606–By Schmitt.

An Act to repeal sections 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof five new sections relating to telephone calls.

SB 607–By Stouffer.

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the regulation of outdoor advertising.

SB 608–By Wasson.

An Act to amend chapter 376, RSMo, by adding thereto seventeen new sections relating to health insurance.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 434—General Laws.

SB 435—Small Business, Insurance and Industry.

SB 436—Ways and Means and Fiscal Oversight.

SB 437—Financial and Governmental Organizations and Elections.

SB 438—General Laws.

SB 439—Small Business, Insurance and Industry.

SB 440—Health, Mental Health, Seniors and Families.

SB 441—Transportation.

SB 442—Financial and Governmental Organizations and Elections.

SB 443—Transportation.

SB 444—Transportation.

SB 445—Judiciary and Civil and Criminal Jurisprudence.

SB 446—Judiciary and Civil and Criminal Jurisprudence.

SB 447—Judiciary and Civil and Criminal Jurisprudence.

SB 448—Health, Mental Health, Seniors and Families.

SB 449—Health, Mental Health, Seniors and Families.

SB 450—Education.

SB 451—General Laws.

SB 452—General Laws.

SB 453—Commerce, Consumer Protection, Energy and the Environment.

SB 454—Education.

SB 455—Education.

SB 456—General Laws.

SB 457—Judiciary and Civil and Criminal Jurisprudence.

SB 458—Commerce, Consumer Protection, Energy and the Environment.

SB 459—Small Business, Insurance and Industry.

SB 460—Education.

SB 461—Financial and Governmental Organizations and Elections.

SB 462—Financial and Governmental Organizations and Elections.

SB 463—Transportation.

SB 464—Small Business, Insurance and Industry.

SB 465—Financial and Governmental Organizations and Elections.

SB 466—Ways and Means and Fiscal Oversight.

SB 467—Appropriations.

SB 468—Small Business, Insurance and Industry.

SB 469—Jobs, Economic Development and Local Government.

SB 470—Transportation.

SB 471—Ways and Means and Fiscal Oversight.

SB 472—Ways and Means and Fiscal Oversight.

SB 473—Governmental Accountability.

SB 474—Governmental Accountability.

SB 475—Financial and Governmental Organizations and Elections.

SB 476—Financial and Governmental Organizations and Elections.

SB 477—Commerce, Consumer Protection, Energy and the Environment.

SB 478—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 479—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 480—Transportation.

SB 481—Ways and Means and Fiscal Oversight.

SB 482—Education.

SB 483—Education.

SB 484—Commerce, Consumer Protection, Energy and the Environment.

SB 485—Transportation.

SB 486—Financial and Governmental Organizations and Elections.

SB 487—Progress and Development.

SB 488—Commerce, Consumer Protection, Energy and the Environment.

SB 489—Judiciary and Civil and Criminal Jurisprudence.

SB 490—Agriculture, Food Production and Outdoor Resources.

SB 491—Agriculture, Food Production and Outdoor Resources.

SB 492—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 493—Ways and Means and Fiscal Oversight.

SB 494—Health, Mental Health, Seniors and Families.

SB 495—Health, Mental Health, Seniors and Families.

SB 496—Health, Mental Health, Seniors and Families.

SB 497—Judiciary and Civil and Criminal Jurisprudence.

SB 498—Jobs, Economic Development and Local Government.

SB 499—Ways and Means and Fiscal Oversight.

SB 500—Health, Mental Health, Seniors and Families.

SB 501—Education.

SB 502—Judiciary and Civil and Criminal Jurisprudence.

SB 503—Education.

SB 504—Transportation.

SB 505—Small Business, Insurance and Industry.

SB 506—Judiciary and Civil and Criminal Jurisprudence.

SB 507—Small Business, Insurance and Industry.

SB 508—Judiciary and Civil and Criminal Jurisprudence.

SB 509—Ways and Means and Fiscal Oversight.

SB 510—Ways and Means and Fiscal Oversight.

SB 511—Health, Mental Health, Seniors and Families.

SB 512—Health, Mental Health, Seniors and Families.

SB 513—Ways and Means and Fiscal Oversight.

SB 514—General Laws.

SB 515—Health, Mental Health, Seniors and Families.

SB 516—Gubernatorial Appointments.

SB 517—Transportation.

SB 518—Judiciary and Civil and Criminal Jurisprudence.

SB 519—Health, Mental Health, Seniors and Families.

SB 520—Financial and Governmental Organizations and Elections.

SB 521—Judiciary and Civil and Criminal Jurisprudence.

SB 522—General Laws.

SB 523—Commerce, Consumer Protection, Energy and the Environment.

SB 524—General Laws.

SB 525—Judiciary and Civil and Criminal Jurisprudence.

SB 526—Small Business, Insurance and Industry.

SB 527—Education.

SB 528—Transportation.

SB 529—Health, Mental Health, Seniors and Families.

SB 530—Ways and Means and Fiscal Oversight.

SB 531—Ways and Means and Fiscal Oversight.

SB 532—Ways and Means and Fiscal Oversight.

SB 533—Health, Mental Health, Seniors and Families.

SB 534—Small Business, Insurance and Industry.

SB 535—Financial and Governmental Organizations and Elections.

SB 536—Health, Mental Health, Seniors and Families.

SB 537—Judiciary and Civil and Criminal Jurisprudence.

SB 538—Health, Mental Health, Seniors and Families.

SB 539—Judiciary and Civil and Criminal Jurisprudence.

SB 540—Small Business, Insurance and Industry.

SB 541—Judiciary and Civil and Criminal Jurisprudence.

SB 542—Financial and Governmental Organizations and Elections.

SB 543—Education.

SB 544—Financial and Governmental Organizations and Elections.

SB 545—Health, Mental Health, Seniors and Families.

SB 546—Rules, Joint Rules, Resolutions and Ethics.

SB 547—General Laws.

SB 548—Ways and Means and Fiscal Oversight.

SB 549—Education.

SB 550—Health, Mental Health, Seniors and Families.

SB 551—Ways and Means and Fiscal Oversight.

SB 552—Judiciary and Civil and Criminal Jurisprudence.

SB 553—Small Business, Insurance and Industry.

SB 554—Judiciary and Civil and Criminal Jurisprudence.

SB 555—Judiciary and Civil and Criminal Jurisprudence.

SB 556—Judiciary and Civil and Criminal Jurisprudence.

SB 557—Transportation.

SB 559—Judiciary and Civil and Criminal Jurisprudence.

SB 560—Small Business, Insurance and Industry.

SB 561—Ways and Means and Fiscal Oversight.

SB 562—Education.

SB 563—Education.

SB 564—Transportation.

SB 565—Small Business, Insurance and Industry.

SB 566—Agriculture, Food Production and Outdoor Resources.

SB 567—Transportation.

SB 568—Transportation.

SB 569—Financial and Governmental Organizations and Elections.

SB 570—Transportation.

SB 571—Ways and Means and Fiscal Oversight.

SB 572—Small Business, Insurance and Industry.

SB 573—Judiciary and Civil and Criminal Jurisprudence.

SB 574—Judiciary and Civil and Criminal Jurisprudence.

SB 575—Jobs, Economic Development and Local Government.

SB 576—Education.

SB 577—Small Business, Insurance and Industry.

SB 578—General Laws.

SB 579—Financial and Governmental Organizations and Elections.

SB 580—Ways and Means and Fiscal Oversight.

SB 581—General Laws.

SB 582—Ways and Means and Fiscal Oversight.

SB 583—Jobs, Economic Development and Local Government.

SB 584—Jobs, Economic Development and Local Government.

SB 585—Jobs, Economic Development and Local Government.

SB 586—Ways and Means and Fiscal Oversight.

SB 587—Education.

SB 588—Jobs, Economic Development and Local Government.

SB 589—Governmental Accountability.

SB 590—General Laws.

SB 591—Ways and Means and Fiscal Oversight.

SJR 23—Financial and Governmental Organizations and Elections.

SJR 24—Financial and Governmental Organizations and Elections.

SJR 25—Governmental Accountability.

SJR 26—Financial and Governmental Organizations and Elections.

SJR 27—Agriculture, Food Production and Outdoor Resources.

SJR 28—Ways and Means and Fiscal Oversight.

SJR 29—General Laws.

SJR 30—Financial and Governmental Organizations and Elections.

SJR 31—Jobs, Economic Development and Local Government.

SJR 32—Jobs, Economic Development and Local Government.

SJR 33—Transportation.

SJR 34—Ways and Means and Fiscal Oversight.

SJR 35—Ways and Means and Fiscal Oversight.

SJR 36—Ways and Means and Fiscal Oversight.

SJR 37—Judiciary and Civil and Criminal Jurisprudence.

SJR 38—Ways and Means and Fiscal Oversight.

SJR 39—General Laws.

SJR 40—Judiciary and Civil and Criminal Jurisprudence.

Senator Stouffer assumed the Chair.

INTRODUCTIONS OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 609–By Lembke.

An Act to repeal section 537.067, RSMo, and to enact in lieu thereof one new section relating to liability for damages in tort actions.

SB 610–By Lembke.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the use of automated photo red light enforcement systems by local governments.

SB 611–By Lembke.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the establishment of minimal yellow light change interval times for traffic control devices.

SB 612–By Lembke.

An Act to repeal section 143.171, RSMo, and to enact in lieu thereof one new section relating to state income tax deductions for federal income taxes.

SB 613–By Kehoe, Lamping and Dempsey.

An Act to repeal section 514.060, RSMo, and to enact in lieu thereof one new section relating to a prevailing defendant recovering litigation costs.

SB 614–By Kehoe and Lamping.

An Act to repeal section 514.205, RSMo, and to enact in lieu thereof one new section relating to litigation costs in frivolous suits.

SB 615–By McKenna.

An Act to repeal sections 311.087, 311.090, 311.093, 311.097, 311.098, 311.102, 311.104, 311.293, and 311.481, RSMo, and to enact in lieu thereof two new sections relating to sales of intoxicating liquor on Sundays.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, President Chuck Ambrose and Henry R. Setser, University of Central Missouri, Warrensburg.

Senator Goodman introduced to the Senate, his wife, Laura, and their sons, Jack Elliott and William True, Mt. Vernon; and Jack Elliott and William True were made honorary pages.

Senator Stouffer introduced to the Senate, Lucas Kolkmeyer, Wellington.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, January 9, 2012.

SENATE CALENDAR

———

THIRD DAY–MONDAY, JANUARY 9, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 592-Lager
SB 593-Parson
SB 594-Kraus
SB 595-Kraus
SB 596-Brown
SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke
SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SB 606-Schmitt
SB 607-Stouffer
SB 608-Wasson
SB 609-Lembke
SB 610-Lembke
SB 611-Lembke
SB 612-Lembke
SB 613-Kehoe, et al
SB 614-Kehoe and Lamping
SB 615-McKenna
SJR 41-Lembke
SJR 42-Lembke
SJR 43-Green
SJR 44-Green

INFORMAL CALENDAR

RESOLUTIONS

HCR 1-Jones (89) (Dempsey)
HCR 2-Jones (89) (Dempsey)

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Journal of the Senate

SECOND REGULAR SESSION

THIRD DAY—MONDAY, JANUARY 9, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Humanity, potential with God, all great knowledge is this, for a man to know that he himself by himself is nothing; and that, whenever he is, he is from God and on account of God." (Augustine of Hippo)

Gracious God, we do acknowledge that we are here by Your Grace and if we open ourselves to Your prompting we can accomplish great things that will benefit our state and its people. So be with us and hear our prayers for with You all things are possible. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 5, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wright-Jones offered Senate Resolution No. 1156, regarding the death of Henry Charles Webster, Chicago, Illinois, which was adopted.

Senator Stouffer offered Senate Resolution No. 1157, regarding Zachary James Toole, which was adopted.

Senator Stouffer offered Senate Resolution No. 1158, regarding David Scott Hemme, which was adopted.

Senator Stouffer offered Senate Resolution No. 1159, regarding Theodore John Mehl, which was adopted.

Senator Stouffer offered Senate Resolution No. 1160, regarding Jonathan Tanner Theodore "Jon" Meed, Warrensburg, which was adopted.

Senator Stouffer offered Senate Resolution No. 1161, regarding William Joseph Steven Kirchhoff, Concordia, which was adopted.

Senator Kehoe offered Senate Resolution No. 1162, regarding the Sixtieth Birthday of Kas Jacquot, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1163, regarding Spenser Aaron Hackmann, Jefferson City, which was adopted.

Senator Parson offered Senate Resolution No. 1164, regarding Brenden Michael Dockery, Warsaw, which was adopted.

Senator Brown offered Senate Resolution No. 1165, regarding Osage County R-III Fatima High School Boys Cross Country Team, which was adopted.

Senator Brown offered Senate Resolution No. 1166, regarding Osage County R-III Fatima High School Softball Team, which was adopted.

Senator Brown offered Senate Resolution No. 1167, regarding Osage County R-III Fatima High School Volleyball Team, which was adopted.

Senator Brown offered Senate Resolution No. 1168, regarding Osage County R-III Fatima High School Boys Soccer Team, which was adopted.

Senator Pearce offered Senate Resolution No. 1169, regarding Shane Andrew Ewing, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1170, regarding Cody Reed, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1171, regarding Dustin Wayne Nevels, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1172, regarding Jonathon Dandurand, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1173, regarding Timothy T. Spindle, Holden, which was adopted.

Senator Pearce offered Senate Resolution No. 1174, regarding Alexander Kalan "Alex" Harris, Belton, which was adopted.

Senator Pearce offered Senate Resolution No. 1175, regarding Nathan David Kreher, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1176, regarding Mitch F. Lawson, Warrensburg, which was adopted.

Senator Keaveny offered Senate Resolution No. 1177, regarding the Honorable James F. Conway, which was adopted.

Senator Engler offered Senate Resolution No. 1178, regarding Pam Pfaff, Farmington, which was adopted.

Senator Engler offered Senate Resolution No. 1179, regarding Ree Rogers, Farmington, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 616–By Wasson.

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to the mandatory offering of sinkhole insurance coverage for property damage caused by sinkhole activity.

SB 617–By Schaaf.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the MO HealthNet spenddown program, with an emergency clause.

SB 618–By Schaaf.

An Act to repeal section 339.010, RSMo, and to enact in lieu thereof one new section relating to auctioning real estate.

SB 619–By Richard.

An Act to repeal section 379.140, RSMo, and to enact in lieu thereof one new section relating to insurance payments for covered loss or damage.

SB 620–By Rupp.

An Act to repeal sections 376.010, 376.015, and 376.307, RSMo, and to enact in lieu thereof three new sections relating to life, health, and accident insurance.

SB 621–By Brown.

An Act to repeal sections 197.080 and 197.100, RSMo, and to enact in lieu thereof two new sections relating to hospital licensure.

SB 622–By Cunningham.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to prescription eye drop refills.

SB 623–By Cunningham.

An Act to repeal sections 362.332 and 362.333, RSMo, and to enact in lieu thereof two new sections relating to the authority of banks and trust companies to transfer fiduciary obligations.

SB 624–By Lembke.

An Act to repeal sections 287.902, 287.905, 287.907, 287.909, 287.910, 287.912, 287.915, 287.917, 287.919, and 287.920, RSMo, and to enact in lieu thereof one new section relating to the privatization of the Missouri employers mutual insurance company, with an effective date for certain sections.

SB 625–By Kehoe.

An Act to repeal section 104.603, RSMo, and to enact in lieu thereof one new section relating to transfers between retirement systems.

SB 626–By Kehoe.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to products liability.

SB 627–By Schaefer.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to waste management services for state agencies.

SB 628–By Schaefer.

An Act to repeal section 488.5026, RSMo, and to enact in lieu thereof one new section relating to a surcharge in certain criminal cases.

SB 629–By Schaefer.

An Act to repeal section 196.1003, RSMo, and to enact in lieu thereof one new section relating to the tobacco master settlement agreement, with an emergency clause.

SB 630–By Parson.

An Act to repeal section 137.1018, RSMo, and to enact in lieu thereof one new section relating to the extension of the sunset on the rolling stock tax credit.

SB 631–By Parson.

An Act to repeal section 276.401, RSMo, and to enact in lieu thereof one new section relating to grain purchases.

SB 632–By Stouffer.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the establishment of a memorial highway.

SJR 45–By Nieves.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, relating to state sovereignty.

CONCURRENT RESOLUTIONS

Senator Dempsey moved that **HCR 1** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **HCR 1** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal Purgason—2

Absent with leave—Senators—None

Vacancies—None

Senator Dempsey moved **HCR 2** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **HCR 2** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Curtis Chick to the Labor and Industrial Relations Commission, submitted to you on January 4, 2012. Line 3 should be amended to read:

July 27, 2014, and until his successor is duly appointed and qualified; vice, Curtis Chick, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Ryan S. Cook to the Missouri State Board of Accountancy, submitted to you on January 4, 2012. Line 1 should be amended to read:

Ryan S. Cook, 239 Northwest 58th Road, Clinton, Henry County, Missouri 64735, as a

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Bradley G. Gregory to the Missouri Development Finance Board, submitted to you on January 4, 2012. Line 1 should be amended to read:

Bradley G. Gregory, Republican, 1800 W. Northwood, Bolivar, Polk County, Missouri

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Donald L. Yost Jr. to the Missouri Board of Nursing Home Administrators, submitted to you on January 4, 2012. Line 2 should be amended to read:

member of the Missouri Board of Nursing Home Administrators, for a term ending November 21, 2014, and until his successor is duly appointed and qualified; vice, RSMo 344.060.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of James F. Shrewsbury to the Regional Convention and Sports Complex

Authority, submitted to you on January 4, 2012. Line 2 should be amended to read:

a member of the Regional Convention and Sports Complex Authority, for a term

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 6, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Melanie R. Rippetoe to the Higher Education Loan Authority submitted to you on January 4, 2012. Line 2 should be amended to read:

63114, as a member of the Higher Education Loan Authority, for a term ending

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above addendums to the Committee on Gubernatorial Appointments.

SECOND READING OF SENATE BILLS

The following Bill was read the 2nd time and referred to the Committee indicated:

SB 592—Commerce, Consumer Protection, Energy and the Environment.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Dr. Mark Curtis and Dr. Tom Hobbs, Warrensburg; and Jennifer Ross, Sedalia.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

———

FOURTH DAY–TUESDAY, JANUARY 10, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 593-Parson
SB 594-Kraus
SB 595-Kraus
SB 596-Brown
SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke

SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SB 606-Schmitt
SB 607-Stouffer
SB 608-Wasson and Richard
SB 609-Lembke
SB 610-Lembke
SB 611-Lembke
SB 612-Lembke
SB 613-Kehoe, et al
SB 614-Kehoe and Lamping
SB 615-McKenna
SB 616-Wasson
SB 617-Schaaf
SB 618-Schaaf
SB 619-Richard
SB 620-Rupp
SB 621-Brown
SB 622-Cunningham
SB 623-Cunningham
SB 624-Lembke
SB 625-Kehoe
SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SJR 41-Lembke
SJR 42-Lembke
SJR 43-Green
SJR 44-Green
SJR 45-Nieves

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Journal of the Senate

SECOND REGULAR SESSION

FOURTH DAY—TUESDAY, JANUARY 10, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"The Lord can clear the darkest skies. Can give us day for night. Rivers of delight." (Isaac Watts)

Heavenly Father, these days are heavy with difficulties for many of our people. And so we pray, help us to use our resources to help industry thrive and our people find fulfilling employment, receiving fair wages from their labor and their companies' fair profits from their efforts. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1180, regarding Jina Yoo's Asian Bistro, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1181, regarding FINSPEED, Moberly, which was adopted.

Senator Schaefer offered Senate Resolution No. 1182, regarding Elemental Enzymes, Inc., Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1183, regarding Accurate Rx, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1184, regarding Rock Bridge High School Athletics Department, Columbia, which was adopted.

Senator Lager offered Senate Resolution No. 1185, regarding Linda Lambright, Savannah, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 633–By Engler.

An Act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to scrap metal operators.

SB 634–By Pearce.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the treatment of eating disorders.

SB 635–By Pearce.

An Act to repeal section 30.270, RSMo, and to enact in lieu thereof one new section relating to securities that are pledged for the safekeeping and payment of public funds deposited in banks and financial institutions.

SB 636–By Keaveny.

An Act to repeal section 456.950, RSMo, and to enact in lieu thereof one new section relating to qualified spousal trusts.

SB 637–By Brown.

An Act to repeal section 571.111, RSMo, and to enact in lieu thereof one new section relating to firearms safety training requirements for concealed carry endorsements, with existing penalty provisions and an emergency clause.

SB 638–By Lamping.

An Act to repeal sections 143.011, 143.021, and 149.015, RSMo, and to enact in lieu thereof three new sections relating to taxation.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Michaela Martinez, Jefferson City.

Senator Kraus introduced to the Senate, Nathan Mikle, Lee's Summit.

Senator Lager introduced to the Senate, Matthew McMillen.

Senator Dixon introduced to the Senate, Steve Helms, Springfield.

Senator Justus introduced to the Senate, Eric Mericle, Columbia.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Sam Page, M.D., Creve Coeur.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FIFTH DAY–WEDNESDAY, JANUARY 11, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 593-Parson
SB 594-Kraus
SB 595-Kraus
SB 596-Brown
SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke
SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SB 606-Schmitt
SB 607-Stouffer
SB 608-Wasson and Richard
SB 609-Lembke
SB 610-Lembke
SB 611-Lembke
SB 612-Lembke
SB 613-Kehoe, et al
SB 614-Kehoe and Lamping
SB 615-McKenna
SB 616-Wasson
SB 617-Schaaf
SB 618-Schaaf
SB 619-Richard
SB 620-Rupp
SB 621-Brown
SB 622-Cunningham
SB 623-Cunningham
SB 624-Lembke
SB 625-Kehoe
SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny

SB 637-Brown
SB 638-Lamping
SJR 41-Lembke
SJR 42-Lembke
SJR 43-Green
SJR 44-Green
SJR 45-Nieves

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Journal of the Senate

SECOND REGULAR SESSION

FIFTH DAY—WEDNESDAY, JANUARY 11, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

Ulysses S. Grant said shortly before his death: “God does not need great men but great men need God.”

Heavenly Father, we give You thanks for giving us the opportunity to recognize our great need of You. As we serve in this chamber we recognize the great honor and privilege we have been given and see our need for Your guidance directing us to accomplish what fulfills Your will for us as we have been created to do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Crowell—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

On behalf of Senator Crowell, Senator Dempsey offered Senate Resolution No. 1186, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Joseph N. Allgier, Jr., which was adopted.

On behalf of Senator Crowell, Senator Dempsey offered Senate Resolution No. 1187, regarding the

Fortieth Wedding Anniversary of Mr. and Mrs. Robert C. Hull, Jr., Jackson, which was adopted.

Senator Engler offered Senate Resolution No. 1188, regarding Charles A. Shiverdeck, Festus, which was adopted.

Senator Engler offered Senate Resolution No. 1189, regarding Kenneth H. Coleman, Farmington, which was adopted.

Senator Engler offered Senate Resolution No. 1190, regarding Earnie L. Myers, Irondale, which was adopted.

Senator Richard offered Senate Resolution No. 1191, regarding Aaron Surgi, Webb City, which was adopted.

Senator Richard offered Senate Resolution No. 1192, regarding Luke Allen Seidl, Webb City, which was adopted.

Senator Richard offered Senate Resolution No. 1193, regarding Marjorie Housh, which was adopted.

Senator Pearce offered Senate Resolution No. 1194, regarding the One Hundredth Birthday of Helen P. Bartlett, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1195, regarding Sean David Christianson, Lee's Summit, which was adopted.

Senator Schaaf offered Senate Resolution No. 1196, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Billy R. Steltenpohl, St. Joseph, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 639–By Schaaf.

An Act to repeal sections 191.918 and 494.430, RSMo, and to enact in lieu thereof two new sections relating to breast-feeding.

SB 640–By Schaaf.

An Act to repeal sections 197.305, 197.310, 197.315, and 197.330, RSMo, and to enact in lieu thereof four new sections relating to certificate of need.

SB 641–By Pearce.

An Act to repeal section 167.194, RSMo, and to enact in lieu thereof one new section relating to vision examinations for school children, with an emergency clause.

SB 642–By Wasson.

An Act to repeal section 302.302, RSMo, and to enact in lieu thereof four new sections relating to the endangerment of emergency workers, with penalty provisions.

SB 643–By Keaveny.

An Act to repeal section 167.031, RSMo, and to enact in lieu thereof one new section relating to school attendance.

SB 644–By Schaefer.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance reimbursement for physical therapist services.

SB 645–By Schaefer.

An Act to repeal sections 621.250, 640.018, 643.130, and 644.071, RSMo, and to enact in lieu thereof four new sections relating to environmental permits.

SB 646–By Engler.

An Act to amend chapter 544, RSMo, by adding thereto one new section relating to field tests for controlled substances.

SB 647–By Richard.

An Act to repeal sections 253.550 and 253.559, RSMo, and to enact in lieu thereof three new sections relating to the funding of the capitol complex revitalization project.

SB 648–By Dempsey.

An Act to repeal section 302.130, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary driver instruction permits.

SB 649–By Ridgeway.

An Act to repeal sections 167.194 and 167.195, RSMo, and to enact in lieu thereof two new sections relating to vision examinations for school children.

SB 650–By Ridgeway.

An Act to repeal sections 33.752, 37.735, 41.1010, 67.601, 70.605, 104.450, 160.905, 161.400, 191.853, 263.523, 287.610, 288.475, 301.3087, 348.256, 376.961, 443.816, 478.1000, 536.305, 558.019, 620.1200, 643.173, 650.350, and 650.457, RSMo, and to enact in lieu thereof twenty-eight new sections relating to the composition of certain boards, commissions, or committees.

COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following escort committee pursuant to **HCR 1**: Senators Mayer, Dempsey, Stouffer, Pearce, Parson, Callahan, Justus, Green, Chappelle-Nadal and McKenna.

President Pro Tem Mayer appointed the following escort committee pursuant to **HCR 2**: Senators Mayer, Goodman, Schmitt, Ridgeway, Schaefer, Justus, Keaveny, Wright-Jones, Curls and McKenna.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

January 10, 2012

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Kiki Curls to the following committee:

Missouri Women's Council

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

Senator Callahan submitted the following:

Terry Spieler
Secretary of the Missouri Senate
State Capitol Room 325
Jefferson City, Mo. 65101

January 10, 2012

Dear Mrs. Spieler,

This letter serves as notice that I am appointing Senator Joe Keaveny to the Joint Interim Committee on State Employee Wages.

Please give me a call if you have any questions or need additional information.

Sincerely yours,
/s/ Victor E. Callahan
Victor E. Callahan
State Senator – 11th District

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, Kaitlyn Merrow, Rolla.

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. John Lilly, D.O., Springfield.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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SIXTH DAY–THURSDAY, JANUARY 12, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 593-Parson
SB 594-Kraus
SB 595-Kraus
SB 596-Brown
SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke
SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SB 606-Schmitt

SB 607-Stouffer
SB 608-Wasson and Richard
SB 609-Lembke
SB 610-Lembke
SB 611-Lembke
SB 612-Lembke
SB 613-Kehoe, et al
SB 614-Kehoe and Lamping
SB 615-McKenna
SB 616-Wasson
SB 617-Schaaf
SB 618-Schaaf
SB 619-Richard
SB 620-Rupp
SB 621-Brown
SB 622-Cunningham
SB 623-Cunningham
SB 624-Lembke
SB 625-Kehoe
SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler
SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SJR 41-Lembke
SJR 42-Lembke
SJR 43-Green
SJR 44-Green
SJR 45-Nieves

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Journal of the Senate

SECOND REGULAR SESSION

SIXTH DAY—THURSDAY, JANUARY 12, 2012

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

"For He shall give His angels charge over you, to keep you in all your ways." (Psalm 91:11)

Blessed Lord, we stand in the midst of challenges and changes in our lives and our country and recognize our need for You to direct Your angels to watch over us as we travel back and forth. Banish doubt and fears that often lie beneath the surface of our consciousness and help us venture forth confident in Your loving guidance and protection. And we would ask, watch over our Lieutenant Governor as he has surgery this day. Touch him with Your healing power and restore him to painless mobility. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senators

Crowell Purgason—2

Vacancies—None

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1197, regarding the city of Columbia, which was adopted.

On behalf of Senator Crowell, Senator Dempsey offered Senate Resolution No. 1198, regarding

Gaming Grounds, Jackson, which was adopted.

On behalf of Senator Crowell, Senator Dempsey offered Senate Resolution No. 1199, regarding Main Street Flooring and Interiors, Jackson, which was adopted.

Senator Dixon offered Senate Resolution No. 1200, regarding the Eightieth Birthday of Wilda High, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 1201, regarding the Springfield Branch of the National Association for the Advancement of Colored People, which was adopted.

Senator Mayer offered Senate Resolution No. 1202, regarding Dr. William Morehead, Malden, which was adopted.

Senator Justus offered Senate Resolution No. 1203, regarding LMG Construction Services, LLC, Kansas City, which was adopted.

Senator Justus offered Senate Resolution No. 1204, regarding K & C Solutions, LLC, Kansas City, which was adopted.

Senator Stouffer offered Senate Resolution No. 1205, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Carter Shannon, Marshall, which was adopted.

Senator Dempsey offered Senate Resolution No. 1206, regarding Freiezo, St. Peters, which was adopted.

Senator Brown offered Senate Resolution No. 1207, regarding Heather Laree Frayer, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1208, regarding Cassandra Renee Frayer, Rolla, which was adopted.

Senator Kraus offered Senate Resolution No. 1209, regarding Whitley Construction Company, LLC, Lee's Summit, which was adopted.

Senator Brown offered Senate Resolution No. 1210, regarding Frontier Environmental Technology, LLC, Rolla, which was adopted.

Senator Richard offered Senate Resolution No. 1211, regarding Gerald Hulsey, Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 1212, regarding Ralph Conduff, Carthage, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 651–By Schaefer.

An Act to amend chapter 339, RSMo, by adding thereto fourteen new sections relating to the licensing of home inspectors, with penalty provisions and an effective date.

SB 652–By Lager.

An Act to amend chapter 85, RSMo, by adding thereto one new section relating to paid members of

any fire department or fire district.

SB 653–By Lager.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

SB 654–By Lager.

An Act to repeal section 168.128, RSMo, and to enact in lieu thereof two new sections relating to teacher evaluation.

SB 655–By Green, Schaefer, Chappelle-Nadal and Wasson.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to the higher education capital fund.

SB 656–By Lager and Dixon.

An Act to repeal section 304.120, RSMo, and to enact in lieu thereof two new sections relating to the use of public roads by motor vehicles.

SB 657–By Rupp.

An Act to amend chapter 191, RSMo, by adding thereto five new sections relating to the conscience rights of all individuals who provide medical services.

SB 658–By Rupp.

An Act to repeal section 188.027, RSMo, and to enact in lieu thereof one new section relating to abortion-inducing drugs safety.

SB 659–By Dempsey and Rupp.

An Act to repeal sections 52.230 and 52.240, RSMo, and to enact in lieu thereof two new sections relating to property tax bills.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Ruth M. Hollenback, Francis S. Cole, Melinda Ohlemiller, Mary E. Grimes and Sue Kendig, as members of the Missouri Task Force on Prematurity and Infant Mortality;

Also,

Todd E. Gray and Michael P. Marlo, Independents, as members of the Missouri Fire Safety Education/Advisory Commission;

Also,

Stephen Bough, Democrat, as a member of the Missouri State University Board of Governors;

Also,

Ryan S. Cook, as a member of the Missouri State Board of Accountancy;

Also,

Christopher Maglio, as a member of the Child Abuse and Neglect Review Board.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **SB 443**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 592**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **SB 467**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 593—Small Business, Insurance and Industry.

SB 594—Commerce, Consumer Protection, Energy and the Environment.

SB 595—Education.

SB 596—Small Business, Insurance and Industry.

SJR 41—Judiciary and Civil and Criminal Jurisprudence.

SJR 42—Judiciary and Civil and Criminal Jurisprudence.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

January 11, 2012

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Dan Brown Vice-Chairman of the Senate Appropriations Committee.

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Stouffer introduced to the Senate, Shelby Murdock, Nelson.

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. James Wolfe, M.D., Springfield.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Tuesday, January 17, 2012.

SENATE CALENDAR

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SEVENTH DAY–TUESDAY, JANUARY 17, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke
SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SB 606-Schmitt
SB 607-Stouffer
SB 608-Wasson and Richard
SB 609-Lembke
SB 610-Lembke
SB 611-Lembke
SB 612-Lembke
SB 613-Kehoe, et al
SB 614-Kehoe and Lamping
SB 615-McKenna
SB 616-Wasson
SB 617-Schaaf
SB 618-Schaaf
SB 619-Richard
SB 620-Rupp
SB 621-Brown
SB 622-Cunningham
SB 623-Cunningham
SB 624-Lembke
SB 625-Kehoe
SB 626-Kehoe

SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler
SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SB 651-Schaefer
SB 652-Lager
SB 653-Lager
SB 654-Lager
SB 655-Green, et al
SB 656-Lager and Dixon
SB 657-Rupp
SB 658-Rupp
SB 659-Dempsey and Rupp
SJR 43-Green
SJR 44-Green
SJR 45-Nieves

SENATE BILLS FOR PERFECTION

SB 443-Stouffer, with SCS
SB 467-Munzlinger, with SCS
SB 592-Lager, with SCS

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Journal of the Senate

SECOND REGULAR SESSION

SEVENTH DAY—TUESDAY, JANUARY 17, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"And all of you must clothe yourselves with humility in dealing with one another for God opposes the proud, but gives grace to the humble." (1 Peter 5:5)

Heavenly Father, we see the days of opportunity ahead of us and as we deal with our colleagues and listen to the Governor may we be given discernment so that what we pursue may be helpful and effective for the people of our state. Guide and direct our efforts with humility so we have the grace to move as You would desire for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 12, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 1213, regarding Collin Nicholas Mills, which was adopted.

Senator Pearce offered Senate Resolution No. 1214, regarding Nick Forsythe, which was adopted.

Senator Pearce offered Senate Resolution No. 1215, regarding Ian Alan Harris, which was adopted.

Senator Pearce offered Senate Resolution No. 1216, regarding Logan Chase Fontaine, which was adopted.

Senator Pearce offered Senate Resolution No. 1217, regarding Kyle Joseph Cochran, Holden, which was adopted.

Senator Kraus offered Senate Resolution No. 1218, regarding Certified Energy and Environmental Labs, Lee's Summit, which was adopted.

Senator Crowell offered Senate Resolution No. 1219, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Irvin Landewee, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 1220, regarding Myron Bond "Trey" Carter, III, Scott City, which was adopted.

Senator Crowell offered Senate Resolution No. 1221, regarding Adam Conrad Bowers, Scott City, which was adopted.

Senator Rupp offered Senate Resolution No. 1222, regarding Shannon Ham-Beene, Wentzville, which was adopted.

Senator Rupp offered Senate Resolution No. 1223, regarding Thieman's Carpet Company, Wentzville, which was adopted.

Senator Brown offered Senate Resolution No. 1224, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jim Wodohodsky, Dixon, which was adopted.

Senator Brown offered Senate Resolution No. 1225, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Vernon Reynolds, High Hill, which was adopted.

Senator Nieves offered Senate Resolution No. 1226, regarding William Benjamin Ownby, Leslie, which was adopted.

Senator Purgason offered Senate Resolution No. 1227, regarding Rebekah Allen, Summersille, which was adopted.

Senator Purgason offered Senate Resolution No. 1228, regarding JB's Healthmart, West Plains, which was adopted.

Senator Rupp offered Senate Resolution No. 1229, regarding Wheel Sports Bicycle Shop and Skateboards, Wentzville, which was adopted.

Senator Rupp offered Senate Resolution No. 1230, regarding the Parks and Recreation Department, Wentzville, which was adopted.

Senator Rupp offered Senate Resolution No. 1231, regarding Friends of the Wentzville Parks, which was adopted.

Senator Richard offered Senate Resolution No. 1232, regarding the city of Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 1233, regarding Twister Safe, LLC, Neosho, which was adopted.

Senator Kraus offered Senate Resolution No. 1234, regarding the Fiftieth Anniversary of the Blue Springs Chamber of Commerce, which was adopted.

Senator Pearce assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 660–By Schmitt.

An Act to repeal sections 287.902, 287.905, 287.907, 287.909, 287.910, 287.912, 287.915, 287.917, 287.919, and 287.920, RSMo, and to enact in lieu thereof one new section relating to the Missouri employers mutual insurance company, with an effective date for certain sections, and an emergency clause for a certain section.

SB 661–By Schmitt.

An Act to repeal section 143.071, RSMo, and to enact in lieu thereof two new sections relating to the taxation of business income.

SB 662–By Schmitt.

An Act to repeal section 135.800, RSMo, and to enact in lieu thereof one new section relating to taxation.

SB 663–By Chappelle-Nadal.

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the official breweries of the state of Missouri.

SB 664–By Chappelle-Nadal.

An Act to repeal sections 191.765, 191.767, 191.769, 191.771, 191.775, and 191.776, RSMo, and to enact in lieu thereof six new sections relating to the Missouri indoor clean air act, with penalty provisions.

SB 665–By Stouffer.

An Act to authorize the conveyance of property owned by the state to the state highways and transportation commission.

SB 666–By Keaveny.

An Act to amend chapter 578, RSMo, by adding thereto fifteen new section relating to private possession of nonhuman primates, with penalty provisions.

SB 667–By Wasson.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

SB 668–By Lembke.

An Act to amend chapter 52, RSMo, by adding thereto one new section relating to property tax bills of certain counties.

SB 669–By Lembke.

An Act to repeal sections 104.1084 and 105.927, RSMo, and to enact in lieu thereof three new sections relating to retirement plans.

SB 670–By Green.

An Act to amend chapter 443, RSMo, by adding thereto twenty-four new sections relating to real estate foreclosure, with penalty provisions.

SB 671–By Parson.

An Act to repeal sections 52.010, 54.033, 54.330, and 115.342, RSMo, and to enact in lieu thereof four new sections relating to certain public offices that have statutory bond requirements.

SB 672–By Brown.

An Act to amend chapters 173, 192, and 324, RSMo, by adding thereto three new sections relating to current and former military personnel.

SB 673–By Brown.

An Act to repeal section 302.132, RSMo, and to enact in lieu thereof one new section relating to temporary motorcycle instruction permits.

SB 674–By Schaaf.

An Act to repeal section 354.535, RSMo, and to enact in lieu thereof two new sections relating to health insurance.

SB 675–By Crowell.

An Act to repeal sections 135.010, 135.015, 135.020, 135.025, and 135.030, RSMo, relating to the Missouri property tax credit.

SB 676–By Nieves.

An Act to amend chapter 506, RSMo, by adding thereto one new section relating to the laws of other countries.

SB 677–By Pearce.

An Act to repeal section 162.081, RSMo, and to enact in lieu thereof one new section relating to school accreditation.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: Pursuant to the following corrected message, I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Escort committee to act with a like committee from the Senate pursuant to **HCR 1**. Representatives: Fraker, Redmon, Lauer, McGhee, Cookson, Loehner, Denison, Swinger, Harris, Lampe, Schupp and McCann Beatty.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following escort committee to act with a like committee from the Senate pursuant to **HCR 2**. Representatives: Jones (117), Franz, Day, Lant, Barnes, Sifton, Webber, Carlson, Colona and Rizzo.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 12, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Timothy D. Cudd to the Board of Private Investigator and Private Fire Investigator Examiner submitted to you on January 4, 2012. Line 1 should be amended to read:

Timothy D. Cudd, 1645 Florine, Saint Charles, Saint Charles County, Missouri 63303,

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above addendum to the Committee on Gubernatorial Appointments.

On motion of Senator Dempsey, the Senate recessed until 6:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Stouffer.

On motion of Senator Dempsey, the Senate recessed to the House of Representatives to receive the State of the State Address from His Excellency, Governor Jay Nixon.

JOINT SESSION

The Joint Session was called to order by President Kinder.

The Color Guard from the Missouri State Highway Patrol, Troop F, presented the colors.

The Pledge of Allegiance to the Flag was recited.

On roll call the following Senators were present:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On roll call the following Representatives were present:

Present—Representatives

Allen	Anders	Asbury	Atkins	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Cauthorn	Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger	Loehner	Long	Marshal
May	McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr. Speaker—157			

Absent and Absent with Leave—Representatives—6

Casey	Funderburk	Jones 63	Molendorp	Nance	Swearingen

Vacancies—None

The Joint Committee appointed to wait upon His Excellency, Governor Jay Nixon, escorted the Governor to the dais where he delivered the State of the State Address to the Joint Assembly:

STATE OF THE STATE ADDRESS
GOVERNOR JAY NIXON

Thank you.

Legislative leaders, Judges of the Missouri Supreme Court, Lieutenant Governor Kinder, state officials, members of the General Assembly, members of my cabinet, and my fellow Missourians.

It’s an honor to be here this evening, joined by Missouri’s First Lady, Georganne Nixon, and members of our family.

Over the last year, many Missouri communities have braved unthinkable hardships. And none more so than in Joplin – the toughest town on God’s green earth.

Time and again, the people of Missouri have met those challenges with unwavering strength and determination.

A few months ago, on the first day of school in Joplin, I met a remarkable young man named Quinton Anderson. Quinton is a senior at Joplin High School. He’s an excellent student ... and a science whiz. He hopes someday to create new vaccines.

Graduation day this year will have special meaning for Quinton, as it will for so many in Joplin.

Because it was on graduation day last year – May 22 at 5:41 p.m. – that Joplin was hit by the deadliest tornado in modern history.

Winds clocked at 200 miles an hour tore a swath a mile wide and six miles long through the heart of the community.

When I stood there surrounded by smashed cars and shattered homes, it was nothing but devastation as far as the eye could see.

In just 19 minutes, the twister left thousands of people homeless. More than 7,000 homes and hundreds of businesses were damaged or destroyed. More than a thousand people were injured.

161 lost their lives.

The tornado leveled Quinton's home.

Both his parents were killed.

Quinton was flung through the air and found blocks away – face-down in a ditch with a fractured skull, a shattered spine, his left leg torn to shreds.

He spent five and a half weeks in the hospital. And after he left the hospital, Quinton had this to say:

"I used to just take each day like it was given to me. But it's not. It's a gift. You've gotta pray for the next one.

"Don't give up hope. Always pray to get stronger each day.

"And if you're in physical therapy… and they tell you to walk ... always take that extra step."

Always take that extra step …

… His parents would be so proud.

Quinton, your faith and your fight have shown the world that the spirit of Joplin is unbreakable. People of Missouri, please welcome Quinton Anderson and his sister, Grace.

Mother Nature hit us hard in 2011, starting with tornadoes on New Year's Eve …

A blizzard that shut down I-70 from St. Louis to Kansas City…

Record flooding and drought in the Bootheel … and in northwest Missouri …

The intentional breach of the Birds Point levee by the Corps of Engineers …

More tornadoes on Good Friday …

Another tornado in Sedalia … and of course, the EF-5 tornado in Joplin and the surrounding area.

And through every natural disaster they endured, the people of Missouri relied on our brave men and women in uniform: our first responders, our law enforcement community, and all who have answered the call to military service.

In the aftermath of Joplin alone, men and women from more than 400 public safety agencies rushed to help.

Certain special people have a spirit that compels them to run toward trouble, not away from it. And Missouri State Trooper Fred Guthrie Jr. was one of them.

In 2007, Trooper Guthrie earned our state's highest law enforcement honor, the Missouri Medal of Valor, for saving a woman during a violent storm on Smithville Lake.

It was the same selfless spirit that compelled Trooper Guthrie to brave the swift currents of the Missouri River, which claimed his life last August.

Fred Guthrie was a hero, who died as he lived: protecting others. Even as we mourn our loss, we are lifted up by his courage. Missouri is a better place for his service.

Please join me in thanking the family of Trooper Fred Guthrie: his wife, Teresa; and their three children, Amber, Dylan, and Cody; and all our men and women in uniform.

Quinton Anderson. Fred Guthrie. Our men and women in uniform.

They have shown us the face of courage. They have shown us what it means to be strong in the toughest of times. What it means to take that extra step.

And we've seen our share of tough times these past few years.

It began in 2008, when our nation was hit with the most severe economic recession of our lifetime. In the last six months of 2008, we lost more than 55,000 jobs. In December of 2008, Missouri saw more than 100 mass layoffs, the most ever since we began tracking that number.

But we didn't make excuses. We didn't wait around for help.

Missourians stood up ... got to work … showed our strength.

Yes, times have been tough. But Missourians have always been tougher.

And that's why I'm so optimistic about our future.

The people of the Show-Me State are stubborn and self-reliant.

When times are tough, we buckle down and get to work.

Missourians don't want a handout.

Missourians don't want a bailout.

Missourians just want an opportunity to succeed.

The people of Missouri turned to all of us … for strong leadership … for a clear path forward … and for hope for a brighter future.

And I'm proud to say that because of our strong leadership, Missouri is once again moving forward.

Unlike Washington, we've worked together like adults … no matter what part of our state we're from, how we make a living, or what party we belong to.

Unlike Washington, we've kept a laser-like focus on job creation.

Unlike Washington, we've maintained our strict fiscal discipline and balanced our budget – and we've done it without raising taxes.

Our commitment to balancing the budget, holding the line on taxes, and our focus on creating jobs, is paying off.

The national recession brought sharp job losses in 2008 and 2009, but we have turned the corner. Today, it was reported that our unemployment rate is now at its lowest level in three years.

Missouri farms and businesses are shipping more goods around the globe, generating billions of dollars of economic activity and thousands of jobs here at home.

And together, we're bringing the American auto industry back to life right here in the Show-Me State.

But there is more work to do.

Tonight, I'll lay out a specific strategy to create more jobs and grow our economy.

That strategy builds on the granite foundation of fiscal discipline we have laid here in Missouri:

- Balancing the budget;
- Holding the line on taxes;
- Making government smaller, smarter and more efficient.

The national recession, and the gridlock in Washington, created tough budget times for all the states.

Some states simply chose to ignore the problem, spent more money than they had, and racked up huge deficits.

But not here in Missouri. Since taking office, I've cut government spending by $1.6 billion.

And with the balanced budget I present tonight, I'll have reduced the government's payroll by 4,100 positions. The state workforce is the smallest it's been in 15 years.

Those decisions were tough, but necessary.

Other states haven't shown that fiscal discipline. More than 30 states have raised taxes, including Kansas and Illinois.

But we have not.

Because we know that Missouri families can't afford a tax increase. Period.

In fact, to help more small businesses create jobs and grow, we've begun to phase out the outdated franchise tax on thousands of Missouri businesses.

That means more money to their bottom line – and more jobs for Missouri workers.

But we haven't just made your government smaller. We're also making your government smarter.

By 2015, the Department of Transportation will have cut $512 million in overhead and administrative costs, and put that money where it belongs: building roads and bridges.

We've consolidated offices and cut our energy bills. We've put critical services online, including teacher certification; insurance agent licenses; and GED transcripts. We've eliminated paperwork, and slashed printing and postage costs.

Because of our focus on fiscal responsibility and efficiency, Missouri is one of the few states with a Triple-A credit rating from all three rating agencies. Kansas can't say that. Neither can Arkansas, Illinois, Kentucky, Nebraska or Tennessee.

New Jersey got downgraded by all three credit rating agencies in the last year. Even the federal government got downgraded by Standard and Poor's.

You know what that says about us here in Missouri?

We know how to manage our money – better than our neighboring states, and much better than Washington.

Our Triple-A credit rating saves the taxpayers millions – and it signals that Missouri is a smart place to invest.

While we're talking about government efficiency, let me make a related point. For the past three years, I have called for comprehensive tax credit reform. Some of you in this room stood with me on this issue. Others did not.

The consequences of this inaction are clear. Over the past four years, more than $2 billion in state tax credits have been redeemed.

Effective tax credits are used to create jobs and grow our economy. But tax credits that aren't delivering for Missourians must be retooled and reformed. We all know that dollars spent on tax credits are dollars we cannot invest in other critical priorities.

Once again, I ask you to pass comprehensive tax credit reform to get this spending under control.

Balancing our budget. Holding the line on taxes. Maintaining a spotless Triple-A credit rating. These are all signs that Missouri is headed in the right direction.

The U.S. Chamber of Commerce recently called Missouri a leader and ranked us as one of the Top Ten business-friendly states in the nation because of our low taxes and fiscal discipline.

We also have a safe workforce. That's another reason we're poised for growth. Reducing on-the-job injuries is a point of pride for Missouri workers – and employers.

Since I became your Governor, workers' injury claims have gone down every year, and are now almost 50 percent lower than they were nearly two decades ago.

That means real cost savings for employers. The cost of workers' compensation has come down each year I've been Governor. In fact, businesses are paying less now for workers' comp coverage than they were back in 1994.

Here in Missouri, we're standing firm to protect workers' safety and workers' rights.

Because, as we all know, a strong and safe workforce makes a strong economy.

From our low taxes to our strong workforce, Missouri is well positioned for job creation. To keep our economy growing, we must build on these strengths.

That's what our Missouri Works strategy will do. With your help, we will:

- One, grow more auto supplier jobs in Missouri;

- Two, sell more Missouri-made goods overseas;
- Three, prepare more workers for high-tech careers;
- Four, train and hire more veterans;
- Five, jumpstart innovation in science and technology;
- Six, target high-growth industries; and
- Seven, create jobs in rural communities.

Let's start with the automotive industry.

Missouri has always been an automotive state. It's who we are. It's in our blood.

But for decades, the American auto industry had been in decline.

When I took office in 2009, thousands of jobs at Claycomo and Wentzville were at risk. We couldn't sit by and watch those jobs go to other states, or other countries.

But we didn't give up on the American auto industry. We believed in our hearts that American workers would build automobiles that could compete in a world economy.

But it was up to us to make sure they were built right here in the Show-Me State.

So, I went to Detroit, and met with the heads of Ford and GM.

And after those meetings, we took bold action.

I called the General Assembly into special session. Folks from across our state – urban and rural, business and labor, Democrats and Republicans – came together and worked with us to pass the Missouri Manufacturing Jobs Act.

And it has paid off.

Last October, Ford announced that it will invest $1.1 billion in Claycomo.

To put that in perspective, that's a bigger capital investment than building Arrowhead and Kauffman stadiums – combined.

Ford is going to produce the Transit van in the United States for the first time. Until now, it's only been produced overseas. But, because of our work, this vehicle will now be built with pride right here in the Show-Me State.

No more outsourcing, folks. We're bringing jobs back to Missouri.

In addition to the Transit, Ford is adding a second shift at Claycomo to produce more F-150 pickups.

This massive investment will bring 1,600 new jobs to the Claycomo plant – on top of the existing 3,800 jobs we saved.

Just two weeks later, GM announced that it would invest $380 million to build its new Chevrolet Colorado at Wentzville, and add a second shift on its two existing vehicles.

That's another 1,660 new jobs right here in Missouri.

I wish all of you could have been there with me when we made those announcements. After all they've been through, to see the look in those workers' eyes … to know they can put food on the table … and clothes on their kids' backs; to know they can pay the mortgage and the electric bill … to know that they can put money in the collection plate on Sunday.

What we do here really matters.

And we won't stop now.

Last week, I was back again in Detroit, sitting face-to-face with senior executives at Ford, GM, and some of the world's largest auto suppliers.

I was there for one reason: to get more auto parts suppliers to invest in the Show-Me State. Whether they're making seats or steering wheels, axles or airbags, we want suppliers to bring more of those jobs to Missouri.

As part of our Missouri Works strategy, I call on the legislature once again to stand up with me and fight for the automotive industry. We must pass legislation to help auto suppliers create new jobs across Missouri.

Make no mistake: Just like before, competition for these jobs will be stiff.

But to the Missouri taxpayers, let me say this:

We won with Ford. We won with GM. And we will win with the auto suppliers and create even more jobs.

Let's get it done.

The next component of Missouri Works is to sell more Missouri-made goods overseas to create more jobs here at home.

It's clear the world wants what Missouri's got: Cotton and chemicals. Soybeans and semiconductors. F-150s and F-15s.

When I talk about selling Missouri-made goods overseas, I don't mean just the Fortune 500s that have an established global footprint. Competing globally is just as important for small businesses and family farms in every corner of our state.

One company that's ahead of the curve is Forrest Keeling Nursery in Elsberry, founded 63 years ago in the backyard of Dr. Forrest Keeling. Today, the nursery grows more than 250 types of trees, shrubs and grasses and sells those products around the world. And they have patents pending in more than 50 countries.

Last year, I had the pleasure of visiting this small, hometown business that's winning in the global economy.

On behalf of all of our growing Missouri exporters, please welcome Forrest Keeling's CEO, Wayne Lovelace; his wife, Judy; and their daughter, Kim.

Because of companies like this, Missouri exports were up by $1.2 billion in the first three quarters of 2011. And that was on top of our outstanding 35 percent growth in 2010.

As part of Missouri Works, we're going to keep this momentum building by creating a one-stop shop to help Missouri businesses and farms find more customers in new international markets.

And with the new trade offices we'll be opening soon in China, Southeast Asia and South America, we're taking the "Made in Missouri" brand global.

Last fall, I led a delegation of more than 60 Missouri business and agricultural leaders to China, where we signed agreements to sell $4.6 billion worth of Missouri products.

Because, I don't know about you … but I think it's time the guy in Beijing walked into his local store and saw "Made in America" stickers on the products he's buying.

Another part of our Missouri Works strategy is worker training.

In a global economy with constantly evolving technology, training and education can never stop.

We have established new higher-education programs like Caring for Missourians, Training for Tomorrow, MoHealthWINS and our Nurse Training Initiative to prepare thousands more Missourians for rewarding careers that exist today.

Last year, we also increased Missouri's investment in our Customized Training Program by 50 percent. That record investment allowed us to train nearly 37,000 workers who are on the job now at more than 300 Missouri businesses.

As part of our Missouri Works strategy, the budget I present tonight continues our record investment in worker training for a second year, especially in high-tech areas so critical to modern manufacturing.

One of the growing companies we've helped with worker training is Meramec Electrical Products, which employs 130 people at its state-of-the-art facility in Crawford County.

Our Customized Training Program helped Meramec reduce production costs by 30 percent; become more competitive in the global market; and create 25 new jobs last year.

On behalf of all of our innovative small businesses, please welcome Meramec's CEO, Nick Sanazaro, and CFO Carolyn Sanazaro.

Now, let's talk about military veterans.

Honoring – and employing – our military veterans is another key element of our Missouri Works strategy.

During my last visit to Afghanistan, I was talking with a group of soldiers who were about to go out on patrol. As they were suiting up, I asked one of the soldiers what he was most worried about.

His answer surprised me. He didn't say he was most worried about facing the enemy that night. No. He looked me in the eyes and said, "Governor, I'm worried about whether there will be a job for me when I get home."

Folks, our job is to make sure the answer to that question is a resounding YES.

Every veteran who needs a job should be able to get one.

In 2009, we passed legislation to begin phasing out state taxes on military retirement income.

That law is a strong signal that we want military veterans to move to Missouri, to work in Missouri, and to make Missouri their home.

In 2010, we launched Show-Me Heroes, asking Missouri employers to put military veterans at the front of the line when they're hiring for new jobs. More than 1,700 employers have signed up to be part of this effort.

Tonight, I am proud to report that our Show-Me Heroes program has put more than 1,000 veterans back to work here in Missouri.

The Missouri Works strategy will expand the mission of Show-Me Heroes to include on-the-job training for National Guard, Reserve and active-duty veterans who have recently left military service.

We'll continue to work tirelessly to create job opportunities for every veteran in our state.

The next pillar of Missouri Works is to accelerate investment in high-growth industries like science and technology. With more than 1,000 agribusiness, life science and biotech companies, Missouri is already home to some of the brightest minds and innovators in the world.

With the passage last year of the Missouri Science and Innovation Reinvestment Act, we are poised for rapid progress.

As part of Missouri Works, my budget includes $4 million in seed capital to invest in attracting the very best science talent to Missouri.

By speeding the flow of innovations out of the lab and into the marketplace, we're growing these industries today and creating the high-tech jobs of tomorrow.

Finally, Missouri Works will help create jobs in rural communities.

Anyone who grew up in a small town like I did knows there's something special about them. Folks want their towns to be places where their kids can grow up safe, get a good education, find a job and raise a family.

It wasn't all that long ago, just a generation or two, that folks made a decent living hand-sewing baseball uniforms in Licking … making shoes in Piedmont … or assembling typewriters in Springfield.

Those jobs may be gone, but our rural way of life is still strong.

Our Missouri Works plan will custom tailor a job-creation incentive for small-business owners in rural communities. Because we want every part of Missouri to move forward together.

We're also helping rural Missouri compete by dramatically expanding access to high-speed Internet.

Broadband access is a game-changer – for commerce … for farming … for education … for health care ... for law enforcement and public safety.

Our extremely competitive MoBroadbandNow initiative is bringing a total investment of $311 million through 18 projects to wire communities across Missouri.

Let me give you an example. Over in Otterville, we've hooked up the local school through our partnership with Sho-Me Technologies. This has significantly expanded their ability to provide web-based classes using streaming video.

Just as the railroads and interstates changed the face – and the fate – of Missouri communities in decades past, this project will help shape Missouri's future from Otterville to New London and everywhere in between.

Rural communities are a proud part of Missouri's past. They're also a vital part of Missouri's future – especially when it comes to agriculture.

Missouri farmers feed, fuel and clothe the world.

And with 108,000 farms generating more than $12 billion annually, agriculture is truly the backbone of Missouri's economy.

We want to keep Missouri agriculture growing, and our rural way of life strong. That's why I am committed to working with our farmers to open new markets, improve energy efficiency, and use the latest science and technology to make Missouri agriculture even more competitive.

Folks like Bob and Kay Vandiver are a major part the success of Missouri agriculture. Bob's parents raised a few cattle – simply trying to make a living off the land. But he and Kay have turned that farm into one of the largest in our state. It's a lasting legacy – one that will be handed down for generations.

On behalf of Missouri agriculture, please welcome one of the Show-Me State's outstanding farm families, the Vandivers: Bob, Kay, Gary, Dale and Jake.

To compete in a changing global economy, Missouri must have world-class public schools.

Our public schools have always been – and will always be – beacons of hope, opportunity and excellence for all.

No one is turned away.

Some children come to school hungry ... homeless.

Some bear the burdens of poverty and neglect.

But when a child of want … and a child of wealth … walk through our schoolhouse doors, they enter as equals.

Support for public education should not be used as a wedge to divide us.

Here in Missouri, public education is an enduring value that unites us.

Some states have opted to balance their budgets on the backs of schoolchildren.

Kansas cut its basic funding formula for K-12 schools by $232 per child. Texas slashed $4 billion from the education budget, triggering massive layoffs. South Carolina, Arizona and California have each reduced funding per pupil by more than 20 percent.

But I haven't met one parent or one teacher in Missouri who thinks we should balance our budget by taking money from their kids' classrooms.

For the past three years, even in challenging budget times, we maintained level funding for K-12 classrooms.

This year, we'll take that next step.

The budget I present tonight provides record funding for our K-12 classrooms. Because that's the right thing to do.

Several urgent issues facing public education require our action this session.

First, we must find a solution that applies the foundation formula fairly and predictably.

We also know that we have more work to do with our urban school districts on both sides of the state – to make sure that every child in every community has an equal opportunity to succeed.

Just take a look at St. Louis. We've still got a long way to go, but we're seeing how strong leadership, dedicated teachers, and committed parents are making a real difference right now.

Students have shown academic improvement for four years in a row. The district is now operating with a balanced budget. The attendance rate is at 93 percent.

From my frequent discussions with teachers, administrators and others – and through our work with organizations like Teach for America – it's clear that the St. Louis schools are finding their footing and are moving in the right direction.

We need to take steps to improve public education in a number of other areas, including charter schools.

Missouri has some strong charter schools, where inspired teachers with fresh ideas are giving children a top-notch education.

But let's be frank.

We also have charter schools where children are languishing in classrooms that aren't up to par academically, in schools that aren't well managed. And our students pay the price.

I call on the legislature to send to my desk a comprehensive charter school accountability bill that holds all charter schools – and their sponsors – to high standards of academic achievement and financial integrity.

Educating our children is a high calling, and those who answer the call deserve our support and respect. Good teachers get results. Great teachers transform lives.

We need to entice our best college students to become teachers in those urban and rural public schools that have the greatest needs. And once they're on the job, they must be accountable for what kids are learning.

Our economy is changing. And education can't stop at high school. Because by the next decade, nearly two-thirds of all jobs in the United States will require some kind of post-secondary education. That means more Missouri kids will need a college degree.

But too many families simply can't afford the cost of a college education.

So for the past three years, Missouri has tackled college affordability head-on.

While universities in other states were increasing tuition by double digits, we froze tuition in 2009 and 2010 at all our public colleges and universities.

Last year, I challenged our colleges to continue to hold down tuition.

As a result, enrollment at our public colleges has surged. Over the past three years, we've added 31,000 students. That's set a new record each fall.

And that's great news for our students, our schools and the future of our state.

In another challenging budget year, our top priorities in funding for higher education must continue to be high-quality academic programs and student scholarships.

So, in addition to a record investment in K-12 classrooms, my budget will provide stable funding for our state college scholarships, including Bright Flight, Access Missouri, and A+.

Let me talk for a moment about that A+ program.

These scholarships cover tuition and fees at any public two-year college in the state for students who are willing to work hard, play by the rules, and give back to their communities.

Since I became your Governor, we've worked to add 110 new A+ schools. And the number of students in our A+ program has risen 30 percent.

This year, 12,500 Missouri students will take advantage of our A+ scholarships. Next year, we anticipate closer to 14,000 students will be A+ scholars.

We will continue to expand access to A+ scholarships to students all across our state.

Investing in college affordability is critical for continued economic growth. But we have to balance this budget.

And we all know that means we'll have to cut in other areas.

So, to balance our budget in a way that protects our scholarships and academic programs, I am calling on all our colleges and universities to continue to look for more ways to cut overhead and administrative costs and run smarter, more efficient operations.

While leaner, more efficient operations are essential, higher education must continue to adapt for the modern economy. Public colleges and universities must change their business models.

Let me give you an exciting example of what one school is doing.

Earlier this month, the University of Central Missouri unveiled a new model called the Innovation Campus, and it has the potential to transform how we educate students.

Innovation Campus students will enroll in college courses while still in high school, and then participate in high-impact apprenticeships throughout the college curriculum. Corporate partners will underwrite tuition scholarships, and faculty and employers will partner to guide each student.

The expected results?

- Students get a running start on college requirements;
- They learn the practical skills necessary for excellent careers;
- They can earn a degree in three years or less;
- Business partners will recruit and build their workforce for the future;

- And, costs for students are dramatically reduced.

I encourage all our universities to take the lessons of the Innovation Campus to heart, and develop similar programs.

When we come together – and take that extra step – we are proving that there is no limit to what Missourians can accomplish.

Working together, we passed landmark legislation to ensure that children with autism get the therapy they need.

For too long, insurance companies weren't required to cover the most effective autism therapies. But that changed last year. And now, 1.6 million Missourians have plans that cover autism treatments.

This year, I call on the General Assembly to pass legislation to increase access to care by expanding the number of licensed professionals working with children with autism in Missouri.

That's what we can accomplish when we take that extra step.

Working together, our Partnership for Hope is changing the lives of Missourians with developmental disabilities and their families.

Before this compassionate program was in place, some folks waited years for services to help their loved ones live more independently – help with things like getting dressed, cooking meals, taking the bus to work.

But now, our Partnership includes 91 Missouri counties and the City of St. Louis, and serves 1,300 people with developmental disabilities.

This year, we'll keep expanding the Partnership, improving lives and saving money over the long run.

That's what we can accomplish when we take that extra step.

Last year, we reauthorized Missouri Rx, a vital program that cuts the cost of prescription drugs for 215,000 Missouri seniors and people with disabilities.

When that lifeline was in jeopardy last year, folks across our state came together to protect these vulnerable citizens. And my budget continues full funding for this program.

That's what we can accomplish when we take that extra step.

By working together, by taking that extra step, we've achieved a lot for our state.

We've shown that the partisan gridlock in Washington hasn't taken hold here in Missouri.

But we have more work to do.

That includes balancing our budget, and holding the line on taxes.

That includes putting the Missouri Works strategy in place to create jobs and keep our economy growing.

That includes making a record investment in K-12 classrooms, keeping college affordable, and helping all Missouri children achieve their dreams.

And that also includes passing strict campaign contribution limits.

I've called for contribution limits every year – and I'm going to keep on doing it until we change the law.

When one person with an ax to grind can make an unlimited contribution to advance a narrow agenda … when lobbyists for powerful interests can tip the balance of an election … the very foundations of our democracy are at risk.

Unlimited contributions are overriding the will of the people … and undermining the principle of free and fair elections.

Missouri needs strict limits on campaign contributions.

Let's finally get it done.

Growing up in De Soto, I learned a lot about public service at the kitchen table.

My parents were deeply committed to our community and to public service. Dad was the Mayor. Mom served on the school board.

In our town, when folks needed help they'd call the house. Usually at suppertime.

We didn't have No-Call Lists back then.

Whatever the complaint or request, I don't ever recall hearing my parents ask: Are you a Democrat or a Republican? Or did you vote for me?

Because that's not what public service is about.

When you hold public office … you represent everyone.

We saw the best of public service in action in every corner of Missouri last year. But one man stands out as a shining example. His name is C. J. Huff.

Dr. Huff is the superintendent of Joplin schools. The tornado damaged or destroyed 10 of their buildings. Joplin High was left in ruins. C. J. feared that if the schools didn't open on time, families would start to leave town. He was not about to let that happen.

So C. J. rallied his forces: parents and teachers; students and civic leaders; carpenters and plumbers … and an army of volunteers.

In just 54 days, they turned an empty department store at a shopping mall into a high-tech high school.

Not only did all of Joplin's schools open on time, nearly 95 percent of the students showed up on that first day.

Folks, that was amazing to see.

Please welcome an outstanding leader: Superintendent C.J. Huff.

Public service matters.

What we do here matters.

But in a world of term limits, skeptics say we can't get much accomplished.

In a world of hyper-partisanship, cynics say we can't find common ground.

To them I say: Just watch us.

Whether you're from the big city, or a small town.

Whether you make your living on the farm, or in a lab.

Whether you're a Democrat, a Republican, an Independent – or none of the above.

We're all Missourians first.

And here in Missouri, we're not defined by our differences.

We're defined by our shared values.

Values that give us the strength to face whatever tomorrow brings … with faith and optimism.

There's a lot of uncertainty in this life.

We can't control the weather.

We can't always see what tomorrow will bring … but one thing is clear.

Through storms and floods and hard times, the good people of Missouri never give up or give in. Even in our darkest hours, the spirit will prevail.

And when people of good faith and good will work together … nothing can stop us.

Together, we will continue balance this budget without raising taxes.

Together, we will continue to create more jobs, better schools and more compassionate communities.

And, Quinton, I pledge to you that we will continue to work together to take that extra step ... and keep Missouri moving forward.

It is an honor to serve as your Governor.

I am grateful for the opportunity you have given me, and for the trust you have placed in me.

With your help – and God's grace – we'll continue to show strong leadership to move Missouri toward brighter days ahead.

Thank you and God Bless.

On motion of Senator Dempsey, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by Senator Stouffer.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Jennifer Gundy, Nevada.

Senator Schaaf introduced to the Senate, Allyson Beach, Battlefield.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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EIGHTH DAY–WEDNESDAY, JANUARY 18, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke
SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SB 606-Schmitt
SB 607-Stouffer
SB 608-Wasson and Richard
SB 609-Lembke
SB 610-Lembke
SB 611-Lembke
SB 612-Lembke
SB 613-Kehoe, et al
SB 614-Kehoe and Lamping
SB 615-McKenna
SB 616-Wasson
SB 617-Schaaf
SB 618-Schaaf
SB 619-Richard
SB 620-Rupp
SB 621-Brown
SB 622-Cunningham
SB 623-Cunningham
SB 624-Lembke
SB 625-Kehoe
SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler

SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SB 651-Schaefer
SB 652-Lager
SB 653-Lager
SB 654-Lager
SB 655-Green, et al
SB 656-Lager and Dixon
SB 657-Rupp
SB 658-Rupp
SB 659-Dempsey and Rupp
SB 660-Schmitt
SB 661-Schmitt
SB 662-Schmitt
SB 663-Chappelle-Nadal
SB 664-Chappelle-Nadal
SB 665-Stouffer
SB 666-Keaveny
SB 667-Wasson
SB 668-Lembke
SB 669-Lembke
SB 670-Green
SB 671-Parson
SB 672-Brown
SB 673-Brown
SB 674-Schaaf
SB 675-Crowell
SB 676-Nieves
SB 677-Pearce
SJR 43-Green
SJR 44-Green
SJR 45-Nieves

SENATE BILLS FOR PERFECTION

SB 443-Stouffer, with SCS
SB 467-Munzlinger, with SCS
SB 592-Lager, with SCS

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Journal of the Senate

SECOND REGULAR SESSION

EIGHTH DAY—WEDNESDAY, JANUARY 18, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Who is wise and understanding among you? Show your good life that your works are done with gentleness born of wisdom." (James 3:13)

Almighty God, we seek to provide laws that assist our people; and our judges find easy to enforce. Continue to abide with us in our acquiring knowledge and wisdom so our efforts lie gently on our fellow citizens and removes that which may burden them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from KOMU-TV were given permission to take pictures in the Senate Chamber today.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Green—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Lamping offered Senate Resolution No. 1235, regarding the Ninetieth Birthday of Gertrude Fogel Gold, St. Louis, which was adopted.

Senator Schmitt offered Senate Resolution No. 1236, regarding Deanne Vassalli, Fenton, which was adopted.

Senator Nieves offered Senate Resolution No. 1237, regarding the Fiftieth Birthday of William Lee Hammack, St. Clair, which was adopted.

Senator Goodman offered Senate Resolution No. 1238, regarding Reverend Jack L. Daniel, El Dorado Springs, which was adopted.

Senator Schaefer offered Senate Resolution No. 1239, regarding Sharyn Hyatt-Wade, which was adopted.

Senator Schmitt offered Senate Resolution No. 1240, regarding the Chiropractic Wellness Center of South County, Fenton, which was adopted.

Senator Schmitt offered Senate Resolution No. 1241, regarding PEAK Physique, St. Louis, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 678–By Schaaf.

An Act to amend chapter 191, RSMo, by adding thereto five new sections relating to serious reportable events in health care.

SB 679–By Dixon.

An Act to repeal sections 195.070, 195.100, 208.152, 334.104, 334.108, 334.810, 335.016, 335.019, 335.046, and 338.198, RSMo, and to enact in lieu thereof ten new sections relating to advanced practice registered nurses.

SB 680–By Nieves.

An Act to repeal section 21.750, RSMo, and to enact in lieu thereof one new section relating to ordinances adopted by political subdivisions regulating firearms.

SB 681–By Lager.

An Act to repeal section 174.332, RSMo, and to enact in lieu thereof one new section relating to the board of regents of Northwest Missouri State University.

SB 682–By Dempsey, Schaaf and Curls.

An Act to repeal section 334.155, RSMo, and to enact in lieu thereof one new section relating to spinal injections.

SB 683–By Crowell.

An Act to repeal sections 513.430 and 513.440, RSMo, and to enact in lieu thereof two new sections relating to property exempt from attachment or execution.

SB 684–By Crowell.

An Act to repeal sections 100.286, 135.352, and 253.550, RSMo, and to enact in lieu thereof three new sections relating to a moratorium on the authorization of certain tax credits, with an emergency clause.

SB 685–By Crowell.

An Act to repeal section 386.210, RSMo, and to enact in lieu thereof one new section relating to ex parte communications with the public service commission.

SJR 46–By Lager.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to the commonsense obligation to provide accountability and spending stabilization act.

Senator Dempsey moved that the Senate recess to repair to the House of Representatives to receive the State of the Judiciary Address from the Chief Justice of the Supreme Court, the Honorable Richard B. (Rick) Teitelman, which motion prevailed.

JOINT SESSION

The Joint Session was called to order by President Kinder.

On roll call the following Senators were present:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

Absent—Senators

Cunningham Purgason—2

Absent with leave—Senator Green—1

Vacancies—None

On roll call the following Representatives were present:

Present—Representatives

Allen	Anders	Asbury	Atkins	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton

Klippenstein	Koenig	Korman	Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer	Spreng	Stream	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr. Speaker—149			

Absent and Absent with Leave—Representatives—14

Dieckhaus	Holsman	Kander	Largent	Meadows	Nance	Nasheed	Phillips
Ruzicka	Still	Swearingen	Thomson	Wallingford	Webb		

Vacancies—None

The Joint Committee appointed to wait upon the Chief Justice of the Supreme Court, Richard B. (Rick) Teitelman, escorted the Chief Justice to the dais where he delivered the State of the Judiciary Address to the Joint Assembly:

Chief Justice Richard B. Teitelman's
State of the Judiciary Address

Mr. Speaker, Mr. President, Mr. President Pro Tem, Mr. Auditor, Mr. Attorney General, members of the General Assembly: Thank you for welcoming me here this morning. It is my honor to deliver this 39th state of the judiciary address. I also want to thank the staffs of the House clerk and the majority leader as well as our maintenance staff, who were kind enough to help make accommodations for me to be able to deliver this speech to you today.

As President Reagan once said, "There are no constraints on the human mind, no walls around the human spirit, no barriers to our progress except those we ourselves erect." My humble thanks to you.

I also want to thank you for your continued cooperation in working with our branch of government. I think the founders of our great nation would have been so proud of you and your predecessors in welcoming the chief justice and the governor into this beautiful chamber to talk with you each year.

In light of this week's recognition of Dr. Martin Luther King Jr., I want to mention a true gem of the state - Frankie Freeman - a 95-year-old African-American woman who is being honored as the St. Louis Citizen of the Year and who has spent most of her 95 years marching as a true drum major for justice.

I was appointed to serve on the Supreme Court in 2002. I have been proud to serve there in the company of some of the finest jurists our state has ever known. I want to take a moment now to recognize my colleagues on the Court, who make every day of my job there special. I start by introducing to you our newest member, Judge George Draper III. Judge Draper - who is only the second African-American ever to serve on our state's high court - is from St. Louis, where he spent 11 years on the Court of Appeals, preceded by six years as a trial judge in St. Louis County, and before that, he served as chief trial attorney in the city's circuit attorney's office. Judge Draper, we are honored for the opportunity to serve alongside you. I also want to recognize Judge Ray Price, whose very big shoes I have to try to fill as chief justice; Judge Patty Breckenridge; Judge Zel Fischer; Judge Mary Russell and Judge Laura Stith.

It is important for me to mention all of these judges to you because the leadership for the judicial branch of government comes from all these fine men and women who are serving and who have served on the Supreme Court. I also would add my accolades to recognize our esteemed former clerk, Tom Simon, who retired at the end of May after serving with distinction for four decades as clerk of the Supreme Court of Missouri. Just to give you an idea of the kind of change Tom saw during his time at the Court ... the year he began his career, Richard Nixon

was our president; you could buy a stamp for 8 cents, a gallon of gas for 40 cents and a movie ticket for $1.50; Walt Disney World opened in Orlando; the NASDAQ debuted; and television advertising of cigarettes ended. During his career at the Court, Tom did much to cultivate relationships among our branches of government. His kindness and thoughtfulness to all helped open dialogue and build friendships over time. We value those relationships. In his first inaugural address, Abraham Lincoln promoted a unifying focus on friendship and the things that bind us in affection by calling upon "the better angels of our nature."

I remember sitting here in this chamber for the first time, listening to then-Chief Justice Steve Limbaugh Jr. giving his state of the judiciary address to your predecessors. As the grandson of a former state Rep. Rush Limbaugh, he focused much of his time as chief justice talking about the honor of public service as well as the importance of those citizens we all serve. Thankfully, as he noted then, we don't have to do it all by ourselves. We have many judges in this state who serve not only their courts but also their local communities with dignity and integrity.

One judge in particular has been the source of much Missouri pride in recent months. Judge Jimmie Edwards, a circuit judge in St. Louis city, believed there needed to be an alternative to incarceration for juveniles who deserve a second chance through education. So in collaboration with 45 community partners, he took over an abandoned school and opened the Innovative Concept Academy in 2009. The academy, which serves as a "school of last resort" for at-risk youth between the ages of 10 and 18 years, recently has received a number of national accolades. People magazine named Judge Edwards as one of its 2011 Heroes of the Year, and the academy was featured on the Today show last month. But the academy's biggest success is that it has changed the lives of many young people, helping them to turn away from problems such as gang violence. So far, 18 students have earned their high school diplomas or GED, and two of them have gone on to college. Judge Edwards is here this morning along with some of his students. Would you please stand and be recognized? We could not be more proud of you!

Many court employees throughout the state went to Joplin following the disaster to help the courageous citizens of Joplin rebuild their lives and their community. Our hearts go out to everyone affected by this disaster - and our appreciation goes to everyone who lent a helping hand. Vince Lombardi said, "Individual commitment to a group effort - that is what makes a team work, a company work, a society work, a civilization work." I am so proud to live in a state that works as well as it does because its citizens and public servants are so generous with their prayers and other assistance and are so willing to work together.

Much can be accomplished when, as Thomas Jefferson encouraged, we "unite with one heart and one mind." We owe many thanks for the bipartisan effort to improve criminal justice to Speaker of the House Steve Tilley and President Pro Tem Rob Mayer - as well as Governor Jay Nixon and former Chief Justice Ray Price. I understand legislation soon will be introduced to implement the recommendations of a broad-based committee led by Sen. Jack Goodman and Rep. Chris Kelly. I support your efforts to help make sentencing practices more cost-effective, helping Missouri to become, as Judge Price stressed so often, both tough *and* smart on crime.

We also owe you many thanks for helping the courts with their efforts in the area of technology. The state court administrator's office has undertaken a remarkable cooperative effort to help make our records more accessible through electronic filing. If any of you want a demonstration of how the system works, just let us know, and we will be happy to show you!

A wise man once said the worst kind of death is being talked to death. As we come to the end of my speech, I am reminded by the quote carved into the dais behind me of the privilege of public service. That quote reflects our state motto, "Salus Populi Supreme Lex Esto," which means, "Let the welfare of the people be the supreme law." I look forward to working with you and getting to know many of you better throughout my time as chief justice. I am humbled to serve alongside you.

I have learned it is never good to get in the way of a good meal. With that, The Missouri Bar asks you to join them in the third-floor rotunda for a lunch of fried chicken with all the fixings ... and, for the first time, they're even offering knishes!

Thank you. God Bless America!

On motion of Senator Dempsey, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by President Pro Tem Mayer.

INTRODUCTIONS OF GUESTS

Senator Cunningham introduced to the Senate, the Physician of the Day, Dr. John Hagen, M.D., St. Louis.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

NINTH DAY–THURSDAY, JANUARY 19, 2012

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke
SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SB 606-Schmitt
SB 607-Stouffer
SB 608-Wasson and Richard
SB 609-Lembke
SB 610-Lembke
SB 611-Lembke
SB 612-Lembke
SB 613-Kehoe, et al
SB 614-Kehoe and Lamping
SB 615-McKenna
SB 616-Wasson
SB 617-Schaaf
SB 618-Schaaf
SB 619-Richard
SB 620-Rupp
SB 621-Brown
SB 622-Cunningham
SB 623-Cunningham
SB 624-Lembke
SB 625-Kehoe
SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler
SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SB 651-Schaefer
SB 652-Lager
SB 653-Lager
SB 654-Lager
SB 655-Green, et al
SB 656-Lager and Dixon
SB 657-Rupp
SB 658-Rupp
SB 659-Dempsey and Rupp
SB 660-Schmitt
SB 661-Schmitt
SB 662-Schmitt
SB 663-Chappelle-Nadal
SB 664-Chappelle-Nadal
SB 665-Stouffer
SB 666-Keaveny

SB 667-Wasson
SB 668-Lembke
SB 669-Lembke
SB 670-Green
SB 671-Parson
SB 672-Brown
SB 673-Brown
SB 674-Schaaf
SB 675-Crowell
SB 676-Nieves
SB 677-Pearce
SB 678-Schaaf
SB 679-Dixon
SB 680-Nieves
SB 681-Lager
SB 682-Dempsey, et al
SB 683-Crowell
SB 684-Crowell
SB 685-Crowell
SJR 43-Green
SJR 44-Green
SJR 45-Nieves
SJR 46-Lager

SENATE BILLS FOR PERFECTION

SB 443-Stouffer, with SCS
SB 467-Munzlinger, with SCS
SB 592-Lager, with SCS

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Journal of the Senate

SECOND REGULAR SESSION

NINTH DAY—THURSDAY, JANUARY 19, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"I declare that your steadfast love is established forever: your faithfulness is as firm as the heavens." (Psalm 89:2)

We bring another week to a close and pray that we have made good use of our time here. Those things we have done according to Your will please bless O Lord. Watch over our "going out and coming in" and bless those You have given us to love and who love us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senators

Crowell Green—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Mayer offered Senate Resolution No. 1242, regarding Jeannie L. Cato, Dexter, which was

adopted.

Senator Mayer offered Senate Resolution No. 1243, regarding Allen Christian Buick GMC, Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 1244, regarding LeGrand's Communications, Inc., Dexter, which was adopted.

Senator Lager offered Senate Resolution No. 1245, regarding the 2011-2012 National Champion Northwest Missouri State University Bearcats cheerleading squad, which was adopted.

Senator Schaaf offered Senate Resolution No. 1246, regarding Betty Burch, Kansas City, which was adopted.

Senator McKenna offered Senate Resolution No. 1247, regarding Alexander Arensmeier, which was adopted.

Senator McKenna offered Senate Resolution No. 1248, regarding Billyo O'Donnell, which was adopted.

Senator Schmitt offered Senate Resolution No. 1249, regarding Seth and Nicole Russell, which was adopted.

Senator Schmitt offered Senate Resolution No. 1250, regarding Alvin and Romona Miller, which was adopted.

Senator Schmitt offered Senate Resolution No. 1251, regarding Bill Burckhalter, which was adopted.

Senator Schmitt offered Senate Resolution No. 1252, regarding Colleen Schulter, which was adopted.

Senator Dempsey offered Senate Resolution No. 1253, regarding Joe Daues, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 1254, regarding Mary Reese, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 1255, regarding Loretta MacCallum, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 1256, regarding Michael E. "Mike" Sommer, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 1257, regarding Cort Schneider, St. Charles, which was adopted.

Senator Wright-Jones offered the following resolution:

SENATE RESOLUTION NO. 1258

WHEREAS, the Missouri General Assembly has a long tradition of rendering assistance to those programs aimed at developing qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the process of democratic government through a format of direct role-playing experience; and

WHEREAS, during June 2012, the American Legion Auxiliary, Department of Missouri, is conducting the Seventy-first annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event is the conducting of a mock legislative session in the Senate Chamber at the State Capitol where participants will gather to gain a more realistic insight into official governmental and electoral proceedings:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, hereby grant the adult leaders and participants of the Seventy-first Session of the Missouri Girls State permission to use the Senate Chamber for the purpose of conducting a mock legislative session on Wednesday, June 27, 2012, from 9:00 a.m. to 12:30 p.m.

Senator Wright-Jones requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1258** up for adoption, which request was granted.

On motion of Senator Wright-Jones, **SR 1258** was adopted.

Senator Schmitt offered the following resolution:

SENATE RESOLUTION NO. 1259

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the 2012 Missouri Youth Leadership Forum for Students with Disabilities, sponsored by the Governor's Council on Disability and the Missouri Planning Council for Developmental Disabilities, is an educational experience in state government for high school juniors and seniors with disabilities by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-sixth General Assembly, hereby grant the 2012 Missouri Youth Leadership Forum for Students with Disabilities permission to use the Senate Chamber on Tuesday, July 24, 2012, from 12:30 p.m. to 3:30 p.m. for the purpose of holding a mock legislative session.

Senator Schmitt requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1259** up for adoption, which request was granted.

On motion of Senator Schmitt, **SR 1259** was adopted.

Senator Pearce offered Senate Resolution No. 1260, regarding Renee Carter, which was adopted.

CONCURRENT RESOLUTIONS

Senator Stouffer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 14

WHEREAS, the states of Missouri and Israel share a deep and abiding friendship based on a shared commitment to democratic values; and

WHEREAS, Missouri's own President Harry S Truman announced on May 14, 1948, that the United States would become the first country to recognize the new Nation of Israel; and

WHEREAS, since its establishment, Israel has fulfilled the dreams of its founders who evidence a vigorous, open, and stable democracy; and

WHEREAS, on February 10, 2009, the people of Israel elected Israel's 18th Knesset, or Parliament, following the resignation of then Prime Minister Ehud Olmert; and

WHEREAS, on February 20, 2009, President Shimon Peres nominated Benjamin Netanyahu to become the next Prime Minister and was given the task of forming a government; and

WHEREAS, in accordance with the Israeli Basic Law, on March 31, 2009, the 18th Knesset convened in order to vote on the Prime Minister and the government platform in a "Vote of Confidence". On that date, the 32nd government of Israel was approved and Benjamin Netanyahu became the Prime Minister of Israel; and

WHEREAS, the election on February 10, 2009, and subsequent approval of the government of Israel on March 31, 2009, is the most

recent example of the commitment of Israel to the democratic ideals of freedom and pluralism, ideals that Israel shares with the United States:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby:

(1) Express their respect and admiration for the people of Israel;

(2) Commend the people of Israel for reaffirming their dedication to democratic ideals as expressed in their most recent election; and

(3) Restate the mission of the Missouri-Israel Cooperative Agreement, signed by the Missouri Department of Economic Development and the Israeli Ministry of Industry and Trade in 1988, which calls for projects of mutual economic benefit through improved trade, technology development, science, agriculture, and tourism; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Prime Minister of Israel, Benjamin Netanyahu, and the Missouri Department of Economic Development.

Senator Pearce assumed the Chair.

INTRODUCTION OF BILLS

The following Bill and Joint Resolution were read the 1st time and ordered printed:

SB 686–By Schaaf.

An Act to amend chapter 407, RSMo, by adding thereto one new section relating to the resale or lease of returned electronic devices or appliances.

SJR 47–By Rupp.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 8 of article IX of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the prohibition of public aid for religious purposes and institutions.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Shirley Patterson, as a member of the Coordinating Board for Early Childhood;

Also,

Kelly Schultz, as The Missouri Child Advocate in the Office of Child Advocate for Children's Protection and Services;

Also,

Le Greta Hudson, Democrat, as a member of the State Committee of Dietitians;

Also,

Stephen B. Hoven, Republican, and Peter W. Hofherr, Democrat, as members of the Missouri State University Board of Governors;

Also,

James T. Seigfreid, as a member of the Missouri Task Force on Prematurity and Infant Mortality;

Also,

Timothy Dorsey, Republican, as a member of the Missouri Fire Safety Education/Advisory Commission;

Also,

Linda S. Luebbering, as a member of the Missouri Consolidated Health Care Plan Board of Trustees;

Also,

Julie Molendorp, Republican, as a member of the Missouri Real Estate Appraisers Commission;

Also,

Joyce E. Massey, as a member of the Child Abuse and Neglect Review Board.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 464**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Stouffer moved that **SB 443**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 443**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 443

An Act to repeal sections 302.309, 302.341, 302.700, and 577.023, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with penalty provisions in existing language and a contingent effective date for certain sections.

Was taken up.

Senator Stouffer moved that **SCS** for **SB 443** be adopted.

Senator Stouffer offered **SS** for **SCS** for **SB 443**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 443

An Act to repeal sections 302.309, 302.341, 302.700, and 577.023, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with penalty provisions in existing language and a contingent effective date for certain sections.

Senator Stouffer moved that **SS** for **SCS** for **SB 443** be adopted.

Senator Stouffer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 443, Page 17, Section 302.700, Line 8 of said page, by inserting immediately after the word "outside" the following: "**the fifty states of**".

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 443, Page 18, Section 302.700, Line 12, by striking "**but is not limited to,**" from such line.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Stouffer moved that **SS** for **SCS** for **SB 443**, as amended, be adopted, which motion prevailed.

On motion of Senator Stouffer, **SS** for **SCS** for **SB 443**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 43**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to the commonsense obligation to provide accountability and spending stabilization act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Rebecca Glawe.

Senator Schaefer introduced to the Senate, 2011 State Champion Rock Bridge High School Boys Cross Country Team; Girls Golf Team; Girls Tennis Team; and Cheerleading Squad, Columbia.

Senator Lembke introduced to the Senate, Benjamin Guzdial, D.D.S., St. Louis.

Senator Nieves introduced to the Senate, the Physician of the Day, John Moore, M.D., Washington.

Senator Dempsey introduced to the Senate, James H. Orr, D.D.S., St. Charles.

Senator Mayer introduced to the Senate, former State Representative Randall Relford, Cameron; and Wade R. Watts, D.D.S., St. Louis.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, January 23, 2012.

SENATE CALENDAR

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TENTH DAY–MONDAY, JANUARY 23, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke
SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SB 606-Schmitt
SB 607-Stouffer
SB 608-Wasson and Richard
SB 609-Lembke
SB 610-Lembke
SB 611-Lembke
SB 612-Lembke
SB 613-Kehoe, et al
SB 614-Kehoe and Lamping
SB 615-McKenna
SB 616-Wasson
SB 617-Schaaf
SB 618-Schaaf
SB 619-Richard
SB 620-Rupp
SB 621-Brown
SB 622-Cunningham
SB 623-Cunningham
SB 624-Lembke
SB 625-Kehoe
SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler
SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SB 651-Schaefer
SB 652-Lager

SB 653-Lager
SB 654-Lager
SB 655-Green, et al
SB 656-Lager and Dixon
SB 657-Rupp
SB 658-Rupp
SB 659-Dempsey and Rupp
SB 660-Schmitt
SB 661-Schmitt
SB 662-Schmitt
SB 663-Chappelle-Nadal
SB 664-Chappelle-Nadal
SB 665-Stouffer
SB 666-Keaveny
SB 667-Wasson
SB 668-Lembke
SB 669-Lembke
SB 670-Green
SB 671-Parson
SB 672-Brown
SB 673-Brown
SB 674-Schaaf
SB 675-Crowell
SB 676-Nieves
SB 677-Pearce
SB 678-Schaaf
SB 679-Dixon
SB 680-Nieves
SB 681-Lager
SB 682-Dempsey, et al
SB 683-Crowell
SB 684-Crowell
SB 685-Crowell
SB 686-Schaaf
SJR 43-Green
SJR 44-Green
SJR 45-Nieves
SJR 46-Lager
SJR 47-Rupp

HOUSE BILLS ON SECOND READING

HCS for HJR 43

SENATE BILLS FOR PERFECTION

SB 592-Lager, with SCS
SB 464-Schaaf and Rupp
SB 467-Munzlinger, with SCS

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 14-Stouffer

✓

Journal of the Senate

SECOND REGULAR SESSION

TENTH DAY—MONDAY, JANUARY 23, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Let the wise also hear and gain in learning and the discerning acquire skill." (Proverbs 1:5)

Holy Father, we thank You for another week to serve in this historic Senate. Strengthen us with the resolve to always follow Your pathways and to do what You deem best for the people of this state. Walk with us this week so we may get to know You better and ourselves more completely for truly You are our God. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 19, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Stouffer offered Senate Resolution No. 1261, regarding Clay Schmidli, Unionville, which was adopted.

Senator Stouffer offered Senate Resolution No. 1262, regarding Jennifer Stahlman, Gordonville, which was adopted.

Senator Stouffer offered Senate Resolution No. 1263, regarding Jillian Bertz, Mayview, which was adopted.

Senator Stouffer offered Senate Resolution No. 1264, regarding Evangeline Schultz, Curryville, which was adopted.

Senator Stouffer offered Senate Resolution No. 1265, regarding Johannah Thomas, Owensville, which was adopted.

Senator Stouffer offered Senate Resolution No. 1266, regarding Leah Stotts, Wentzville, which was adopted.

Senator Stouffer offered Senate Resolution No. 1267, regarding Mikayla Elizabeth Engeman, Montrose, which was adopted.

Senator Stouffer offered Senate Resolution No. 1268, regarding Morgan Beach, Pilot Grove, which was adopted.

Senator Stouffer offered Senate Resolution No. 1269, regarding Paige Selman, Columbia, which was adopted.

Senator Stouffer offered Senate Resolution No. 1270, regarding Shelby Murdock, Nelson, which was adopted.

Senator Stouffer offered Senate Resolution No. 1271, regarding Parker Allen Twenter, Sedalia, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1272, regarding the Sheldon Arts Foundation, which was adopted.

Senator Schaefer offered Senate Resolution No. 1273, regarding Jennifer Simons, Columbia, which was adopted.

Senator Goodman offered Senate Resolution No. 1274, regarding the Eightieth Anniversary of the Mount Vernon Rotary Club, which was adopted.

Senator Stouffer offered Senate Resolution No. 1275, regarding Claude Ruboneka, Jefferson City, which was adopted.

Senator Stouffer offered Senate Resolution No. 1276, regarding Maria Garcia, Columbia, which was adopted.

Senator Parson offered Senate Resolution No. 1277, regarding the Eightieth Birthday of Robert L. Wooten, Bolivar, which was adopted.

Senator Curls offered Senate Resolution No. 1278, regarding Alpha Energy and Electric, Inc., Kansas

City, which was adopted.

Senator Curls offered Senate Resolution No. 1279, regarding Gwendolyn Elizabeth Boyd, which was adopted.

Senator Goodman offered Senate Resolution No. 1280, regarding James William "Wil" Le Compte, III, which was adopted.

Senator Crowell offered Senate Resolution No. 1281, regarding Mary-Eloise Lovelady Durham, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 1282, regarding Shelby Rhynn Ford, Cape Girardeau, which was adopted.

Senator Kehoe offered Senate Resolution No. 1283, regarding Class 1 State Champion Russellville High School Girls Cross Country Team, which was adopted.

Senator Richard offered Senate Resolution No. 1284, regarding Benjamin Croy, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 1285, regarding William "Cody" Chlanda, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 1286, regarding Jason Eric Ogle II, Carthage, which was adopted.

Senator Richard offered Senate Resolution No. 1287, regarding Brandon Splitter, Carthage, which was adopted.

Senator Lamping offered Senate Resolution No. 1288, regarding Donald Sher, Clayton, which was adopted.

Senator Lamping offered Senate Resolution No. 1289, regarding PNC Arts Alive, Clayton, which was adopted.

Senator Crowell offered Senate Resolution No. 1290, regarding Heather Short, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 1291, regarding Premier Rehab, LLC, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 1292, regarding Danny Essner, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 1293, regarding Everly Grey Hahn, Cape Girardeau, which was adopted.

Senator Kehoe offered Senate Resolution No. 1294, regarding Craig Kohler, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1295, regarding Jesse Albright, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1296, regarding Myles Strid, Fulton, which was adopted.

Senator Kehoe offered Senate Resolution No. 1297, regarding Noel Obi, Jefferson City, which was

adopted.

CONCURRENT RESOLUTIONS

Senator Dempsey offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 15

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these rivers, estimated to be $6 billion, does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the river; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantifies the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 687–By Schmitt.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for physical therapy services.

SB 688–By Schmitt.

An Act to repeal section 50.160, RSMo, and to enact in lieu thereof one new section relating to political subdivisions, with existing penalty provisions.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 443**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Mayer referred **SS** for **SCS** for **SB 443** to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer referred **SCR 14** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Lager moved that **SB 592**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 592**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 592

An Act to repeal sections 213.010, 213.101, and 213.111, RSMo, and to enact in lieu thereof four new sections relating to unlawful discriminatory practices.

Was taken up.

Senator Stouffer assumed the Chair.

Senator Lager moved that **SCS** for **SB 592** be adopted.

Senator Callahan offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 592, page 1, section 213.010, line 12 by inserting immediately after all of said line the following "**, except in cases of age discrimination where, as it relates to a decision or action, the protected criterion was a "contributing factor"**

Senator Callahan moved that the above amendment be adopted.

Senator Green requested a roll call vote be taken on the adoption of **SA 1** and was joined in his request by Senators Callahan, Chappelle-Nadal, Curls and Justus.

At the request of Senator Lager, **SB 592**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

———

ELEVENTH DAY–TUESDAY, JANUARY 24, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke
SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SB 606-Schmitt
SB 607-Stouffer
SB 608-Wasson and Richard
SB 609-Lembke
SB 610-Lembke
SB 611-Lembke
SB 612-Lembke
SB 613-Kehoe, et al
SB 614-Kehoe and Lamping
SB 615-McKenna
SB 616-Wasson
SB 617-Schaaf
SB 618-Schaaf
SB 619-Richard
SB 620-Rupp
SB 621-Brown
SB 622-Cunningham
SB 623-Cunningham
SB 624-Lembke
SB 625-Kehoe
SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler
SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SB 651-Schaefer
SB 652-Lager
SB 653-Lager
SB 654-Lager
SB 655-Green, et al
SB 656-Lager and Dixon
SB 657-Rupp
SB 658-Rupp
SB 659-Dempsey and Rupp
SB 660-Schmitt
SB 661-Schmitt
SB 662-Schmitt
SB 663-Chappelle-Nadal
SB 664-Chappelle-Nadal

SB 665-Stouffer
SB 666-Keaveny
SB 667-Wasson
SB 668-Lembke
SB 669-Lembke
SB 670-Green
SB 671-Parson
SB 672-Brown
SB 673-Brown
SB 674-Schaaf
SB 675-Crowell
SB 676-Nieves
SB 677-Pearce
SB 678-Schaaf
SB 679-Dixon
SB 680-Nieves
SB 681-Lager
SB 682-Dempsey, et al
SB 683-Crowell
SB 684-Crowell
SB 685-Crowell
SB 686-Schaaf
SB 687-Schmitt
SB 688-Schmitt
SJR 43-Green
SJR 44-Green
SJR 45-Nieves
SJR 46-Lager
SJR 47-Rupp

HOUSE BILLS ON SECOND READING

HCS for HJR 43

THIRD READING OF SENATE BILLS

SS for SCS for SB 443-Stouffer (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 467-Munzlinger, with SCS

SB 464-Schaaf and Rupp

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 592-Lager, with SCS & SA 1 (pending)

RESOLUTIONS

To be Referred

SCR 15-Dempsey

✓

Journal of the Senate

SECOND REGULAR SESSION

ELEVENTH DAY—TUESDAY, JANUARY 24, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"A word fitly spoken is like gold." (Proverbs 25:11)

Gracious God, keep us mindful how people listen closely to what we have to say: some rejoice in what is said and others listen to criticize and disagree. So help us prepare well for what we have to say and write, to be efficient and aware of our audience. And may we be ever mindful of the power of our words and the good and harm they can do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 1298

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of the state of Missouri and to participate in the democratic process of government:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-sixth General Assembly, that the Missouri Catholic Conference be hereby granted permission to use the Senate Chamber and the Senate Hearing Rooms from 7:00 a.m. to 5:00 p.m. on Saturday, October 6, 2012, for the purpose of a citizens assembly and workshops.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 1298** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 1298** was adopted.

CONCURRENT RESOLUTIONS

Senator Stouffer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 16

WHEREAS, in the year 2011, heavy rainfall and snowmelt along the Missouri River combined with intentional releases of impounded water by the U.S. Army Corps of Engineers caused unprecedented amounts of water flow on the river, which led to breached levees and widespread flooding for the states along the river, including Missouri; and

WHEREAS, the extensive flooding destroyed many homes, farms, and businesses, severely impacting the livelihoods of thousands of Missourians, who, in addition to suffering the emotional toll of the disaster, are also suffering a heavy economic burden to repair the devastated land and infrastructure; and

WHEREAS, the U.S. Army Corps of Engineers is charged with management of the Missouri River for eight congressionally-authorized purposes, one of which is flood control; and

WHEREAS, the Army Corps of Engineers has worked extensively for numerous years to develop the Missouri River Master Manual to guide its management of the river which seeks to balance the competing interests of the eight authorized purposes; and

WHEREAS, it is evident that due to the immediate, large-scale and potentially life-threatening impacts upon public health and safety caused by flooding, the authorized purpose of flood control must have the utmost importance in any planning activities on the part of the Army Corps; and

WHEREAS, as a result of the widespread devastation caused by the flood events of 2011, an independent technical review panel was formed to evaluate the Army Corps' river management performance and, specifically, its performance with regard to its responsibility to protect public health and safety through flood control; and

WHEREAS, the independent technical review panel issued its findings and recommendations in December 2011 and concluded that while the Army Corps may have acted in accordance with the Master Manual, the Master Manual itself may not be appropriately flexible or responsive to adequately protect the public from flooding in the case of extreme weather events such as those experienced in 2011; and

WHEREAS, the panel's report further concluded that the Army Corps' Master Manual should not regard extreme weather events such as the precipitation in 2011 as rare, isolated events, but rather as part of a potential climatic pattern for which the Army Corps must be continuously prepared to address; and

WHEREAS, understanding that the prediction of future weather patterns is not an exact science, the Army Corps must allow greater

flexibility in its management activities of reservoir storage and spring rise to anticipate and respond to higher than expected snow and rainfall in the river basin so as to prevent future catastrophic flooding events like that which occurred in 2011 and to position the Army Corps to be successful in accomplishing its flood control duties and protecting the public from disasters that could have been prevented:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Commanding General of the U.S. Army Corps of Engineers to accept the recommendations of the independent technical review panel and modify its Missouri River Master Manual so as to conduct its river management activities in proper accordance with the Corps' mandated responsibility to protect public health and safety through flood control; and

BE IT FURTHER RESOLVED that the U.S. Army Corps of Engineers be urged to continually place the utmost priority on flood control in any future modifications to the Missouri River Master Manual and in its annual planning with the goal of allowing the Army Corps to be able to successfully react and respond to unpredictable weather and extreme weather events so as to prevent future flooding disasters; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commanding General of the U.S. Army Corps of Engineers and the members of the Missouri Congressional delegation.

Senator Lamping offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 17

WHEREAS, two of this country's greatest waterways, the Mississippi River on Missouri's eastern border and the Missouri River which winds across the state, helped Missouri become a supply center for many of the westward-bound settlers of the nation's early years; and

WHEREAS, from the muddy Missouri to the swift and clear Jacks Fork, the hundreds of rivers and streams in Missouri snake across more than 110,000 miles of the state - more than four times the distance around the earth - providing endless recreational opportunities for Missourians, including boating, fishing, swimming, and bird watching along the bluffs bordering our many rivers and streams; and

WHEREAS, shipping along the navigable rivers boosted Missouri's status as an agriculture supplier, barges and steamboats used the waterways to move goods, river towns boomed, and railroads continued to fuel the growth of Missouri as a large transportation center; and

WHEREAS, the Missouri Territory, and later the State of Missouri, took the name of the Missouri River which was named for the Missouri Indians who lived along the banks. The name "Missouri" means "people of the wood canoe"; and

WHEREAS, the State of Missouri has many nicknames, with the most widely recognized being "The Show-Me State". Missouri is also called the "The Cave State", "The Lead State", "The Bullion State", "The Ozark State", "The Iron Mountain State", and the "Pennsylvania of the West"; and

WHEREAS, roads along or near both banks of the Mississippi River along its entire length have been designated as "The Great River Road" and are marked with a special road sign which depicts a ship's wheel; and

WHEREAS, the Great Rivers Greenway District was established in November 2000 in St. Louis City, St. Louis County, and St. Charles County to eventually develop "The River Ring" as an interconnected system of greenways, parks, and trails in the St. Louis area which will enhance the quality of life for residents and visitors; and

WHEREAS, from confluence of the Big Muddy and the Mighty Mississippi at the eastern portion of the state and looking north, south, or west, the State of Missouri includes the land that Meriwether Lewis and William Clark scanned as they began their journey up the Missouri River on their Voyage of Discovery in 1804, the land that is habitat for deer, turkey, bald eagles, and other wildlife, the land that is farmland abundant with agricultural crops, and the same land that held 260 billion gallons of water during the Great Flood of 1993; and

WHEREAS, with much of Missouri's history tied to the mighty rivers that flow through it, Missouri should also be known as the "The Great Rivers State":

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby encourage the use of the slogan "The Great Rivers State" as a slogan for the State of Missouri and urge the Division of Tourism within the Department of Economic Development to recognize and incorporate the slogan in promoting Missouri tourism; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for Kathleen Steele-Danner, the Director of the Division of Tourism.

Senator Pearce assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 689–By Engler and Schmitt.

An Act to repeal sections 565.182 and 570.145, RSMo, and to enact in lieu thereof two new sections relating to crimes against certain types of vulnerable persons, with penalty provisions.

SB 690–By Engler.

An Act to repeal sections 43.260 and 43.265, RSMo, and to enact in lieu thereof two new sections relating to surplus highway patrol property.

SB 691–By Engler and Callahan.

An Act to repeal sections 620.478 and 620.1910, RSMo, and to enact in lieu thereof two new sections relating to economic incentives for certain automotive suppliers.

SB 692–By Stouffer.

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to procedures for decreasing county budgets.

SB 693–By Crowell.

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to the publication of calendars by state agencies.

SB 694–By Nieves.

An Act to repeal sections 8.172 and 8.460, RSMo, and to enact in lieu thereof two new sections relating to the preferential use of the capitol complex by private entities.

SB 695–By Parson.

An Act to repeal section 578.005, RSMo, and to enact in lieu thereof two new sections relating to suspected abuse of farm animals, with penalty provisions.

SB 696–By Kraus.

An Act to repeal sections 303.025 and 303.042, RSMo, and to enact in lieu thereof four new sections relating to the motor vehicle financial responsibility law, with penalty provisions.

SB 697–By Wasson.

An Act to repeal section 375.993, RSMo, and to enact in lieu thereof two new sections relating to fraudulent insurance acts.

SB 698–By Richard.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to construction contract bidding standards for political subdivisions.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 23, 2012

REORGANIZATION PLAN NO. 1

2012

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 1 of 2012, by Executive Order 12-2, to transfer all Medicaid Program audit and compliance responsibilities from the Department of Health and Senior Services, and the Department of Mental Health, and assign them to the Department of Social Services.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

EXECUTIVE ORDER

12-2

WHEREAS, the Department of Social Services, established pursuant to Article IV, Section 37 of the Missouri Constitution, is the single state agency responsible for the administration of the Missouri Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs; and

WHEREAS, the Department of Health and Senior Services, established pursuant to Section 192.005, RSMo, is responsible for public health and aging issues, including administration of the Personal Care and Home and Community-Based Medicaid programs for the aged and disabled; and

WHEREAS, the Department of Mental Health, established pursuant to Article IV, Section 37(a) of the Missouri Constitution, is responsible for issues and programs related to mental disorders, developmental disabilities, and substance abuse; and

WHEREAS, the Missouri Medicaid Audit and Compliance Unit (MMAC) was established in January 2011, within the Department of Social Services, to oversee audit and compliance of Missouri Medicaid Program providers and participants; and

WHEREAS, the MMAC is responsible for detecting, investigating, and preventing fraud against the Missouri Medicaid Program; and

WHEREAS, all Medicaid Program audit and compliance appropriations were transferred from the Department of Social Services' MO HealthNet Division, Department of Health and Senior Services, and the Department of Mental Health to the Department of Social Services MMAC unit in Fiscal Year 2012 by the General Assembly; and

WHEREAS, the work of MMAC has already resulted in the doubling of recoupment of provider overpayments in its first reporting quarter compared with the same quarter in previous years; and

WHEREAS, consolidation of Missouri's Medicaid Title XIX, SCHIP Title XXI and Medicaid Waiver programs' provider enrollment, audit and compliance responsibilities will promote consistent guidance to providers participating in these programs; and

WHEREAS, I am committed to prudently consolidating executive branch operations to ensure that the state delivers vital services in the most efficient and effective manner possible.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, do hereby order the Department of Health and Senior Services, the Department of Mental Health, and the Department of Social Services to cooperate to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of all remaining audit and compliance responsibilities relating to Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs from the Department of Health and Senior Services and the Department of Mental Health to the Department of Social Services, by Type I transfer, as defined under the Reorganization Act of 1974.

2. Develop mechanisms and processes necessary to effectively transfer these duties and functions to the Department of Social Services.
3. Transfer the responsibility for staff support for these duties and functions to the Department of Social Services.
4. Take the steps necessary to maintain compliance with federal requirements, so as not to jeopardize federal financial participation with this consolidation.

This Order shall become effective August 28, 2012, unless disapproved within sixty days of its submission to the Second Regular Session of the 96th General Assembly

Seal

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 23rd day of January, 2012.

Jeremiah W. (Jay) Nixon
Governor

ATTEST:

Robin Carnahan
Secretary of State

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 467**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 467**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 467

An Act to repeal section 37.850, RSMo, and to enact in lieu thereof two new sections relating to the transparency and accountability of public funds, with an emergency clause.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 467** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **SB 467**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 467

An Act to repeal section 37.850, RSMo, and to enact in lieu thereof two new sections relating to the transparency and accountability of public funds, with an emergency clause.

Senator Munzlinger moved that **SS** for **SCS** for **SB 467** be adopted.

Senator Green offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 3, Section 37.850, Line 18, by inserting after all of said line, the following:

"536.087. 1. A party who prevails in an agency proceeding or civil action arising therefrom, brought by or against the state, shall be awarded those reasonable fees and expenses incurred by that party in the civil action or agency proceeding, unless the court or agency finds that the position of the state was substantially justified or that special circumstances make an award unjust.

2. In awarding reasonable fees and expenses under this section to a party who prevails in any action for judicial review of an agency proceeding, the court shall include in that award reasonable fees and expenses incurred during such agency proceeding unless the court finds that during such agency proceeding the position of the state was substantially justified, or that special circumstances make an award unjust.

3. A party seeking an award of fees and other expenses shall, within thirty days of a final disposition in an agency proceeding or final judgment in a civil action, submit to the court, agency or commission which rendered the final disposition or judgment an application which shows that the party is a prevailing party and is eligible to receive an award under this section, and the amount sought, including an itemized statement from any attorney or expert witness representing or appearing in behalf of the party stating the actual time expended and the rate at which fees and other expenses are computed. The party shall also allege that the position of the state was not substantially justified. The fact that the state has lost the agency proceeding or civil action creates no legal presumption that its position was not substantially justified. Whether or not the position of the state was substantially justified shall be determined on the basis of the record (including the record with respect to the action or failure to act by an agency upon which a civil action is based) which is made in the agency proceeding or civil action for which fees and other expenses are sought, and on the basis of the record of any hearing the court or agency deems appropriate to determine whether an award of reasonable fees and expenses should be made, provided that any such hearing shall be limited to consideration of matters which affected the agency's decision leading to the position at issue in the fee application.

4. A prevailing party in an agency proceeding shall submit an application for fees and expenses to the administrative body before which the party prevailed. A prevailing party in a civil action on appeal from an agency proceeding shall submit an application for fees and expenses to the court. The filing of an application shall not stay the time for appealing the merits of a case. When the state appeals the underlying merits of an adversary proceeding, no decision on the application for fees and other expenses in connection with that adversary proceeding shall be made under this section until a final and unreviewable decision is rendered by the court on the appeal or until the underlying merits of the case have been finally determined pursuant to the appeal.

5. The court or agency may either reduce the amount to be awarded or deny any award, to the extent that the prevailing party during the course of the proceedings engaged in conduct which unduly and unreasonably protracted the final resolution of the matter in controversy.

6. The decision of a court or an agency on the application for reasonable fees and expenses shall be in writing, separate from the judgment or order of the court or the administrative decision which determined the prevailing party, and shall include written findings and conclusions and the reason or basis therefor. The decision of a court or an agency on the application for fees and other expenses shall be final, subject respectively to appeal or judicial review.

7. If a party or the state is dissatisfied with a determination of fees and other expenses made in an agency proceeding, that party or the state may within thirty days after the determination is made, seek judicial review of that determination from the court having jurisdiction to review the merits of the underlying decision of the agency adversary proceeding. If a party or the state is dissatisfied with a determination of fees and other expenses made in a civil action arising from an agency proceeding, that party or the state may, within the time permitted by law, appeal that order or judgment to the appellate court having jurisdiction to review the merits of that order or judgment. The reviewing or appellate court's

determination on any judicial review or appeal heard under this subsection shall be based solely on the record made before the agency or court below. The court may modify, reverse or reverse and remand the determination of fees and other expenses if the court finds that the award or failure to make an award of fees and other expenses, or the calculation of the amount of the award, was arbitrary and capricious, was unreasonable, was unsupported by competent and substantial evidence, or was made contrary to law or in excess of the court's or agency's jurisdiction. Awards made pursuant to this act shall be payable from amounts appropriated therefor. **[**The state agency against which the award was made shall request an appropriation to pay the award.**] No agency shall request, or be granted, an additional appropriation of money in order to satisfy an award made under this section. Within thirty days of the judgement awarding fees and other expenses becoming final, including the exhaustion of any appeals, the agency shall forward notification of the amount of awarded fees and other expenses to the chair of the house budget committee and the chair of the senate appropriations committee.**"; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 3, Section 37.850, Line 5, by inserting after "programs" the following: "**, and all bonds issued by political subdivisions of the state or its designated authority, and any obligation issued pursuant to section 99.820, and the revenue stream pledged to repay the bond or obligation**"; and further amend line 18 of said page, by inserting after all of said line the following:

"**5. Every political subdivision of the state shall supply information to the office of administration documenting any bond issuance or obligation incurred as described in subsection 2 of this section, within seven days of such issuance. For all such bonds or obligations issued or incurred prior to August 28, 2012, every political subdivision shall have ninety days to supply such information to the office of administration.**".

Senator Lager moved that the above amendment be adopted.

Senator Schmitt assumed the Chair.

Senator Crowell offered **SA 1** to **SA 2**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 1, Line 3, by inserting after "**by**", the following: "**any public institution of higher education,**"; and further amended line 8, by inserting immediately after "**Every**", the following: "**public institution of higher education and**"; and further amend line 13, by inserting immediately after "**every**", the following: "**public institution of higher education and**".

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

SA 2, as amended, was again taken up.

Senator Lager moved that **SA 2**, as amended, be adopted, which motion prevailed.

Senator Munzlinger moved that **SS** for **SCS** for **SB 467**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 467**, as amended, was declared perfected and ordered printed.

Senator Schaaf moved that **SB 464** be taken up for perfection, which motion prevailed.

Senator Schaaf offered **SS** for **SB 464**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 464

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the authority for creating and operating health insurance exchanges in Missouri, with a referendum clause.

Senator Schaaf moved that **SS** for **SB 464** be adopted.

At the request of Senator Schaaf, **SB 464**, with **SS** (pending), was placed on the Informal Calendar.

REFERRALS

President Pro Tem Mayer referred **SCR 15** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Dempsey, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schmitt.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 467**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

CONCURRENT RESOLUTIONS

Senator Rupp offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 18

WHEREAS, the Missouri General Assembly, acting with the best of intentions, applied to the Congress of the United States by resolution in accordance with Article V, Constitution of the United States, for a constitutional convention for the purpose of amending the Constitution of the United States; and

WHEREAS, Senate Concurrent Resolution No. 3, was passed by the Eighty-second General Assembly of the State of Missouri in 1983 specifically proposing a constitutional convention for the sole purpose of adopting an amendment requiring a balanced federal budget; and

WHEREAS, over the course of time, the will of the people of the State of Missouri has changed with regards to Missouri's previous call for a constitutional convention to amend the Constitution of the United States; and

WHEREAS, certain persons or states have called for a constitutional convention on issues that may be directly in opposition to the will of the people of this state; and

WHEREAS, the people of this state do not want their previous applications for a constitutional convention to be aggregated with those calls for a convention from other states; and

WHEREAS, former Justice of the United States Supreme Court Warren E. Burger, former Associate Justice of the United States Supreme Court Arthur J. Goldberg and many other leading constitutional scholars are in general agreement that a convention, notwithstanding whatever limitation might be placed on it by the call for a convention, may propose sweeping constitutional changes or, by virtue of the authority of a constitutional convention, redraft the Constitution of the United States creating an imminent peril to the well established rights of citizens and to the duties of various levels of government; and

WHEREAS, the Constitution of the United States has been amended many times in the history of this nation and may be amended many more times without the need to resort to a constitutional convention, and has been interpreted for more than two hundred years and found to be a sound document that protects the lives and liberties of citizens; and

WHEREAS, there is no need for, and in fact there is great danger in, a new constitution or in opening the Constitution of the United States to radical changes, the adoption of which could create legal chaos in this nation and begin the process of another two centuries of litigation over its meaning and interpretation; and

WHEREAS, changes or amendments that may be needed in the present Constitution of the United States may be proposed and enacted without resorting to a constitutional convention by using the process provided in the Constitution and previously used throughout the history of this nation:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, that the Missouri General Assembly hereby repeals, rescinds, cancels, renders null and void and supersedes any and all existing applications to the Congress of the United States for a constitutional convention under Article V of the Constitution of the United States for any purpose, whether limited or general; and

BE IT FURTHER RESOLVED that the Missouri General Assembly urges the legislature of each and every state that has applied to Congress for either a general or limited constitutional convention to repeal and rescind their applications; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives, the Administrator of General Services in Washington, D.C., each member of Missouri's Congressional delegation, and the Secretaries of State and presiding officers of both houses of the legislatures of each state in the Union.

INTRODUCTION OF BILLS

SB 699–By Goodman, Justus and Parson.

An Act to repeal sections 221.105, 559.016, 559.036, and 559.100, RSMo, and to enact in lieu thereof seven new sections relating to criminal offenders under the supervision of the department of corrections, with penalty provisions.

SENATE BILLS FOR PERFECTION

Senator Schaaf moved that **SB 464**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SB 464** was again taken up.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 464, Page 2, Section 376.1186, Lines 21-22 of said page, by striking "or a federally-facilitated health benefit exchange"; and further amend lines 25-28, by striking all of said lines; and

Further amend said bill and section, page 3, lines 1-13 of said page, by striking all of said lines; and further amend said section by renumbering the remaining subsections accordingly; and

Further amend said bill and section, page 4, line 19 of said page, by striking the word "The"; and further amend lines 20-24 of said page, by striking all of said lines.

Senator Justus moved that the above amendment be adopted, which motion failed.

Senator Schaaf moved that **SS** for **SB 464** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SS** for **SB 464** was declared perfected and ordered printed.

RESOLUTIONS

Senator Nieves offered Senate Resolution No. 1299, regarding Jacob Anthony Gass, Wildwood, which was adopted.

Senator Brown offered Senate Resolution No. 1300, regarding Patricia Hofherr, Saint James, which was adopted.

Senator Wasson offered Senate Resolution No. 1301, regarding Alison Bos, Billings, which was adopted.

Senator Wasson offered Senate Resolution No. 1302, regarding Lindsay Kittrell, Republic, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Wright-Jones introduced to the Senate, Michael Butler, Kaylan Holloway and Roshaunda O'Neal.

Senator Nieves introduced to the Senate, Tim Hays, Beaufort; Jim Faupel, New Haven; and Frank Rice and Mike Pate, Union.

Senator Lamping introduced to the Senate, Holly Neill, Jaime Bodden and Jess Favre.

Senator Stouffer introduced to the Senate, David and Sarah Bentley, Marshall.

On behalf of Senator Pearce, the President introduced to the Senate, President Chuck Ambrose, University of Central Missouri, Warrensburg.

Senator Pearce introduced to the Senate, Larry Isaak, Pam Schutt and Ann Grindland, Minneapolis, Minnesota.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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TWELFTH DAY–WEDNESDAY, JANUARY 25, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke
SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SB 606-Schmitt

SB 607-Stouffer
SB 608-Wasson and Richard
SB 609-Lembke
SB 610-Lembke
SB 611-Lembke
SB 612-Lembke
SB 613-Kehoe, et al
SB 614-Kehoe and Lamping
SB 615-McKenna
SB 616-Wasson
SB 617-Schaaf
SB 618-Schaaf
SB 619-Richard
SB 620-Rupp
SB 621-Brown
SB 622-Cunningham
SB 623-Cunningham
SB 624-Lembke
SB 625-Kehoe
SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler
SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SB 651-Schaefer
SB 652-Lager
SB 653-Lager
SB 654-Lager
SB 655-Green, et al
SB 656-Lager and Dixon
SB 657-Rupp
SB 658-Rupp
SB 659-Dempsey and Rupp
SB 660-Schmitt
SB 661-Schmitt
SB 662-Schmitt
SB 663-Chappelle-Nadal
SB 664-Chappelle-Nadal
SB 665-Stouffer
SB 666-Keaveny
SB 667-Wasson
SB 668-Lembke
SB 669-Lembke
SB 670-Green
SB 671-Parson
SB 672-Brown
SB 673-Brown
SB 674-Schaaf
SB 675-Crowell
SB 676-Nieves
SB 677-Pearce
SB 678-Schaaf
SB 679-Dixon
SB 680-Nieves
SB 681-Lager
SB 682-Dempsey, et al
SB 683-Crowell
SB 684-Crowell
SB 685-Crowell
SB 686-Schaaf
SB 687-Schmitt
SB 688-Schmitt
SB 689-Engler and Schmitt
SB 690-Engler
SB 691-Engler and Callahan
SB 692-Stouffer

SB 693-Crowell
SB 694-Nieves
SB 695-Parson
SB 696-Kraus
SB 697-Wasson
SB 698-Richard
SB 699-Goodman, et al
SJR 43-Green
SJR 44-Green
SJR 45-Nieves
SJR 46-Lager
SJR 47-Rupp

HOUSE BILLS ON SECOND READING

HCS for HJR 43

THIRD READING OF SENATE BILLS

SS for SCS for SB 443-Stouffer
(In Fiscal Oversight)

SS for SCS for SB 467-Munzlinger

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 592-Lager, with SCS & SA 1 (pending)

RESOLUTIONS

To be Referred

SCR 16-Stouffer
SCR 17-Lamping
SCR 18-Rupp

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Journal of the Senate

SECOND REGULAR SESSION

TWELFTH DAY—WEDNESDAY, JANUARY 25, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Senator Stouffer offered the following prayer:

"Your thunder was heard in the whirlwind,
your lightning lit up the world;
the earth trembled and quaked.
Your path led through the sea,
your way through the mighty waters,
though your footprints were not seen." (Psalm 77:18-19)

Father in heaven, as we move through these troubled times, let us look to You for guidance. Give us strength to follow Your will in the name of Jesus Christ our Lord and Savior. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Crowell offered Senate Resolution No. 1303, regarding McDonald's of Fredericktown, which was adopted.

Senator Crowell offered Senate Resolution No. 1304, regarding Harold Thomas, Fredericktown, which was adopted.

Senator Crowell offered Senate Resolution No. 1305, regarding Barbara Hargiss, Fredericktown, which was adopted.

Senator Crowell offered Senate Resolution No. 1306, regarding the Madison Medical Center, Fredericktown, which was adopted.

Senator Crowell offered Senate Resolution No. 1307, regarding Hull Trucking, Inc., Old Appleton, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 700–By Lamping.

An Act to repeal section 36.390, RSMo, and to enact in lieu thereof one new section relating to appeal procedures for nonmerit employees.

SB 701–By Mayer.

An Act to repeal section 142.932, RSMo, and to enact in lieu thereof one new section relating to operating a motor vehicle with dyed motor fuel, with penalty provisions in existing language.

SB 702–By Pearce.

An Act to repeal section 620.515, RSMo, and to enact in lieu thereof one new section relating to members of the military and their families.

SB 703–By Wright-Jones.

An Act to repeal section 313.270, RSMo, and to enact in lieu thereof one new section relating to lottery commission contracting requirements.

SB 704–By Wright-Jones.

An Act to repeal sections 508.050 and 523.010, RSMo, and to enact in lieu thereof two new sections relating to condemnation proceedings.

SB 705–By Wright-Jones.

An Act to repeal sections 143.1009 and 301.3084, RSMo, and to enact in lieu thereof two new sections relating to breast cancer awareness.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred

SS for **SB 464**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Stouffer assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Lager moved that **SB 592**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Schmitt assumed the Chair.

Senator Pearce assumed the Chair.

At the request of Senator Lager, **SB 592**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1135**, entitled:

An Act to repeal section 536.041, RSMo, and to enact in lieu thereof three new sections relating to the review of state administrative rules.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1140**, entitled:

An Act to amend chapter 37, RSMo, by adding thereto three new sections relating to the Missouri accountability portal.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Gus S. Wetzel II, Republican, as a member of the University of Central Missouri Board of Governors;

Also,

Christine Grace, as a member of the Missouri Task Force on Prematurity and Infant Mortality;

Also,

Roger L. Worthington, Democrat, as a member of the Missouri Commission on Human Rights;

Also,

Donald L. Yost Jr., Janice T. Unger and Michael S. Levitt, as members of the Missouri Board of Nursing Home Administrators;

Also,

Susan L. Venable, Richard D. Orr and John C. Hanneke, Democrats, as members of the Credit Union Commission;

Also,

Pamela Q. Henrickson, Republican, as a member of the University of Missouri Board of Curators;

Also,

Lori L. Glasscock, as a member of the Board of Cosmetology and Barbers Examiners;

Also,

Jerome D. Lee, as Director of the Department of Public Safety;

Also,

Thomas M. Meyer, Democrat, as a member of the Southeast Missouri State University Board of Regents;

Also,

David W. Sigars, as the student representative to the Missouri Southern State University Board of Governors;

Also,

Charles Surface, Republican, as a member of the Missouri Southern State University Board of Governors;

Also,

Constance Gully, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District;

Also,

Sherry Jones, Republican, as a member of the State Fair Commission;

Also,

Debra Stenger, as a member of the Advisory Committee for 911 Service Oversight;

Also,

Erin Burlison-Huss, as a member of the Missouri Consolidated Health Care Plan Board of Trustees;

Also,

Carrie T. Hruza, as a member of the State Board of Optometry;

Also,

Stephen Roling, as a member of the Mental Health Commission;

Also,

Charles R. Giessing, as a member of the Board of Private Investigator and Private Fire Investigator Examiners;

Also,

Jennifer Gundy, as a member of the Missouri Quality Home Care Council;

Also,

Linda Duffy, Republican, as a member of the Missouri Community Service Commission;

Also,

Deron L. Cherry, Republican, as a member of the Jackson County Sports Complex Authority.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

REFERRALS

President Pro Tem Mayer referred **SS** for **SB 464** to the Committee on Ways and Means and Fiscal Oversight.

President Pro Tem Mayer referred **SCR 16**, **SCR 17** and **SCR 18** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Dempsey, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

CONCURRENT RESOLUTIONS

Senators Munzlinger, Purgason, Brown, Crowell and Parson offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 19

Relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

WHEREAS, Section 137.021, RSMo, provides that on or before December thirty-first of each odd-numbered year the State Tax Commission is required to promulgate by regulation a value for each grade of agricultural and horticultural land based on productive capability; and

WHEREAS, the State Tax Commission, in accordance with Section 137.021, RSMo, did on December 23, 2011, propose a value for each of the eight grades of agricultural and horticultural land for the 2013 and 2014 assessment years, with changes to grades 1 through 4; and

WHEREAS, the members of the General Assembly believe that the proposed amendment to 12 CSR 30-4.010 increases the values of various agricultural grades beyond the level which the General Assembly considers to be fair and reasonable; and

WHEREAS, Section 137.021, RSMo, permits the General Assembly to disapprove within the first sixty days of the next Regular Session of the General Assembly the agricultural and horticultural values as proposed by the State Tax Commission:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby disapprove the new agricultural land productive values contained in the proposed amendment to 12 CSR 30-4.010; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Missouri State Tax Commission.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Lager moved that **SB 592**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Kraus assumed the Chair.

Senator Callahan moved that **SA 1** be adopted, which motion failed by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Wright-Jones—8

NAYS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer
Wasson—25							

Absent—Senator Schaefer—1

Absent with leave—Senators—None

Vacancies—None

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 592, Page 1, Section 213.010, Line 12, by inserting immediately after "**factor**", the following: "**unless the decision or action has an adverse impact on the protected criterion. In which case, courts shall rely heavily upon judicial interpretations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et seq., as amended; the Age Discrimination Employment Act of 1967, 29 U.S.C. 621, et seq., as amended; and the Americans With Disabilities Act, 42 U.S.C. 12101, et seq., as amended**"; and

Further amend said bill, section 213.101, page 5, line 26, by inserting immediately after said line, the following:

"**(3) When the action alleges adverse impact discrimination, subdivisions (1) and (2) of this subsection shall not apply. In such cases, courts shall rely heavily upon judicial interpretations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et seq., as amended; the Age Discrimination Employment Act of 1967, 29 U.S.C. 621, et seq., as amended; and the Americans With Disabilities Act, 42 U.S.C. 12101, et seq., as amended.**".

Senator Dixon moved that the above amendment be adopted.

Senator Stouffer assumed the Chair.

Senator Justus offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 592, Page 1, Section 213.010, Lines 11-13, by striking all of the bold-faced language from said lines; and further amend said section by renumbering the remaining subdivisions accordingly.

Senator Justus moved that the above substitute amendment be adopted, which motion failed.

SA 2 was again taken up.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 592, Page 7, Section 213.111, Line 73, by inserting after all of said line, the following:

"**8. Subsections 4, 5, and 6 of this section shall not apply when there is an alleged violation of sections 213.040, 213.045, or 213.050. Subsections 4, 5, and 6 of this section shall apply when there is an alleged violation of section 213.070 against an employer, but not otherwise.**".

Senator Lager moved that the above amendment be adopted.

At the request of Senator Lager, **SB 592**, with **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1308, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. James William Howe, Bolivar, which was adopted.

Senator Lamping offered Senate Resolution No. 1309, regarding Gail Kramer, St. Louis, which was adopted.

Senator Crowell offered Senate Resolution No. 1310, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Bobby G. Hensley, Scott City, which was adopted.

Senator Crowell offered Senate Resolution No. 1311, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard Roth, Scott City, which was adopted.

Senator Crowell offered Senate Resolution No. 1312, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Darrell W. Sander, Jackson, which was adopted.

Senator Green offered Senate Resolution No. 1313, regarding Maureen Rone, St. Louis, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Dixon introduced to the Senate, Reverend Don McClintock, Springfield.

Senator Schaefer introduced to the Senate, Dean Hainsworth, M.D., Columbia.

Senator Schaefer introduced to the Senate, students with National History Day in Missouri: Justin Hamilton, Jacob Schwenneker, William Chlanda, Brandon Splitter, Benjamin Croy, Jason Ogle, Skyler Adams, Lauren Grundberg, Tyler Hurt, John Swift and Emily Duncan.

Senator Wasson introduced to the Senate, the Physician of the Day, Ben Lampert, M.D., Springfield.

Senator Richard introduced to the Senate, David Sigars, Neosho.

Senator Richard introduced to the Senate, Aaron and Louis Surgi, Webb City; and Luke Seidl, Joplin.

Senator Richard introduced to the Senate, Chuck and Sherry Surface, Webb City; and their granddaughter, Lauren Smith; and Lauren was made an honorary page.

Senator Cunningham introduced to the Senate, Dr. John Holds and Dr. Elliot Korn, St. Louis.

Senator Schmitt introduced to the Senate, Sondra DePriest, Steve York, Pat Reuter, John Crouch, Bob Letterman, Justin Howe, John Lindbloom, Kathy Meyer and Gary Johnson.

Senator Kehoe introduced to the Senate, Head Coach Craig Miller, Principal Heath Waters, Superintendent Jerry Hobbs and members of the Class 1 State Champion 2011 Russellville High School Girls Cross Country team: Cassandra Carter, Izzy Michitsch, Miranda Hill, Grace Young, Taylor Young, Hannah Michitsch, Erica Miller, Justice Miller and Molly Amos.

Senator Lamping introduced to the Senate, Heather Schmeimeier, St. Louis; and Cody Baker, Festus.

Senator Rupp introduced to the Senate, David Schlager, St. Charles.

Senator Ridgeway introduced to the Senate, Vicky Ward, Elise Bennett and members of Youth With Vision: Isaac Hamilton, Nicole Futch, Samantha Linard, Abbey McKern, Heather Harms, Jennifer Tsai, Jared Koller, Samantha Watts, Justin Berlesen, Megan Jeffries, Eva Schmidt, Brittany Mitchell, Michelle Anderson, Katy Plogher, Amanda Sarver, Jenna Abbott, Ashley Henry, Andrea Kluhsman, Elaina Nuetzman and Taylor Schmidt.

Senator Pearce introduced to the Senate, Richard Orr, Warrensburg.

Senator Mayer introduced to the Senate, Gary and LeVeda Scates and Lisa Thrower, Dexter.

Senator Brown introduced to the Senate, his grandchildren, Maya and Rio Sherrell, Rolla; and Maya and Rio were made honorary pages.

Senator Dixon introduced to the Senate, his wife, Amanda, Springfield.

On behalf of Senator Pearce, the President introduced to the Senate, Vicki Hughes.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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THIRTEENTH DAY–THURSDAY, JANUARY 26, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 597-Dempsey
SB 598-Dempsey
SB 599-Schaefer
SB 600-Lembke
SB 601-Lembke
SB 602-Green
SB 603-Green
SB 604-Green
SB 605-Green
SB 606-Schmitt
SB 607-Stouffer
SB 608-Wasson and Richard
SB 609-Lembke
SB 610-Lembke
SB 611-Lembke
SB 612-Lembke
SB 613-Kehoe, et al
SB 614-Kehoe and Lamping
SB 615-McKenna
SB 616-Wasson
SB 617-Schaaf
SB 618-Schaaf
SB 619-Richard
SB 620-Rupp
SB 621-Brown
SB 622-Cunningham
SB 623-Cunningham
SB 624-Lembke
SB 625-Kehoe
SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler
SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SB 651-Schaefer
SB 652-Lager
SB 653-Lager
SB 654-Lager
SB 655-Green, et al
SB 656-Lager and Dixon
SB 657-Rupp
SB 658-Rupp
SB 659-Dempsey and Rupp
SB 660-Schmitt
SB 661-Schmitt
SB 662-Schmitt
SB 663-Chappelle-Nadal
SB 664-Chappelle-Nadal

SB 665-Stouffer
SB 666-Keaveny
SB 667-Wasson
SB 668-Lembke
SB 669-Lembke
SB 670-Green
SB 671-Parson
SB 672-Brown
SB 673-Brown
SB 674-Schaaf
SB 675-Crowell
SB 676-Nieves
SB 677-Pearce
SB 678-Schaaf
SB 679-Dixon
SB 680-Nieves
SB 681-Lager
SB 682-Dempsey, et al
SB 683-Crowell
SB 684-Crowell
SB 685-Crowell
SB 686-Schaaf
SB 687-Schmitt
SB 688-Schmitt
SB 689-Engler and Schmitt
SB 690-Engler
SB 691-Engler and Callahan
SB 692-Stouffer
SB 693-Crowell
SB 694-Nieves
SB 695-Parson
SB 696-Kraus
SB 697-Wasson
SB 698-Richard
SB 699-Goodman, et al
SB 700-Lamping
SB 701-Mayer
SB 702-Pearce
SB 703-Wright-Jones
SB 704-Wright-Jones
SB 705-Wright-Jones
SJR 43-Green
SJR 44-Green
SJR 45-Nieves
SJR 46-Lager
SJR 47-Rupp

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140

THIRD READING OF SENATE BILLS

SS for SCS for SB 443-Stouffer (In Fiscal Oversight)
SS for SCS for SB 467-Munzlinger
SS for SB 464-Schaaf (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 592-Lager, with SCS & SA 3 (pending)

RESOLUTIONS

To be Referred

SCR 19-Munzlinger, et al

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Journal of the Senate

SECOND REGULAR SESSION

THIRTEENTH DAY—THURSDAY, JANUARY 26, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"How precious also are thy thoughts unto me, O God! How great is the sum of them!" (Psalm 139:17)

O Lord we ask for the gift of time with our family and friends, time in Your house and time to experience the joy and beauty of the blessings we receive from Your gracious hands. We know that whatever comes into our lives first existed as a thought in Your mind and You help us to deal with whatever may come our way. Thank You for Your graciousness to us that flows from Your Fatherly love for us, Your children. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 1314, regarding Reverend Thomas M. Molini, Kirkwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1315, regarding the American Heart Association Midwest Affiliate, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 706–By Cunningham.

An Act to repeal sections 162.081, 163.021, 163.036, 167.131, 168.104, 168.106, 168.116, 168.124, 168.128, and 168.221, RSMo, and to enact in lieu thereof twenty-five new sections relating to school operations, with an emergency clause for certain sections and an effective date for certain sections.

SB 707–By Cunningham.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to diagnostic radiology testing.

SB 708–By Wasson.

An Act to repeal sections 135.535 and 135.562, RSMo, and to enact in lieu thereof two new sections relating to tax credits for renovations for disability access.

SB 709–By Schaaf.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to disqualifying certain persons receiving public assistance from engaging in gaming activities.

SB 710–By Engler, Dempsey, Richard, McKenna, Schmitt, Parson and Lamping.

An Act to amend chapter 195, RSMo, by adding thereto nine new sections relating to a prescription drug monitoring program, with penalty provisions.

SB 711–By Lamping.

An Act to repeal section 453.005, RSMo, and to enact in lieu thereof one new section relating to the prohibition of racial considerations in adoption proceedings.

SB 712–By Lamping.

An Act to repeal section 135.326, RSMo, and to enact in lieu thereof one new section relating to eligibility for the special needs adoption tax credit.

SB 713–By Lamping.

An Act to repeal section 453.121, RSMo, and to enact in lieu thereof one new section relating to adoption records.

SB 714–By Lager.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the use of recreational off-highway vehicles, with penalty provisions.

SJR 48–By Dixon.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to holding office as a member of the general assembly after serving on an apportionment commission.

RESOLUTIONS

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 1316

WHEREAS, the Administration Committee is required by law to establish the rates of pay each year, and

WHEREAS, such rates of pay are to be the same as those established under the policies of the Personnel Division of the Office of Administration for comparable duties after examination of the rates of pay then in effect, and

WHEREAS, the rates of pay established shall become effective with the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Administration that the number, classification and rates of pay authorized for employees of the Senate shall include one department director and eight division level directors to be compensated according to Office of Administration guidelines; and the following authorized employees at rates of pay within the ranges hereby established.

NO.	CLASSIFICATION	MONTHLY SALARY RANGE
4	Staff Attorney II	3,476 - 5,135
1	Senior Staff Attorney	3,932 - 5,829
3	Research Analyst IV	3,476 - 5,135
1	Investigator	3,225 - 4,724
4	Research Staff Secretary	2,688 - 3,832
2	Budget Research Analyst II	2,996 - 4,263
2	Budget Research Analyst III	3,476 - 5,135
1	Assistant Director Budget Research	4,629 - 6,644
1	Budget Staff Secretary	2,688 - 3,832
3	Assistant Secretary of Senate	2,996 - 4,263
1	Enrolling & Engrossing Supervisor	2,996 - 4,263
2.5	Enrolling & Engrossing Clerk	2,383 - 3,351
1	Billroom Supervisor	2,383 - 3,351
1	Billroom Clerk	2,048 - 2,828
5	Public Information Specialist	2,383 - 3,351
1	Photographer	2,688 - 3,832
1	Administrative Assistant	3,131 - 6,425
1	Telecommunications Coordinator	2,996 - 4,263
1.5	Accounting Specialist	2,785 - 3,932
1	Human Resources Specialist	2,785 - 3,932
1	Office Assistance Supervisor	2,996 - 4,263
8.5	Administrative/Office Support	2,785 - 3,932
1	Messenger	1,983 - 2,679
2	Computer Info. Technology Spec. I	3,832 - 5,590
2	Computer Info. Technology Spec. II	4,441 - 6,357
1	Computer Info. Technology Spec. III	4,629 - 6,644
2	Computer Info. Technologist I	2,383 - 3,351
3	Computer Info. Technologist II	3,108 - 4,441
1	Network/Communications Specialist	3,832 - 5,590

NO.	CLASSIFICATION	MONTHLY SALARY RANGE
1	Composing Equipment Operator III	2,232 - 3,108
1	Printing Services Technician II	2,048 - 2,828
2	Printing Services Technician III	2,232 - 3,108
2	Printing Services Technician IV	2,508 - 3,476
1	Maintenance Supervisor	2,508 - 3,476
1	Carpenter II	2,508 - 3,476
1	Maintenance Worker	2,048 - 2,828
0.5	Sergeant at Arms (Elected)	2,508 - 3,476
0.5	Doorkeeper (Elected)	1,832 - 2,460
3.5	Assistant Doorkeeper	1,678 - 2,183
0.5	Reading Clerk	1,678 - 2,183
0.5	Chaplain	908 - 1,202
0.5	Security Guard	1,727 - 2,297

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to establish a formula setting forth the maximum amount which may be expended by each Senator and each caucus for the employment of Administrative and Clerical Assistants. Each Senator plus the President Pro Tem and the Minority Leader on behalf of their caucus will be notified of the funds available, and shall thereafter certify to the Senate Administrator the names and addresses of Administrative and Clerical Assistants. The compensation paid to the Senators' and caucus administrative and clerical assistants shall be within the limits of the categories set forth herein above.

BE IT FURTHER RESOLVED that the Senate Administrator, with the approval of the Senate Administration Committee, shall have the authority to cooperate and coordinate with the Chief Clerk of the House in the selection of employees, who shall be assigned to the garage, Joint Committee Staffs and the rotunda area, and who will be paid from the Joint House and Senate Contingent Fund, within the limits of the categories set out above.

BE IT FURTHER RESOLVED that the Committee on Administration has the authority to reduce, combine or consolidate positions and salaries where necessary to meet changed conditions or circumstances which arise, and may enter into contracts with consultants, provided such consultant's contract fee does not exceed the salary for the comparable position, and such consultant shall count as an employee of the Senate.

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to adjust the foregoing pay ranges in July to reflect implementation of the state pay plan for FY 2013.

Senator Richard offered Senate Resolution No. 1317, regarding Louis Edward Surgi, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 443**, begs leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 443**, introduced by Senator Stouffer, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 443

An Act to repeal sections 302.309, 302.341, 302.700, and 577.023, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with penalty provisions in existing language

and a contingent effective date for certain sections.

Was taken up.

On motion of Senator Stouffer, **SS** for **SCS** for **SB 443** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Kraus	Lembke	Nieves	Purgason—4

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 467**, introduced by Senator Munzlinger, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 467

An Act to repeal sections 37.850 and 536.087, RSMo, and to enact in lieu thereof three new sections relating to the transparency and accountability of public funds, with an emergency clause.

Was taken up.

On motion of Senator Munzlinger, **SS** for **SCS** for **SB 467** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which were referred **SB 553** and **SB 435**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 439**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 596**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 438**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 547**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SJR 29**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 455**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 469**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 597—Jobs, Economic Development and Local Government.

SB 598—Ways and Means and Fiscal Oversight.

SB 599—Education.

SB 600—Judiciary and Civil and Criminal Jurisprudence.

SB 601—Education.

SB 602—Transportation.

SB 603—Financial and Governmental Organizations and Elections.

SB 604—Judiciary and Civil and Criminal Jurisprudence.

SB 605—Rules, Joint Rules, Resolutions and Ethics.

SB 606—Commerce, Consumer Protection, Energy and the Environment.

SB 607—Transportation.

SB 608—Health, Mental Health, Seniors and Families.

SB 609—Judiciary and Civil and Criminal Jurisprudence.

SB 610—Transportation.

SB 611—Transportation.

SB 612—Ways and Means and Fiscal Oversight.

SB 613—Judiciary and Civil and Criminal Jurisprudence.

SB 614—Judiciary and Civil and Criminal Jurisprudence.

SB 615—Jobs, Economic Development and Local Government.

SB 616—Small Business, Insurance and Industry.

SB 617—Health, Mental Health, Seniors and Families.

SB 618—Financial and Governmental Organizations and Elections.

SB 619—Small Business, Insurance and Industry.

SB 620—Small Business, Insurance and Industry.

SB 621—Financial and Governmental Organizations and Elections.

SB 622—Small Business, Insurance and Industry.

SB 623—Financial and Governmental Organizations and Elections.

SB 624—Small Business, Insurance and Industry.

SB 625—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 19—Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator Nieves introduced to the Senate, Pat Dolan, Washington; and Kathie Zuroweste, New Haven.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, January 30, 2012.

SENATE CALENDAR

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FOURTEENTH DAY–MONDAY, JANUARY 30, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler

SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler
SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SB 651-Schaefer
SB 652-Lager
SB 653-Lager
SB 654-Lager
SB 655-Green, et al
SB 656-Lager and Dixon
SB 657-Rupp
SB 658-Rupp
SB 659-Dempsey and Rupp
SB 660-Schmitt
SB 661-Schmitt
SB 662-Schmitt
SB 663-Chappelle-Nadal
SB 664-Chappelle-Nadal
SB 665-Stouffer
SB 666-Keaveny
SB 667-Wasson
SB 668-Lembke
SB 669-Lembke
SB 670-Green
SB 671-Parson
SB 672-Brown
SB 673-Brown
SB 674-Schaaf
SB 675-Crowell
SB 676-Nieves
SB 677-Pearce
SB 678-Schaaf
SB 679-Dixon
SB 680-Nieves
SB 681-Lager
SB 682-Dempsey, et al
SB 683-Crowell
SB 684-Crowell
SB 685-Crowell
SB 686-Schaaf
SB 687-Schmitt
SB 688-Schmitt
SB 689-Engler and Schmitt
SB 690-Engler
SB 691-Engler and Callahan
SB 692-Stouffer
SB 693-Crowell
SB 694-Nieves
SB 695-Parson
SB 696-Kraus
SB 697-Wasson
SB 698-Richard
SB 699-Goodman, et al
SB 700-Lamping
SB 701-Mayer
SB 702-Pearce
SB 703-Wright-Jones
SB 704-Wright-Jones
SB 705-Wright-Jones
SB 706-Cunningham
SB 707-Cunningham
SB 708-Wasson
SB 709-Schaaf
SB 710-Engler, et al
SB 711-Lamping
SB 712-Lamping
SB 713-Lamping

SB 714-Lager
SJR 43-Green
SJR 44-Green
SJR 45-Nieves
SJR 46-Lager
SJR 47-Rupp
SJR 48-Dixon

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140

THIRD READING OF SENATE BILLS

SS for SB 464-Schaaf (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SBs 553 & 435-Brown, with SCS
SB 439-Mayer, with SCS
SB 596-Brown, with SCS
SB 438-Mayer
SB 547-Purgason
SJR 29-Lamping
SB 455-Pearce
SB 469-Dixon, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 592-Lager, with SCS & SA 3 (pending)

RESOLUTIONS

SR 1316-Dempsey

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Journal of the Senate

SECOND REGULAR SESSION

FOURTEENTH DAY—MONDAY, JANUARY 30, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"The greatest privilege God gives to you is the freedom to approach Him at any time." (Wesley L. Duewel)

It is a beautiful day and we rejoice in the gift of it, Heavenly Father. But even more wondrous is the gift of Your presence and our freedom to call You Abba, Father. You have given us Your name so we know who it is who loves us and listens to our petitions. And we are thankful for the privilege to be so honored. So we ask for Your guidance this week as we have begun to look at needful things. Bless us with wisdom to know what is most helpful and needed by our people and we will do what is required of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 26, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Green offered Senate Resolution No. 1318, regarding Michael Joseph Kremer, which was adopted.

Senator Mayer offered Senate Resolution No. 1319, regarding the Seventy-ninth Birthday of Willie Mae Pulliam, Kennett, which was adopted.

Senator Schmitt offered Senate Resolution No. 1320, regarding the 200th Anniversary of the Sisters of Loretto, which was adopted.

Senator Engler offered Senate Resolution No. 1321, regarding Brad S. Langley, Park Hills, which was adopted.

Senator Engler offered Senate Resolution No. 1322, regarding Linda S. Barron, Farmington, which was adopted.

Senator Crowell offered Senate Resolution No. 1323, regarding John Hargis, Jr. and Jamie Hargis, Fredericktown, which was adopted.

Senator Crowell offered Senate Resolution No. 1324, regarding Dennis Barrett and Jeff Jensen, Fredericktown, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 715–By Kraus.

An Act to repeal section 41.050, RSMo, and to enact in lieu thereof one new section relating to the state militia.

SB 716–By Schaaf.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance.

SB 717–By Stouffer.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to distracted driving, with penalty provisions.

SB 718–By Stouffer.

An Act to repeal section 630.170, RSMo, and to enact in lieu thereof one new section relating to the employment disqualification registry.

SB 719–By Kehoe.

An Act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary boating safety identification cards to nonresidents.

SB 720–By Kehoe.

An Act to repeal section 545.473, RSMo, and to enact in lieu thereof one new section relating to the procedure for change of venue in counties with average yearly inmate populations in excess of one thousand inmates.

RESOLUTIONS

Senator Dempsey moved that **SR 1316** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **SR 1316** was adopted.

Senator Pearce assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Bradley G. Gregory, Republican, as a member of the Missouri Development Finance Board;

Also,

Melanie R. Rippetoe, as a member of the Higher Education Loan Authority;

Also,

Curtis Chick, Democrat, as a member of the Labor and Industrial Relations Commission;

Also,

Stephen M. Sauter, Independent, as a member of the Missouri Housing Development Commission;

Also,

Margaret Benz, as a member of the MO HealthNet Oversight Committee.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion.

Senator Kraus objected to the unanimous consent request, asking that a separate vote be taken on Stephen M. Sauter.

Senator Mayer requested unanimous consent of the Senate to vote on the following appointments in one motion: Bradley G. Gregory; Melanie R. Rippetoe; Curtis Chick; and Margaret Benz, which request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

At the request of Senator Mayer, the appointment of Stephen M. Sauter was returned to the Committee on Gubernatorial Appointments.

INTRODUCTIONS OF GUESTS

Senator Purgason introduced to the Senate, his daughter, Tracey, Caulfield; and Thomas Van Puyvelde and Mathieu Carmie, France.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTEENTH DAY–TUESDAY, JANUARY 31, 2012

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler
SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SB 651-Schaefer
SB 652-Lager
SB 653-Lager
SB 654-Lager
SB 655-Green, et al
SB 656-Lager and Dixon
SB 657-Rupp
SB 658-Rupp
SB 659-Dempsey and Rupp
SB 660-Schmitt
SB 661-Schmitt
SB 662-Schmitt
SB 663-Chappelle-Nadal
SB 664-Chappelle-Nadal
SB 665-Stouffer
SB 666-Keaveny
SB 667-Wasson
SB 668-Lembke
SB 669-Lembke
SB 670-Green
SB 671-Parson
SB 672-Brown
SB 673-Brown
SB 674-Schaaf
SB 675-Crowell
SB 676-Nieves
SB 677-Pearce
SB 678-Schaaf
SB 679-Dixon
SB 680-Nieves
SB 681-Lager
SB 682-Dempsey, et al
SB 683-Crowell
SB 684-Crowell
SB 685-Crowell

SB 686-Schaaf
SB 687-Schmitt
SB 688-Schmitt
SB 689-Engler and Schmitt
SB 690-Engler
SB 691-Engler and Callahan
SB 692-Stouffer
SB 693-Crowell
SB 694-Nieves
SB 695-Parson
SB 696-Kraus
SB 697-Wasson
SB 698-Richard
SB 699-Goodman, et al
SB 700-Lamping
SB 701-Mayer
SB 702-Pearce
SB 703-Wright-Jones
SB 704-Wright-Jones
SB 705-Wright-Jones
SB 706-Cunningham
SB 707-Cunningham
SB 708-Wasson
SB 709-Schaaf
SB 710-Engler, et al
SB 711-Lamping
SB 712-Lamping
SB 713-Lamping
SB 714-Lager
SB 715-Kraus
SB 716-Schaaf
SB 717-Stouffer
SB 718-Stouffer
SB 719-Kehoe
SB 720-Kehoe
SJR 43-Green
SJR 44-Green
SJR 45-Nieves
SJR 46-Lager
SJR 47-Rupp
SJR 48-Dixon

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140

THIRD READING OF SENATE BILLS

SS for SB 464-Schaaf (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SBs 553 & 435-Brown, with SCS
SB 439-Mayer, with SCS
SB 596-Brown, with SCS
SB 438-Mayer
SB 547-Purgason
SJR 29-Lamping
SB 455-Pearce
SB 469-Dixon, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 592-Lager, with SCS & SA 3 (pending)

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Journal of the Senate

SECOND REGULAR SESSION

FIFTEENTH DAY—TUESDAY, JANUARY 31, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"To discover God in the smallest and most ordinary things as well as in the greatest, is to possess a rare and sublime faith." (Jean-Pierre De Caussade)

Holy Father, You know how we can become so preoccupied that we miss only the biggest of things going on around us. Help us to be aware of the small things like acts of kindness and courtesy, caring and joy. Help us embrace all that is about us there for our joy and happiness, to comfort and support us. Let us not be so taken with ourselves so that we have little room for others about us and therefore miss our opportunity to serve You, O God. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Goodman—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1325, regarding Sydney Friar, El Dorado Springs, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 721–By Rupp.

An Act to repeal section 99.825, RSMo, and to enact in lieu thereof one new section relating to tax increment financing in certain counties.

SB 722–By Lamping.

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to restricting public contracts with entities that invest in the energy sector in Iran.

SB 723–By Ridgeway.

An Act to repeal sections 137.115, 137.275, 137.355, 137.385, 138.010, 138.050, 138.090, 138.100, 138.110, 138.120, 138.170, 138.180, 138.430, and 138.460, RSMo, and to enact in lieu thereof fourteen new sections relating to property tax assessment.

Senator Dempsey announced that photographers from Missouri Digital News and KMOX were given permission to take pictures in the Senate Chamber.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 553** and **SB 435**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 553** and **435**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 553 and 435

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with a referendum clause.

Was taken up.

Senator Brown moved that **SCS** for **SBs 553** and **435** be adopted.

Senator Pearce assumed the Chair.

Senator Brown offered **SS** for **SCS** for **SBs 553** and **435**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 553 and 435

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with a referendum clause.

Senator Brown moved that **SS** for **SCS** for **SBs 553** and **435** be adopted.

Senator Green offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 553 and 435, Page 3, Section 105.504, Line 20 of said page, by striking "public employers" and inserting in lieu thereof the following: "**the state as an employer**".

Senator Green moved that the above amendment be adopted.

Senator Schmitt assumed the Chair.

Senator Dempsey announced that photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

At the request of Senator Brown, **SB 553** and **SB 435**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 724–By Crowell.

An Act to repeal sections 135.815 and 135.967, RSMo, and to enact in lieu thereof two new sections relating to ensuring that recipients of tax credits pay taxes owed.

SB 725–By Crowell.

An Act to repeal section 99.810, RSMo, and to enact in lieu thereof one new section relating to ensuring that developers pay taxes owed.

SB 726–By Parson.

An Act to repeal sections 408.052 and 443.812, RSMo, and to enact in lieu thereof two new sections relating to residential mortgage loan brokers, with existing penalty provisions.

On motion of Senator Dempsey, the Senate recessed until 6:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

SENATE BILLS FOR PERFECTION

At the request of Senator Mayer, **SB 439**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Brown, **SB 596**, with **SCS**, was placed on the Informal Calendar.

Senator Lager assumed the Chair.

At the request of Senator Mayer, **SB 438** was placed on the Informal Calendar.

SB 547 was placed on the Informal Calendar.

At the request of Senator Lamping, **SJR 29** was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 455** was placed on the Informal Calendar.

Senator Dixon moved that **SB 469**, with **SCS**, be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

SCS for **SB 469**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 469

An Act to repeal sections 536.041, 536.087, and 536.325, RSMo, and to enact in lieu thereof five new sections relating to administrative procedures and review.

Was taken up.

Senator Dixon moved that **SCS** for **SB 469** be adopted.

At the request of Senator Dixon, **SB 469**, with **SCS** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Justus offered Senate Resolution No. 1326, regarding Cooper Wayne Wright, which was adopted.

Senator Justus offered Senate Resolution No. 1327, regarding Ori Dotan Goldwasser, Kansas City, which was adopted.

Senator Justus offered Senate Resolution No. 1328, regarding Michael Andre "Mike" Luke, Kansas City, which was adopted.

Senator Justus offered Senate Resolution No. 1329, regarding the One Hundredth Anniversary of the city of Grandview, which was adopted.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

January 31, 2012

Senator Jim Lembke
Chairman, Governmental Accountability Committee
Room 419, State Capitol
Jefferson City, MO 65101

Dear Chairman Lembke:

Per your request in a letter to my office dated January 25, 2012, I am requesting that the Senate Committee on Governmental Accountability investigate the Department of Revenue's tax collection and communication with Missourians and businesses, as well as the department's alleged involvement in the issuing of licenses to illegal immigrants.

I am also asking your committee to review the process by which the Division of Employment Security issues unemployment benefits. Lastly, I would like the committee to study the process of the Appellate Apportionment Commission with respect to the recent legislative redistricting.

Please let me know if I can be of additional help.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
District 25 Senator

INTRODUCTIONS OF GUESTS

Senator Lager introduced to the Senate, the Great Northwest Day Delegation.

Senator Pearce introduced to the Senate, Daryl Veatch and Jack Baker, Butler.

Senator Lamping introduced to the Senate, the Physician of the Day, Christopher "Kit" Young, M.D., St. Louis.

Senator Dempsey introduced to the Senate, George Newell, Len and Ruby Karolczak and Sam Crane, St. Charles County.

Senator Mayer introduced to the Senate, Mayor Pat Leigh, Morehouse; David Craig, Sikeston; and Kent Palsgrove, Stoddard County.

Senator Pearce introduced to the Senate, Kim York and Ruth Johnson, Raymore-Peculiar School District.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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SIXTEENTH DAY–WEDNESDAY, FEBRUARY 1, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler
SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SB 651-Schaefer
SB 652-Lager
SB 653-Lager
SB 654-Lager
SB 655-Green, et al
SB 656-Lager and Dixon
SB 657-Rupp
SB 658-Rupp
SB 659-Dempsey and Rupp
SB 660-Schmitt
SB 661-Schmitt

SB 662-Schmitt
SB 663-Chappelle-Nadal
SB 664-Chappelle-Nadal
SB 665-Stouffer
SB 666-Keaveny
SB 667-Wasson
SB 668-Lembke
SB 669-Lembke
SB 670-Green
SB 671-Parson
SB 672-Brown
SB 673-Brown
SB 674-Schaaf
SB 675-Crowell
SB 676-Nieves
SB 677-Pearce
SB 678-Schaaf
SB 679-Dixon
SB 680-Nieves
SB 681-Lager
SB 682-Dempsey, et al
SB 683-Crowell
SB 684-Crowell
SB 685-Crowell
SB 686-Schaaf
SB 687-Schmitt
SB 688-Schmitt
SB 689-Engler and Schmitt
SB 690-Engler
SB 691-Engler and Callahan
SB 692-Stouffer
SB 693-Crowell
SB 694-Nieves
SB 695-Parson
SB 696-Kraus
SB 697-Wasson
SB 698-Richard
SB 699-Goodman, et al
SB 700-Lamping
SB 701-Mayer
SB 702-Pearce
SB 703-Wright-Jones
SB 704-Wright-Jones
SB 705-Wright-Jones
SB 706-Cunningham
SB 707-Cunningham
SB 708-Wasson
SB 709-Schaaf
SB 710-Engler, et al
SB 711-Lamping
SB 712-Lamping
SB 713-Lamping
SB 714-Lager
SB 715-Kraus
SB 716-Schaaf
SB 717-Stouffer
SB 718-Stouffer
SB 719-Kehoe
SB 720-Kehoe
SB 721-Rupp
SB 722-Lamping
SB 723-Ridgeway
SB 724-Crowell
SB 725-Crowell
SB 726-Parson
SJR 43-Green
SJR 44-Green
SJR 45-Nieves
SJR 46-Lager
SJR 47-Rupp
SJR 48-Dixon

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140

THIRD READING OF SENATE BILLS

SS for SB 464-Schaaf (In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 455-Pearce
SB 469-Dixon, with SCS (pending)
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS and SA 1 (pending)
SB 592-Lager, with SCS & SA 3 (pending)
SB 596-Brown, with SCS
SJR 29-Lamping

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Journal of the Senate

SECOND REGULAR SESSION

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 1, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Prayer has mighty power to move mountains because the Holy Spirit is ready both to encourage our praying and to remove the mountains hindering us." (Wesley L. Duewel)

Gracious God, we began this morning in prayer and come now to pray once again as we open this day's session. We are mindful how You encourage us to pray and willingly listen to our request of You. So we ask, provide us with the wherewithal we need so that what we do and say has the power and strength to accomplish what is before us to be done. Walk with us, Lord, and abide with us so we may truly serve as You have called us to do so. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Goodman—1

Vacancies—None

The Lieutenant Governor was present.

Senator Stouffer assumed the Chair.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 1330, regarding the death of James H. Scott, Sr., St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1331, regarding the American Heart Association Midwest Affiliate, which was adopted.

Senator Lager offered Senate Resolution No. 1332, regarding Andrew Carr, Cameron, which was adopted.

Senator Lager offered Senate Resolution No. 1333, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Rex Siemer, Spickard, which was adopted.

Senator Lager offered Senate Resolution No. 1334, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Norman Burns, Braymer, which was adopted.

Senator Kehoe offered Senate Resolution No. 1335, regarding Georgina A. "Gina" Huesgen, Syracuse, which was adopted.

Senator Kehoe offered Senate Resolution No. 1336, regarding the Saint Elizabeth High School state champion girls softball team, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 727–By Schaaf.

An Act to repeal section 208.044, RSMo, and to enact in lieu thereof two new sections relating to child care subsidies.

SB 728–By Pearce.

An Act to repeal sections 42.012, 42.105, 42.110, and 42.300, RSMo, and to enact in lieu thereof four new sections relating to veterans.

SB 729–By Schaefer.

An Act to repeal sections 50.660 and 50.783, RSMo, and to enact in lieu thereof two new sections relating to county purchases.

SB 730–By Schaefer.

An Act to repeal section 64.170, RSMo, and to enact in lieu thereof one new section relating to county ordinances establishing minimum standards for residential occupancy.

SB 731–By Brown.

An Act to amend chapter 452, RSMo, by adding thereto one new section relating to child custody and visitation for military personnel.

SB 732–By Curls.

An Act to repeal sections 195.222, 195.223, 195.295, and 195.296, RSMo, and to enact in lieu thereof

four new sections relating to the crime of trafficking drugs, with existing penalty provisions.

SB 733–By Richard and Justus.

An Act to repeal sections 196.1109, 196.1115, 348.250, 348.251, 348.256, 348.257, 348.261, 348.262, 348.263, 348.264, 348.265, 348.269, 348.271, 348.280, and 348.300, RSMo, and to enact in lieu thereof fourteen new sections relating to encouraging investment in science and technology, with an emergency clause.

SB 734–By Richard.

An Act to repeal sections 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, and 620.482, RSMo, and to enact in lieu thereof four new sections relating to the Missouri works training program.

SB 735–By Nieves and Engler.

An Act to repeal section 162.1250, RSMo, and to enact in lieu thereof one new section relating to virtual schools.

SB 736–By Engler.

An Act to repeal section 137.556, RSMo, and to enact in lieu thereof one new section relating to the use of the special road and bridge tax in certain counties.

SB 737–By Engler.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the reporting of data and scores of neglected children and delinquent children.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics has approved the following addition to the Minority Caucus:

Senator Shalonn “Kiki” Curls

SENATE BILLS FOR PERFECTION

Senator Lager moved that **SB 592**, with **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 3 was again taken up.

Senator Pearce assumed the Chair.

Senator Stouffer assumed the Chair.

Senator Kraus assumed the Chair.

Senator Dempsey announced that photographers from the Associated Press and KOMU-TV were given permission to take pictures in the Senate Chamber.

Senator Ridgeway assumed the Chair.

Senator Pearce assumed the Chair.

Senator Schaaf assumed the Chair.

Senator Stouffer assumed the Chair.

At the request of Senator Lager, **SA 3** was withdrawn.

Senator Lager offered **SS** for **SCS** for **SB 592**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 592

An Act to repeal sections 213.010, 213.101, and 213.111, RSMo, and to enact in lieu thereof four new sections relating to unlawful discriminatory practices.

Senator Lager moved that **SS** for **SCS** for **SB 592** be adopted.

Senator Chappelle-Nadal offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 592, Pages 6-8, Section 203.101, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Lager moved that **SS** for **SCS** for **SB 592**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SS** for **SCS** for **SB 592**, as amended, was declared perfected and ordered printed.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Shayne Fisk, Knob Noster.

Senator Brown introduced to the Senate, Candice L. and Ronald E. Tracy, Jr., and their daughter, Becka; Cape Girardeau County; and Cynthia L. Harper, and her grandson, Tai Harper; St. Charles County; and Becka and Tai were made honorary pages.

Senator Wasson introduced to the Senate, Bob, Dani, Zach and Sarah Helm.

Senator Dixon introduced to the Senate, the Physician of the Day, Dr. James Wolfe, Battlefield.

Senator Pearce introduced to the Senate, Nathan Purdome, Waynesville; and David Charles Chinnery, Lee's Summit.

Senator Ridgeway introduced to the Senate, former State Representative Connie Cierpiot, Lee's Summit; and Barbara and Margie Cierpiot, Gladstone.

Senator Dempsey introduced to the Senate, Mayor Sally Faith, St. Charles.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTEENTH DAY–THURSDAY, FEBRUARY 2, 2012

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 626-Kehoe
SB 627-Schaefer
SB 628-Schaefer
SB 629-Schaefer
SB 630-Parson
SB 631-Parson
SB 632-Stouffer
SB 633-Engler
SB 634-Pearce
SB 635-Pearce
SB 636-Keaveny
SB 637-Brown
SB 638-Lamping
SB 639-Schaaf
SB 640-Schaaf
SB 641-Pearce
SB 642-Wasson
SB 643-Keaveny
SB 644-Schaefer
SB 645-Schaefer
SB 646-Engler
SB 647-Richard
SB 648-Dempsey
SB 649-Ridgeway
SB 650-Ridgeway
SB 651-Schaefer
SB 652-Lager
SB 653-Lager
SB 654-Lager
SB 655-Green, et al
SB 656-Lager and Dixon
SB 657-Rupp
SB 658-Rupp
SB 659-Dempsey and Rupp
SB 660-Schmitt
SB 661-Schmitt
SB 662-Schmitt
SB 663-Chappelle-Nadal
SB 664-Chappelle-Nadal
SB 665-Stouffer
SB 666-Keaveny
SB 667-Wasson
SB 668-Lembke
SB 669-Lembke
SB 670-Green
SB 671-Parson
SB 672-Brown
SB 673-Brown
SB 674-Schaaf
SB 675-Crowell
SB 676-Nieves
SB 677-Pearce
SB 678-Schaaf
SB 679-Dixon
SB 680-Nieves
SB 681-Lager
SB 682-Dempsey, et al
SB 683-Crowell
SB 684-Crowell
SB 685-Crowell

SB 686-Schaaf
SB 687-Schmitt
SB 688-Schmitt
SB 689-Engler and Schmitt
SB 690-Engler
SB 691-Engler and Callahan
SB 692-Stouffer
SB 693-Crowell
SB 694-Nieves
SB 695-Parson
SB 696-Kraus
SB 697-Wasson
SB 698-Richard
SB 699-Goodman, et al
SB 700-Lamping
SB 701-Mayer
SB 702-Pearce
SB 703-Wright-Jones
SB 704-Wright-Jones
SB 705-Wright-Jones
SB 706-Cunningham
SB 707-Cunningham
SB 708-Wasson
SB 709-Schaaf
SB 710-Engler, et al
SB 711-Lamping
SB 712-Lamping
SB 713-Lamping
SB 714-Lager
SB 715-Kraus
SB 716-Schaaf
SB 717-Stouffer
SB 718-Stouffer
SB 719-Kehoe
SB 720-Kehoe
SB 721-Rupp
SB 722-Lamping
SB 723-Ridgeway
SB 724-Crowell
SB 725-Crowell
SB 726-Parson
SB 727-Schaaf
SB 728-Pearce
SB 729-Schaefer
SB 730-Schaefer
SB 731-Brown
SB 732-Curls
SB 733-Richard and Justus
SB 734-Richard
SB 735-Nieves and Engler
SB 736-Engler
SB 737-Engler
SJR 43-Green
SJR 44-Green
SJR 45-Nieves
SJR 46-Lager
SJR 47-Rupp
SJR 48-Dixon

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140

THIRD READING OF SENATE BILLS

SS for SB 464-Schaaf
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 455-Pearce
SB 469-Dixon, with SCS (pending)
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS and SA 1 (pending)
SB 596-Brown, with SCS
SJR 29-Lamping

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Journal of the Senate

SECOND REGULAR SESSION

SEVENTEENTH DAY—THURSDAY, FEBRUARY 2, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"You will keep him in perfect peace whose mind is stayed on you." (Isaiah 26:3)

O God, we place our confidence in You ending this week knowing we have tried to be faithful to You and that all we have done, even our failures are in Your gracious, forgiving hands. We commit ourselves to You for You have told us that today, as yesterday, is a day of mercy and grace. May we therefore, travel home to our loved ones free to walk at their side as You have walked at ours. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Goodman—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Mayer offered Senate Resolution No. 1337, regarding U.S. Poly Enterprise, Inc., Dexter, which was adopted.

Senator Mayer offered Senate Resolution No. 1338, regarding Ben Kruse 18 FORE Life, Dexter, which was adopted.

Senator Crowell offered Senate Resolution No. 1339, regarding Oliver Clinton Leon Tracy, Cape Girardeau, which was adopted.

Senator Richard offered Senate Resolution No. 1340, regarding the Fifty-fifth Anniversary of Cerebral Palsy of Tri-County, Incorporated, Webb City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1341, regarding the Class 2 State Champion Palmyra High School Ladies Softball Team, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1342, regarding the One Hundredth Birthday of Juanita "Baba" Simpson, Kirksville, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1343, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John C. Solter, La Grange, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1344, regarding George Huffman, Mexico, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1345, regarding the One Hundredth Anniversary of the Mark Twain Boyhood Home and Museum, Hannibal, which was adopted.

Senators Brown and Munzlinger offered Senate Resolution No. 1346, regarding Eleanor Kloeppel, Westphalia, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 738–By Stouffer.

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to mountain lions.

SB 739–By Keaveny.

An Act to repeal section 454.475, RSMo, and to enact in lieu thereof one new section relating to administrative child support decisions.

SB 740–By Pearce.

An Act to repeal sections 144.805 and 305.230, RSMo, and to enact in lieu thereof two new sections relating to aviation.

SB 741–By Parson.

An Act to repeal section 513.653, RSMo, and to enact in lieu thereof one new section relating to independent audits of certain federal seizures by law enforcement agencies that use the federal forfeiture system, with penalty provisions in existing language.

SB 742–By Brown.

An Act to amend chapter 376, RSMo, by adding thereto three new sections relating to the credentialing and payment of health care practitioners by health insurers.

SB 743–By Brown.

An Act to repeal section 302.020, RSMo, and to enact in lieu thereof one new section relating to protective headgear for operation of motorcycles or motortricycles, with existing penalty provisions.

SB 744–By Wright-Jones.

An Act to repeal sections 8.115 and 8.177, RSMo, and to enact in lieu thereof two new sections relating to security within the state capitol.

SB 745–By Lembke.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to alternatives-to-abortion agencies.

SB 746–By Schaefer.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to the extension of certain county taxes.

SB 747–By Schaefer.

An Act to repeal sections 172.030, 172.035, 172.040, and 172.060, RSMo, and to enact in lieu thereof four new sections relating to the University of Missouri board of curators.

SB 748–By Brown.

An Act to repeal section 135.305, RSMo, and to enact in lieu thereof one new section relating to the tax credit for wood energy procedures.

SB 749–By Lamping, Richard, Kehoe and Rupp.

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the protection of the religious beliefs and moral convictions of certain persons and entities, with an emergency clause.

Senator Dempsey announced that photographers from Missouri News Horizon and KRCG-TV were given permission to take pictures in the Senate Chamber.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Dennis Wood, Republican, and Wallis Warren, Democrat, as members of the Clean Water Commission of the State of Missouri;

Also,

Timothy R. Cisar, as a member of the Crime Laboratory Review Commission;

Also,

Beverly Miller, Democrat, as a member of the Missouri State University Board of Governors;

Also,

Kevin Roberts, Democrat, as a member of the State Fair Commission;

Also,

Michael J. Bushur, as a member of the Truman State University Board of Governors;

Also,

John Cowherd, Republican, as a member of the Clean Water Commission;

Also,

Marsha M. Campbell, Democrat, as a member of the Missouri Health Facilities Review Commission;

Also,

Thelma Crawford, Democrat, as a member of the Clay County Board of Election Commissioners;

Also,

Katherine Suzanne Bradley, Republican, as a member of the Missouri Gaming Commission;

Also,

James B. Fleischaker, Democrat, as a member of the Missouri Southern State University Board of Governors;

Also,

Amy G. Johnson, as a member of the University of Missouri Board of Curators;

Also,

Marvin Ferguson, Republican, and James Dallas Everett, Democrat, as members of the Platte County Election Board;

Also,

Brian Fogle, Democrat, as a member of the Coordinating Board for Higher Education;

Also,

Ann E. Harris and Charles Michael Roth, as members of the Missouri Board of Nursing Home Administrators;

Also,

Timothy D. Cudd, as a member of the Board of Private Investigator and Private Fire Investigator Examiners;

Also,

Robert Helm, as a member of the Missouri State Board of Accountancy;

Also,

Christine Chadwick, Independent, as a member of the Harris-Stowe State University Board of Regents;

Also,

James F. Shrewsbury, Democrat, as a member of the Regional Convention and Sports Complex Authority;

Also,

Kendra Neely-Martin, Democrat, as a member of the Southeast Missouri State University Board of Regents;

Also,

David B. Cosgrove, Democrat, as a member of the Missouri Housing Development Commission;

Also,

David Herman, as a member of the State Advisory Council on Emergency Medical Services;

Also,

James Avery Jr., Republican, as a member of the Labor and Industrial Relations Commission.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SS** for **SB 464**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of James T. Blair IV, Republican, as a member of the Conservation Commission, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Lamping moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

THIRD READING OF SENATE BILLS

SS for **SB 464**, introduced by Senator Schaaf, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 464

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to the authority for

creating and operating health insurance exchanges in Missouri, with a referendum clause.

Was taken up.

On motion of Senator Schaaf, **SS** for **SB 464** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Kehoe	Kraus
Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson—25							

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Wright-Jones—8

Absent—Senators—None

Absent with leave—Senator Goodman—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Stouffer assumed the Chair.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 2, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on January 4, 2012, for your advice and consent:

Stephen Stoll, 716 Richard Avenue, Festus, Jefferson County, Missouri 63028, as a member of the Public Service Commission, for a term ending December 13, 2017, and until his successor is duly appointed and qualified; vice, Robert Clayton, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer moved that the appointment of Stephen Stoll be returned to the Governor per his request, which motion prevailed.

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 2, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on January 4, 2012, for your advice and consent:

Francis Dorrel, Republican, 215 West Edwards, Maryville, Nodaway County, Missouri 64468, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Francis Dorrel, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer moved that the appointment of Francis Dorrel be returned to the Governor per his request, which motion prevailed.

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 2, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on January 4, 2012, for your advice and consent:

Robert Dowis, Democrat, 32802 First Street, Conception, Nodaway County, Missouri 64433, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Gary Panethiere, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer moved that the appointment of Robert Dowis be returned to the Governor per his request, which motion prevailed.

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 2, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on January 4, 2012, for your advice and consent:

Joseph Hunt, Democrat, 7500 Bull Run Drive, Saint Louis, Saint Louis County, Missouri 63123, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Joseph Hunt, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer moved that the appointment of Joseph Hunt be returned to the Governor per his request, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Ronald J. Levy, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Lamping moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment.

At the request of Senator Lamping, the motion to adopt the committee report was withdrawn.

Senator Pearce assumed the Chair.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Craig Van Matre, Democrat, as a member of the University of Missouri Board of Curators, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Schaefer moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment.

At the request of Senator Schaefer, the motion to adopt the committee report was withdrawn.

President Pro Tem Mayer assumed the Chair.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 591**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 442**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 564**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 470**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 485**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 572**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 450**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Lembke, Chairman of the Committee on Governmental Accountability, submitted the following report:

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 589**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 498**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 592**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Pearce assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 626—Judiciary and Civil and Criminal Jurisprudence.

SB 627—Commerce, Consumer Protection, Energy and the Environment.

SB 628—Judiciary and Civil and Criminal Jurisprudence.

SB 629—Ways and Means and Fiscal Oversight.

SB 630—Ways and Means and Fiscal Oversight.

SB 631—Agriculture, Food Production and Outdoor Resources.

SB 632—Transportation.

SB 633—Transportation.

SB 634—Small Business, Insurance and Industry.

SB 635—Financial and Governmental Organizations and Elections.

SB 636—Judiciary and Civil and Criminal Jurisprudence.

SB 637—Judiciary and Civil and Criminal Jurisprudence.

SB 638—Ways and Means and Fiscal Oversight.

SB 639—Health, Mental Health, Seniors and Families.

SB 640—Health, Mental Health, Seniors and Families.

SB 641—Education.

SB 642—Transportation.

SB 643—Education.

SB 644—Small Business, Insurance and Industry.

SB 645—Commerce, Consumer Protection, Energy and the Environment.

SB 646—Judiciary and Civil and Criminal Jurisprudence.

SB 647—Ways and Means and Fiscal Oversight.

SB 648—Transportation.

SB 649—Health, Mental Health, Seniors and Families.

SB 650—Governmental Accountability.

SB 651—Financial and Governmental Organizations and Elections.

SB 652—Jobs, Economic Development and Local Government.

SB 653—Transportation.

SB 654—Education.

SB 655—Appropriations.

SB 656—Transportation.

SB 657—Small Business, Insurance and Industry.

SB 658—Health, Mental Health, Seniors and Families.

SB 659—Ways and Means and Fiscal Oversight.

SB 660—Small Business, Insurance and Industry.

SB 661—Ways and Means and Fiscal Oversight.

SB 662—Jobs, Economic Development and Local Government.

SB 663—Commerce, Consumer Protection, Energy and the Environment.

SB 664—Commerce, Consumer Protection, Energy and the Environment.

SB 665—Transportation.

SB 666—Agriculture, Food Production and Outdoor Resources.

SB 667—Financial and Governmental Organizations and Elections.

SB 668—Ways and Means and Fiscal Oversight.

SB 669—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 670—Judiciary and Civil and Criminal Jurisprudence.

SB 671—General Laws.

SB 672—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 673—Transportation.

SB 674—Health, Mental Health, Seniors and Families.

SB 675—Ways and Means and Fiscal Oversight.

SB 676—General Laws.

SB 677—Education.

SB 678—Health, Mental Health, Seniors and Families.

SB 679—Financial and Governmental Organizations and Elections.

SB 680—Judiciary and Civil and Criminal Jurisprudence.

SB 681—Education.

SB 682—Health, Mental Health, Seniors and Families.

SB 683—Judiciary and Civil and Criminal Jurisprudence.

SB 684—Ways and Means and Fiscal Oversight.

SB 685—Judiciary and Civil and Criminal Jurisprudence.

SB 686—Commerce, Consumer Protection, Energy and the Environment.

SB 687—Small Business, Insurance and Industry.

SB 688—Jobs, Economic Development and Local Government.

SB 689—Judiciary and Civil and Criminal Jurisprudence.

SB 690—General Laws.

SB 691—Jobs, Economic Development and Local Government.

SB 692—Jobs, Economic Development and Local Government.

SB 693—Governmental Accountability.

SB 694—Financial and Governmental Organizations and Elections.

SB 695—Agriculture, Food Production and Outdoor Resources.

SB 696—Small Business, Insurance and Industry.

SB 697—Small Business, Insurance and Industry.

SB 698—General Laws.

SB 699—Judiciary and Civil and Criminal Jurisprudence.

SB 700—Financial and Governmental Organizations and Elections.

SB 701—Transportation.

SB 702—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 703—Ways and Means and Fiscal Oversight.

SB 704—Judiciary and Civil and Criminal Jurisprudence.

SB 705—Transportation.

SB 706—General Laws.

SB 707—General Laws.

SB 708—Ways and Means and Fiscal Oversight.

SB 709—Ways and Means and Fiscal Oversight.

SB 710—Financial and Governmental Organizations and Elections.

SB 711—Health, Mental Health, Seniors and Families.

SB 712—Ways and Means and Fiscal Oversight.

SB 713—Judiciary and Civil and Criminal Jurisprudence.

SB 714—Transportation.

SB 715—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 716—Health, Mental Health, Seniors and Families.

SB 717—Transportation.

SB 718—Health, Mental Health, Seniors and Families.

SB 719—Transportation.

SB 720—Judiciary and Civil and Criminal Jurisprudence.

SB 721—Ways and Means and Fiscal Oversight.

SB 722—Financial and Governmental Organizations and Elections.

SB 723—Ways and Means and Fiscal Oversight.

SB 724—Ways and Means and Fiscal Oversight.

SB 725—Ways and Means and Fiscal Oversight.

SB 726—Financial and Governmental Organizations and Elections.

SB 727—Health, Mental Health, Seniors and Families.

SB 728—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 729—Jobs, Economic Development and Local Government.

SB 730—Jobs, Economic Development and Local Government.

SB 731—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 732—Judiciary and Civil and Criminal Jurisprudence.

SB 733—Jobs, Economic Development and Local Government.

SB 734—Jobs, Economic Development and Local Government.

SB 735—Education.

SB 736—Jobs, Economic Development and Local Government.

SB 737—Education.

SJR 43—General Laws.

SJR 44—Ways and Means and Fiscal Oversight.

SJR 45—General Laws.

SJR 46—Ways and Means and Fiscal Oversight.

SJR 47—General Laws.

SJR 48—Governmental Accountability.

REFERRALS

President Pro Tem Mayer referred **SS** for **SCS** for **SB 592** to the Committee on Ways and Means and Fiscal Oversight.

COMMUNICATIONS

Senator Crowell submitted the following:

February 2, 2012

Ms. Terry Spieler
Secretary of Senate
State Capitol Building – Room 325
Jefferson City, Missouri 65101

Dear Madame Secretary:

I respectfully request that the following bills be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

SB 450 (Rupp) – Modifies the length of school board terms for certain school districts that became urban districts because of the 2010 census.

SB 485 (Cunningham) – Modifies the law governing liens on motor vehicles, trailers, vessels, outboard motors, and aircrafts.

SB 591 (Parson) – Allows county assessors to use any nationally recognized motor vehicle valuation guide to value motor vehicles for personal property tax purposes.

Sincerely,
/s/ Jason G. Crowell
Jason G. Crowell
State Senator

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 1347, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Francis LaVerne Staggs, Kirksville, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Presiding Commissioner Donna Gregory, Southern Commissioner Larry Berry and Northern Commissioner Randy Pike, Bates County; Presiding Commissioner Bonnie McCord, Northern Commissioner Neal Gerster and Southern Commissioner Kennon Shaw, Vernon County; and Presiding Commissioner Bill Gabel, Western Commissioner Destry Hough and Eastern Commissioner Scott Sader, Johnson County.

Senator Dixon introduced to the Senate, former State Senator Roseann Bentley, Springfield.

Senator Parson introduced to the Senate, Miss Missouri Sydney Friar, El Dorado Springs; and her mother, Rhonda.

Senator Schaefer introduced to the Senate, the Physician of the Day, Ted Groshong, M.D., Columbia; and Commissioners Dan Atwill and Karen Miller, Boone County.

Senator Stouffer introduced to the Senate, Eastern District Commissioner Paul Davis, Western District Commissioner Ernie Walther and Presiding Commissioner Eddie Brickner, Cooper County; and Northern District Commissioner Norvelle "Brownie" Brown, Southern District Commissioner Charles Monte Fenner and Presiding Commissioner Tom Stallings, Saline County.

Senator Dempsey introduced to the Senate, Matilda Gray.

Senator Mayer introduced to the Senate, former State Senator Gary Nodler, and his wife, Joncee, Joplin.

Senator Wasson introduced to the Senate, Lou LaPaglia.

Senator Munzlinger introduced to the Senate, Presiding Commissioner Ron Brewer, Eastern Commissioner Jerry Neyens and Western Commissioner Roger Sedore, Clark County.

Senator Ridgeway introduced to the Senate, Presiding Commissioner Pam Mason, Clay County.

Senator Keaveny introduced to the Senate, Carla Duncan and fourth grade students from New City School, St. Louis.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, February 6, 2012.

SENATE CALENDAR

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EIGHTEENTH DAY–MONDAY, FEBRUARY 6, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 738-Stouffer
SB 739-Keaveny
SB 740-Pearce
SB 741-Parson
SB 742-Brown
SB 743-Brown
SB 744-Wright-Jones
SB 745-Lembke
SB 746-Schaefer
SB 747-Schaefer
SB 748-Brown
SB 749-Lamping, et al

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140

THIRD READING OF SENATE BILLS

SS for SCS for SB 592-Lager (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 442-Stouffer, with SCS
SB 564-Brown
SB 470-Dixon, with SCS
SB 572-Dempsey, with SCS
SB 589-Kraus, with SCS
SB 498-Munzlinger, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 455-Pearce
SB 469-Dixon, with SCS (pending)
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS and SA 1 (pending)
SB 596-Brown, with SCS
SJR 29-Lamping

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Journal of the Senate

SECOND REGULAR SESSION

EIGHTEENTH DAY—MONDAY, FEBRUARY 6, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Therefore, my beloved, be steadfast, immovable, always excelling in the work of the Lord, because you know that in the Lord your labor is not in vain." (I Corinthians 15:57,58)

Gracious God, we are thankful for bringing us safely to this new week of opportunities to serve You. We are grateful for the strength You provide us to fulfill the task each day brings and for providing the wherewithal we need. Keep us focused on You so our work and lives show forth our commitment to You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 2, 2012 was read and approved.

Photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

Senator Dempsey requested unanimous consent to allow deputies from the McDonald County Sheriff's office to enter the Chamber with side arms, which request was granted.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 1348, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. D.C. Macrander, Clearmont, which was adopted.

Senator Engler offered Senate Resolution No. 1349, regarding Brendan Michael Pingel, which was adopted.

Senator Engler offered Senate Resolution No. 1350, regarding Levi William Mills, which was adopted.

Senator McKenna offered Senate Resolution No. 1351, regarding Dawn Neupert, Fenton, which was adopted.

Senator Pearce offered Senate Resolution No. 1352, regarding Ethan Ambrose, Belton, which was adopted.

Senator Pearce offered Senate Resolution No. 1353, regarding James "Aaron" Person, which was adopted.

Senator Goodman offered Senate Resolution No. 1354, regarding the American Legion Hobbs-Anderson Post 91 of Monett, which was adopted.

Senator Brown offered Senate Resolution No. 1355, regarding the Missouri Society of Professional Engineers, which was adopted.

Senator Purgason offered Senate Resolution No. 1356, regarding Hannah Ramsey, Mountain Grove, which was adopted.

Senator Purgason offered Senate Resolution No. 1357, regarding Mattison Noelle Reed, Mountain Grove, which was adopted.

Senator Purgason offered Senate Resolution No. 1358, regarding Kayla L. Wells, Cabool, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1359, regarding the One Hundredth Birthday of Rex Sloop, Queen City, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 750–By Schmitt.

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to health care providers.

SB 751–By Schaaf.

An Act to repeal section 171.031, RSMo, and to enact in lieu thereof one new section relating to the length of the school day.

SB 752–By Kehoe, Lamping and McKenna.

An Act to amend chapter 226, RSMo, by adding thereto twenty-five new sections relating to a public-private partnership between the state highways and transportation commission and a private partner to reconstruct an interstate highway as a toll facility, with penalty provisions.

SB 753–By Green.

An Act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to utility regulation, with penalty provisions in existing language.

SB 754–By Mayer.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

SB 755–By Mayer.

An Act to repeal section 574.085, RSMo, and to enact in lieu thereof two new sections relating to crimes involving institutions, with penalty provisions.

Senator Rupp assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 469**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 469** was again taken up.

Senator Dixon offered **SS** for **SCS** for **SB 469**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 469

An Act to repeal sections 536.041, 536.087, and 536.325, RSMo, and to enact in lieu thereof five new sections relating to administrative procedures and review.

Senator Dixon moved that **SS** for **SCS** for **SB 469** be adopted.

Senator Stouffer assumed the Chair.

Senator Crowell offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 469, Page 1, Section 536.041, Line 14, by striking "1."; and

Further amend said bill and section, page 2, lines 22-28 by striking all of said lines from the bill; and

Further amend said bill and section, page 3, lines 1-28 by striking all of said lines from the bill; and

Further amend said bill, pages 4-7, section 536.087 by striking all of said section from the bill; and

Further amend said bill, page 11, section 536.325, line 13 by inserting after all of said line the following:

"**[**536.087. 1. A party who prevails in an agency proceeding or civil action arising therefrom, brought

by or against the state, shall be awarded those reasonable fees and expenses incurred by that party in the civil action or agency proceeding, unless the court or agency finds that the position of the state was substantially justified or that special circumstances make an award unjust.

2. In awarding reasonable fees and expenses under this section to a party who prevails in any action for judicial review of an agency proceeding, the court shall include in that award reasonable fees and expenses incurred during such agency proceeding unless the court finds that during such agency proceeding the position of the state was substantially justified, or that special circumstances make an award unjust.

3. A party seeking an award of fees and other expenses shall, within thirty days of a final disposition in an agency proceeding or final judgment in a civil action, submit to the court, agency or commission which rendered the final disposition or judgment an application which shows that the party is a prevailing party and is eligible to receive an award under this section, and the amount sought, including an itemized statement from any attorney or expert witness representing or appearing in behalf of the party stating the actual time expended and the rate at which fees and other expenses are computed. The party shall also allege that the position of the state was not substantially justified. The fact that the state has lost the agency proceeding or civil action creates no legal presumption that its position was not substantially justified. Whether or not the position of the state was substantially justified shall be determined on the basis of the record (including the record with respect to the action or failure to act by an agency upon which a civil action is based) which is made in the agency proceeding or civil action for which fees and other expenses are sought, and on the basis of the record of any hearing the court or agency deems appropriate to determine whether an award of reasonable fees and expenses should be made, provided that any such hearing shall be limited to consideration of matters which affected the agency's decision leading to the position at issue in the fee application.

4. A prevailing party in an agency proceeding shall submit an application for fees and expenses to the administrative body before which the party prevailed. A prevailing party in a civil action on appeal from an agency proceeding shall submit an application for fees and expenses to the court. The filing of an application shall not stay the time for appealing the merits of a case. When the state appeals the underlying merits of an adversary proceeding, no decision on the application for fees and other expenses in connection with that adversary proceeding shall be made under this section until a final and unreviewable decision is rendered by the court on the appeal or until the underlying merits of the case have been finally determined pursuant to the appeal.

5. The court or agency may either reduce the amount to be awarded or deny any award, to the extent that the prevailing party during the course of the proceedings engaged in conduct which unduly and unreasonably protracted the final resolution of the matter in controversy.

6. The decision of a court or an agency on the application for reasonable fees and expenses shall be in writing, separate from the judgment or order of the court or the administrative decision which determined the prevailing party, and shall include written findings and conclusions and the reason or basis therefor. The decision of a court or an agency on the application for fees and other expenses shall be final, subject respectively to appeal or judicial review.

7. If a party or the state is dissatisfied with a determination of fees and other expenses made in an agency proceeding, that party or the state may within thirty days after the determination is made, seek judicial review of that determination from the court having jurisdiction to review the merits of the underlying decision of the agency adversary proceeding. If a party or the state is dissatisfied with a determination of

fees and other expenses made in a civil action arising from an agency proceeding, that party or the state may, within the time permitted by law, appeal that order or judgment to the appellate court having jurisdiction to review the merits of that order or judgment. The reviewing or appellate court's determination on any judicial review or appeal heard under this subsection shall be based solely on the record made before the agency or court below. The court may modify, reverse or reverse and remand the determination of fees and other expenses if the court finds that the award or failure to make an award of fees and other expenses, or the calculation of the amount of the award, was arbitrary and capricious, was unreasonable, was unsupported by competent and substantial evidence, or was made contrary to law or in excess of the court's or agency's jurisdiction. Awards made pursuant to this act shall be payable from amounts appropriated therefor. The state agency against which the award was made shall request an appropriation to pay the award.**]**"; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

At the request of Senator Dixon, **SB 469**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

RE-REFERRALS

President Pro Tem Mayer re-referred **SB 661** to the Committee on Jobs, Economic Development and Local Government.

INTRODUCTIONS OF GUESTS

Senator Richard introduced to the Senate, Angel Barr, Katie Smith, Keisha Burton, Taylor Edwards, Korra Ackerson, Shelby Perry, Ashley Wynn, Kenzie Moore, Kyra England, Cheyenne Black, Megan Cotten, Paige Burr, Caitlyn Jennings and Sadie Burns, cheerleaders from Seneca High School.

Senator Richard introduced to the Senate, Deputy John Wynn, McDonald County Sheriff's office.

Senator Wright-Jones introduced to the Senate, Mollie Mees, Illinois.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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NINETEENTH DAY–TUESDAY, FEBRUARY 7, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 738-Stouffer
SB 739-Keaveny
SB 740-Pearce
SB 741-Parson
SB 742-Brown
SB 743-Brown

SB 744-Wright-Jones
SB 745-Lembke
SB 746-Schaefer
SB 747-Schaefer
SB 748-Brown
SB 749-Lamping, et al
SB 750-Schmitt
SB 751-Schaaf
SB 752-Kehoe, et al
SB 753-Green
SB 754-Mayer
SB 755-Mayer

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140

THIRD READING OF SENATE BILLS

SS for SCS for SB 592-Lager (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 442-Stouffer, with SCS
SB 564-Brown
SB 470-Dixon, with SCS
SB 572-Dempsey, with SCS
SB 589-Kraus, with SCS
SB 498-Munzlinger, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 455-Pearce
SB 469-Dixon, with SCS, SS for SCS & SA 1 (pending)
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS and SA 1 (pending)
SB 596-Brown, with SCS
SJR 29-Lamping

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Journal of the Senate

SECOND REGULAR SESSION

NINETEENTH DAY—TUESDAY, FEBRUARY 7, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Let the wise also hear and gain in learning, and the discerning acquire skill." (Proverbs 1:5)

Blessed Lord, we give You thanks for the long history of this Senate. As we walk the halls and see those who have gone before us, we recognize we can learn from them and acquire the skills to do better as we hold the reins of responsibilities and face our challenges and opportunities to serve this state. Keep us on the path that follows the way You would have each of us take and working together, reach the goals You have set for this Senate. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

Senator Schmitt assumed the Chair.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 1360, regarding the Class 3 State Champion Logan-Rogersville R-VIII High School Football Team, which was adopted.

Senator Wasson offered Senate Resolution No. 1361, regarding the One Hundred Twenty-fifth Anniversary of the *Douglas County Herald*, Ava, which was adopted.

Senator Wasson offered Senate Resolution No. 1362, regarding the 2011 State Champion Nixa High School bowling club, which was adopted.

Senator Schaefer offered Senate Resolution No. 1363, regarding the 2011 National Champion University of Missouri-Columbia women's club soccer program, which was adopted.

Senator Schmitt offered Senate Resolution No. 1364, regarding Kimberli McCallum, M.D., C.E.D.S., which was adopted.

Senator Lager offered Senate Resolution No. 1365, regarding Jacob Schwenneker, Princeton, which was adopted.

Senator Lager offered Senate Resolution No. 1366, regarding Justin Hamilton, Princeton, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 756–By Engler.

An Act to repeal sections 104.1205 and 104.1215, RSMo, and to enact in lieu thereof two new sections relating to retirement of education employees.

SB 757–By Wasson.

An Act to repeal section 333.042, RSMo, and to enact in lieu thereof one new section relating to limited licenses for funeral directing.

SB 758–By Wasson.

An Act to repeal sections 210.135 and 210.145, RSMo, and to enact in lieu thereof two new sections relating to child abuse and neglect.

SB 759–By Lager.

An Act to repeal sections 393.1020, 393.1025, 393.1030, 393.1040, and 393.1045, and to enact in lieu thereof four new sections relating to renewable energy.

SB 760–By Dempsey.

An Act to repeal section 252.043, RSMo, and to enact in lieu thereof one new section relating to hunting accidents.

SB 761–By Keaveny.

An Act to repeal section 456.8-808, RSMo, and to enact in lieu thereof one new section relating to trust protectors.

SB 762–By Keaveny.

An Act to repeal sections 160.405, 160.410, and 160.539, RSMo, and to enact in lieu thereof three new sections relating to alternative educational procedures for charter schools.

SB 763–By Kehoe.

An Act to repeal section 301.640, RSMo, and to enact in lieu thereof one new section relating to the release of a lien or encumbrance from a certificate of ownership, with penalty provisions in existing language.

SJR 49–By Rupp.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to Article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to providing religious conscience protections for individuals and organizations.

SENATE BILLS FOR PERFECTIONS

Senator Dixon moved that **SB 469**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Crowell, **SA 1** was withdrawn.

Senator Crowell offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 469, Page 1, Section A, Line 4, by inserting after all of said line the following:

"105.711. 1. There is hereby created a "State Legal Expense Fund" which shall consist of moneys appropriated to the fund by the general assembly and moneys otherwise credited to such fund pursuant to section 105.716.

2. Moneys in the state legal expense fund shall be available for the payment of any claim or any amount required by any final judgment rendered by a court of competent jurisdiction against:

(1) The state of Missouri, or any agency of the state, pursuant to **[**section 536.050 or 536.087 or**]** section 537.600;

(2) Any officer or employee of the state of Missouri or any agency of the state, including, without limitation, elected officials, appointees, members of state boards or commissions, and members of the Missouri national guard upon conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the state, or any agency of the state, provided that moneys in this fund shall not be available for payment of claims made under chapter 287;

(3) (a) Any physician, psychiatrist, pharmacist, podiatrist, dentist, nurse, or other health care provider licensed to practice in Missouri under the provisions of chapter 330, 332, 334, 335, 336, 337 or 338 who is employed by the state of Missouri or any agency of the state under formal contract to conduct disability reviews on behalf of the department of elementary and secondary education or provide services to patients or inmates of state correctional facilities on a part-time basis, and any physician, psychiatrist, pharmacist, podiatrist, dentist, nurse, or other health care provider licensed to practice in Missouri under the provisions

of chapter 330, 332, 334, 335, 336, 337, or 338 who is under formal contract to provide services to patients or inmates at a county jail on a part-time basis;

(b) Any physician licensed to practice medicine in Missouri under the provisions of chapter 334 and his professional corporation organized pursuant to chapter 356 who is employed by or under contract with a city or county health department organized under chapter 192 or chapter 205, or a city health department operating under a city charter, or a combined city-county health department to provide services to patients for medical care caused by pregnancy, delivery, and child care, if such medical services are provided by the physician pursuant to the contract without compensation or the physician is paid from no other source than a governmental agency except for patient co-payments required by federal or state law or local ordinance;

(c) Any physician licensed to practice medicine in Missouri under the provisions of chapter 334 who is employed by or under contract with a federally funded community health center organized under Section 315, 329, 330 or 340 of the Public Health Services Act (42 U.S.C. 216, 254c) to provide services to patients for medical care caused by pregnancy, delivery, and child care, if such medical services are provided by the physician pursuant to the contract or employment agreement without compensation or the physician is paid from no other source than a governmental agency or such a federally funded community health center except for patient co-payments required by federal or state law or local ordinance. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of one million dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause against any such physician, and shall not exceed one million dollars for any one claimant;

(d) Any physician licensed pursuant to chapter 334 who is affiliated with and receives no compensation from a nonprofit entity qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, which offers a free health screening in any setting or any physician, nurse, physician assistant, dental hygienist, dentist, or other health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 who provides health care services within the scope of his or her license or registration at a city or county health department organized under chapter 192 or chapter 205, a city health department operating under a city charter, or a combined city-county health department, or a nonprofit community health center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, if such services are restricted to primary care and preventive health services, provided that such services shall not include the performance of an abortion, and if such health services are provided by the health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 without compensation. MO HealthNet or Medicare payments for primary care and preventive health services provided by a health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 who volunteers at a free health clinic is not compensation for the purpose of this section if the total payment is assigned to the free health clinic. For the purposes of the section, "free health clinic" means a nonprofit community health center qualified as exempt from federal taxation under Section 501 (c)(3) of the Internal Revenue Code of 1987, as amended, that provides primary care and preventive health services to people without health insurance coverage for the services provided without charge. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars, for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars.

Liability or malpractice insurance obtained and maintained in force by or on behalf of any health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 shall not be considered available to pay that portion of a judgment or claim for which the state legal expense fund is liable under this paragraph;

(e) Any physician, nurse, physician assistant, dental hygienist, or dentist licensed or registered to practice medicine, nursing, or dentistry or to act as a physician assistant or dental hygienist in Missouri under the provisions of chapter 332, 334, or 335, or lawfully practicing, who provides medical, nursing, or dental treatment within the scope of his license or registration to students of a school whether a public, private, or parochial elementary or secondary school or summer camp, if such physician's treatment is restricted to primary care and preventive health services and if such medical, dental, or nursing services are provided by the physician, dentist, physician assistant, dental hygienist, or nurse without compensation. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars, for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars; or

(f) Any physician licensed under chapter 334, or dentist licensed under chapter 332, providing medical care without compensation to an individual referred to his or her care by a city or county health department organized under chapter 192 or 205, a city health department operating under a city charter, or a combined city-county health department, or nonprofit health center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or a federally funded community health center organized under Section 315, 329, 330, or 340 of the Public Health Services Act, 42 U.S.C. Section 216, 254c; provided that such treatment shall not include the performance of an abortion. In the case of any claim or judgment that arises under this paragraph, the aggregate of payments from the state legal expense fund shall be limited to a maximum of one million dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed one million dollars for any one claimant, and insurance policies purchased under the provisions of section 105.721 shall be limited to one million dollars. Liability or malpractice insurance obtained and maintained in force by or on behalf of any physician licensed under chapter 334, or any dentist licensed under chapter 332, shall not be considered available to pay that portion of a judgment or claim for which the state legal expense fund is liable under this paragraph;

(4) Staff employed by the juvenile division of any judicial circuit;

(5) Any attorney licensed to practice law in the state of Missouri who practices law at or through a nonprofit community social services center qualified as exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or through any agency of any federal, state, or local government, if such legal practice is provided by the attorney without compensation. In the case of any claim or judgment that arises under this subdivision, the aggregate of payments from the state legal expense fund shall be limited to a maximum of five hundred thousand dollars for all claims arising out of and judgments based upon the same act or acts alleged in a single cause and shall not exceed five hundred thousand dollars for any one claimant, and insurance policies purchased pursuant to the provisions of section 105.721 shall be limited to five hundred thousand dollars; or

(6) Any social welfare board created under section 205.770 and the members and officers thereof upon

conduct of such officer or employee while acting in his or her capacity as a board member or officer, and any physician, nurse, physician assistant, dental hygienist, dentist, or other health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 who is referred to provide medical care without compensation by the board and who provides health care services within the scope of his or her license or registration as prescribed by the board.

3. The department of health and senior services shall promulgate rules regarding contract procedures and the documentation of care provided under paragraphs (b), (c), (d), (e), and (f) of subdivision (3) of subsection 2 of this section. The limitation on payments from the state legal expense fund or any policy of insurance procured pursuant to the provisions of section 105.721, provided in subsection 7 of this section, shall not apply to any claim or judgment arising under paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section. Any claim or judgment arising under paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section shall be paid by the state legal expense fund or any policy of insurance procured pursuant to section 105.721, to the extent damages are allowed under sections 538.205 to 538.235. Liability or malpractice insurance obtained and maintained in force by any health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 for coverage concerning his or her private practice and assets shall not be considered available under subsection 7 of this section to pay that portion of a judgment or claim for which the state legal expense fund is liable under paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section. However, a health care professional licensed or registered under chapter 330, 331, 332, 334, 335, 336, 337, or 338 may purchase liability or malpractice insurance for coverage of liability claims or judgments based upon care rendered under paragraphs (c), (d), (e), and (f) of subdivision (3) of subsection 2 of this section which exceed the amount of liability coverage provided by the state legal expense fund under those paragraphs. Even if paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section is repealed or modified, the state legal expense fund shall be available for damages which occur while the pertinent paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section is in effect.

4. The attorney general shall promulgate rules regarding contract procedures and the documentation of legal practice provided under subdivision (5) of subsection 2 of this section. The limitation on payments from the state legal expense fund or any policy of insurance procured pursuant to section 105.721 as provided in subsection 7 of this section shall not apply to any claim or judgment arising under subdivision (5) of subsection 2 of this section. Any claim or judgment arising under subdivision (5) of subsection 2 of this section shall be paid by the state legal expense fund or any policy of insurance procured pursuant to section 105.721 to the extent damages are allowed under sections 538.205 to 538.235. Liability or malpractice insurance otherwise obtained and maintained in force shall not be considered available under subsection 7 of this section to pay that portion of a judgment or claim for which the state legal expense fund is liable under subdivision (5) of subsection 2 of this section. However, an attorney may obtain liability or malpractice insurance for coverage of liability claims or judgments based upon legal practice rendered under subdivision (5) of subsection 2 of this section that exceed the amount of liability coverage provided by the state legal expense fund under subdivision (5) of subsection 2 of this section. Even if subdivision (5) of subsection 2 of this section is repealed or amended, the state legal expense fund shall be available for damages that occur while the pertinent subdivision (5) of subsection 2 of this section is in effect.

5. All payments shall be made from the state legal expense fund by the commissioner of administration with the approval of the attorney general. Payment from the state legal expense fund of a claim or final judgment award against a health care professional licensed or registered under chapter 330, 331, 332, 334,

335, 336, 337, or 338, described in paragraph (a), (b), (c), (d), (e), or (f) of subdivision (3) of subsection 2 of this section, or against an attorney in subdivision (5) of subsection 2 of this section, shall only be made for services rendered in accordance with the conditions of such paragraphs. In the case of any claim or judgment against an officer or employee of the state or any agency of the state based upon conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the state or any agency of the state that would give rise to a cause of action under section 537.600, the state legal expense fund shall be liable, excluding punitive damages, for:

(1) Economic damages to any one claimant; and

(2) Up to three hundred fifty thousand dollars for noneconomic damages. The state legal expense fund shall be the exclusive remedy and shall preclude any other civil actions or proceedings for money damages arising out of or relating to the same subject matter against the state officer or employee, or the officer's or employee's estate. No officer or employee of the state or any agency of the state shall be individually liable in his or her personal capacity for conduct of such officer or employee arising out of and performed in connection with his or her official duties on behalf of the state or any agency of the state. The provisions of this subsection shall not apply to any defendant who is not an officer or employee of the state or any agency of the state in any proceeding against an officer or employee of the state or any agency of the state. Nothing in this subsection shall limit the rights and remedies otherwise available to a claimant under state law or common law in proceedings where one or more defendants is not an officer or employee of the state or any agency of the state.

6. The limitation on awards for noneconomic damages provided for in this subsection shall be increased or decreased on an annual basis effective January first of each year in accordance with the Implicit Price Deflator for Personal Consumption Expenditures as published by the Bureau of Economic Analysis of the United States Department of Commerce. The current value of the limitation shall be calculated by the director of the department of insurance, financial institutions and professional registration, who shall furnish that value to the secretary of state, who shall publish such value in the Missouri Register as soon after each January first as practicable, but it shall otherwise be exempt from the provisions of section 536.021.

7. Except as provided in subsection 3 of this section, in the case of any claim or judgment that arises under sections 537.600 and 537.610 against the state of Missouri, or an agency of the state, the aggregate of payments from the state legal expense fund and from any policy of insurance procured pursuant to the provisions of section 105.721 shall not exceed the limits of liability as provided in sections 537.600 to 537.610. No payment shall be made from the state legal expense fund or any policy of insurance procured with state funds pursuant to section 105.721 unless and until the benefits provided to pay the claim by any other policy of liability insurance have been exhausted.

8. The provisions of section 33.080 notwithstanding, any moneys remaining to the credit of the state legal expense fund at the end of an appropriation period shall not be transferred to general revenue.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated under the authority delegated in sections 105.711 to 105.726 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or

adopted after August 28, 1999, shall be invalid and void.

536.021. 1. No rule shall hereafter be proposed, adopted, amended or rescinded by any state agency unless such agency shall first file with the secretary of state a notice of proposed rulemaking and a subsequent final order of rulemaking, both of which shall be published in the Missouri Register by the secretary of state as soon as practicable after the filing thereof in that office; except that a notice of proposed rulemaking is not required for the establishment of hunting or fishing seasons and limits or for the establishment of state program plans required under federal education acts or regulations. The secretary of state shall not publish any proposed rulemaking or final order of rulemaking that has not fully complied with the provisions of section 536.024 or an executive order, whichever appropriately applies. If the joint committee on administrative rules disapproves any proposed order of rulemaking, final order of rulemaking or portion thereof, the committee shall report its finding to the house of representatives and the senate. No proposed order of rulemaking, final order of rulemaking or portion thereof shall take effect, or be published by the secretary of state, so long as the general assembly shall disapprove such by concurrent resolution pursuant to article IV, section 8 within thirty legislative days occurring during the same regular session of the general assembly. The secretary of state shall not publish any order, or portion thereof, that is the subject of a concurrent resolution until the expiration of time necessary to comply with the provisions of article III, section 32.

2. A notice of proposed rulemaking shall contain:

(1) An explanation of any proposed rule or any change in an existing rule, and the reasons therefor;

(2) The legal authority upon which the proposed rule is based;

(3) The text of the entire proposed rule or the entire text of any affected section or subsection of an existing rule which is proposed to be amended, with all new matter printed in boldface type and with all deleted matter placed in brackets, except that when a proposed rule consists of material so extensive that the publication thereof would be unduly cumbersome or expensive, the secretary of state need publish only a summary and description of the substance of the proposed rule so long as a complete copy of the rule is made immediately available to any interested person upon application to the adopting state agency at a cost not to exceed the actual cost of reproduction. A proposed rule may incorporate by reference only if the material so incorporated is retained at the headquarters of the state agency and made available to any interested person at a cost not to exceed the actual cost of the reproduction of a copy. When a proposed amendment to an existing rule is to correct a typographical or printing error, or merely to make a technical change not affecting substantive matters, the amendment may be described in general terms without reprinting the entire existing rule, section or subsection;

(4) The number and general subject matter of any existing rule proposed to be rescinded;

(5) Notice that anyone may file a statement in support of or in opposition to the proposed rulemaking at a specified place and within a specified time not less than thirty days after publication of the notice of proposed rulemaking in the Missouri Register; and

(6) Notice of the time and place of a hearing on the proposed rulemaking if a hearing is ordered, which hearing shall be not less than thirty days after publication of the notice of proposed rulemaking in the Missouri Register; or a statement that no hearing has been ordered if such is the case.

3. Any state agency issuing a notice of proposed rulemaking may order a hearing thereon, but no such hearing shall be necessary unless otherwise required by law.

4. Any state agency which has issued in the Missouri Register a notice of proposed rulemaking to be made without a hearing, but which thereafter concludes that a hearing is desirable, shall withdraw the earlier notice and file a new notice of proposed rulemaking which fully complies with the provisions of subdivision (6) of subsection 2 of this section, and the state agency shall not schedule the hearing for a time less than thirty days following the publication of the new notice.

5. Within ninety days after the expiration of the time for filing statements in support of or in opposition to the proposed rulemaking, or within ninety days after the hearing on such proposed rulemaking if a hearing is held thereon, the state agency proposing the rule shall file with the secretary of state a final order of rulemaking either adopting the proposed rule, with or without further changes, or withdrawing the proposed rule, which order of rulemaking shall be published in the Missouri Register. Such ninety days shall be tolled for the time period any rule is held under abeyance pursuant to an executive order. If the state agency fails to file the order of rulemaking as indicated in this subsection, the proposed rule shall lapse and shall be null, void and unenforceable.

6. The final order of rulemaking shall contain:

(1) Reference to the date and page or pages where the notice of proposed rulemaking was published in the Missouri Register;

(2) An explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change;

(3) The full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking;

(4) A brief summary of the general nature and extent of comments submitted in support of or in opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with said rulemaking, together with a concise summary of the state agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule; and

(5) The legal authority upon which the order of rulemaking is based.

7. Except as provided in section 536.025, any rule, or amendment or rescission thereof, shall be null, void and unenforceable unless made in accordance with the provisions of this section.

8. Except as provided in subsection 1 of this section and subsection 4 of section 536.031, after the final order of rulemaking has been published in the Missouri Register, the text of the entire rule shall be published in full in the Missouri code of state regulations. No rule, except an emergency rule, shall become effective prior to the thirtieth day after the date of publication of the revision to the Missouri code of state regulations. The secretary of state shall distribute revisions of the Missouri code of state regulations to all subscribers of the Missouri code of state regulations on or before the date of publication of such revision. The publication date of each rule shall be printed below the rule in the Missouri code of state regulations, provided further, that rules pertaining to changes in hunting or fishing seasons and limits that must comply with federal requirements or that are necessary because of documented changes in fish and game populations may become effective no earlier than on the tenth day after the filing of the final order of rulemaking.

[9. If it is found in a contested case by an administrative or judicial fact finder that a state agency's

action was based upon a statement of general applicability which should have been adopted as a rule, as required by sections 536.010 to 536.050, and that agency was put on notice in writing of such deficiency prior to the administrative or judicial hearing on such matter, then the administrative or judicial fact finder shall award the prevailing nonstate agency party its reasonable attorney's fees incurred prior to the award, not to exceed the amount in controversy in the original action. This award shall constitute a reviewable order. If a state agency in a contested case grants the relief sought by the nonstate party prior to a finding by an administrative or judicial fact finder that the agency's action was based on a statement of general applicability which should have been adopted as a rule, but was not, then the affected party may bring an action in the circuit court of Cole County for the nonstate party's reasonable attorney's fees incurred prior to the relief being granted, not to exceed the amount in controversy in the original action.

10. The actions authorized by subsection 9 of this section shall not apply to the department of revenue if that department implements the authorization hereby granted to the director or the director's duly authorized agents to issue letter rulings which shall bind the director or the director's agents and their successors for a minimum of three years, subject to the terms and conditions set forth in properly published regulations. An unfavorable letter ruling shall not bind the applicant and shall not be appealable to any forum. Subject to appropriations, letter rulings shall be published periodically with information identifying the taxpayer deleted. For the purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a nonstate party.**]**

536.025. 1. A rule may be made, amended or rescinded by a state agency without following the provisions of section 536.021, only if the state agency:

(1) Finds that an immediate danger to the public health, safety or welfare requires emergency action or the rule is necessary to preserve a compelling governmental interest that requires an early effective date as permitted pursuant to this section;

(2) Follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances;

(3) Follows procedures which comply with the protections extended by the Missouri and United States Constitutions; and

(4) Limits the scope of such rule to the circumstances creating an emergency and requiring emergency action.

2. At the time of or prior to the adoption of such rule, the agency shall file with the secretary of state and the joint committee on administrative rules the text of the rule together with the specific facts, reasons, and findings which support the agency's conclusion that the agency has fully complied with the requirements of subsection 1 of this section. If an agency finds that a rule is necessary to preserve a compelling governmental interest that requires an early effective date, the agency shall certify in writing the reasons therefor.

3. Material filed with the secretary of state and the joint committee on administrative rules under the provisions of subsection 2 of this section shall be published in the Missouri Register by the secretary of state as soon as practicable after the filing thereof. Any rule adopted pursuant to this section shall be reviewed by the secretary of state to determine compliance with the requirements for its publication and adoption established in this section, and in the event that the secretary of state determines that such proposed material does not meet those requirements, the secretary of state shall not publish the rule. The secretary of state shall

inform the agency of its determination, and offer the agency a chance to either withdraw the rule or to have it published as a proposed rule.

4. The committee may file with the secretary of state any comments or recommendations that the committee has concerning a proposed or final order of rulemaking. Such comments shall be published in the Missouri Register.

5. The committee may refer comments or recommendations concerning such rule to the appropriations and budget committee of the house of representatives and the appropriations committee of the senate for further action.

6. Rules adopted under the provisions of this section shall be known as "emergency rules" and shall, along with the findings and conclusions of the state agency in support of its employment of emergency procedures, be judicially reviewable under section 536.050 or other appropriate form of judicial review. The secretary of state and any employee thereof, acting in the scope of employment, shall be immune from suit in actions regarding the adoption of rules pursuant to this section.

7. A rule adopted under the provisions of this section shall clearly state the interval during which it will be in effect. Emergency rules shall not be in effect for a period exceeding one hundred eighty calendar days or thirty legislative days, whichever period is longer. For the purposes of this section, a "legislative day" is each Monday, Tuesday, Wednesday and Thursday beginning the first Wednesday after the first Monday in January and ending the first Friday after the second Monday in May, regardless of whether the legislature meets.

8. A rule adopted under the provisions of this section shall not be renewable, nor shall an agency adopt consecutive emergency rules that have substantially the same effect, although a state agency may, at any time, adopt an identical rule under normal rulemaking procedures.

9. A rule adopted under the provisions of this section may be effective not less than ten days after the filing thereof in the office of the secretary of state, or at such later date as may be specified in the rule, and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the Missouri Register as soon as practicable after the filing thereof.

[10. If it is found in a contested case by an administrative or judicial fact finder that an agency rule should not have been adopted as an emergency rule as provided by subsection 1 of this section, then the administrative or judicial fact finder shall award the nonstate party who prevails, as defined in this section, its reasonable fees and expenses, as defined in this section. This award shall constitute a reviewable order. If a state agency in a contested case grants the relief sought by the party prior to a finding by an administrative or judicial fact finder that the state agency's action was based on a statement of general applicability which should not have been adopted as an emergency rule, but was in fact adopted as an emergency rule pursuant to this section, then the affected party may bring an action in circuit court of Cole County for the nonstate party's reasonable fees and expenses, as defined in this section.

11. For the purposes of this section, the following terms mean:

(1) "Prevails", obtains a favorable order, decision, judgment or dismissal in a civil action or agency proceeding;

(2) "Reasonable fees and expenses" includes the reasonable expenses of expert witnesses, the reasonable

cost of any study, analysis, engineering report, test or project which is found by the court or agency to be necessary for the preparation of the party's case, and reasonable attorney or agent fees.**]**"; and

Further amend said bill, Page 1, Section 536.041, Line 14 of said page, by striking "1."; and

Further amend said bill and section, page 2, lines 22-28 by striking all of said lines from the bill; and

Further amend said bill and section, page 3, lines 1-28 by striking all of said lines from the bill and inserting in lieu thereof the following:

"536.050. 1. The power of the courts of this state to render declaratory judgments shall extend to declaratory judgments respecting the validity of rules, or of threatened applications thereof, and such suits may be maintained against agencies whether or not the plaintiff has first requested the agency to pass upon the question presented. The venue of such suits against agencies shall, at the option of the plaintiff, be in the circuit court of Cole County, or in the county of the plaintiff's residence, or if the plaintiff is a corporation, domestic or foreign, having a registered office or business office in this state, in the county of such registered office or business office. Nothing herein contained shall be construed as a limitation on the declaratory or other relief which the courts might grant in the absence of this section.

2. Any person bringing an action under subsection 1 of this section shall not be required to exhaust any administrative remedy if the court determines that:

(1) The administrative agency has no authority to grant the relief sought or the administrative remedy is otherwise inadequate; or

(2) The only issue presented for adjudication is a constitutional issue or other question of law; or

(3) Requiring the person to exhaust any administrative remedy would result in undue prejudice because the person may suffer irreparable harm if unable to secure immediate judicial consideration of the claim. Provided, however, that the provisions of this subsection shall not apply to any matter covered by chapters 288, 302, and 303; or

(4) The party bringing the action is a small business claiming a material violation of section 536.300 or 536.303 by the state agency requiring the small business impact statement for the amendment or rule.

3. **[**A nonstate party who prevails in an action brought pursuant to subsection 1 of this section shall be awarded reasonable fees and expenses, as defined in section 536.085, incurred by that party in the action.

4. A nonstate party seeking an award of fees and other expenses shall, within thirty days of a final disposition of an action brought pursuant to subsection 1 of this section, submit to the court which rendered the final disposition or judgment an application which shows that the party is a prevailing party and is eligible to receive an award pursuant to this section, and the amount sought, including an itemized statement from any attorney or expert witness representing or appearing in behalf of the party stating the actual time expended and the rate at which fees and other expenses are computed.

5. A prevailing nonstate party in an agency proceeding shall submit an application for fees and expenses to the court before which the party prevailed. The filing of an application shall not stay the time for appealing the merits of a case. When the state appeals the underlying merits of an adversary proceeding, no decision on the application for fees and other expenses in connection with that adversary proceeding shall be made pursuant to this section until a final and unreviewable decision is rendered by the court on the appeal or until the underlying merits of the case have been finally determined pursuant to the appeal.

6. The court may either reduce the amount to be awarded or deny any award, to the extent that the prevailing nonstate party during the course of the proceedings engaged in conduct which unduly and unreasonably protracted the final resolution of the matter in controversy.

7. The decision of a court on the application for reasonable fees and expenses shall be in writing, separate from the judgment or order of the court which determined the prevailing party, and shall include written findings and conclusions and the reason or basis therefor. The decision of a court on the application for fees and other expenses shall be final, subject respectively to appeal or judicial review.

8. If a party or the state is dissatisfied with a determination of fees and other expenses made in an action brought pursuant to subsection 1 of this section, that party or the state may, within the time permitted by law, appeal that order or judgment to the appellate court having jurisdiction to review the merits of that order or judgment. The appellate court's determination shall be based solely on the record made before the court below. The court may modify, reverse or reverse and remand the determination of fees and other expenses if the court finds that the award or failure to make an award of fees and other expenses, or the calculation of the amount of the award, was arbitrary and capricious, was unreasonable, was unsupported by competent and substantial evidence, or was made contrary to law or in excess of the court's jurisdiction. Awards made pursuant to this section shall be payable from amounts appropriated therefor. The state agency against which the award was made shall request an appropriation to pay for the award.

9.**]** The general assembly or its designee shall have standing, in law or equity, to intervene in any existing action involving such challenge to agency action. Unless otherwise provided by resolution, the general assembly's designee is the joint committee on administrative rules who may, upon a concurrence of a majority of the committee's members, intervene in the name of the members of the committee in their representative capacity. Nothing in this section shall confer upon the committee any duty to so act or intervene."; and

Further amend said bill, pages 4-7, section 536.087 by striking all of said section from the bill; and

Further amend said bill, page 11, section 536.325, line 13 by inserting after all of said line the following:

"**[**536.085. As used in section 536.087, the following terms mean:

(1) "Agency proceeding", an adversary proceeding in a contested case pursuant to this chapter in which the state is represented by counsel, but does not include proceedings for determining the eligibility or entitlement of an individual to a monetary benefit or its equivalent, child custody proceedings, eminent domain proceedings, driver's license proceedings, vehicle registration proceedings, proceedings to establish or fix a rate, or proceedings before the state tax commission;

(2) "Party":

(a) An individual whose net worth did not exceed two million dollars at the time the civil action or agency proceeding was initiated; or

(b) Any owner of an unincorporated business or any partnership, corporation, association, unit of local government or organization, the net worth of which did not exceed seven million dollars at the time the civil action or agency proceeding was initiated, and which had not more than five hundred employees at the time the civil action or agency proceeding was initiated;

(3) "Prevails", obtains a favorable order, decision, judgment, or dismissal in a civil action or agency proceeding;

(4) "Reasonable fees and expenses" includes the reasonable expenses of expert witnesses, the reasonable cost of any study, analysis, engineering report, test, or project which is found by the court or agency to be necessary for the preparation of the party's case, and reasonable attorney or agent fees. The amount of fees awarded as reasonable fees and expenses shall be based upon prevailing market rates for the kind and quality of the services furnished, except that no expert witness shall be compensated at a rate in excess of the highest rate of compensation for expert witnesses paid by the state in the type of civil action or agency proceeding, and attorney fees shall not be awarded in excess of seventy-five dollars per hour unless the court determines that a special factor, such as the limited availability of qualified attorneys for the proceedings involved, justifies a higher fee;

(5) "State", the state of Missouri, its officers and its agencies, but shall not include political subdivisions of the state.**]**

[536.087. 1. A party who prevails in an agency proceeding or civil action arising therefrom, brought by or against the state, shall be awarded those reasonable fees and expenses incurred by that party in the civil action or agency proceeding, unless the court or agency finds that the position of the state was substantially justified or that special circumstances make an award unjust.

2. In awarding reasonable fees and expenses under this section to a party who prevails in any action for judicial review of an agency proceeding, the court shall include in that award reasonable fees and expenses incurred during such agency proceeding unless the court finds that during such agency proceeding the position of the state was substantially justified, or that special circumstances make an award unjust.

3. A party seeking an award of fees and other expenses shall, within thirty days of a final disposition in an agency proceeding or final judgment in a civil action, submit to the court, agency or commission which rendered the final disposition or judgment an application which shows that the party is a prevailing party and is eligible to receive an award under this section, and the amount sought, including an itemized statement from any attorney or expert witness representing or appearing in behalf of the party stating the actual time expended and the rate at which fees and other expenses are computed. The party shall also allege that the position of the state was not substantially justified. The fact that the state has lost the agency proceeding or civil action creates no legal presumption that its position was not substantially justified. Whether or not the position of the state was substantially justified shall be determined on the basis of the record (including the record with respect to the action or failure to act by an agency upon which a civil action is based) which is made in the agency proceeding or civil action for which fees and other expenses are sought, and on the basis of the record of any hearing the court or agency deems appropriate to determine whether an award of reasonable fees and expenses should be made, provided that any such hearing shall be limited to consideration of matters which affected the agency's decision leading to the position at issue in the fee application.

4. A prevailing party in an agency proceeding shall submit an application for fees and expenses to the administrative body before which the party prevailed. A prevailing party in a civil action on appeal from an agency proceeding shall submit an application for fees and expenses to the court. The filing of an application shall not stay the time for appealing the merits of a case. When the state appeals the underlying merits of an adversary proceeding, no decision on the application for fees and other expenses in connection with that adversary proceeding shall be made under this section until a final and unreviewable decision is rendered by the court on the appeal or until the underlying merits of the case have been finally determined pursuant to the appeal.

5. The court or agency may either reduce the amount to be awarded or deny any award, to the extent that the prevailing party during the course of the proceedings engaged in conduct which unduly and unreasonably protracted the final resolution of the matter in controversy.

6. The decision of a court or an agency on the application for reasonable fees and expenses shall be in writing, separate from the judgment or order of the court or the administrative decision which determined the prevailing party, and shall include written findings and conclusions and the reason or basis therefor. The decision of a court or an agency on the application for fees and other expenses shall be final, subject respectively to appeal or judicial review.

7. If a party or the state is dissatisfied with a determination of fees and other expenses made in an agency proceeding, that party or the state may within thirty days after the determination is made, seek judicial review of that determination from the court having jurisdiction to review the merits of the underlying decision of the agency adversary proceeding. If a party or the state is dissatisfied with a determination of fees and other expenses made in a civil action arising from an agency proceeding, that party or the state may, within the time permitted by law, appeal that order or judgment to the appellate court having jurisdiction to review the merits of that order or judgment. The reviewing or appellate court's determination on any judicial review or appeal heard under this subsection shall be based solely on the record made before the agency or court below. The court may modify, reverse or reverse and remand the determination of fees and other expenses if the court finds that the award or failure to make an award of fees and other expenses, or the calculation of the amount of the award, was arbitrary and capricious, was unreasonable, was unsupported by competent and substantial evidence, or was made contrary to law or in excess of the court's or agency's jurisdiction. Awards made pursuant to this act shall be payable from amounts appropriated therefor. The state agency against which the award was made shall request an appropriation to pay the award.**]**"; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted.

At the request of Senator Dixon, **SB 469**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

Senator Lamping moved that **SJR 29** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Lamping offered **SS** for **SJR 29**, entitled:

SENATE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 29

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 20, 20(a), 22, 25, 31 and 32 of article III of the Constitution of Missouri, and adopting six new sections in lieu thereof relating to the adjournment of the legislative session.

Senator Lamping moved that **SS** for **SJR 29** be adopted.

Senator Pearce assumed the Chair.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Joint Resolution No. 29, Page 2, Section 20, Line 7 of said page, by inserting after the word "days." the following: "**Beginning with the ninety-eighth general assembly, any bill or resolution pending at the final adjournment of a regular session held in an odd numbered year shall carry over with the same status and bill or resolution number to the next regular session.**"; and

Further amend said resolution, Page 3, Section 20(a), Lines 4-6 of said page, by striking the following: "All bills in either house remaining on the calendar after 6:00 p.m. on the first Friday following the second Monday in April are tabled."; and

Further amend said resolution, Page 4, Section 25, Line 18 of said page, by inserting after all of said line the following:

"Section 28. **[**No act shall be revived or reenacted unless it shall be set forth at length as if it were an original act.**]** No act shall be amended by providing that words be stricken out or inserted, but the words to be stricken out, or the words to be inserted, or the words to be stricken out and those inserted in lieu thereof, together with the act or section amended, shall be set forth in full as amended."; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted.

At the request of Senator Lamping, **SJR 29**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, Dr. Jeff Kerr, Rolla.

Senator Rupp introduced to the Senate, Susan Parker, Susan Newton and Bethany Motes, St. Charles.

Senator Cunningham introduced to the Senate, the Physician of the Day, Dr. Rami Gheith, M.D., St. Louis.

Senator Mayer introduced to the Senate, Cindy Robinette, Ashley Murphy, Laura Glueck, Kristen Alexander and Mary Fielder, representatives of SEMO Area Health Education Center.

Senator Lager introduced to the Senate, Circuit Clerks from around the state.

Senator Brown introduced to the Senate, his sister-in-law, Phelps County Circuit Clerk, Sue Brown, Rolla.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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TWENTIETH DAY–WEDNESDAY, FEBRUARY 8, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 738-Stouffer
SB 739-Keaveny
SB 740-Pearce
SB 741-Parson

SB 742-Brown
SB 743-Brown
SB 744-Wright-Jones
SB 745-Lembke
SB 746-Schaefer
SB 747-Schaefer
SB 748-Brown
SB 749-Lamping, et al
SB 750-Schmitt
SB 751-Schaaf
SB 752-Kehoe, et al
SB 753-Green
SB 754-Mayer
SB 755-Mayer
SB 756-Engler
SB 757-Wasson
SB 758-Wasson
SB 759-Lager
SB 760-Dempsey
SB 761-Keaveny
SB 762-Keaveny
SB 763-Kehoe
SJR 49-Rupp

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140

THIRD READING OF SENATE BILLS

SS for SCS for SB 592-Lager (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 442-Stouffer, with SCS
SB 564-Brown
SB 470-Dixon, with SCS
SB 572-Dempsey, with SCS
SB 589-Kraus, with SCS
SB 498-Munzlinger, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 455-Pearce
SB 469-Dixon, with SCS, SS for SCS & SA 2 (pending)
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS and SA 1 (pending)
SB 596-Brown, with SCS
SJR 29-Lamping, with SS & SA 1 (pending)

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Journal of the Senate

SECOND REGULAR SESSION

TWENTIETH DAY—WEDNESDAY, FEBRUARY 8, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Do not deceive yourselves. If you think that you are wise in this age, you should become fools so that you may become wise." (I Corinthians 3:18)

Gracious and omniscient God, You look beyond our foolishness and self-pride and show us pathways to walk that can help us understand our place in Your kingdom so that we might better serve in this place and share the load of responsibilities that fall to each of us individually and collectively. Bless us this day, therefore, with Your presence and strengthen us so we may be faithful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Crowell—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 1367, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Carl Dewaine Nelson, St. Joseph, which was adopted.

Senator Nieves offered Senate Resolution No. 1368, regarding Marc S. Perez, Wildwood, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1369, regarding Michael Gaines, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1370, regarding Emily Duncan, Liberty, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1371, regarding Susanna Grubbs, Liberty, which was adopted.

Senator Nieves offered Senate Resolution No. 1372, regarding Evan E. Searcy, Washington, which was adopted.

Senator Schaaf offered Senate Resolution No. 1373, regarding Richard Lucas "Luke" Lanning, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1374, regarding Kevin Luton, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1375, regarding Ryan Lee Thomas, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1376, regarding Saxton Watson, Parkville, which was adopted.

Senator Goodman offered Senate Resolution No. 1377, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Gilbert Ross, Mt. Vernon, which was adopted.

CONCURRENT RESOLUTIONS

Senators Rupp, Schmitt, Parson, Richard, Wright-Jones and McKenna offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 20

Relating to granting authority to the department of economic development to approve qualified equity investments.

WHEREAS, section 135.680 provides for granting authority to the Department of Economic Development to approve qualified equity investments for the Missouri New Markets Development Program by concurrent resolution; and

WHEREAS, section 135.680 further requires a description of the amount of credits available for the next fiscal year in that concurrent resolution; and

WHEREAS, the current fiscal year cap on the Missouri New Markets Development Program is set at twenty-five million dollars; and

WHEREAS, for every ten million dollars in annual credits claimed under the cap, one hundred twenty-five million dollars of qualified equity investment is made; and

WHEREAS, the Missouri New Markets Development Program has resulted in significant job creation and new tax revenue for the State of Missouri and its political subdivisions; and

WHEREAS, without further action by the General Assembly by concurrent resolution the Missouri New Markets Development Program cannot continue to attract new private investment:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House concurring therein, grant authority to the Department of Economic Development to approve qualified equity investments in the Missouri New Markets Development Program to the greatest extent possible without exceeding, now or in any future year, the limitation on tax credits found in subsection 2 of section 135.680; and

BE IT FURTHER RESOLVED that the authority to approve qualified equity investments shall apply in the next fiscal year and the partial fiscal year that follows until such time as the sunset in subsection 7 of section 135.680 applies; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for Governor Jay Nixon.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 764–By Schaefer.

An Act to repeal sections 610.010, 610.020, 610.021, 610.022, 610.023, 610.024, 610.025, 610.026, 610.027, 610.029, and 610.100, RSMo, and to enact in lieu thereof eleven new sections relating to public records and meetings, with existing penalty provisions.

SB 765–By Schaefer.

An Act to repeal section 488.305, RSMo, and to enact in lieu thereof one new section relating to fees for garnishments.

SB 766–By Schaefer.

An Act to repeal section 135.1150, RSMo, and to enact in lieu thereof one new section relating to the residential treatment agency tax credit.

SB 767–By Goodman.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to Navy Cross special license plates.

SB 768–By Kraus.

An Act to amend chapter 478, RSMo, by adding thereto one new section relating to veterans treatment courts.

SB 769–By Kraus.

An Act to amend chapter 701, RSMo, by adding thereto one new section relating to anemometer towers, with penalty provisions.

SB 770–By Wright-Jones.

An Act to repeal section 660.057, RSMo, and to enact in lieu thereof one new section relating to the reporting requirements for area agencies on aging.

SB 771–By Nieves and Cunningham.

An Act to amend chapter 537, RSMo, by adding thereto three new sections relating to the duties and liabilities of ski area operators and skiers.

SB 772–By Brown.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to the abortion-inducing drugs safety act, with penalty provisions.

SB 773–By Parson.

An Act to repeal section 115.349, RSMo, and to enact in lieu thereof one new section relating to the time period for filing declarations for candidacy, with an emergency clause.

Senator Rupp assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 592**, begs leave to report that it has considered the same and recommends that the bill do pass.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 455** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Pearce, **SB 455** was declared perfected and ordered printed.

SB 442, with **SCS**, was placed on the Informal Calendar.

Senator Brown moved that **SB 564** be taken up for perfection, which motion prevailed.

On motion of Senator Brown, **SB 564** was declared perfected and ordered printed.

SB 470, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dempsey, **SB 572**, with **SCS**, was placed on the Informal Calendar.

Senator Kraus moved that **SB 589**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 589**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 589

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to automated traffic enforcement systems.

Was taken up.

Senator Kraus moved that **SCS** for **SB 589** be adopted.

Senator Pearce assumed the Chair.

At the request of Senator Kraus, **SB 589**, with **SCS** (pending), was placed on the Informal Calendar.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 592**, introduced by Senator Lager, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 592

An Act to repeal sections 213.010, and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

Was taken up.

On motion of Senator Lager, **SS** for **SCS** for **SB 592** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe	Kraus
Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson—25							

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Wright-Jones—8

Absent—Senators—None

Absent with leave—Senator Crowell—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Rupp moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 455** and **SB 564**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1036**, entitled:

An Act to repeal section 115.241, RSMo, relating to political party emblems on ballots.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1039**, entitled:

An Act to repeal section 70.695, RSMo, and to enact in lieu thereof one new section relating to the Missouri local government employees' retirement system.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1099**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of veterans of operation Iraq/enduring freedom day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1100**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Vietnam veterans day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1105**, entitled:

An Act to repeal section 41.050, RSMo, and to enact in lieu thereof one new section relating to the state militia.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Mayer referred **SB 455** to the Committee on Ways and Means and Fiscal Oversight.

INTRODUCTIONS OF GUESTS

The President introduced to the Senate, Bob and Susan Engelhart and their children, Callie and Case, Jackson; and Case was made an honorary page.

Senator Stouffer introduced to the Senate, representatives of Missouri Association of Nurse Anesthetists from around the state.

Senator Munzlinger introduced to the Senate, the Physician of the Day, Dr. Lent Johnson, M.D., Hannibal.

Senator Munzlinger introduced to the Senate, Dr. Jeff Davis, Memphis; and Dr. Ken Jones, Clinton.

Senator Dixon introduced to the Senate, representatives of the Junior League and representatives of the Multiple Sclerosis Society, Springfield.

Senator Nieves introduced to the Senate, SGT Cameron Carney and SSG Ryan Gardner, Washington; SFC Sherry J. Foxx, St. Charles; 1SG Ben W. Gibbins and Capt. Amy Cory, Ft. Leonard Wood; and Col. Michael Pate, Union.

Senator Brown introduced to the Senate, Teddy Byler and representatives of the Missouri Dental Hygienist Association, Rolla.

Senator Purgason introduced to the Senate, Wyatt Thomas, West Plains.

Senator Mayer introduced to the Senate, Josh Hale, Puxico.

Senator Munzlinger introduced to the Senate, Head Coach Joe Brandenburg, Assistant Coach Mindy Ray, Managers Lauren Seago and Katie Danforth and members of the Class 2 State Champion Palmyra High School softball team: Alexis Van Nostrand, Katie Serbin, Kelsey Martin, Kindra Henze, Brianne Caldwell, Jamie Martin, Katee Hinkle, Liz Stansberry, Evie Miles, Jenna O'Leary, Bowen Juette, Bailey Leftwich, Lexi Lossen and Madison Ragar.

Senator Richard introduced to the Senate, Dental Hygienist students from Missouri Southern State University, Joplin.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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TWENTY-FIRST DAY–THURSDAY, FEBRUARY 9, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 738-Stouffer
SB 739-Keaveny
SB 740-Pearce
SB 741-Parson
SB 742-Brown
SB 743-Brown

SB 744-Wright-Jones
SB 745-Lembke
SB 746-Schaefer
SB 747-Schaefer
SB 748-Brown
SB 749-Lamping, et al
SB 750-Schmitt
SB 751-Schaaf
SB 752-Kehoe, et al
SB 753-Green
SB 754-Mayer
SB 755-Mayer
SB 756-Engler
SB 757-Wasson
SB 758-Wasson
SB 759-Lager
SB 760-Dempsey
SB 761-Keaveny
SB 762-Keaveny
SB 763-Kehoe
SB 764-Schaefer
SB 765-Schaefer
SB 766-Schaefer
SB 767-Goodman
SB 768-Kraus
SB 769-Kraus
SB 770-Wright-Jones
SB 771-Nieves and Cunningham
SB 772-Brown
SB 773-Parson
SJR 49-Rupp

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day

THIRD READING OF SENATE BILLS

SB 455-Pearce (In Fiscal Oversight)
SB 564-Brown

SENATE BILLS FOR PERFECTION

SB 498-Munzlinger, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 469-Dixon, with SCS, SS for SCS & SA 2 (pending)
SB 470-Dixon, with SCS
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 572-Dempsey, with SCS

SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS

SJR 29-Lamping, with SS & SA 1 (pending)

RESOLUTIONS

To be Referred

SCR 20-Rupp, et al

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-FIRST DAY—THURSDAY, FEBRUARY 9, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Wisdom consists in doing the next thing you have to do, doing it with your whole heart and finding delight in doing it." (Meister Echart)

Loving God, as we race through this day may we put our whole selves into what must be done so that it doesn't need to be redone. May we go to those we love and love them with our whole heart so completely that they know we are giving our whole self to them. And, may we find the delight that comes from completely being present with them in the hearing of Your word this weekend. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced that photographers from Gasconade County Republican were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Crowell—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 1378, regarding Michael Charles Schrock, which was adopted.

Senator Nieves offered Senate Resolution No. 1379, regarding the One Hundredth Birthday of Alice Throop Merrill, Gerald, which was adopted.

Senator Rupp offered Senate Resolution No. 1380, regarding Karen J. Jones, O'Fallon, which was adopted.

Senator Lembke offered Senate Resolution No. 1381, regarding the One Hundredth Birthday of Joseph Redel, Eureka, which was adopted.

Senator Lembke offered Senate Resolution No. 1382, regarding Adam J. Witte, which was adopted.

Senator Lembke offered Senate Resolution No. 1383, regarding Carl H. Hendrickson, St. Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1384, regarding Richard Baptiste, Waynesville, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 774–By Rupp.

An Act to repeal section 116.332, RSMo, and to enact in lieu thereof one new section relating to the initiative and referendum process.

SB 775–By Munzlinger.

An Act to amend chapter 26, RSMo, by adding thereto one new section relating to notice before gubernatorial appointments.

SB 776–By Kraus.

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to assessment of certain real property within certain airport boundaries.

THIRD READING OF SENATE BILLS

SB 564, introduced by Senator Brown, entitled:

An Act to repeal section 302.173, RSMo, and to enact in lieu thereof one new section relating to the waiver of the motorcycle roads skills test for members of the armed forces who have successfully completed certain military motorcycle rider training courses.

Was taken up.

On motion of Senator Brown, **SB 564** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard

Ridgeway Rupp Schaaf Schaefer Schmitt Stouffer Wasson Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators
Crowell Purgason—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Stouffer assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Munzlinger moved that **SB 498**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 498**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 498

An Act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations.

Was taken up.

Senator Munzlinger moved that **SCS** for **SB 498** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **SB 498** was declared perfected and ordered printed.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 20—Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, Senator Dempsey submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 591**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Crowell, Chairman of the Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **SB 479**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **SB 492**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 465**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 611**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 485**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 594**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which were referred **SB 484**, **SB 477** and **SB 606**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 450**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer assumed the Chair.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 15**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 16**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1311**, entitled:

An Act to amend chapters 67 and 144, RSMo, by adding thereto two new sections relating to tax incentives for technology business facilities and data storage centers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1329**, entitled:

An Act to repeal sections 301.140, 301.147, 301.559, and 301.3087, RSMo, and to enact in lieu thereof four new sections relating to motor vehicle registration.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

SB 738—Agriculture, Food Production and Outdoor Resources.

SB 739—Health, Mental Health, Seniors and Families.

SB 740—Ways and Means and Fiscal Oversight.

SB 741—Judiciary and Civil and Criminal Jurisprudence.

SB 742—Health, Mental Health, Seniors and Families.

SB 743—Transportation.

SB 744—General Laws.

SB 745—Health, Mental Health, Seniors and Families.

SB 746—Jobs, Economic Development and Local Government.

SB 747—Financial and Governmental Organizations and Elections.

SB 748—Ways and Means and Fiscal Oversight.

SB 749—Small Business, Insurance and Industry.

SB 750—Health, Mental Health, Seniors and Families.

SB 751—Education.

SB 752—Transportation.

SB 753—Commerce, Consumer Protection, Energy and the Environment.

SB 754—Transportation.

SB 755—Judiciary and Civil and Criminal Jurisprudence.

SB 756—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 757—Financial and Governmental Organizations and Elections.

SB 758—Health, Mental Health, Seniors and Families.

SB 759—Commerce, Consumer Protection, Energy and the Environment.

SB 760—Agriculture, Food Production and Outdoor Resources.

SB 761—Judiciary and Civil and Criminal Jurisprudence.

SB 762—Education.

SB 763—Transportation.

SB 764—General Laws.

SB 765—Judiciary and Civil and Criminal Jurisprudence.

SB 766—Ways and Means and Fiscal Oversight.

SB 767—Transportation.

SB 768—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 769—Commerce, Consumer Protection, Energy and the Environment.

SB 770—Health, Mental Health, Seniors and Families.

SB 771—Judiciary and Civil and Criminal Jurisprudence.

SB 772—Health, Mental Health, Seniors and Families.

SB 773—Financial and Governmental Organizations and Elections.

SJR 49—General Laws.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

February 7, 2012

Senator Jim Lembke
Chairman, Governmental Accountability Committee
Room 419, State Capitol
Jefferson City, MO 65101

Dear Chairman Lembke:

Pursuant to Senate Rule 28 Section 8, I request that your committee investigate the Missouri Department of Social Services and their administration of the Spenddown Program as well as their procedures for determining Food Stamp eligibility and recertification.

Please let me know if you have additional questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
State Senator, District 25

INTRODUCTIONS OF GUESTS

Senator Engler introduced to the Senate, the Physician of the Day, Dr. Greg Terpstra, M.D., Potosi.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, February 13, 2012.

SENATE CALENDAR

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TWENTY-SECOND DAY–MONDAY, FEBRUARY 13, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 774-Rupp
SB 775-Munzlinger
SB 776-Kraus

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329

THIRD READING OF SENATE BILLS

SB 455-Pearce (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 591-Parson, with SCS
SB 479-Crowell
SB 492-Crowell
SB 465-Schaaf
SB 611-Lembke
SB 485-Cunningham, with SCS
SB 594-Kraus
SBs 484, 477 & 606-Rupp, with SCS
SB 450-Rupp

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 469-Dixon, with SCS, SS for SCS & SA 2 (pending)
SB 470-Dixon, with SCS
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS and SA 1 (pending)
SB 572-Dempsey, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SJR 29-Lamping, with SS & SA 1 (pending)

RESOLUTIONS

Reported from Committee

SCR 15-Dempsey
SCR 16-Stouffer

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SECOND DAY—MONDAY, FEBRUARY 13, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

President Pro Tem Mayer offered the following prayer:

Dear Gracious Heavenly Father, we thank You for Your mercies as we begin a new week in the Capitol. We are once again reminded of Your almighty power as we observe the beauty of a winter snowfall. Please keep Your protective hand upon us this week and be with our loved ones waiting for us back home. We ask that You guide our thoughts and actions and that all we do be to Your honor and glory. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 9, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 1385, regarding Jaedyn Larson, St. Charles, which was adopted.

Senator Richard offered Senate Resolution No. 1386, regarding Mason Wilkes, which was adopted.

Senator Richard offered Senate Resolution No. 1387, regarding Josh Souder, which was adopted.

Senator Richard offered Senate Resolution No. 1388, regarding Chance Smith, which was adopted.

Senator Richard offered Senate Resolution No. 1389, regarding Jack Redd, which was adopted.

Senator Richard offered Senate Resolution No. 1390, regarding Josh Griner, which was adopted.

Senator Richard offered Senate Resolution No. 1391, regarding Jim Jackson, which was adopted.

Senator Rupp offered Senate Resolution No. 1392, regarding Jessica Karll, Troy, which was adopted.

Senator Rupp offered Senate Resolution No. 1393, regarding Emily Crane, which was adopted.

Senator Nieves offered Senate Resolution No. 1394, regarding the Seventieth Birthday of Mary Scott, Washington, which was adopted.

Senator Crowell offered Senate Resolution No. 1395, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Louis A. "Butch" Heisserer, Scott City, which was adopted.

Senator Lembke offered Senate Resolution No. 1396, regarding Francis Cantanzaro, Wendell Cobb, Naomi Dill, Ruth Graves Coker, William Longeinrich, Vito Vitale and Alwal Anheuser Moore, United States Army; Vernon Olson, United States Army Air Corps; and Charles Stockhausen, United States Marine Corps, which was adopted.

Senator Lembke offered Senate Resolution No. 1397, regarding Eric D. Cochran, Saint Louis, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 777–By Richard.

An Act to repeal sections 99.805, 99.810, 99.835, 99.845, and 99.865, RSMo, and to enact in lieu thereof five new sections relating to tax increment financing for redevelopment of disaster areas, with an emergency clause.

SB 778–By Richard.

An Act to repeal section 260.330, RSMo, and to enact in lieu thereof one new section relating to adjustments to solid waste management fees.

SB 779–By Munzlinger.

An Act to repeal section 488.5320, RSMo, and to enact in lieu thereof one new section relating to charges in criminal cases for law enforcement services.

SB 780–By Wasson.

An Act to repeal section 327.031, RSMo, and to enact in lieu thereof one new section relating to the board for architects, professional engineers, professional land surveyors and landscape architects.

SB 781–By Goodman.

An Act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to appointments to emergency services boards in certain counties.

SB 782–By Curls.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to designation of tax refunds to the lupus revolving research trust fund.

SB 783–By Curls.

An Act to repeal section 99.1205, RSMo, and to enact in lieu thereof one new section relating to the distressed areas land assemblage tax credit.

SB 784–By Curls.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of lupus awareness month.

SB 785–By Parson.

An Act to repeal sections 195.060 and 195.080, RSMo, and to enact in lieu thereof two new sections relating to dispensation of controlled substances.

SB 786–By Keaveny.

An Act to amend chapter 565, RSMo, by adding thereto one new section relating to requiring the state auditor to audit the costs of administering the death penalty.

SB 787–By Curls.

An Act to repeal sections 561.026 and 577.054, RSMo, and to enact in lieu thereof three new sections relating to petitions to expunge certain criminal records.

SJR 50–By Curls.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27(a) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the budget reserve fund.

Senator Pearce assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 498**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Buddy Bennett, Independent, 7361 Summer Azure Lane, Higginsville, Lafayette County, Missouri 64037, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2015, and until his successor is duly appointed and qualified; vice, Jan Tupper, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Sarah Burkemper, Democrat, 85 Hill Creek Road, PO Box 209, Troy, Lincoln County, Missouri 63379, as a member of the Truman State University Board of Governors, for a term ending January 1, 2017, and until her successor is duly appointed and qualified; vice, Carl Greenwell, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Gary D. Duncan, 1437 Crestwood Drive, Joplin, Jasper County, Missouri 64801, as a member of the Mental Health Commission, for a term ending June 28, 2015, and until his successor is duly appointed and qualified; vice, Joann Leykam, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Thomas E. George, Democrat, 3594 Monsols Drive, Florissant, Saint Louis County, Missouri 63034, as a member of the Health and

Educational Facilities Authority of the State of Missouri, for a term ending July 30, 2015, and until his successor is duly appointed and qualified; vice, Thomas Carlson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Paige Jenkins, 1751 East 390th Road, Bolivar, Polk County, Missouri 65613, as the student representative of the Missouri State University Board of Governors, for a term ending December 31, 2013, and until her successor is duly appointed and qualified; vice, Brandt Shields, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kenneth Jones, Republican, 29661 Pam Jones Road, Clarksburg, Moniteau County, Missouri 65025, as a member of the Board of Probation and Parole, for a term ending December 10, 2017, and until his successor is duly appointed and qualified; vice, Reid Forrester, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Bennett Keller, Democrat, 97 Meadowbrook Country Club Estates, Ballwin, Saint Louis County, Missouri 63011, as a member of the Tourism Commission, for a term ending January 15, 2015, and until his successor is duly appointed and qualified; vice, Marcia Bennett-Hazelrigg, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Eric S. Latimer, Independent, 1801 W. Finley River Drive, Nixa, Stone County, Missouri 65714, as a member of the Missouri Fire Safety Education/Advisory Commission, for a term ending April 26, 2014, and until his successor is duly appointed and qualified; vice, Randy L. Sanders, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Roberta LeGrand, 386 County Road 61, Cape Girardeau, Cape Girardeau County, Missouri 63701, as a member of the Missouri Workforce Investment Board, for a term ending March 3, 2015, and until her successor is duly appointed and qualified; vice, Gary Duncan, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mary LePage, 7707 Snowden, Saint Louis, Saint Louis County, Missouri 63117, as a member of the Missouri Board of Nursing Home Administrators, for a term ending November 21, 2013, and until her successor is duly appointed and qualified; vice, RSMo 344.060.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael Mahler, Democrat, 4707 Candleglow Drive, Saint Louis, Saint Louis County, Missouri 63129, as a member of the Missouri Fire Safety Education/Advisory Commission for a term ending February 8, 2016, and until his successor is duly appointed and qualified; vice, RSMo 320.094.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James J. O'Donnell, Democrat, 316 South Fifth Street, Hannibal, Marion County, Missouri 63401, as a member of the Truman State University Board of Governors, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Mark Wasinger, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jeffrey Nichols, 5561 East Sing Drive, Columbia, Boone County, Missouri 65202, as a member of the Crime Laboratory Review Commission, for a term ending April 1, 2015, and until his successor is duly appointed and qualified; vice, MO RSMo 650.059.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Susan Plassmeyer, Democrat, 7339 Colgate Avenue, University City, Saint Louis, Missouri 63130, as a member of the Truman State University Board of Governors, for a term ending January 1, 2018, and until her successor is duly appointed and qualified; vice, John Siscel, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Naveed Razzaque, 20 Clayton Terrace, Frontenac, Saint Louis County, Missouri 63131, as a member of the Missouri Board of Nursing Home Administrators, for a term ending November 21, 2014, and until his successor is duly appointed and qualified; vice, RSMo 344.060.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Winston Rutledge, Independent, 1004 Nelson Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2016, and until his successor is duly appointed and qualified; vice, John Parker, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Geneva Shearburn, 628 Lee Avenue, Webster Groves, Saint Louis County, Missouri 63119 as a member of the Board of Certification of Interpreters, for a term ending June 27, 2013, and until her successor is duly appointed and qualified; vice, Daniel Betzler, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

David W. Sigars, 11145 Mulberry Road, Neosho, Newton County, Missouri 64850, as the student representative to the Missouri Southern State University Board of Governors, for a term ending December 31, 2013, and until his successor is duly appointed and qualified; vice,

David W. Sigars, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Phyllis Stayton, #1 Redbud Lane, Kimberling, Stone County, Missouri 65686, as a member of the Missouri Board of Nursing Home Administrators, for a term ending November 21, 2013, and until her successor is duly appointed and qualified; vice, RSMo 344.060.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lloyd Ray Tubaugh, 1630 Devin Drive, Carthage, Jasper County, Missouri 64836, as a member of the Missouri Workforce Investment Board, for a term ending March 3, 2015, and until his successor is duly appointed and qualified; vice, Sheila Hitt, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Russell A. Unger, Democrat, 11 Mumford Drive, Columbia, Boone County, Missouri 65203, as a member of the Missouri Community Service Commission, for a term ending December 15, 2014, and until his successor is duly appointed and qualified; vice, Russell A. Unger, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Janis VanMeter, Democrat, 505 South Cherry Street, Lewistown, Lewis County, Missouri 63452, as a member of the Missouri Community Service Commission, for a term ending December 15, 2014, and until her successor is duly appointed and qualified; vice, Janis VanMeter, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Laura D. Verhulst, Republican, 1216 De Noailles Drive, Ballwin, Saint Louis County, Missouri 63011, as a member of the Credit Union Commission, for a term ending January 1, 2017 and until her successor is duly appointed and qualified; vice, Donald Park, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 9, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Robert Wylie, Republican, 700 Hidden Lake Drive, Saint Peters, Saint Charles County, Missouri 63376, as a member of the Missouri Fire Safety Education/Advisory Commission for a term ending February 8, 2016, and until his successor is duly appointed and qualified, vice; RSMo 320.094.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above appointments to the Committee on Gubernatorial Appointments.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1219**, entitled:

An Act to repeal sections 213.010, and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1104**, entitled:

An Act to repeal section 115.427, RSMo, and to enact in lieu thereof one new section relating to elections, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 469**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

Senator Crowell moved that the above amendment be adopted, which motion failed.

Senator Dixon moved that **SS** for **SCS** for **SB 469** be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SCS** for **SB 469** was declared perfected and ordered printed.

At the request of Senator Parson, **SB 591**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Crowell, **SB 479** was placed on the Informal Calendar.

At the request of Senator Crowell, **SB 492** was placed on the Informal Calendar.

At the request of Senator Schaaf, **SB 465** was placed on the Informal Calendar.

Senator Lembke moved that **SB 611** be taken up for perfection, which motion prevailed.

On motion of Senator Lembke, **SB 611** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 485**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 485**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 485

An Act to repeal sections 430.020 and 430.082, RSMo, and to enact in lieu thereof two new sections relating to statutory liens against personalty.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 485** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS** for **SB 485** was declared perfected and ordered printed.

Senator Kraus moved that **SB 594** be taken up for perfection, which motion prevailed.

On motion of Senator Kraus, **SB 594** was declared perfected and ordered printed.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

———

TWENTY-THIRD DAY–TUESDAY, FEBRUARY 14, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 774-Rupp
SB 775-Munzlinger
SB 776-Kraus
SB 777-Richard
SB 778-Richard
SB 779-Munzlinger
SB 780-Wasson
SB 781-Goodman
SB 782-Curls
SB 783-Curls
SB 784-Curls
SB 785-Parson
SB 786-Keaveny
SB 787-Curls
SJR 50-Curls

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329
HB 1219-Elmer, et al
HB 1104-Schoeller and Smith (150)

THIRD READING OF SENATE BILLS

SB 455-Pearce (In Fiscal Oversight)
SCS for SB 498-Munzlinger and Justus

SENATE BILLS FOR PERFECTION

SBs 484, 477 & 606-Rupp, with SCS
SB 450-Rupp

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 479-Crowell
SB 492-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 572-Dempsey, with SCS
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS
SB 596-Brown, with SCS
SJR 29-Lamping, with SS & SA 1 (pending)

RESOLUTIONS

Reported from Committee

SCR 15-Dempsey
SCR 16-Stouffer

✓

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-THIRD DAY—TUESDAY, FEBRUARY 14, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"You shall love the Lord your God with all your heart, and with all your soul, and with all your mind...You shall love your neighbor as yourself." (Matthew 22:37, 39)

God of love, help us to express our love to those who mean so much to us, especially on this Valentine's Day. Help us to express our love and care to those whom You have given us to love and show in a small way how our heart sings a song in their presence. And may we be neighborly to those we meet daily, especially those who want nothing from us but to be our friends and a help to us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson—33							

Absent—Senators—None

Absent with leave—Senator Wright-Jones—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 1398, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Charles Wyant, Milan, which was adopted.

Senator Kraus offered Senate Resolution No. 1399, regarding Zachary Forrest Kirke, which was adopted.

Senator Schaaf offered Senate Resolution No. 1400, regarding Tyler Hurt, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 1401, regarding Skylar Adams, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 1402, regarding Lauren Grundberg, St. Joseph, which was adopted.

Senator Kraus offered Senate Resolution No. 1403, regarding Andrew Michael Brogan, Blue Springs, which was adopted.

Senator Schaaf offered Senate Resolution No. 1404, regarding Terrence Wayne "T.C." Carver, III, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1405, regarding Alex Michael Goforth, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 1406, regarding R. Michael Bidwell, Kansas City, which was adopted.

Senator Stouffer assumed the Chair.

CONCURRENT RESOLUTIONS

Senators Pearce, Engler, Green, Dempsey, Parson, Rupp, Lembke, Munzlinger, Stouffer, Goodman and Mayer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 21

WHEREAS, the United States relies – and will continue to rely for many years – on gasoline, diesel and jet fuel as well as renewable and alternative sources of energy; and

WHEREAS, in order to fuel our economy, the United States will need more oil and natural gas while also requiring additional alternative energy sources; and

WHEREAS, the United States currently depends on foreign imports for more than half of its petroleum usage, and is the largest consumer of petroleum in the world, and U.S. dependence on overseas oil has created difficult geopolitical relationships with potentially damaging consequences for our national security; and

WHEREAS, oil deposits in the Bakken Reserves of Montana, North Dakota, and South Dakota are an increasingly important crude oil resource and contain an estimated 11 billion barrels of recoverable crude oil, and there is not enough pipeline capacity for crude oil supplies from Montana, North Dakota, South Dakota, Oklahoma and Texas to American refineries; and

WHEREAS, Canadian oil reserves contain an estimated 173 billion barrels of recoverable oil and Canada is the single largest supplier of oil to the United States at 2.62 million barrels per day and has the capacity to significantly increase that rate; and

WHEREAS, the original Keystone pipeline which spans across the northern part of Missouri supplies over 435,000 barrels of North American crude oil to American refineries in the Midwest; and the Keystone XL pipeline will, when completed, carry 700,000 barrels of North American crude oil to American refineries in the Gulf Coast region; and

WHEREAS, construction of pipelines linking North American energy to the United States will create hundreds of thousands of jobs nationwide, including tens of thousands in construction and manufacturing, creating billions of dollars in economic growth and generating millions of dollars of government receipts; and

WHEREAS, a recent study by the U.S. Department of Energy found that increasing delivery of crude oil from Montana, North Dakota, South Dakota and Alberta, as well as Texas and Oklahoma, to American refineries has the potential to substantially reduce our country's dependency on sources outside of North America; and

WHEREAS, Canada sends more than ninety-nine percent of its oil exports to the United States, the bulk of which goes to Midwestern refineries; and oil companies are investing huge sums to expand and upgrade refineries in the Midwest and elsewhere to make gasoline and other refined products from Canadian oil derived from oil sands; and the expansion and upgrade projects will create many new construction jobs over the next five years and will add to the gross state product of Missouri; and

WHEREAS, ninety percent of the money used to buy Canadian oil will likely later be spent directly on U.S. goods and services in contrast with increasing the trade relationship with unstable regions. Supporting the continued shift towards reliable and secure sources of North American oil is of vital interest to the United States and the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby support continued and increased development and delivery of oil derived from North American oil reserves to American refineries and hereby urge Congress to: support continued and increased development and delivery of oil from Canada to the United States; enact legislation deeming the Keystone XL pipeline to be in the national interest of the United States; and ask the U.S. Secretary of State to approve the Keystone XL pipeline project to ensure America's oil independence, improve our national security, reduce the cost of gasoline, create new jobs, and strengthen ties between the United States and Canada; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 788–By Keaveny.

An Act to repeal section 483.015, RSMo, and to enact in lieu thereof one new section relating to the appointment of circuit clerks.

SB 789–By Kraus.

An Act to repeal sections 488.5050, 650.055, and 650.100, RSMo, and to enact in lieu thereof three new sections relating to DNA profiling, with a penalty provision.

SB 790–By Crowell.

An Act to repeal sections 135.352 and 253.550, RSMo, and to enact in lieu thereof two new sections relating to a moratorium on the redemption of certain tax credits, with an emergency clause.

SB 791–By Curls.

An Act to repeal sections 367.509, 408.500, and 408.505, RSMo, and to enact in lieu thereof four new sections relating to small loans, with existing penalty provisions.

Senator Curls requested unanimous consent of the Senate to withdraw **SB 787**, which request was granted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCR 3**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 3

Relating to submission of a proposed federal balanced budget amendment to the United States Constitution.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, under Article V of the Constitution of the United States:

"The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress"; and

WHEREAS, the following Amendment to the United States Constitution is proposed:

"Section 1. The annual expenditures of the Congress shall not exceed the annual revenue for any year, save for the use of monetary reserves, except as provided for in Sections 2 and 3.

Section 2. The Congress shall not borrow from any source, including its own funds and trusts, for any expense, except for the extraordinary costs of a declared war or armed conflict, or for a fiscal emergency declared by Congress and signed by the President of the United States.

Section 3. The Congress may issue special bonds for specific capital projects, which shall, in turn, be extinguished within twenty years of issuance. The cumulative total of all bonds issued in this manner shall never exceed twenty percent of the total private sector earned income.

Section 4. The Congress shall not impose upon a state or political subdivision of the United States any obligation or duty to make expenditures unless such expenditures shall be fully reimbursed by the United States; nor shall Congress place any condition on the expenditure or receipt of appropriated funds requiring a state or political subdivision of the United States to enact a law or regulation restricting the liberties of its citizens.

Section 5. This amendment shall take effect beginning the fifteenth fiscal year after its ratification.

Section 6. This resolution shall not be construed as an application for a constitutional convention to the United States Constitution pursuant to Article V thereof.":

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby submit this resolution for a federal balanced budget Amendment to the United States Constitution and, pursuant to Article V of the United States Constitution, respectfully urge the United States Congress to submit the proposed Amendment to the United States Constitution to the States for ratification and inclusion in the United States Constitution; and

BE IT RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 13**.

HOUSE CONCURRENT RESOLUTION NO. 13

WHEREAS, the rivers and streams of the State of Missouri are a great natural resource and benefit to the citizens of Missouri and the aquatic life therein; and

WHEREAS, these rivers and streams run through the heartland and fertile bottom lands that produce our abundant food supply and provide

a large part of our agricultural income; and

WHEREAS, the farmers and landowners who have lived and farmed along these stream banks for generations have the right to protect and preserve their precious soil so as to protect and continue their way of life; and

WHEREAS, these streams need to be managed in a manner that is beneficial to the stream's aquatic life as well as the farmer's interest in protecting private property, financial interest, and ability to feed their family and yours; and

WHEREAS, the federal and state agencies in charge of regulating in-stream activities, including stream bank stabilization, gravel removal and excavation, vegetation removal, or a combination thereof, are basing their decisions and practice approval on policy developed not on scientific study but solely on their priorities determined by these agencies and their commenting groups; and

WHEREAS, the federal and state agencies as well as their commenting groups that are in charge of protecting the aquatic life and environment of these streams and rivers should base their decisions and practices on unbiased scientific studies that take into account all aspects of these streams, including flood control, soil conservation, gravel buildup, and the aquatic life, and not undertake actions to achieve policy goals; and

WHEREAS, these federal agencies as well as their commenting groups should place as much importance on our farmers' fields, private property, and precious soils as the aquatic life in these streams:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby encourage our Governor and our Missouri Congressional delegation to demand these agencies review all policy decisions on in-stream activity, thereby promoting the use of sound scientific research and data that is produced from unbiased studies; and

BE IT FURTHER RESOLVED that our Missouri Congressional delegation demand federal and state agencies as well as their commenting groups base past and future decisions and practices involving any stream activity inside the high banks on unbiased scientific university studies along with practices that have been proven effective over generations of landowner implementing; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the United States Army Corps of Engineers, the Bureau of Land Management and the Fish and Wildlife Service within the United States Department of Interior, the United States Environmental Protection Agency, the United States Department of Agriculture, the Missouri Congressional delegation, Governor Jay Nixon, the Missouri Department of Conservation, the Missouri Department of Agriculture, and the Missouri Department of Natural Resources.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 611**; **SB 594**; **SCS** for **SB 485**; and **SS** for **SCS** for **SB 469**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Parson moved that **SB 591**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 591**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 591

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to motor

vehicle valuations.

Was taken up.

Senator Parson moved that **SCS** for **SB 591** be adopted.

Senator Dempsey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 591, Page 5, Section 137.115, Line 129, by striking the following "value guide"; and inserting in lieu thereof the following: "**single**".

Senator Dempsey moved that the above amendment be adopted.

At the request of Senator Parson, **SB 591**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Dempsey moved that **SB 572**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 572**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 572

An Act to repeal sections 287.120, 287.140, 287.141, 287.143, 287.149, 287.150, 287.160, 287.210, 287.220, 287.690, and 287.715, RSMo, and to enact in lieu thereof twelve new sections relating to workers' compensation, with an emergency clause for certain sections, with existing penalty provisions.

Was taken up.

Senator Dempsey moved that **SCS** for **SB 572** be adopted.

Senator Dempsey offered **SS** for **SCS** for **SB 572**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 572

An Act to repeal sections 287.067, 287.120, 287.150, and 287.240, RSMo, and to enact in lieu thereof four new sections relating to workers' compensation, with an emergency clause.

Senator Dempsey moved that **SS** for **SCS** for **SB 572** be adopted.

Senator Callahan offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 11, Section 287.150, Line 9 by inserting immediately after all of said line the following

"287.230. 1. The death of the injured employee shall not affect the liability of the employer to furnish compensation as in this chapter provided, so far as the liability has accrued and become payable at the time of the death, and any accrued and unpaid compensation due the employee shall be paid to his dependents without administration, or if there are no dependents, to his personal representative or other persons entitled thereto, but the death shall be deemed to be the termination of the disability.

2. Where an employee is entitled to compensation under this chapter, exclusive of compensation as provided for in section 287.200, for an injury received and death ensues for any cause not resulting from the injury for which the employee was entitled to compensation, payments of the unpaid unaccrued compensation under section 287.190 and no other compensation for the injury shall be paid to the surviving dependents at the time of death.

3. Any other provision of law notwithstanding, where there is an occupational disease by toxic exposure of an employee, such employee may claim permanent total disability benefits. Upon the death of such an employee that is caused by toxic exposure, the dependents, personal representative or other persons entitled to may also pursue a claim for benefits under this section. Where toxic exposure is found to be the prevailing factor in the death of an employee, an employer shall pay to the dependents, personal representatives or other persons entitled to bring such action an amount equal to the burial benefit provided in section 287.240 plus one-hundred-fifty-six weeks of compensation paid at a rate of two-hundred-ten percent of the state average weekly wage.

[3.] **4.** In applying the provisions of this chapter, it is the intent of the legislature to reject and abrogate the holding in Schoemehl v. Treasurer of the State of Missouri, 217 S.W.3d 900 (Mo. 2007), and all cases citing, interpreting, applying, or following this case."

And further amend the title and enacting clause accordingly.

Senator Callahan moved that the above amendment be adopted.

At the request of Senator Dempsey, **SB 572**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

February 9, 2012

Mrs. Terry Spieler
Secretary of the Senate
State Capitol, Room 324
Jefferson City, MO 65101

RE: Special Committee on Social Service Program Savings

Dear Mrs. Spieler:

I write to inform you that I am hereby forming a Special Senate Committee on Social Service Program Savings.

The committee is charged with the task of conducting hearings for the purpose of exploring past and anticipated changes in the participation and cost of each social service program offered in Missouri. The committee is further charged with studying possible structural changes of each program, including program elimination, changes to federal funding, eligibility, new programs coordinated with the federal government and any other program changes designed to reduce cost.

The committee will begin conducting weekly hearings as quickly as possible not to conflict with members' current hearing schedules and within the confines of established weekly sessions in order to, if possible, issue to the Senate a report of preliminary findings and proposed recommendation of actions to address this issue prior to March 1, 2012, the last date to introduce new bills. The committee shall continue beyond March 1, 2012, under the direction of the chair until such time as a final report of findings be completed and submitted to the Senate. The committee shall expire upon the filing of a final report of findings.

I am appointing the following senators to serve on the Special Committee on Social Service Program Savings:

- Rob Schaaf, Chairman
- Kevin Engler

- Brad Lager
- Joe Keaveny
- Shalonn "Kiki" Curls

Please contact my office if you have any questions regarding this matter. Thank you.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Mayor Ernie Jungmeyer, Alderman Holly Stark and Brad Ratliff, Peculiar.

Senator Schaefer introduced to the Senate, the University of Missouri's Women's Open NIRSA National Soccer Champions.

Senator Richard introduced to the Senate, Doug Osborne and students, Mason Wilkes, Josh Souder, Chance Smith, Jack Redd and Josh Griner, Seneca High School.

Senator Munzlinger introduced to the Senate, President Cody James, Hurdland; State Vice President Corey Hudson, Middleton; and members of the State FFA Leadership team.

Senator Munzlinger introduced to the Senate, representatives of "Fall in Love With Northeast Missouri."

Senator Cunningham introduced to the Senate, the Physician of the Day, Tom Stamos, M.D., St. Louis.

Senator Kraus introduced to the Senate, Councilman Jeff Quibell and his wife Wanda, Blue Springs.

Senator Brown introduced to the Senate, John and Carolyn Taylor, Crawford County.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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TWENTY-FOURTH DAY–WEDNESDAY, FEBRUARY 15, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 774-Rupp
SB 775-Munzlinger
SB 776-Kraus
SB 777-Richard
SB 778-Richard
SB 779-Munzlinger

SB 780-Wasson
SB 781-Goodman
SB 782-Curls
SB 783-Curls
SB 784-Curls
SB 785-Parson
SB 786-Keaveny
SB 788-Keaveny
SB 789-Kraus
SB 790-Crowell
SB 791-Curls
SJR 50-Curls

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329
HB 1219-Elmer, et al
HB 1104-Schoeller and Smith (150)

THIRD READING OF SENATE BILLS

SB 455-Pearce (In Fiscal Oversight)
SCS for SB 498-Munzlinger and Justus
SB 611-Lembke
SB 594-Kraus
SCS for SB 485-Cunningham
SS for SCS for SB 469-Dixon

SENATE BILLS FOR PERFECTION

SBs 484, 477 & 606-Rupp, with SCS
SB 450-Rupp

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 479-Crowell
SB 492-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 572-Dempsey, with SCS, SS for SCS & SA 1 (pending)
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS & SA 1 (pending)

SB 596-Brown, with SCS

SJR 29-Lamping, with SS & SA 1 (pending)

RESOLUTIONS

Reported from Committee

SCR 15-Dempsey

SCR 16-Stouffer

To be Referred

SCR 21-Pearce, et al
HCS for HCR 3

HCR 13-Loehner, et al

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 15, 2012

The Senate met pursuant to adjournment.

Senator Ridgeway in the Chair.

Reverend Carl Gauck offered the following prayer:

"The fear of the Lord is the beginning of wisdom." (Psalm 111:10)

Creator God, we know that we live in a time of ever expanding knowledge at even faster rates. But we have also learned that knowledge is certainly different than wisdom. Wisdom comes from learning from our mistakes and doing better in our lives. So grant us humility to acknowledge before You our failures and in our repentance learn from them. Grant us Your guidance as we deal with complex facts and bills that come before us so we may do what is wise and helpful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

President Kinder assumed the Chair.

The Journal of the previous day was read and approved.

Photographers from KSDK-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 1407, regarding Debbie Gerlette, Jefferson City, which was adopted.

Senator Keaveny offered Senate Resolution No. 1408, regarding Dr. Jeffrey Smith, which was adopted.

Senator Keaveny offered Senate Resolution No. 1409, regarding Dr. Silvana Siddali, which was adopted.

Senator Keaveny offered Senate Resolution No. 1410, regarding Shakespeare Festival Saint Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 1411, regarding Theophilus Linwood Woodley, Charlotte, North Carolina, which was adopted.

Senator Kehoe offered Senate Resolution No. 1412, regarding Lamar Clark, Glen Burnie, Maryland, which was adopted.

Senator Kehoe offered Senate Resolution No. 1413, regarding Marquial DeMarcus McMillan, Mobile, Alabama, which was adopted.

Senator Kehoe offered Senate Resolution No. 1414, regarding Thomas Lavallais, Dallas, Texas, which was adopted.

Senator Kehoe offered Senate Resolution No. 1415, regarding Christopher Castillo, Kissimmee, Florida, which was adopted.

Senator Kehoe offered Senate Resolution No. 1416, regarding Osadeba Omokaro, Houston, Texas, which was adopted.

Senator Kehoe offered Senate Resolution No. 1417, regarding Jordan Tyler Brunson, Gahanna, Ohio, which was adopted.

Senator Kehoe offered Senate Resolution No. 1418, regarding Carlton Smith, Chicago, Illinois, which was adopted.

Senator Kehoe offered Senate Resolution No. 1419, regarding Daniel Antonio Cokes, Dallas, Texas, which was adopted.

Senator Kehoe offered Senate Resolution No. 1420, regarding Christopher Charles Miller, St. Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 1421, regarding Jared L. Williams, Fort Worth, Texas, which was adopted.

Senator Kehoe offered Senate Resolution No. 1422, regarding Justin Christopher Caesar, Newburgh, New York, which was adopted.

Senator Kehoe offered Senate Resolution No. 1423, regarding Brandon Berry, Chicago, Illinois, which was adopted.

Senator Kehoe offered Senate Resolution No. 1424, regarding Matthew Riley III, Ellicott City, Maryland, which was adopted.

Senator Parson offered Senate Resolution No. 1425, regarding Lindsay Henderson, Bolivar, which was

adopted.

Senator Dixon offered Senate Resolution No. 1426, regarding the Eightieth Birthday of Willa B. Jones, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 1427, regarding Susan K. Solum, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 1428, regarding Great Circle, which was adopted.

Senator Pearce offered Senate Resolution No. 1429, regarding Samantha Warner, Archie, which was adopted.

Senator Pearce offered Senate Resolution No. 1430, regarding the 2011 Class 3 state champion Warrensburg High School boys cross country program, which was adopted.

Senator Purgason offered Senate Resolution No. 1431, regarding Randy Dickerson, which was adopted.

Senator Purgason offered Senate Resolution No. 1432, regarding Kelby Czerwonka, West Plains, which was adopted.

Senator Parson offered Senate Resolution No. 1433, regarding John Beykirch, Sedalia, which was adopted.

CONCURRENT RESOLUTIONS

Senator Justus offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 22

Relating to the ratification of the Equal Rights Amendment to the United States Constitution.

WHEREAS, three years after women won the right to vote, the Equal Rights Amendment to the United States Constitution, authored by Alice Paul, head of the National Women's Party, was introduced in Congress by Senator Curtis and Representative Anthony, both Republicans; and

WHEREAS, the Equal Rights Amendment to the United States Constitution passed the United States Senate and then the United States House of Representatives, and on March 22, 1972, the proposed Amendment to the United States Constitution was sent to the states for ratification; and

WHEREAS, the Equal Rights Amendment to the United States Constitution states:

"Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification."; and

WHEREAS, Congress placed a deadline of June 30, 1982, on the ratification process and thirty-five states ratified the proposed Amendment before the deadline; and

WHEREAS, Congress may not have the constitutional authority to place a deadline on the ratification process; and

WHEREAS, Article V of the United States Constitution allows the General Assembly of the State of Missouri to ratify this proposed Amendment to the Constitution of the United States; and

WHEREAS, the General Assembly of the State of Missouri finds that the proposed Amendment is meaningful and needed as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was first submitted for adoption:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby ratify the Equal Rights Amendment to the United States Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Archivist of the United States, Washington, D.C.; the Vice President of the United States; the Speaker of the United States House of Representatives; and each member of the Missouri Congressional delegation with request that it be printed in the Congressional Record.

Read 1st time.

Senator Munzlinger offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 23

WHEREAS, Missouri ranks as one of the highest livestock and poultry producing states in the country and the support of this industry is of vital interest to our state; and

WHEREAS, livestock and poultry production play an important role in Missouri's economy, not only for the direct purchase of the products themselves, but also for the economic ripple effects from the purchase of agricultural inputs required to produce the meat and poultry products like grain and hay; and

WHEREAS, the processing and shipping of the meat and poultry is an integral and necessary part of the complete production process; and

WHEREAS, the Federal Meat Inspection Act of 1967 and the Poultry Products Inspection Act of 1968 required all state meat and poultry inspection programs to be equivalent to federal standards; and

WHEREAS, twenty-eight states have adopted state meat inspection programs that equal or exceed federal standards and several more are considering the same; and

WHEREAS, other commodities, such as milk, dairy products, fruit, vegetables, fish, shellfish, and complex canned products, which are inspected under state jurisdiction, are allowed to be marketed freely throughout the U.S.; and

WHEREAS, foreign-inspected meat can be shipped to and sold anywhere in the U.S. as long as that country's foreign inspection program is equivalent to U.S. federal standards, which, in practice, is the same standard that state-inspected programs must meet; and

WHEREAS, Congress, in the 2008 Farm Bill directed the U.S. Department of Agriculture to develop regulations to allow state-inspected meat to cross state lines; and

WHEREAS, the new U.S. Department of Agriculture regulations have implemented standards that require state-inspected meat programs to be "the same as" rather than "equal to", thereby requiring states to use the same computer programs and other provisions that provide states with no flexibility; and

WHEREAS, the new regulations limit a processor participating in the program to that which has 25 or fewer employees, disregarding the temporary or part-time nature of employees; and

WHEREAS, the small and mid-sized meat and poultry producers are finding a high consumer demand for locally grown and processed meat and poultry products that is not limited to within a state's border; and

WHEREAS, the ban on interstate shipping does not improve food safety and only serves to slow the growth of small businesses such as farms and processors, limit purchasing options for consumers, impede rural economic development, slow rural job growth, and further encourage the concentration of the meat processing industry:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby wish to thank the members of Congress who supported the interstate shipment of state-inspected meat in the 2008 Farm Bill and given that the barriers to such sales now reside in regulation not legislation, hereby urge Congress to:

(1) Again address the issue either in the 2012 Farm Bill or as stand-alone legislation or guidance to the U.S. Department of Agriculture to ensure regulations are enacted that will allow the intent of the law to be satisfied and finally allow the interstate sale of state-inspected meat and poultry;

(2) Modify language regarding interstate commerce to allow states to exercise their prerogative to regulate meat sold within their borders regardless of where it originates; and

(3) Specifically allow states to develop their own processes and procedures for the interstate sale and distribution of meat grown and processed within their state borders; and

BE IT FURTHER RESOLVED that state legislators, state veterinarians, and state departments of agriculture are encouraged to work

collaboratively to develop memorandums of understanding that deem meat, inspected under state law equal to or exceeding the USDA standards, to be eligible for sale in another state; and

BE IT FURTHER RESOLVED that upon its passage by the General Assembly, the director of the Missouri Department of Agriculture shall distribute a copy of this resolution to all state departments of agriculture in the nation and the State Agriculture and Rural Leaders Association; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the director of the Missouri Department of Agriculture, the U.S. Secretary of Agriculture, the chairpersons of the U.S. Senate Committee on Agriculture, Nutrition and Forestry and the U.S. House Committee on Agriculture, and Missouri's Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 792–By Brown.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to the manufacturing of cigarettes.

SB 793–By Munzlinger.

An Act to repeal sections 313.321 and 313.835, RSMo, and to enact in lieu thereof two new sections relating to the gaming moneys.

SENATE BILLS FOR PERFECTION

Senator Dempsey moved that **SB 572**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Callahan, **SA 1** was withdrawn.

Senator Pearce assumed the Chair.

Senator Dempsey offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 4, Section 287.120, Line 8 of said page, by inserting immediately after the word "affirmative" the following: "**negligent**"; and further amend line 9 of said page, by striking all of said line and inserting in lieu thereof the following: "**that purposefully and dangerously caused or increased the risk of injury.**".

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 7, Section 287.120, Line 17, by inserting immediately after the first use of the word "employee", the following: "**or any dependent of the employee**".

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Callahan offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 572, Page 11, Section 287.150, Line 9 by inserting immediately after all of said line the following

"287.230. 1. The death of the injured employee shall not affect the liability of the employer to furnish compensation as in this chapter provided, so far as the liability has accrued and become payable at the time of the death, and any accrued and unpaid compensation due the employee shall be paid to his dependents without administration, or if there are no dependents, to his personal representative or other persons entitled thereto, but the death shall be deemed to be the termination of the disability.

2. Where an employee is entitled to compensation under this chapter, exclusive of compensation as provided for in section 287.200, for an injury received and death ensues for any cause not resulting from the injury for which the employee was entitled to compensation, payments of the unpaid unaccrued compensation under section 287.190 and no other compensation for the injury shall be paid to the surviving dependents at the time of death.

3. Any other provision of law notwithstanding, where there is an occupational disease by toxic exposure of an employee, such employee may claim permanent total disability benefits. Upon the death of such an employee that is caused by toxic exposure, the dependents, personal representative or other persons entitled to may also pursue a claim for benefits under this section. Where toxic exposure is found to be the prevailing factor in the death of an employee, an employer shall pay to the dependents, personal representatives or other persons entitled to bring such action an amount equal to the burial benefit provided in section 287.240 plus one-hundred-fifty-six weeks of compensation paid at a rate of two-hundred-ten percent of the state average weekly wage.

[3.] **4.** In applying the provisions of this chapter, it is the intent of the legislature to reject and abrogate the holding in Schoemehl v. Treasurer of the State of Missouri, 217 S.W.3d 900 (Mo. 2007), and all cases citing, interpreting, applying, or following this case."

And further amend the title and enacting clause accordingly.

Senator Callahan moved that the above amendment be adopted, which motion failed.

Senator Stouffer assumed the Chair.

Senator Dempsey moved that **SS** for **SCS** for **SB 572**, as amended, be adopted, which motion prevailed.

On motion of Senator Dempsey, **SS** for **SCS** for **SB 572**, as amended, was declared perfected and ordered printed.

At the request of Senator Rupp, **SB 484**, **SB 477** and **SB 606**, with **SCS**, were placed on the Informal Calendar.

At the request of Senator Rupp, **SB 450** was placed on the Informal Calendar.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which

was referred **SB 773**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer assumed the Chair.

REFERRALS

President Pro Tem Mayer referred **SCR 21** and **HCR 13** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

HCS for **HCR 3**—Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Parson requested unanimous consent to suspend Senate Rule 52 for the purpose of taking **SB 773** up for perfection, which request was granted.

Senator Parson moved that **SB 773**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 773**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 773

An Act to repeal sections 115.345 and 115.349, RSMo, and to enact in lieu thereof two new sections relating to primary elections, with an emergency clause.

Was taken up.

Senator Parson moved that **SCS** for **SB 773** be adopted.

Senator Rupp offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 773, Page 1, Section 115.345, Line 9, by inserting after "primary" the following: "**for the offices of state senator and state representative**"; and

Further amend page 2, section 115.349, line 38, by inserting immediately after "candidacy" the following "**for the offices of state senator and state representative**".

Senator Rupp moved that the above amendment be adopted, which motion failed.

Senator Parson moved that **SCS** for **SB 773** be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **SB 773** was declared perfected and ordered printed.

Senator Rupp moved that **SB 450** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Rupp, **SB 450** was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1075**, entitled:

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to pharmacies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1093**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a special Navy Cross license plate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1141**, entitled:

An Act to repeal section 301.3163, RSMo, and to enact in lieu thereof one new section relating to the Don't Tread on Me license plate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1156**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 773**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Mayer referred **SCS** for **SB 773** to the Committee on Ways and Means and Fiscal Oversight.

On motion of Senator Dempsey, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 450** and **SS** for **SCS** for **SB 572**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 794–By Schmitt.

An Act to amend chapter 620, RSMo, by adding thereto four new sections relating to tax incentives for business development.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1434, regarding the 2011-2012 University of Missouri Football Team, which was adopted.

Senator Kehoe offered Senate Resolution No. 1435, regarding James O. E. Brooks, Fulton, which was adopted.

Senator Kehoe offered Senate Resolution No. 1436, regarding Michael S. Brooks, Fulton, which was adopted.

Senator Richard offered Senate Resolution No. 1437, regarding the Inter-State Grocer Building, Joplin, which was adopted.

Senator Mayer offered Senate Resolution No. 1438, regarding David and Doug Libla, Poplar Bluff, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Adam Barrett, Blake Robertson, Taylor Norcross, Megan Harper, Aspen Sloniker, Ty Cliffman, Hali Miller, Anna Clark and Emma Rodriguez, Nevada Regional Technical Center.

Senator Pearce introduced to the Senate, Matt McIntire, Archie.

Senator Pearce introduced to the Senate, Dr. Bryan Stringham, Sedalia; and Dr. Greg Cox, Kirksville.

Senator Schaaf introduced to the Senate, Regina Briggs and Dennis Merritt, St. Joseph.

Senator Schmitt introduced to the Senate, Mayor Arthur McDonnell and Councilman Paul Ward, Kirkwood.

Senator Schmitt introduced to the Senate, Councilmembers Kathy Hart, Debi Salberg and Toni Hunt, Webster Groves.

Senator Schmitt introduced to the Senate, Christine Panik, Creve Coeur.

Senator Schmitt introduced to the Senate, Mayor Bill Nolan and Alderman Dee Baebler, Sunset Hills.

Senator Brown introduced to the Senate, Denny Pogue and David Dittman, Salem.

Senator Wasson introduced to the Senate, Coach David Krol, Coach Larry Hughes and members of the 2011 State Champion Nixa High School bowling club: Kyle Bates, Dylan Brentlinger, Shannon Burns, David Krol, Justin Lair, Jacob Nelson, Kristen Nunn, Casey Passeri, Trevor Roberts and Nick Zummo.

Senator Kraus introduced to the Senate, Brian Noller, Lee's Summit.

Senator Keaveny introduced to the Senate, representatives of Missouri Association for Marriage and Family Therapy, St. Louis University.

Senator Kehoe introduced to the Senate, Becky Lehman and DECA students, Zach Lewis, Evan Lewis, Kristen Nachbar, Chelsi Weiken, Emily Nealley and Taylor Sutton, Versailles; and Julia Potter and DECA students, Noel Sandoval, Brooke Holliday, Lacey Thompson, Courtland Gerhart and Leo Lutz, California.

Senator Mayer introduced to the Senate, representatives of the Missouri Chamber of Commerce from around the state.

Senator McKenna introduced to the Senate, Councilwomen Sandy Kownacki, Doris Borgelt, Councilman Bill Moritz and Matt Unreis and Dan Kroupa, Arnold.

Senator Pearce introduced to the Senate, Rusty Sproat, Julie Akers, Brad Small, Emily Case, Ashley Cox and Brileigh Danner, Warrensburg Area Career Center.

Senator Mayer introduced to the Senate, Bud Joyner and Dale and Danetta Norris, Three Rivers College, Poplar Bluff.

Senator Rupp introduced to the Senate, representatives of Vision Leadership Group, St. Charles County.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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TWENTY-FIFTH DAY–THURSDAY, FEBRUARY 16, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 774-Rupp
SB 775-Munzlinger
SB 776-Kraus
SB 777-Richard
SB 778-Richard
SB 779-Munzlinger

SB 780-Wasson
SB 781-Goodman
SB 782-Curls
SB 783-Curls
SB 784-Curls
SB 785-Parson
SB 786-Keaveny
SB 788-Keaveny
SB 789-Kraus
SB 790-Crowell
SB 791-Curls
SB 792-Brown
SB 793-Munzlinger
SB 794-Schmitt
SJR 50-Curls

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329
HB 1219-Elmer, et al
HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al

THIRD READING OF SENATE BILLS

SB 455-Pearce (In Fiscal Oversight)
SCS for SB 498-Munzlinger and Justus
SB 611-Lembke
SB 594-Kraus
SCS for SB 485-Cunningham
SS for SCS for SB 469-Dixon
SCS for SB 773-Parson (In Fiscal Oversight)
SB 450-Rupp
SS for SCS for SB 572-Dempsey

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 479-Crowell
SBs 484, 477 & 606-Rupp, with SCS
SB 492-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS & SA 1 (pending)
SB 596-Brown, with SCS
SJR 29-Lamping, with SS & SA 1 (pending)

RESOLUTIONS

Reported from Committee

SCR 15-Dempsey

SCR 16-Stouffer

To be Referred

SCR 22-Justus

SCR 23-Munzlinger

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-FIFTH DAY—THURSDAY, FEBRUARY 16, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Your word was to me the joy and rejoicing of my heart." (Jeremiah 15:16)

Beloved Father, as we complete our work here this day and head home to be with loved ones we pray that Your word continues to bring joy in our hearts and joy in our daily living. As we discern Your word may we keep Your judgments and righteousness for our lives before us always. May Your gifts of peace, joy and love permeate our very souls and find expression in our living. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1439, regarding Meredith Hayford, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1440, regarding Cameron Williams, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1441, regarding Michael EH Matson, Columbia, which was adopted.

Senator Wasson offered Senate Resolution No. 1442, regarding the Eighty-second Birthday of James Harold Vestal, which was adopted.

Senator Stouffer offered Senate Resolution No. 1443, regarding Shelbie Kirkendoll, Kearney, which was adopted.

Senator Stouffer offered Senate Resolution No. 1444, regarding the KATY Bridge Coalition, which was adopted.

Senator Stouffer offered Senate Resolution No. 1445, regarding Robert and Elizabeth Betteridge, which was adopted.

Senator Stouffer offered Senate Resolution No. 1446, regarding the Saline County Courthouse, Marshall, which was adopted.

Senator Crowell offered Senate Resolution No. 1447, regarding Dr. Bonnie Stepenoff, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 795–By Callahan, Justus and Curls.

An Act to repeal sections 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.480, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.790, RSMo, and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, and to enact in lieu thereof thirty-four new sections relating to land tax collection, with a penalty provision for a certain section.

SB 796–By Justus.

An Act to repeal section 348.280, RSMo, relating to encouraging investment in science and technology.

SB 797–By Justus.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to voluntary prekindergarten.

SB 798–By Justus, Engler, Keaveny, Wright-Jones, Chappelle-Nadal and Curls.

An Act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to discrimination based on sexual orientation or gender identity.

SB 799–By Justus, Engler, Keaveny, Wright-Jones, Chappelle-Nadal and Curls.

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school

safety.

SB 800–By Justus.

An Act to repeal section 170.015, RSMo, and to enact in lieu thereof one new section relating to sexual education.

SB 801–By Justus.

An Act to amend chapter 174, RSMo, by adding thereto one new section relating to higher education tuition policy, with an emergency clause.

SB 802–By Justus.

An Act to repeal section 167.164, RSMo, and to enact in lieu thereof one new section relating to the provision of alternative education services for students who have demonstrated disruptive behavior.

SB 803–By Rupp.

An Act to repeal sections 337.300, 337.305, 337.310, 337.315, 337.325, and 337.345, RSMo, and to enact in lieu thereof five new sections relating to behavior analysis.

SB 804–By Engler.

An Act to repeal section 535.030, RSMo, and to enact in lieu thereof one new section relating to the failure to vacate leased premises in a rent and possession case, with penalty provisions.

SB 805–By Engler.

An Act to repeal section 304.351, RSMo, and to enact in lieu thereof one new section relating to fines for failing to yield the right-of-way, with penalty provisions.

SB 806–By Cunningham.

An Act to repeal sections 160.045, 163.172, 168.101, 168.102, 168.104, 168.106, 168.108, 168.110, 168.112, 168.114, 168.116, 168.118, 168.120, 168.122, 168.124, 168.128, 168.130, 168.201, 168.211, 168.221, 168.251, 168.291, 168.410, and 536.018, RSMo, and to enact in lieu thereof twenty-five new sections relating to the employment of school personnel, with an effective date.

SB 807–By Dempsey.

An Act to repeal sections 287.140, 287.141, 287.143, 287.149, 287.160, 287.210, 287.220, 287.690, and 287.715, RSMo, and to enact in lieu thereof ten new sections relating to workers' compensation, with an emergency clause for certain sections, with existing penalty provisions.

SB 808–By Lembke.

An Act to repeal section 115.363, RSMo, and to enact in lieu thereof two new sections relating to recall elections for United States senators.

SB 809–By Lamping.

An Act to repeal sections 209.150, 209.152, and 209.200, RSMo, and to enact in lieu thereof three new sections relating to services and accommodations for persons with disabilities.

SB 810–By Lamping.

An Act to repeal sections 199.170, 199.180, 199.190, 199.200, 199.210, 199.240, 199.250, 199.260, and

199.270, RSMo, and to enact in lieu thereof fourteen new sections relating to tuberculosis testing, with penalty provisions.

SB 811–By Dixon.

An Act to authorize the conveyance of property owned by the board of governors of Missouri State University to the city of Springfield.

SB 812–By Schaefer, Chappelle-Nadal, Schmitt, Richard, Engler, Parson, Mayer, Curls, Lamping, Schaaf, Keaveny and Dempsey.

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to the Missouri electronic prior authorization committee.

Senator Stouffer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **SCS** for **SB 773** and **SB 455**, begs leave to report that it has considered the same and recommends that the bills do pass.

THIRD READING OF SENATE BILLS

SB 455, introduced by Senator Pearce, entitled:

An Act to repeal sections 173.005 and 173.040, RSMo, and to enact in lieu thereof two new sections relating to duties prescribed to the coordinating board for higher education.

Was taken up.

On motion of Senator Pearce, **SB 455** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson—33							

NAYS—Senators—None

Absent—Senator Wright-Jones—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Rupp moved that motion lay on the table, which motion prevailed.

SCS for **SB 498**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 498

An Act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **SCS** for **SB 498** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer—32

NAYS—Senators—None

Absent—Senators

Wasson Wright-Jones—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 611, introduced by Senator Lembke, entitled:

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the establishment of minimal yellow light change interval times for traffic control devices.

Was taken up.

On motion of Senator Lembke, **SB 611** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Richard—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 594, introduced by Senator Kraus, entitled:

An Act to repeal sections 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof five new sections relating to the no-call list.

Was taken up.

On motion of Senator Kraus, **SB 594** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 485**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 485

An Act to repeal sections 430.020 and 430.082, RSMo, and to enact in lieu thereof two new sections relating to statutory liens against personalty.

Was taken up by Senator Cunningham.

On motion of Senator Cunningham, **SCS** for **SB 485** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 469**, introduced by Senator Dixon, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 469

An Act to repeal sections 536.041, 536.087, and 536.325, RSMo, and to enact in lieu thereof five new sections relating to administrative procedures and review.

Was taken up.

On motion of Senator Dixon, **SS** for **SCS** for **SB 469** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Kehoe	Kraus	Lager	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Justus	Keaveny	Lamping	Lembke	Purgason—6

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 773**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 773

An Act to repeal sections 115.345 and 115.349, RSMo, and to enact in lieu thereof two new sections relating to primary elections, with an emergency clause.

Was taken up by Senator Parson.

On motion of Senator Parson, **SCS** for **SB 773** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 450, introduced by Senator Rupp, entitled:

An Act to repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to school directors in urban districts, with an emergency clause.

Was taken up.

On motion of Senator Rupp, **SB 450** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 572**, introduced by Senator Dempsey, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 572

An Act to repeal sections 287.067, 287.120, 287.150, and 287.240, RSMo, and to enact in lieu thereof four new sections relating to workers' compensation, with an emergency clause.

Was taken up.

On motion of Senator Dempsey, **SS** for **SCS** for **SB 572** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt
Stouffer	Wasson—26						

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Wright-Jones—8

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson—25							

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Wright-Jones—8

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Dempsey moved that **SCR 15** be taken up for adoption, which motion prevailed.

On motion of Senator Dempsey, **SCR 15** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1179**, entitled:

An Act to repeal section 256.400, RSMo, and to enact in lieu thereof two new sections relating to major water users.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1185**, entitled:

An Act to repeal section 589.407, RSMo, and to enact in lieu thereof two new sections relating to

possible deportation of aliens who are listed in the state sexual offender registry.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1250**, entitled:

An Act to repeal section 78.090, RSMo, and to enact in lieu thereof one new section relating to primary elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1251**, entitled:

An Act to repeal section 640.100, RSMo, and to enact in lieu thereof one new section relating to fees imposed for the enforcement of the federal Safe Drinking Water Act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1269**, entitled:

An Act to repeal section 301.3161, RSMo, and to enact in lieu thereof one new section relating to The Burnt District special license plate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Mayer referred **SCR 23** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 22—Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and

Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 621**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SJR 26**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 719**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 701**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 480**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 457**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 577**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 749**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 578**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 690**, begs leave to report

that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Lembke, Chairman of the Committee on Governmental Accountability, submitted the following report:

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 474**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 736**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **SB 655**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

SB 774—Financial and Governmental Organizations and Elections.

SB 775—Gubernatorial Appointments.

SB 776—Ways and Means and Fiscal Oversight.

SB 777—Ways and Means and Fiscal Oversight.

SB 778—Commerce, Consumer Protection, Energy and the Environment.

SB 779—Judiciary and Civil and Criminal Jurisprudence.

SB 780—Financial and Governmental Organizations and Elections.

SB 781—Jobs, Economic Development and Local Government.

SB 782—Ways and Means and Fiscal Oversight.

SB 783—Jobs, Economic Development and Local Government.

SB 784—General Laws.

SB 785—Health, Mental Health, Seniors and Families.

SB 786—Governmental Accountability.

SB 788—Financial and Governmental Organizations and Elections.

SB 789—Judiciary and Civil and Criminal Jurisprudence.

SB 790—Ways and Means and Fiscal Oversight.

SB 791—Financial and Governmental Organizations and Elections.

SB 792—Ways and Means and Fiscal Oversight.

SB 793—Ways and Means and Fiscal Oversight.

SJR 50—Appropriations.

RESOLUTIONS

Senator Wright-Jones offered Senate Resolution No. 1448, regarding Maelisha Boclair, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1449, regarding Reverend Elston K. McCowan, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1450, regarding Emergent Sensor Technologies, LLC, St. Louis, which was adopted.

COMMUNICATIONS

Senator Crowell submitted the following:

February 16, 2012

Ms. Terry Spieler
Secretary of Senate
State Capitol Building - Room 325
Jefferson City, Missouri 65101

Dear Madame Secretary:

I respectfully request that the following bills be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

SB578 (Parson) – Conveys state property to the City of Sedalia;

SB690 (Engler) – Allows the Missouri State Highway Patrol to sell surplus watercraft and watercraft motors and trailers in the same manner as the highway patrol currently sells surplus vehicles;

SB736 (Engler) – Exempts St. Francois County from a requirement that certain amounts of money from the county's special road and bridge tax be spent in certain areas.

Sincerely,
/s/ Jason G. Crowell
Jason G. Crowell
State Senator

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Cliff Combs, Stormy Taylor, Kim Hall, Georgia Stuart-Simmons, Eddie Chitwood, Ashton Schell, Mitch Lawson, Remington Hoyer, Tim Russell, Jacob Bowder, Adam Martin, Donovan Wiss, Collin Mills, Sidney Guidry, Liz Howard, Chase Jackson, Kelly Snook, Cierra Collins, Matthew Zembraski, Brad Long, Mikayla DeMers, Hailee Frencken, Alexander Hulbert and Benne Clear, Warrensburg CLIMB High.

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. George Prica, Jr., M.D.

Senator Parson introduced to the Senate, Michelle Redd, Michelle Parsons, Matt Havens, Jim Grabowski, Chris McClay and Nick Seiner, Bolivar Leadership.

Senator Kehoe introduced to the Senate, Kings of Historically Black Colleges and Universities from around the country.

Senator Kehoe introduced to the Senate, Shelley Kleene, Wendy Mena, Sara Wood and fourth grade students from Cedar Hill Elementary School, Jefferson City.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, February 20, 2012.

SENATE CALENDAR

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TWENTY-SIXTH DAY–MONDAY, FEBRUARY 20, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 794-Schmitt
SB 795-Callahan, et al
SB 796-Justus
SB 797-Justus
SB 798-Justus, et al
SB 799-Justus, et al
SB 800-Justus
SB 801-Justus
SB 802-Justus
SB 803-Rupp
SB 804-Engler
SB 805-Engler
SB 806-Cunningham
SB 807-Dempsey
SB 808-Lembke
SB 809-Lamping
SB 810-Lamping
SB 811-Dixon
SB 812-Schaefer, et al

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329
HB 1219-Elmer, et al
HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al

HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka
HB 1269-Brattin, et al

SENATE BILLS FOR PERFECTION

1. SB 621-Brown, with SCS
2. SJR 26-Lager
3. SB 719-Kehoe, with SCS
4. SB 701-Mayer
5. SB 480-Stouffer, with SCS
6. SB 457-Schmitt, with SCS
7. SB 577-Goodman and Rupp, with SCS
8. SB 749-Lamping, et al
9. SB 474-Kraus, with SCS
10. SB 655-Green, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 479-Crowell
SBs 484, 477 & 606-Rupp, with SCS
SB 492-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS & SA 1 (pending)
SB 596-Brown, with SCS
SJR 29-Lamping, with SS & SA 1 (pending)

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SIXTH DAY—MONDAY, FEBRUARY 20, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"We cannot forget history...we will be remembered for good or ill...we cannot escape the burden nor responsibility." (Abraham Lincoln)

Almighty God, on this President's Day we are mindful how You have called forth leaders to take us through perilous times and how they are remembered today. Help us be mindful of our history and the effect the actions we take as leaders have on our people. So we need Your guidance and direction for what we will say and do for that will determine how we are remembered, may it be that we have lead with wisdom and effectiveness. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 16, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senators

Crowell Schaefer—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 1451, regarding Olivia Gammill, Nixa, which was adopted.

On behalf of Senator Crowell, Senator Dempsey offered Senate Resolution No. 1452, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Keith E. Haynes, Jackson, which was adopted.

Senator Dempsey offered Senate Resolution No. 1453, regarding Richard Probst, which was adopted.

Senator Dempsey offered Senate Resolution No. 1454, regarding Kevin Jett, which was adopted.

Senator Dempsey offered Senate Resolution No. 1455, regarding Tracy Sherman, which was adopted.

Senator Dempsey offered Senate Resolution No. 1456, regarding Kevin Shrum, which was adopted.

Senator Dempsey offered Senate Resolution No. 1457, regarding Andy Foulds, which was adopted.

Senator Dempsey offered Senate Resolution No. 1458, regarding Joan Buchheit, which was adopted.

Senator Dempsey offered Senate Resolution No. 1459, regarding John Krietemeyer, which was adopted.

Senator Dempsey offered Senate Resolution No. 1460, regarding Thomas Gunning, which was adopted.

Senator Dempsey offered Senate Resolution No. 1461, regarding Virgil "Red" Stout, which was adopted.

Senator Lager offered Senate Resolution No. 1462, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jack Thieme, Humphreys, which was adopted.

Senator Lager offered Senate Resolution No. 1463, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dick Thomson, Maryville, which was adopted.

Senator Green offered Senate Resolution No. 1464, regarding Joseph Matthew Radichel, Florissant, which was adopted.

Senator Green offered Senate Resolution No. 1465, regarding Eric Bradley Radichel, Florissant, which was adopted.

Senator Schmitt assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 813–By Richard.

An Act to repeal section 67.085, RSMo, and to enact in lieu thereof one new section relating to the investment of certain public funds.

SB 814–By Brown.

An Act to repeal sections 59.319, 60.510, 60.530, 60.540, 60.560, 60.570, 60.580, 60.595, 60.610, and 60.620, RSMo, and to enact in lieu thereof ten new sections relating to the land survey program.

SB 815–By McKenna.

An Act to repeal sections 50.332 and 52.320, RSMo, and to enact in lieu thereof two new sections relating to permissible contracts between municipalities and certain counties.

SB 816–By Kraus.

An Act to repeal sections 288.030 and 288.050, RSMo, and to enact in lieu thereof two new sections relating to disqualification from unemployment benefits.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 621**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 621**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 621

An Act to repeal sections 197.080 and 197.100, RSMo, and to enact in lieu thereof two new sections relating to hospital licensure.

Was taken up.

Senator Brown moved that **SCS** for **SB 621** be adopted.

Senator Brown offered **SS** for **SCS** for **SB 621**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 621

An Act to repeal sections 197.080 and 197.100, RSMo, and to enact in lieu thereof two new sections relating to hospital licensure.

Senator Brown moved that **SS** for **SCS** for **SB 621** be adopted.

At the request of Senator Brown, **SB 621**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Lager moved that **SJR 26** be taken up for perfection, which motion prevailed.

On motion of Senator Lager, **SJR 26** was declared perfected and ordered printed.

SB 719, with **SCS**, was placed on the Informal Calendar.

Senator Mayer moved that **SB 701** be taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Mayer, **SB 701** was declared perfected and ordered printed.

At the request of Senator Stouffer, **SB 480**, with **SCS**, was placed on the Informal Calendar.

Senator Schmitt moved that **SB 457**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 457**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 457

An Act to repeal section 210.115, RSMo, and to enact in lieu thereof one new section relating to persons required to report child abuse and neglect.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 457** be adopted.

Senator Schmitt offered **SS** for **SCS** for **SB 457**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 457

An Act to repeal section 210.115, RSMo, and to enact in lieu thereof one new section relating to persons required to report child abuse and neglect.

Senator Schmitt moved that **SS** for **SCS** for **SB 457** be adopted.

At the request of Senator Schmitt, **SB 457**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1103**, entitled:

An Act to repeal section 339.1115, RSMo, and to enact in lieu thereof one new section relating to certain notices required by the Missouri appraisal management company registration and regulation act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1192**, entitled:

An Act to repeal section 166.415, RSMo, and to enact in lieu thereof one new section relating to the Missouri higher education savings program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1041**, entitled:

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing boards of certain state universities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Wright-Jones introduced to the Senate, members of Delta Sigma Theta Sorority, Inc., from

around the state.

Senator Wasson introduced to the Senate, Breanne Pickering, Nixa.

Senator Cunningham introduced to the Senate, Cristiana Wright, Chesterfield.

Senator Ridgeway introduced to the Senate, her husband, Dr. Richard Ridgeway, Smithville.

Senator Stouffer introduced to the Senate, members of Missouri 4-H Legislative Academy.

Senator Lembke introduced to the Senate, Brian and Angie Winschel and their daughters, Elizabeth, Emma and Caroline, Oakville; and Elizabeth, Emma and Caroline were made honorary pages.

Senator Lembke introduced to the Senate, Bill and Jeannette Korpecki and their children, John and Olivia, First Senatorial District; and John and Olivia were made honorary pages.

Senator Lembke introduced to the Senate, Steve Hrbacek, First Senatorial District.

Senator Green introduced to the Senate, John and Tonya Eimer and their children, Grace, Augie and Sara, Jefferson County; and Sara, Augie and Grace were made honorary pages.

Senator Mayer introduced to the Senate, Superintendent Kenneth Cook, Jim and Carolyn Cornman and Ken Lentz, Malden School.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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TWENTY-SEVENTH DAY–TUESDAY, FEBRUARY 21, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 794-Schmitt
SB 795-Callahan, et al
SB 796-Justus
SB 797-Justus
SB 798-Justus, et al
SB 799-Justus, et al
SB 800-Justus
SB 801-Justus
SB 802-Justus
SB 803-Rupp
SB 804-Engler
SB 805-Engler
SB 806-Cunningham
SB 807-Dempsey
SB 808-Lembke
SB 809-Lamping
SB 810-Lamping
SB 811-Dixon
SB 812-Schaefer, et al
SB 813-Richard
SB 814-Brown
SB 815-McKenna
SB 816-Kraus

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329
HB 1219-Elmer, et al
HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al
HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka
HB 1269-Brattin, et al
HB 1103-Crawford and Wyatt
HB 1192-Koenig, et al
HB 1041-Thomson

SENATE BILLS FOR PERFECTION

SB 577-Goodman and Rupp, with SCS
SB 749-Lamping, et al
SB 474-Kraus, with SCS
SB 655-Green, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 479-Crowell
SB 480-Stouffer, with SCS
SBs 484, 477 & 606-Rupp, with SCS
SB 492-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS & SA 1 (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 719-Kehoe, with SCS
SJR 29-Lamping, with SS & SA 1 (pending)

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

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Journal of the Senate

SECOND REGULAR SESSION

TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 21, 2012

The Senate met pursuant to adjournment.

Senator Lager in the Chair.

Reverend Carl Gauck offered the following prayer:

"To think to quickly of prayer as a matter of words can be a most discouraging thing." (Alan Ecclestone)

Lord, too many seem to think too much on what they say and it interferes with what You might desire for us to pray. Help us open a channel between us and You and help us be thoughtful to what You encourage us to express, our feelings and thoughts so they may become effective actions. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KRCG-TV, the University of Missouri and Mizzou Football were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senators

Crowell Schaefer—2

Vacancies—None

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 1466, regarding Rachel Greatwood, Kansas City, which was adopted.

Senator Parson offered Senate Resolution No. 1467, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Junior Johnson, Lamar, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1468, regarding Sunset Auto Company, Sunset Hills, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 817–By Parson.

An Act to repeal sections 116.080, 116.090, 116.120, 116.180, 116.332, and 116.334, RSMo, and to enact in lieu thereof nine new sections relating to initiative and referendum petitions, with existing penalty provisions, and an emergency clause for a certain section.

SB 818–By Parson.

An Act to repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to motor vehicle registration.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SJR 26** and **SB 701**, begs leave to report that it has examined the same and finds that the joint resolution and bill have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

SB 577, with **SCS**, was placed on the Informal Calendar.

Senator Lamping moved that **SB 749** be taken up for perfection, which motion prevailed.

Senator Lamping offered **SS** for **SB 749**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 749

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the protection of the religious beliefs and moral convictions of certain persons and entities, with an emergency clause.

Senator Lamping moved that **SS** for **SB 749** be adopted.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 749, Page 1, Section 191.724, Line 9 of said page, by

striking the following: ", contraception,"; and further amend line 16 of said page, by striking the following: "contraception,"; and

Further amend said bill and section, Page 2, Line 11 of said page, by striking the following: ", contraception,".

Senator Justus moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

Senator Schmitt assumed the Chair.

At the request of Senator Lamping, **SB 749**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 648**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 568**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 690**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 578**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 562**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 563**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 736**, begs leave to report that it has considered the same and recommends that the bill do pass.

REFERRALS

President Pro Tem Mayer referred **SJR 26** to the Committee on Ways and Means and Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 8**, entitled:

HOUSE CONCURRENT RESOLUTION NO. 8

Relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, Section 137.021, RSMo, provides that on or before December thirty-first of each odd-numbered year the State Tax Commission is required under Section 137.021, RSMo, to promulgate by regulation a value for each grade of agricultural and horticultural land based on productive capability; and

WHEREAS, the State Tax Commission, in accordance with Section 137.021, RSMo, did on December 23, 2011, propose a value for each of the eight grades of agricultural and horticultural land for the 2013 and 2014 assessment years, with changes to grades 1 through 4; and

WHEREAS, the members of the General Assembly believe that the proposed agricultural and horticultural land values are excessive; and

WHEREAS, Section 137.021, RSMo, permits the General Assembly to disapprove within the first sixty days of the next Regular Session of the General Assembly the agricultural and horticultural values as proposed by the State Tax Commission:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby disapprove the State Tax Commission's proposed state regulation to be promulgated under Section 137.021, RSMo, establishing agricultural land values for the 2013 and 2014 assessment years; and

BE IT FURTHER RESOLVED that the General Assembly recommends that the State Tax Commission review the current procedure for determining and establishing agricultural land values; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Missouri State Tax Commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, President Tim Wolfe, Athletic Director Mike Alden, Coach Gary Pinkel and members of the 2011-2012 University of Missouri football team.

Senator Brown introduced to the Senate, members of the Missouri Society of Anesthesiologists from around the state.

Senator Dixon introduced to the Senate, Becky Smith and forty-two sixth grade students from Central High School, Springfield.

Senator Dixon introduced to the Senate, recipients of the Missouri State University Citizen Scholar Award: from the 30th Senatorial District, Rachel Greatwood, Springfield; from the 33rd Senatorial District, Rebekah Allen, Mountain View; from the 20th Senatorial District, Alison Bos; from the 15th Senatorial District, Deanne Vassalli; and from the 31st Senatorial District, Samantha Warner, Archie.

Senator Schmitt introduced to the Senate, Mary Elizabeth Grimes, Suzanne Dalton and members of the Missouri Chapter of the March of Dimes.

Senator Kehoe introduced to the Senate, Principal Janah Massman, Coach Peggy Wieberg, Coach Diane Juergensmeyer and members of the 2011 Missouri State Champion St. Elizabeth High School girls softball team.

On behalf of Senator Lager, the President introduced to the Senate, second through sixth grade gifted students from Savannah.

Senator Rupp introduced to the Senate, representatives of Leadership Troy.

Senator Lembke introduced to the Senate, the 2012 Milken Foundation Educator of the Year, Eric Cochran, his wife, Jessica, and their daughters, Kelsey and Kristin; and Kelsey and Kristin were made honorary pages.

On behalf of the President, Senator Pearce introduced to the Senate, the Physician of the Day, Dr. William Haynie and his wife, Joyce, Butler.

Senator Pearce introduced to the Senate, Blaine Duesing, Anna Campbell, Deborah Galley, Nancy Montgomery, Kimberly Stewart, and Kristie Condon, representatives of the University of Central Missouri Speech Pathology Department.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

———

TWENTY-EIGHTH DAY–WEDNESDAY, FEBRUARY 22, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 794-Schmitt
SB 795-Callahan, et al
SB 796-Justus
SB 797-Justus
SB 798-Justus, et al
SB 799-Justus, et al
SB 800-Justus
SB 801-Justus
SB 802-Justus
SB 803-Rupp
SB 804-Engler
SB 805-Engler
SB 806-Cunningham
SB 807-Dempsey
SB 808-Lembke
SB 809-Lamping
SB 810-Lamping
SB 811-Dixon
SB 812-Schaefer, et al
SB 813-Richard
SB 814-Brown
SB 815-McKenna
SB 816-Kraus
SB 817-Parson
SB 818-Parson

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329
HB 1219-Elmer, et al
HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al
HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka
HB 1269-Brattin, et al
HB 1103-Crawford and Wyatt
HB 1192-Koenig, et al
HB 1041-Thomson

THIRD READING OF SENATE BILLS

SJR 26-Lager (In Fiscal Oversight)
SB 701-Mayer

SENATE BILLS FOR PERFECTION

SB 474-Kraus, with SCS
SB 655-Green, et al, with SCS
SB 648-Dempsey, with SCS
SB 568-Parson, with SCS
SB 690-Engler
SB 578-Parson
SB 562-Dixon, et al, with SCS
SB 563-Dixon, with SCS
SB 736-Engler

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 479-Crowell
SB 480-Stouffer, with SCS
SBs 484, 477 & 606-Rupp, with SCS
SB 492-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS & SA 1 (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 719-Kehoe, with SCS
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

To be Referred

HCR 8-Guernsey, et al

✓

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-EIGHTH DAY—WEDNESDAY, FEBRUARY 22, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"The best prayers are often more groans than words." (John Bunyan)

Much of the Christian world observe today as Ash Wednesday, a day of reflection, repentance and reconciliation. So help us dear Lord to be true to ourselves as we pray this day aware of our shortcomings and in need of Your mercy. Keep us close to You, O Lord, that even our groans and moans are known to You and provide us with hope and guidance as we walk through this day of ashes toward Your promise to be with us always. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Richard offered Senate Resolution No. 1469, regarding the 2011-2012 state champion Joplin High School Constitution Team, which was adopted.

Senator Richard offered Senate Resolution No. 1470, regarding Sabrina Drackert, Carthage, which was adopted.

Senator Dixon offered Senate Resolution No. 1471, regarding Dorial Green-Beckham, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 1472, regarding Craig Wagoner, Springfield, which was adopted.

Senator Pearce offered Senate Resolution No. 1473, regarding Andrew Robert Leo Burgess, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1474, regarding Andre Williams, Knob Noster, which was adopted.

Senator Pearce offered Senate Resolution No. 1475, regarding Matthew Ian Barker, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1476, regarding Taylor Black, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1477, regarding Erica Collins, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1478, regarding Myron L. DeBerry, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1479, regarding Mable Stevens, Warrensburg, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 819–By Nieves.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to state enforcement of certain federal laws, with penalty provisions.

SB 820–By Nieves.

An Act to repeal sections 190.307 and 650.340, RSMo, and to enact in lieu thereof two new sections relating to emergency dispatch operator training.

SB 821–By McKenna.

An Act to repeal section 77.030, RSMo, and to enact in lieu thereof one new section relating to terms for councilmen in third class cities.

SB 822–By Munzlinger.

An Act to repeal section 261.125, RSMo, and to enact in lieu thereof one new section relating to

agriculture.

SB 823–By Munzlinger.

An Act to repeal section 217.670, RSMo, and to enact in lieu thereof one new section relating to videoconferencing of offenders.

SB 824–By Schaefer, Rupp, Ridgeway and Brown.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of motorcycle awareness month.

SB 825–By Justus.

An Act to amend chapter 130, RSMo, by adding thereto one new section relating to limiting financial contributions to support campaigns for certain public offices.

SB 826–By Crowell.

An Act to repeal sections 105.473, 105.483, 105.485, 105.487, 105.955, 105.957, 105.959, 105.961, 105.963, 105.966, 130.011, 130.021, 130.026, 130.028, 130.031, 130.041, 130.044, 130.046, 130.057, 130.071, and 226.033, RSMo, and sections 105.456, 105.463, 105.473, 105.485, 105.955, 105.957, 105.959, 105.961, 105.963, 105.966, 115.364, 130.011, 130.021, 130.026, 130.028, 130.031, 130.041, 130.044, 130.046, 130.057, 130.071, 226.033, and 575.021, as truly agreed to and finally passed by conference committee substitute no. 3 for house committee substitute no. 2 for senate bill no. 844, ninety-fifth general assembly, second regular session, and to enact in lieu thereof twenty-three new sections relating to ethics, with penalty provisions.

SB 827–By Crowell.

An Act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

SB 828–By Crowell.

An Act to repeal sections 287.067, 287.120, and 287.150, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation.

SB 829–By Crowell.

An Act to repeal section 287.220, RSMo, and to enact in lieu thereof one new section relating to the second injury fund, with an emergency clause.

Senator Pearce assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Kehoe moved that **SB 719**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 719**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 719

An Act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to the

issuance of temporary boating safety identification cards to nonresidents, with an emergency clause.

Was taken up.

Senator Kehoe moved that **SCS** for **SB 719** be adopted.

Senator Kehoe offered **SS** for **SCS** for **SB 719**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 719

An Act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary boating safety identification cards to nonresidents, with an emergency clause.

Senator Kehoe moved that **SS** for **SCS** for **SB 719** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **SCS** for **SB 719** was declared perfected and ordered printed.

Senator Rupp moved that **SB 484**, **SB 477** and **SB 606**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SBs 484**, **477** and **606**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 484, 477 and 606

An Act to repeal sections 130.047, 407.1095, 407.1098, 407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

Was taken up.

Senator Rupp moved that **SCS** for **SBs 484**, **477** and **606** be adopted.

Senator Crowell offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 484, 477 and 606, Page 2, Section 407.1095, Line 22, by inserting immediately at the end of said line the following: "**or**"; and further amend line 25, by striking the word "or"; and

Further amend said bill and section, page 3, lines 26-30, by striking all of said lines.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Rupp moved that **SCS** for **SBs 484**, **477** and **606**, as amended, be adopted, which motion prevailed.

On motion of Senator Rupp, **SCS** for **SBs 484**, **477** and **606**, as amended, was declared perfected and ordered printed.

Senator Crowell moved that **SB 492** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Crowell offered **SS** for **SB 492**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 492

An Act to repeal sections 104.1084, 104.1091, and 476.521, RSMo, and to enact in lieu thereof four new

sections relating to retirement.

Senator Crowell moved that **SS** for **SB 492** be adopted.

Senator Stouffer assumed the Chair.

At the request of Senator Crowell, **SB 492**, with **SS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 12**.

HOUSE CONCURRENT RESOLUTION NO. 12

WHEREAS, while war deaths have been a part of our heritage since the birth of this nation, the United States has not instituted an official symbol commemorating fallen servicepersons; and

WHEREAS, H.R. 1034 was introduced in the 111th Congress designating the Honor and Remember Flag, created by Honor and Remember, Inc., as an official recognition and in honor of fallen members of the United States Armed Forces; and

WHEREAS, the Honor and Remember Flag's red field represents the brave men and women who sacrificed their lives for freedom. The flag's blue star is a symbol of active service in military conflict that dates back to World War I. The flag's white border recognizes the purity of sacrifice. The flag's gold star signifies the ultimate sacrifice of a warrior in active service who is not returning home and reflects the value of the life given. The folded flag element highlights this nation's final tribute to a fallen serviceperson and a family's sacrifice. The flag's flame symbolizes the eternal spirit of the departed; and

WHEREAS, the Honor and Remember Flag is a unifying symbol recognizing this nation's solemn debt to the estimated 1.6 million fallen servicepersons throughout history and the families and communities who mourn their loss:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty and urges the United States Congress to enact a similar resolution; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Missouri Veterans Commission and each member of the Missouri Congressional Delegation.

In which the concurrence of the Senate is respectfully requested.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 22, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Herbert Dankert, 1505 North Jefferson, Springfield, Greene County, Missouri 65803, as a member of the Missouri Workforce Investment Board, for a term ending March 3, 2015, and until his successor is duly appointed and qualified; vice, Creed Jones, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 22, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Aliah Holman, 1240 Graham Street, St. Louis City, Missouri 63139, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, for a term ending November 11, 2012, and until her successor is duly appointed and qualified; vice, Kevin Cahill, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 22, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Richard Inglima, 3600 Southwest Harbor Circle, Lee's Summit, Jackson, Missouri 64082, as a member of the Peace Officer Standards and Training, for a term ending October 3, 2013, and until his successor is duly appointed and qualified; vice, Mark Edwards, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 22, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kevin Magnan, 10828 Bailey School Road, Festus, Jefferson County, Missouri 63701, as a student representative of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2014, and until his successor is duly appointed and qualified; vice, Brian Kelly, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 22, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Ashton Raffety, 33707 Street Route O, Drexel, Bates County, Missouri 64742, as a student representative of the Northwest Missouri State University Board of Regents, for a term ending December 31, 2013, and until his successor is duly appointed and qualified; vice, Joseph Barbosa, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 22, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Anthony Wilson, 2336 Massey Lane, Holts Summit, Callaway County, Missouri 65043, as a member of the Missouri Workforce Investment Board, for a term ending March 3, 2013, and until his successor is duly appointed and qualified; vice, Laura Evans, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above appointments to the Committee on Gubernatorial Appointments.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was referred to the Committee indicated:

HCR 8—Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SBs 484**, **477** and **606** and **SS** for **SCS** for **SB 719**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Obbie Willis, Belton.

Senator Callahan introduced to the Senate, the Physician of the Day, Dr. Nelson Sabates, M.D., Independence.

Senator Richard introduced to the Senate, Stefanie Nentrup, Lockwood.

Senator Schaaf introduced to the Senate, Casey Leslie, St. Joseph.

Senator Schmitt introduced to the Senate, Sandy Stewart, Liz Majino, Kris Denbow, Bill Schiller, Jean Dugan, David Winkler, Deb Wagnon, John M. Thomas, Carrie Rao, Jason Heisserer, Jo Doll, Stephen

Rudolph, Lisa Hilpert, Sheri Evans, Gary Heisel and Sarah Riss, Webster Groves.

Senator Schmitt introduced to the Senate, Chancellor Myrtle Dorsey, St. Louis Community College; President George Wasson, Meramec; President Marcia Pfeiffer, Florissant Valley; President Cindy Hess, Forest Park; President Pam McIntyre, Wildwood; and Melissa Huttman.

Senator Justus introduced to the Senate, Shanita Frazier, Grandview.

Senator Rupp introduced to the Senate, Karen Jones and Victoria Smith, St. Charles Community College.

Senator Rupp introduced to the Senate, Shae Dunnaway, Wentzville.

Senator Wasson introduced to the Senate, Kaleb Killingsworth and his parents, Kenny and Sherry Killingsworth, Walnut Grove.

Senator Dixon introduced to the Senate, students from Missouri State University School of Social Work.

Senator Engler introduced to the Senate, Josh Buckner, Farmington.

Senator Nieves introduced to the Senate, Dr. Ed Jackson, President, Dr. Jon Bauer, President-Elect, Tom Dill, Don Kappelmann, Dot Schowe, Cookie Hays and Shannon Grus, East Central College, Union.

Senator Nieves introduced to the Senate, Angelica Bolzenius, Jon McCarty, J.D. Johnson, Ricky Sang, Justin Ferris, Jessica Somers and Cady Honey, students from East Central College, Union.

Senator Stouffer introduced to the Senate, Whitney Schieni, Salisbury.

Senator Parson introduced to the Senate, Christopher Wood, Humansville.

Senator McKenna introduced to the Senate, Dr. Ray Cummiskey, Jefferson College.

Senator Mayer introduced to the Senate, Maggie Mouhalis, Holcomb.

Senator Kehoe introduced to the Senate, Josey Stephens, Prairie Home.

Senator Lager introduced to the Senate, Dr. Ben Reine, Dr. Chris Paynter and Dr. Bruce Williams.

Senator Lager introduced to the Senate, Marci Luke, Stanberry.

Senator Goodman introduced to the Senate, BreeAnna Damron, McDonald County.

Senator Crowell introduced to the Senate, Andrea Cook, Jackson.

Senator Green introduced to the Senate, Darrell Hamilton, Black Jack.

Senator Chappelle-Nadal introduced to the Senate, her mother Cecilia Nadal, St. Louis; and representatives of the 11th Annual Hispanic Day at the Capitol.

Senator Richard introduced to the Senate, President Alan D. Marble and Karen Fink, Isabel Olvera, Amanda Girdler, Kendra Buchele and Jenna Diehl, representatives of Crowder College, Neosho.

Senator Brown introduced to the Senate, nursing students from East Central College, Rolla.

Senator Goodman introduced to the Senate, his sister-in-law, Jenna Hood, and students from Cox School of Nursing, Springfield.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-NINTH DAY–THURSDAY, FEBRUARY 23, 2012

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 794-Schmitt
SB 795-Callahan, et al
SB 796-Justus
SB 797-Justus
SB 798-Justus, et al
SB 799-Justus, et al
SB 800-Justus
SB 801-Justus
SB 802-Justus
SB 803-Rupp
SB 804-Engler
SB 805-Engler
SB 806-Cunningham
SB 807-Dempsey
SB 808-Lembke
SB 809-Lamping
SB 810-Lamping
SB 811-Dixon
SB 812-Schaefer, et al
SB 813-Richard
SB 814-Brown
SB 815-McKenna
SB 816-Kraus
SB 817-Parson
SB 818-Parson
SB 819-Nieves
SB 820-Nieves
SB 821-McKenna
SB 822-Munzlinger
SB 823-Munzlinger
SB 824-Schaefer, et al
SB 825-Justus
SB 826-Crowell
SB 827-Crowell
SB 828-Crowell
SB 829-Crowell

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329
HB 1219-Elmer, et al
HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al
HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka

HB 1269-Brattin, et al
HB 1103-Crawford and Wyatt
HB 1192-Koenig, et al
HB 1041-Thomson

THIRD READING OF SENATE BILLS

SJR 26-Lager (In Fiscal Oversight)
SB 701-Mayer
SCS for SBs 484, 477 & 606-Rupp
SS for SCS for SB 719-Kehoe

SENATE BILLS FOR PERFECTION

SB 474-Kraus, with SCS
SB 655-Green, et al, with SCS
SB 648-Dempsey, with SCS
SB 568-Parson, with SCS
SB 690-Engler
SB 578-Parson
SB 562-Dixon, et al, with SCS
SB 563-Dixon, with SCS
SB 736-Engler

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 479-Crowell
SB 480-Stouffer, with SCS
SB 492-Crowell, with SS (pending)
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS & SA 1 (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

To be Referred

HCR 12-Davis, et al

✓

Journal of the Senate

SECOND REGULAR SESSION

TWENTY-NINTH DAY—THURSDAY, FEBRUARY 23, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Great peace have those who love your law; nothing can make them stumble." (Psalm 119:165)

You, O Lord, have given us Your law for living our lives in faithfulness and obedience; to live our lives fully in joy and peace. We give You thanks for Your blessings to us and our people so we may live in harmony with one another. And, we would ask that You watch over our travel this day and bring us safely home to those we love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senators

Green Keaveny—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Nieves offered Senate Resolution No. 1480, regarding Ryan Bueckendorf, Wildwood, which was adopted.

Senator Nieves offered Senate Resolution No. 1481, regarding Julie Ronzio, Wildwood, which was adopted.

Senator Lager offered Senate Resolution No. 1482, regarding Nathan Fagerstone, Cameron, which was adopted.

Senator Lager offered Senate Resolution No. 1483, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Glen Barnett, Savannah, which was adopted.

Senator Lager offered Senate Resolution No. 1484, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Paul Smith, Weatherby, which was adopted.

Senator Crowell offered Senate Resolution No. 1485, regarding Scott R. Clark, which was adopted.

Senator Crowell offered Senate Resolution No. 1486, regarding Evan Trump, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 1487, regarding Bill and Linda Freeman, Oak Ridge, which was adopted.

Senator Pearce offered Senate Resolution No. 1488, regarding Brittany Miller, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1489, regarding Brittany Stevens, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1490, regarding Jaason Levine, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1491, regarding Shaelynn Tamara Alfred, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1492, regarding Dominique Sparks, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1493, regarding Sky Roberson, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1494, regarding Jacob Carter, Warrensburg, which was adopted.

Senator Kraus offered Senate Resolution No. 1495, regarding the Class 4 State Champion Blue Springs High School Wrestling Team, which was adopted.

Senator Kraus offered Senate Resolution No. 1496, regarding the Class 6 State Champion Blue Springs South High School Football Team, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1497, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. William Philip Rash, Sr., Lewistown, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1498, regarding the 2011-2012 Class 2 State

Champion Kirksville High School Tigers wrestling program, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1499, regarding the Seventy-first Wedding Anniversary of Mr. and Mrs. Robert M. Hayes, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1500, regarding the American patriot James Paris, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1501, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Joe Henry Shelton, Brashear, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1502, regarding Joetta Schmidt, Unionville, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1503, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Lowell E. Beeler, Lancaster, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1504, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Harold Echternacht, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1505, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dale Goers, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1506, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Donald Martin, which was adopted.

On behalf of Senator Keaveny, Senator Callahan offered Senate Resolution No. 1507, regarding Ollie Stewart and the Southside Wellness Center, which was adopted.

Senator Curls offered Senate Resolution No. 1508, regarding the late John "Buck" O'Neil, which was adopted.

Senator Curls offered Senate Resolution No. 1509, regarding the Ninety-second Birthday of Ben Douglas Kynard, Kansas City, which was adopted.

CONCURRENT RESOLUTIONS

Senator Stouffer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 24

WHEREAS, the trucking industry is a critical component of the United States economy; and

WHEREAS, truck safety is an important public policy concern; and

WHEREAS, on December 16, 2011, the Federal Motor Carrier Safety Administration (FMCSA) published a final rule establishing new Hours of Service (HOS) regulations for commercial motor vehicles; and

WHEREAS, the final rule institutes a new 30-minute rest break requirement for drivers, mandates that the 34-hour restart provision include two off-duty periods between 1:00 a.m. and 5:00 a.m., and revises the definition of on-duty time; and

WHEREAS, FMCSA's new HOS rule reduces the maximum weekly hours truck drivers may work from an average of 82 hours to 70 hours; and

WHEREAS, the final rule also establishes penalties for egregious violations of the HOS regulations and revises log book requirements for drivers involved in oilfield operations; and

WHEREAS, the FMCSA's final rule would decrease the overall number of hours a truck driver could work, and require the addition of more trucks and drivers to deliver the nation's freight; and

WHEREAS, this impact would likely compromise highway safety by generating more exposure to crashes, putting less experienced drivers on the road, exacerbating the shortage of rest area parking spaces and creating long periods of idle time for truck drivers; and

WHEREAS, the increased costs generated by the need for additional trucks and drivers, as well as operational changes, under the proposal would inflate delivery expenses and raise business and consumer costs; and

WHEREAS, the impact of the final rule will result in additional costs for motor carriers, reduced income for truck drivers, reduced productivity, an increase in highway congestion, and an increase in the cost of goods for Missourians; and

WHEREAS, the FMCSA's cost-benefit analysis of the proposal is incomplete, fails to completely account for all trucking-industry and economy-wide costs, and inflates the safety benefits of the proposal; and

WHEREAS, the American Trucking Association recently filed a petition with the U.S. Circuit Court of Appeals for the District of Columbia, asking the court to set aside FMCSA's recently published final rule as arbitrary and capricious and contrary to law; and

WHEREAS, FMCSA advisory panels are looking toward adopting regulations that involve screening and treatment of drivers at risk for obstructive sleep apnea; and

WHEREAS, the FMCSA Advisory Committee and Medical Review Board adopted 11 recommendations, including a requirement that all drivers with a body mass index measurement (BMI) of 35 or higher be tested for sleep apnea; and

WHEREAS, while there is some evidence to indicate that some commercial truck drivers have sleep apnea, there is insufficient evidence that this condition has resulted in the increased likelihood of crashes; and

WHEREAS, the Owner-Operator Independent Drivers Association Foundation calculated that 49 percent of the 3.5 million commercial truck drivers have a BMI of 30 or greater and that if a number of drivers is required to undergo sleep lab exams, such a rule would cost truckers $5.25 billion; and

WHEREAS, the reach of the proposed sleep apnea testing regulation would even govern school bus drivers; and

WHEREAS, there are valid operational differences between school bus operations and other commercial carrier operations which should be taken into account when considering applying the recommendations to all commercial drivers; and

WHEREAS, FMCSA is considering adopting other rules and regulations, notably regulations concerning electronic stability control for large trucks and speed limits for large trucks, all measures that could have a profound effect on the national economy:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Federal Motor Carrier Safety Administration to rescind its newly published rule regarding hours of service and refrain from adopting regulations concerning sleep apnea and other measures affecting the trucking industry; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Administrator of the Federal Motor Carrier Safety Administration, Anne S. Ferro, and each member of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 830–By Wasson.

An Act to repeal section 334.735, RSMo, and to enact in lieu thereof one new section relating to physician assistants.

SB 831–By Wasson.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

SB 832–By Wasson.

An Act to repeal sections 115.135, 115.137, 115.155, 115.157, 115.163, 115.225, 115.249, and 115.637,

RSMo, and to enact in lieu thereof nine new sections relating to primary elections, with penalty provisions.

SB 833–By Ridgeway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bicycle and pedestrian bridge.

SB 834–By Mayer and Parson.

An Act to repeal section 57.280, RSMo, and to enact in lieu thereof one new section relating to funds coming into the possession of sheriffs.

SB 835–By Kehoe.

An Act to repeal sections 320.106, 320.131, and 320.136, RSMo, and to enact in lieu thereof three new sections relating to fireworks.

CONCURRENT RESOLUTIONS

President Pro Tem Mayer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 25

WHEREAS, over the course of the spring and summer of 2011, unprecedented releases of water upstream by the U.S. Army Corps of Engineers have caused extensive pressure on the river levees in the state of Missouri that protect many communities, businesses, and prime agricultural lands; and

WHEREAS, in the face of this tremendous pressure some of Missouri's levees have been intentionally and unintentionally breached, resulting in widespread flooding, which has proved devastating to many Missouri homes, farms, families, and livelihoods; and

WHEREAS, last summer, the U.S. Army Corps of Engineers intentionally breached the Birds Point levee in southeast Missouri which resulted in the flooding of 130,000 acres of mostly agricultural land; and

WHEREAS, Missouri families have suffered unprecedented losses as a result of this situation and many Missouri farmers have experienced a complete and total loss of agricultural production, resulting in decimated farm incomes and ravaged local economies; and

WHEREAS, according to a June 2011 report drafted by the Food and Agricultural Policy Research Institute of the University of Missouri, the breach of the levee and subsequent flooding of crop lands in southeast Missouri has resulted in economic losses totaling $60.6 million, a combination of forgone net returns and incurred production expenses in the affected area; and

WHEREAS, according to the University of Missouri Extension, the southeast Missouri region produced the following shares of the state's total production of specific agricultural commodities in 2010:

1) 100% of total cotton production in Missouri;

2) 99.6% of total rice production in Missouri;

3) 52.9% of total wheat production in Missouri;

4) 21.4% of total grain sorghum production in Missouri;

5) 18.1% of total soybean production in Missouri;

6) 15.4% of total corn production in Missouri; and

WHEREAS, with the agricultural production of southeast Missouri accounting for approximately one-third of the state's total economy, the catastrophic results of the flooding of agricultural land due to the intentional breach of the Birds Point levee in southeast Missouri has a significant economic impact for the entire state. This complete and total loss of agricultural production at a time when our state's economy is experiencing recession can only exacerbate the state's current economic hardships; and

WHEREAS, the flood waters have not yet receded in some parts of Missouri and continue to disrupt the lives of hard-working Missourians; and

WHEREAS, even after the flood waters recede, much work will need to be done to restore the productivity of the damaged agricultural

land and repair the ruined homes and businesses; and

WHEREAS, the U.S. Army Corps of Engineers has a responsibility to the nation for flood control; and

WHEREAS, the original flood plan was authorized in 1928 in response to severe flooding of the Mississippi River in 1927. The U.S. Army Corps of Engineers is obligated to re-examine the flood plan in light of the devastating losses, both short-term and long-term, suffered in this state as a result of the unprecedented releases of water upstream and the intentional breach of the Birds Point levee by the U.S. Army Corps of Engineers during the spring and summer of 2011:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the U.S. Army Corps of Engineers to:

1) Re-examine the flood plan for the Mississippi River; and

2) Conduct its river operations in such a way as to avoid the devastating flooding disasters that occurred in 2011; and

3) Rebuild the damaged levees to at least their previous heights as expediently as possible; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly encourage communities, families and other stakeholders to work together to restore the prime agricultural lands that have been damaged by the recent flooding so that the productive value of these lands is not irrevocably lost; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly strongly encourage the members of the Missouri Congressional delegation to actively support policies for the management of the Mississippi River that minimize devastating flood events such as those that have been experienced by so many Missourians last summer; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commanding General of the U.S. Army Corps of Engineers and the members of the Missouri Congressional delegation.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following report:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 727**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 710**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 635**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **SB 717**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was

referred **SJR 37**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 699**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SJR 26**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Stouffer assumed the Chair.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Paige Jenkins, as the student representative of the Missouri State University Board of Governors;

Also,

Robert Wylie, Republican, as a member of the Missouri Fire Safety Education/Advisory Commission;

Also,

Susan Plassmeyer, Democrat, as a member of the Truman State University Board of Governors;

Also,

Phyllis Stayton, as a member of the Missouri Board of Nursing Home Administrators;

Also,

Laura D. Verhulst, Republican, as a member of the Credit Union Commission;

Also,

Jeffrey Nichols, as a member of the Crime Laboratory Review Commission;

Also,

Russell A. Unger and Janis VanMeter, Democrats, as members of the Missouri Community Service Commission;

Also,

David W. Sigars, as the student representative to the Missouri Southern State University Board of Governors.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion.

There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

Senator Dempsey announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

THIRD READING OF SENATE BILLS

SJR 26, introduced by Senator Lager, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for statewide elected officials.

Was taken up.

On motion of Senator Lager, **SJR 26** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

McKenna Nieves—2

Absent—Senators—None

Absent with leave—Senators

Green Keaveny—2

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Lager, title to the joint resolution was agreed to.

Senator Lager moved that the vote by which the joint resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 701, introduced by Senator Mayer, entitled:

An Act to repeal section 142.932, RSMo, and to enact in lieu thereof one new section relating to operating a motor vehicle with dyed motor fuel, with penalty provisions in existing language.

Was taken up.

On motion of Senator Mayer, **SB 701** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon

Engler	Goodman	Justus	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Green Keaveny—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SBs 484**, **477** and **606**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 484, 477 and 606

An Act to repeal sections 130.047, 407.1095, 407.1098, 407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **SCS** for **SBs 484**, **477** and **606** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Green Keaveny—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 719**, introduced by Senator Kehoe, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 719

An Act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary boating safety identification cards to nonresidents, with an emergency clause.

Was taken up.

On motion of Senator Kehoe, **SS** for **SCS** for **SB 719** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Kehoe	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators

Green	Keaveny—2

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senator Justus—1

Absent with leave—Senators

Green	Keaveny—2

Vacancies—None

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 41**.

HOUSE CONCURRENT RESOLUTION NO. 41

WHEREAS, under Section 2713 of the federal Patient Protection and Affordable Care Act of 2010 health insurers must cover "preventive services" for women without charging a co-pay beginning August 1, 2012; and

WHEREAS, Health and Human Services Secretary Kathleen Sebelius defined these preventive services to include "all FDA-approved forms of contraception, sterilization procedures and patient education and counseling"; and

WHEREAS, regulations announced last year (Interim Final Rule 76 FR 46621, August 3, 2011) provided an exemption for certain religious employers regarding contraception. At that time, it was unclear if the religious exemption applied to entities operated by religious organizations that employed or served people from a variety of faiths or had no religious affiliation at all; and

WHEREAS, on January 20, 2012, Secretary Sebelius said this mandate would take effect in August for most employers. Churches would be exempted from the rule, but not religious affiliated hospitals, colleges, or charities, though they would be given an extra year to comply; and

WHEREAS, Obama administration officials said that 28 states, including California and New York, already have similar rules for health insurance; and

WHEREAS, on Friday, February 10, 2012, President Obama announced a compromise that would exempt churches, other houses of worship, and similar organizations from covering contraception on the basis of their religious objections, and would provide a one-year transition period for religious organizations while this policy is being implemented; and

WHEREAS, the Obama administration also announced that sometime in the upcoming year it will propose and finalize a new regulation to address the religious objections of the non-exempted religious organizations. The new regulation will require insurance companies to cover contraception if the non-exempted religious organization chooses not to. Under the compromise:

(1) Religious organizations would not have to provide contraception coverage or refer their employees to organizations that provide contraception;

(2) Religious organizations would not be required to subsidize the cost of contraception;

(3) Contraception coverage would be offered to women by their employers' insurance companies directly, with no role for religious employers who oppose contraception;

(4) Insurance companies would be required to provide contraception coverage to these women free of charge; and

WHEREAS, the Missouri General Assembly has a solemn duty and obligation to uphold the laws of the State of Missouri, and to take all steps necessary and legal to stop any infringement upon the protected rights of Missouri citizens; and

WHEREAS, the people of the State of Missouri adopted Section 1.330, RSMo, by referendum, Proposition C, on August 3, 2010, which states in part:

"1.330. 1. No law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in any health care system."; and

WHEREAS, in accordance with Section 1.330:

(1) No employee, self-employed person, or any other person should be compelled to obtain coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employee or person; and

(2) No employer, health plan provider, health plan sponsor, health care provider, or any other entity should be compelled to provide coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employer, health plan provider, health plan sponsor, health care provider, or entity; and

(3) No governmental entity, public official, or entity acting in a governmental capacity should be permitted to discriminate against or penalize a health plan, plan sponsor, health care provider, employer, employee, or other entity or person because of such plan's, sponsor's, provider's, employer's, employee's, entity's, or person's unwillingness, based on religious beliefs or moral convictions, to provide or obtain coverage for, participate in, or refer for, abortion, contraception, or sterilization in a health plan; and

WHEREAS, the most recent regulation under the federal Patient Protection and Affordable Care Act (PPACA) will require religious hospitals and institutions to choose between offering insurance coverage to their employees which provide birth control, sterilization procedures, and abortifacients, such as the "morning after pill", services which are contrary to the religious tenets and beliefs of the Catholic Church, other churches, and religious organizations who operate such hospitals and institutions, or decide not to provide health insurance coverage to their employees and pay the penalty imposed under PPACA; and

WHEREAS, the compromise announced by President Barack Obama on February 10, 2012, does not resolve the issue for the Catholic Church, other churches, and many religious organizations because it failed to address several important issues, such as self insurers, conscience objections of individuals, and states' rights; and

WHEREAS, in many religious hospitals and institutions, the Catholic Church, other churches, or religious organizations are self insured, which once again forces them to make an unnecessary choice in violation of their religious liberties; and

WHEREAS, even if the Catholic Church, other churches, or religious organizations do not self insure, the transfer of responsibility to the insurer of providing these services free of charge under the announced compromise will likely be passed on to employers in the form of higher premiums to cover the cost to the insurer, which forces these churches and institutions to indirectly pay for these mandates through their premiums in violation of their religious liberties; and

WHEREAS, religious liberty is a fundamental principle in our nation and state that must be protected. The intrusion of the federal government into our health care choices by creating a health care mandate which forces not only the Catholic Church, other churches, and religious organizations, but also any person with deeply held religious beliefs to violate their conscience or be subject to a penalty is unacceptable in a free society; and

WHEREAS, under the Tenth Amendment to the United States Constitution, the State of Missouri and every other state in the nation has the right to enact laws which prohibit the infringement of the federal government into the lives and affairs of its citizens in areas which are not expressly provided to the federal government under the United States Constitution; and

WHEREAS, Missouri has enacted legislation which directly contradicts the mandates contained in the federal Patient Protection and Affordable Care Act of 2010; and

WHEREAS, the Missouri General Assembly takes a firm and unwavering stand against an unconstitutional infringement on the right of the State of Missouri and its citizens not to be forced to participate in any health care system which is contrary to the laws of the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby declare the firm and unwavering stand of the Missouri General Assembly to strongly oppose the federal health care mandates contained in the Patient Protection and Affordable Care Act of 2010, including the most recent regulation requiring the provision of preventive services, as an infringement of the rights of the State of Missouri and a violation of state law; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly affirms the right of each state under the Tenth Amendment of the United States Constitution to enact laws which prohibit the unconstitutional infringement of the federal government into the lives and affairs of the states in areas which are not expressly provided to the federal government; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly urges and encourages the members of the Missouri Congressional delegation to write letters to Secretary Sebelius to express opposition to this new regulation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Kathleen Sebelius, Secretary of the Department of Health and Human Services, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1059**, entitled:

An Act to repeal section 115.601, RSMo, and to enact in lieu thereof one new section relating to recounts of votes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1107**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1112**, entitled:

An Act to repeal sections 376.010, 376.015, and 376.307, RSMo, and to enact in lieu thereof three new sections relating to life insurance companies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1128**, entitled:

An Act to amend chapter 41, RSMo, by adding thereto three new sections relating to military honors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1188**, entitled:

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the administration of asthma related rescue medication by school nurses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1347**, entitled:

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to preferences for state contracts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1457**, entitled:

An Act to repeal section 54.040, RSMo, and to enact in lieu thereof one new section relating to county treasurer candidate qualifications.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1517**, entitled:

An Act to repeal sections 42.170, 42.200, and 42.220, RSMo, and to enact in lieu thereof three new sections relating to military medallions, medals, and certificates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 41**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 8 of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the term limit reform act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2014**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and

for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2012.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 794—Jobs, Economic Development and Local Government.

SB 795—Financial and Governmental Organizations and Elections.

SB 796—Jobs, Economic Development and Local Government.

SB 797—Education.

SB 798—Progress and Development.

SB 799—Education.

SB 800—Education.

SB 801—Education.

SB 802—Judiciary and Civil and Criminal Jurisprudence.

SB 803—Financial and Governmental Organizations and Elections.

SB 804—Judiciary and Civil and Criminal Jurisprudence.

SB 805—Transportation.

SB 806—General Laws.

SB 807—Small Business, Insurance and Industry.

SB 808—Governmental Accountability.

SB 809—Health, Mental Health, Seniors and Families.

SB 810—Health, Mental Health, Seniors and Families.

SB 811—General Laws.

SB 812—Financial and Governmental Organizations and Elections.

SB 813—General Laws.

SB 814—Commerce, Consumer Protection, Energy and the Environment.

SB 815—Jobs, Economic Development and Local Government.

SB 816—Small Business, Insurance and Industry.

SB 817—Financial and Governmental Organizations and Elections.

SB 818—Transportation.

SB 819—General Laws.

SB 820—Jobs, Economic Development and Local Government.

SB 821—Jobs, Economic Development and Local Government.

SB 822—Agriculture, Food Production and Outdoor Resources.

SB 823—Judiciary and Civil and Criminal Jurisprudence.

SB 824—General Laws.

SB 825—Rules, Joint Rules, Resolutions and Ethics.

SB 826—Rules, Joint Rules, Resolutions and Ethics.

SB 827—Judiciary and Civil and Criminal Jurisprudence.

SB 828—Judiciary and Civil and Criminal Jurisprudence.

SB 829—Small Business, Insurance and Industry.

REFERRALS

President Pro Tem Mayer referred **HCR 12** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Dempsey, the Senate recessed until 1:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1186** and **1147**, entitled:

An Act to repeal section 302.173, RSMo, and to enact in lieu thereof one new section relating to drivers' examinations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1308**, entitled:

An Act to repeal section 30.270, RSMo, and to enact in lieu thereof one new section relating to pledged securities for safekeeping.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1442**, entitled:

An Act to repeal sections 28.190, 29.280, 30.060, 30.070, 30.080, 105.030, 105.040, and 105.050, RSMo, and to enact in lieu thereof ten new sections relating to vacancies in certain statewide offices, with a referendum clause.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1131**, entitled:

An Act to repeal section 285.304, RSMo, and to enact in lieu thereof one new section relating to contents of a withholding form.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 773**.

With House Amendment Nos. 2 and 3.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 773, Page 2, Section 115.349, Line 39, by deleting the date, "**March 27, 2012**" and inserting in lieu thereof the date, "**March 19, 2012**"; and

Further amend said page and section, Line 40, by deleting the date, "**April 24, 2012**" and inserting in lieu thereof the date, "**March 30, 2012**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 773, Section 115.345, Page 1, Lines 8 to 11, by deleting all of said subsection 3 and Lines and inserting in lieu thereof the following:

"**3. Notwithstanding the provisions of subsection 2 of this section to the contrary, for the primary occurring on August 7, 2012, upon notification by the Secretary of State that Subsection 4 of section 115.349 has become effective, each election authority shall publish the notice and date by which candidates shall file as required under subsection 2 of this section and subsection 4 of section 115.349. The state shall reimburse each election authority for the cost of publishing such notice and the legislature shall appropriate funds for that purpose.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Parson moved that **SCS** for **SB 773**, with **HA 2** and **HA 3**, be taken up for 3rd reading and final passage, which motion prevailed.

HA 2 was taken up.

Senator Parson moved that the above amendment be adopted.

At the request of Senator Parson, the motion to adopt **HA 2** was withdrawn which placed the bill back on the Calendar.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 1510, regarding Alex Bistline, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1511, regarding Cameron Jacob Courtwright, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1512, regarding Skyler Ray Titsworth, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1513, regarding Zaxxon Kent Tickemyer, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1514, regarding Nolan Garrett Chapman, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1515, regarding Conner Elliot LeBaige, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1516, regarding Liam Harrison Shaw, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1517, regarding Ryan Matthew Swainston, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1518, regarding Trevor James Reynolds, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1519, regarding Joshua Russell Petree, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1520, regarding Dylan Mark Godfrey, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1521, regarding Christian Andrew Ford, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1522, regarding August Frederick Dietz, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1523, regarding Benjamin Xavier Cook, Warrensburg, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Brown introduced to the Senate, Commanding General Yenter, Fort Leonard Wood.

Senator Lager introduced to the Senate, the Student Senate from Northwest Missouri State University, Maryville.

Senator Lembke introduced to the Senate, Don and Joan Schmidt, Stephen and Carmen Schmidt and their children, Helena, Elijah, Noah, Joshua, John Paul and Benjamin, 1st Senatorial District.

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. James Wolf, M.D., Battlefield.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, February 27, 2012.

SENATE CALENDAR

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THIRTIETH DAY–MONDAY, FEBRUARY 27, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 830-Wasson
SB 831-Wasson
SB 832-Wasson
SB 833-Ridgeway
SB 834-Mayer and Parson
SB 835-Kehoe

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329
HB 1219-Elmer, et al
HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al
HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka
HB 1269-Brattin, et al
HB 1103-Crawford and Wyatt
HB 1192-Koenig, et al
HB 1041-Thomson
HCS for HB 1059
HB 1107-Dugger, et al

HB 1112-Gosen
HB 1128-Largent
HB 1188-Allen, et al
HB 1347-Franz
HCS for HB 1457
HB 1517-Nolte, et al
HCS for HJR 41
HCS for HB 2014
HCS for HBs 1186 & 1147
HCS for HB 1308
HCS for HB 1442
HB 1131-Fisher

SENATE BILLS FOR PERFECTION

1. SB 474-Kraus, with SCS
2. SB 655-Green, et al, with SCS
3. SB 648-Dempsey, with SCS
4. SB 568-Parson, with SCS
5. SB 690-Engler
6. SB 578-Parson
7. SB 562-Dixon, et al, with SCS
8. SB 563-Dixon, with SCS
9. SB 736-Engler
10. SB 727-Schaaf
11. SB 710-Engler, et al, with SCS
12. SB 635-Pearce, with SCS
13. SB 717-Stouffer
14. SJR 37-Crowell
15. SB 699-Goodman, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 479-Crowell
SB 480-Stouffer, with SCS
SB 492-Crowell, with SS (pending)
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS & SA 1 (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

To be Referred

SCR 24-Stouffer
SCR 25-Mayer

HCR 41-Curtman, et al

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Journal of the Senate

SECOND REGULAR SESSION

THIRTIETH DAY—MONDAY, FEBRUARY 27, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Rejoice in the Lord always, and again I say rejoice." (Philippians 4:4)

Gracious God, we hear the prompting to "rejoice in You" that our lives are to be one of the planned joys. So we do rejoice because the most rapturous moments of our life still lie ahead of us. We know we will confront thorns and difficulties but we also know that we will have times when Your light shines through to us so we are not in the dark. And because it does, we have strong reason to rejoice and give You praise. Your presence and Your guidance is a pleasure to us and we confess our need of You as we deal with the challenges of this week. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 23, 2012 was read and approved.

Senator Dempsey announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

Absent—Senators—None

Absent with leave—Senator Rupp—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 1524, regarding Carolyn True, which was adopted.

Senator Wasson offered Senate Resolution No. 1525, regarding Jacob Lee Marcuson, which was adopted.

Senator Nieves offered Senate Resolution No. 1526, regarding the Honorable Gregory F. Costello, which was adopted.

Senator Cunningham offered Senate Resolution No. 1527, regarding Anna Birman, Chesterfield, which was adopted.

Senator Lager offered Senate Resolution No. 1528, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Randall Hill, King City, which was adopted.

Senator Lager offered Senate Resolution No. 1529, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lloyd Guilford, Meadville, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1530, regarding Officer Shoni Brevik, St. Louis, which was adopted.

Senator Crowell offered Senate Resolution No. 1531, regarding the United States Navy Seabees, which was adopted.

Senator Lamping offered Senate Resolution No. 1532, regarding Edward D. Tooley, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1533, regarding Cornelius "Neil" Ryan, Ladue, which was adopted.

Senator Lager offered Senate Resolution No. 1534, regarding Mike Lynn, which was adopted.

Senator Lager offered Senate Resolution No. 1535, regarding Gavin Hall, which was adopted.

Senator Green offered Senate Resolution No. 1536, regarding Marques Vaughn Smith, Florissant, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 836–By Schaaf.

An Act to amend chapters 192, 208, 376, and 630, RSMo, by adding thereto five new sections relating to social service programs.

SB 837–By Dempsey.

An Act to repeal section 407.400, RSMo, and to enact in lieu thereof one new section relating to franchises.

SB 838–By Richard.

An Act to repeal section 260.573, RSMo, and to enact in lieu thereof two new sections relating to remediation of property in municipal areas.

SB 839–By Lembke.

An Act to repeal section 167.131, RSMo, and to enact in lieu thereof one new section relating to student transfers, with an emergency clause.

SB 840–By Ridgeway.

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to sales and use tax collection.

SB 841–By Ridgeway.

An Act to repeal sections 196.540 and 196.935, RSMo, and to enact in lieu thereof two new sections relating to raw milk.

SB 842–By Lamping.

An Act to repeal sections 169.030, 169.070, 169.620, and 169.670, RSMo, and to enact in lieu thereof four new sections relating to teacher and school employee retirement systems, with existing penalty provisions and an emergency clause.

SB 843–By Lamping.

An Act to repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to temporary license plates.

SB 844–By Lamping.

An Act to repeal sections 386.170, 386.180, and 386.510, RSMo, and to enact in lieu thereof three new sections relating to the public service commission.

SJR 51–By Lembke.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 25(d) of article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to nonpartisan judicial commission.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 23, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Aliah Holman for the Bi-State Development Agency of the Missouri-Illinois Metropolitan District, submitted to you on February 22, 2012. Lines 4 and 5 should be amended to read:

ending November 11, 2014, and until her successor is duly appointed and qualified; vice, Lewis McKinney, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 23, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment Richard Inglima for the Peace Officer Standards and Training Commission, submitted to you on February 22, 2012. Lines 1 and 2 should be amended to read:

Richard Inglima, 3600 Southwest Harbor Circle, Lee's Summit, Jackson County, Missouri 64082, as a member of the Peace Officer Standards and Training Commission, for a term ending

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above addendums to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

Senator Kraus moved that **SB 474**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 474**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 474

An Act to repeal section 208.182, RSMo, and to enact in lieu thereof one new section relating to food stamps, with penalty provisions in existing language.

Was taken up.

Senator Pearce assumed the Chair.

Senator Kraus moved that **SCS** for **SB 474** be adopted.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 474, Page 2, Section 208.182, Line 41, by inserting after all of said line the following:

"**208.247. 1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for food stamp program benefits for such convictions, if such person, as determined by the department:**

(1) Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health;

(2) Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity;

(3) Has satisfactorily completed a substance abuse treatment program approved by the division

of alcohol and drug abuse;

(4) Is determined by a division of alcohol and drug abuse certified treatment provider not to need substance abuse treatment; or

(5) Is successfully complying with, or has already complied with, all obligations imposed by the court, the division of alcohol and drug abuse and the division of probation and parole.

2. Eligibility based upon the factors in subsection 1 of this section shall be based upon documentary or other evidence satisfactory to the department of social services, and the applicant must meet all other factors for program eligibility.

3. The department of social services, in consultation with the division of alcohol and drug abuse, shall promulgate rules to carry out the provisions of this section, including specifying criteria for determining active participation in and completion of a substance abuse treatment program."; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted.

Senator Purgason requested a roll call vote be taken on the adoption of **SA 1** and was joined in his request by Senators Brown, Crowell, Engler and Kraus.

At the request of Senator Kraus, **SB 474**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

REFERRALS

President Pro Tem Mayer referred **SCR 24**; **SCR 25**; and **HCR 41** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred to the Committee indicated:

HCS for **HB 2014**—Appropriations.

INTRODUCTIONS OF GUESTS

Senator Dixon introduced to the Senate, his daughter, Victoria Grace Dixon, Springfield.

Senator McKenna introduced to the Senate, his son, Kellan, and cousin, T.J. McKenna, Crystal City; and Kellan was made an honorary page.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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THIRTY-FIRST DAY–TUESDAY, FEBRUARY 28, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 830-Wasson

SB 831-Wasson

SB 832-Wasson
SB 833-Ridgeway
SB 834-Mayer and Parson
SB 835-Kehoe
SB 836-Schaaf
SB 837-Dempsey
SB 838-Richard
SB 839-Lembke
SB 840-Ridgeway
SB 841-Ridgeway
SB 842-Lamping
SB 843-Lamping
SB 844-Lamping
SJR 51-Lembke

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329
HB 1219-Elmer, et al
HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al
HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka
HB 1269-Brattin, et al
HB 1103-Crawford and Wyatt
HB 1192-Koenig, et al
HB 1041-Thomson
HCS for HB 1059
HB 1107-Dugger, et al
HB 1112-Gosen
HB 1128-Largent
HB 1188-Allen, et al
HB 1347-Franz
HCS for HB 1457
HB 1517-Nolte, et al
HCS for HJR 41
HCS for HBs 1186 & 1147
HCS for HB 1308
HCS for HB 1442
HB 1131-Fisher

SENATE BILLS FOR PERFECTION

1. SB 655-Green, et al, with SCS
2. SB 648-Dempsey, with SCS
3. SB 568-Parson, with SCS
4. SB 690-Engler
5. SB 578-Parson
6. SB 562-Dixon, et al, with SCS
7. SB 563-Dixon, with SCS
8. SB 736-Engler
9. SB 727-Schaaf
10. SB 710-Engler, et al, with SCS
11. SB 635-Pearce, with SCS
12. SB 717-Stouffer
13. SJR 37-Crowell
14. SB 699-Goodman, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS

SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 480-Stouffer, with SCS
SB 492-Crowell, with SS (pending)
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS & SA 1 (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-FIRST DAY—TUESDAY, FEBRUARY 28, 2012

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

"How precious also are your thoughts unto me, O God! How great is the sum of them." (Psalm 139:17-18)

We rejoice in You O God, knowing the joy of Your thoughts about us. We thank You for the blessings of this day to do more good with our lives and serve You with faithfulness. Help us use our intelligence wisely at every opportunity to effectively help those who are hurting and provide direction for those who are lost. May we have eyes of faith and a courageous heart so we can live each day knowing that everything You desire of us may be fulfilled. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 1537, regarding Waynesville R-VI School District, which was adopted.

Senator Brown offered Senate Resolution No. 1538, regarding St. James R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 1539, regarding Salem R-80 School District, which was adopted.

Senator Brown offered Senate Resolution No. 1540, regarding Rolla 31 School District, which was adopted.

Senator Brown offered Senate Resolution No. 1541, regarding Phelps County R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 1542, regarding Osage County R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 1543, regarding Osage County R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 1544, regarding Osage County R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 1545, regarding Maries County R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 1546, regarding Maries County R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 1547, regarding Green Forest R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 1548, regarding Gasconade County R-II School District, which was adopted.

Senator Brown offered Senate Resolution No. 1549, regarding Gasconade County R-I School District, which was adopted.

Senator Brown offered Senate Resolution No. 1550, regarding Dent-Phelps R-III School District, which was adopted.

Senator Brown offered Senate Resolution No. 1551, regarding Crocker R-II School District, which was adopted.

Senator Lager offered Senate Resolution No. 1552, regarding Cody Hummer, which was adopted.

Senator Lager offered Senate Resolution No. 1553, regarding Karson Hill, which was adopted.

Senator Lager offered Senate Resolution No. 1554, regarding Justin Hicks, which was adopted.

Senator Lager offered Senate Resolution No. 1555, regarding Trevor Burkhart, which was adopted.

Senator Lager offered Senate Resolution No. 1556, regarding the Fiftieth Wedding Anniversary of Mr.

and Mrs. Jim Mason, Princeton, which was adopted.

Senator Rupp offered Senate Resolution No. 1557, regarding Madison Howard, O'Fallon, which was adopted.

Senator Schmitt offered Senate Resolution No. 1558, regarding the Saint Louis Ballet, which was adopted.

Senator Wasson offered Senate Resolution No. 1559, regarding Steve Tallaksen, Nixa, which was adopted.

Senator Kraus offered Senate Resolution No. 1560, regarding the Fiftieth Anniversary of the Raytown Rotary Club, which was adopted.

Senator Dixon offered Senate Resolution No. 1561, regarding the Springfield Fire Department, which was adopted.

Senator Dixon offered Senate Resolution No. 1562, regarding the Home Builders Association of Greater Springfield, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 845–By Keaveny.

An Act to repeal section 67.1305, RSMo, and to enact in lieu thereof one new section relating to members of economic development tax boards.

SB 846–By Engler.

An Act to amend chapter 441, RSMo, by adding thereto one new section relating to multifamily residential property.

SB 847–By Rupp and Dempsey.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

SB 848–By Rupp.

An Act to repeal sections 32.069, 34.055, 34.057, 160.281, 160.283, 161.421, 161.424, 287.160, 287.745, 335.233, 340.387, 348.125, 408.020, 408.040, 409.5-509, 409.6-604, 414.356, 414.570, 444.870, 447.539, 630.460, and 643.079, RSMo, and to enact in lieu thereof twenty-two new sections relating to interest rates.

SB 849–By Purgason.

An Act to repeal sections 260.302, 260.305, 260.310, 260.315, 260.320, 260.325, 260.330, 260.335, and 260.345, RSMo, and to enact in lieu thereof nine new sections relating to solid waste management.

SB 850–By Purgason.

An Act to amend chapter 261, RSMo, by adding thereto one new section relating to confiscated animals, with a penalty provision.

SB 851–By Crowell.

An Act to repeal section 105.456, RSMo, and to enact in lieu thereof one new section relating to conflicts of interest for legislators.

SB 852–By Crowell.

An Act to amend chapter 87, RSMo, by adding thereto one new section relating to firemen's retirement.

SB 853–By Crowell.

An Act to amend chapter 87, RSMo, by adding thereto one new section relating to firemen's retirement.

SB 854–By Mayer.

An Act to repeal section 660.315, RSMo, and to enact in lieu thereof one new section relating to the employment disqualification list for home care employees.

SB 855–By Schaaf.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to food stamps assistance.

SENATE BILLS FOR PERFECTION

Senator Green moved that **SB 655**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 655**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 655

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to the higher education capital fund.

Was taken up.

Senator Green moved that **SCS** for **SB 655** be adopted.

President Kinder assumed the Chair.

Senator Schaefer offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 655, Page 1, Section 173.480, Line 8, by inserting immediately after the following: "projects." the following: "**No moneys shall be distributed through the fund without a line item appropriation for a specific project.**".

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Green moved that **SCS** for **SB 655**, as amended, be adopted, which motion prevailed.

On motion of Senator Green, **SCS** for **SB 655**, as amended, was declared perfected and ordered printed.

Senator Dempsey moved that **SB 648**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 648**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 648

An Act to repeal section 302.130, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary driver instruction permits.

Was taken up.

Senator Dempsey moved that **SCS** for **SB 648** be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCS** for **SB 648** was declared perfected and ordered printed.

Senator Parson moved that **SB 568**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 568**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 568

An Act to repeal sections 302.302 and 304.022, RSMo, and to enact in lieu thereof five new sections relating to how motorists respond to emergency personnel working upon or around highways, with penalty provisions.

Was taken up.

Senator Parson moved that **SCS** for **SB 568** be adopted.

At the request of Senator Parson, **SB 568**, with **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1441**, entitled:

An Act to repeal sections 287.450, 287.460, 287.520, 287.650, 287.655, 288.036, 288.055, 288.121, 288.128, 288.130, 288.160, 288.170, and 288.250, RSMo, and to enact in lieu thereof thirteen new sections relating to employment law, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTIONS OF GUESTS

Senator Schmitt introduced to the Senate, his wife, Jaime and their daughters, Sophia and Olivia, Glendale; and Sophia was made an honorary page.

Senator Munzlinger introduced to the Senate, the Physician of the Day, Dr. Arthur Freeland, M.D., and Dr. Robert Schneider, Kirksville.

Senator Richard introduced to the Senate, Gabrielle Kinnett, Joplin.

Senator Mayer introduced to the Senate, Senator Steve Morris, Kansas; Neil Osten, Josh Ewing and Max Behlke, representing the National Conference of State Legislatures.

Senator Brown introduced to the Senate, Ethan Lee, James Scurlock, Tanner Eisenbath and Kimberly Allis, Linn State Technical College.

Senator Brown introduced to the Senate, David Dunn, Springfield.

Senator Parson introduced to the Senate, Dr. Becky Crocker, Niki Wallen, Jody Pena and forty-five students from Ozarks Technical Community College, Springfield.

Senator Parson introduced to the Senate, Steve Lesh, Herb Hamann, Terry Cox, Tom Sneed, Ellis Hall and eighty students from Southwest Baptist University, Bolivar.

Senator Parson introduced to the Senate, Jerry L. Greer, Gary Noland, Judy Parkhurst, Kip Salmon and Marsha Drennon, State Fair Community College, Sedalia.

Senator Kehoe introduced to the Senate, Dr. Gardner and members of the Missouri Dermatological Society from around the state.

Senator Kehoe introduced to the Senate, Deann Branson, Amanda Schmitz, Laura Tharp and sixty fourth grade students from East Elementary School, Jefferson City.

Senator Mayer introduced to the Senate, Kaleb Loughary, Malden; and Randy Moore, Broseley.

Senator Nieves introduced to the Senate, Denise Peters, Union.

On behalf of Senator Pearce, the President introduced to the Senate, Dawn Dauer, Cape Girardeau; Tammy Kelley, Springfield; Tom Klebba, Linn; Justin Johnson, Holden; Adam Trower, Bowling Green; and Gina Raines, Paris.

On behalf of Senator Pearce, the President introduced to the Senate, Julie Lancaster, Deborah Lawson, Kim Wright, Lee Clark, Emily Smith, Heidi Ruhnke, Monique Agueros, Tammy Howard, Russell Smithson, Linda Schankenberg and Diana Gladfelter, representatives of Missouri State Teachers Association.

Senator Schaefer introduced to the Senate, Bob McCulloch and members of the Missouri Association of Prosecuting Attorneys from around the state.

Senator Lembke introduced to the Senate, Dr. David Schneider, Sunset Hills.

Senator Dempsey introduced to the Senate, Donna Baeten, chaperones, and fourth grade students from Harvest Ridge Elementary School, St. Charles.

Senator Pearce introduced to the Senate, Mike Trammell, Samantha Lewandowski, Sarah Meyer, Sarah Kinnison, Megan Alphin, Aaron Horschig, Jennifer Bedell, Samantha Greer, Jennifer Donner and May Koestner, representatives of the Missouri Physical Therapy Association.

Senator Curls introduced to the Senate, Lyne't C. Smith and her children, Jacque-Adam, Jacque-Arthur, Anwar, II, Sebastian and Aidan, Kansas City; and Jacque-Adam, Jacque-Arthur, Anwar, II, Sebastian and Aidan were made honorary pages.

Senator Mayer introduced to the Senate, his wife Nancy, and Alexis Smith, Logan Quertermous, Lacy Midgett and Kyle Kent, Dexter.

Senator Goodman introduced to the Senate, Don Trotter, Mt. Vernon; and Matt Selby, Galena.

Senator Goodman introduced to the Senate, his cousin, Scott Pinkley, Republic.

Senator Goodman introduced to the Senate, Mike and Valerie Bennett, Purdy.

On behalf of Senator Pearce, the President introduced to the Senate, Dan Cast, Holden.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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THIRTY-SECOND DAY–WEDNESDAY, FEBRUARY 29, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 830-Wasson
SB 831-Wasson
SB 832-Wasson
SB 833-Ridgeway
SB 834-Mayer and Parson
SB 835-Kehoe
SB 836-Schaaf
SB 837-Dempsey
SB 838-Richard
SB 839-Lembke
SB 840-Ridgeway
SB 841-Ridgeway
SB 842-Lamping
SB 843-Lamping
SB 844-Lamping
SB 845-Keaveny
SB 846-Engler
SB 847-Rupp and Dempsey
SB 848-Rupp
SB 849-Purgason
SB 850-Purgason
SB 851-Crowell
SB 852-Crowell
SB 853-Crowell
SB 854-Mayer
SB 855-Schaaf
SJR 51-Lembke

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day
HCS for HB 1311
HCS for HB 1329
HB 1219-Elmer, et al
HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al
HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka

HB 1269-Brattin, et al
HB 1103-Crawford and Wyatt
HB 1192-Koenig, et al
HB 1041-Thomson
HCS for HB 1059
HB 1107-Dugger, et al
HB 1112-Gosen
HB 1128-Largent
HB 1188-Allen, et al
HB 1347-Franz
HCS for HB 1457
HB 1517-Nolte, et al
HCS for HJR 41
HCS for HBs 1186 & 1147
HCS for HB 1308
HCS for HB 1442
HB 1131-Fisher
HB 1441-Fisher

SENATE BILLS FOR PERFECTION

1. SB 690-Engler
2. SB 578-Parson
3. SB 562-Dixon, et al, with SCS
4. SB 563-Dixon, with SCS
5. SB 736-Engler
6. SB 727-Schaaf
7. SB 710-Engler, et al, with SCS
8. SB 635-Pearce, with SCS
9. SB 717-Stouffer
10. SJR 37-Crowell
11. SB 699-Goodman, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 480-Stouffer, with SCS
SB 492-Crowell, with SS (pending)
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 568-Parson, with SCS (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS & SA 1 (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SECOND DAY—WEDNESDAY, FEBRUARY 29, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"O Lord...Thou art my God. My times are in thy hand." (Psalm 31:14-15)

O Lord, we bring another day into our time frame so help us use it effectively. Help us take this extra time to firm up important relationships and do what we may have been putting off. Our lives and time are in Your hands and there we are capable of doing what is right and helpful, most loving and compelling. And on this day we pray for those who have lost property and life from the tornadoes that touched down in Branson. Bring comfort to the injured and guidance for those who are there to help. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 1563, regarding Donnie L. Burns, St. Charles, which was adopted.

Senator Engler offered Senate Resolution No. 1564, regarding Lawrence J. Naeger, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 856–By Rupp.

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to the Missouri Employers Mutual Insurance Company.

SB 857–By Brown.

An Act to repeal section 57.280, RSMo, and to enact in lieu thereof one new section relating to funds for sheriffs.

SB 858–By Schaaf.

An Act to repeal section 630.175, RSMo, and to enact in lieu thereof one new section relating to mental health facility safety provisions.

SB 859–By Nieves.

An Act to repeal sections 317.006, 317.011, 317.013, 317.014, and 317.019, RSMo, and to enact in lieu thereof seven new sections relating to mixed martial arts.

SB 860–By Nieves.

An Act to amend chapter 320, RSMo, by adding thereto eight new sections relating to fire sprinkler contractors.

SB 861–By Purgason.

An Act to amend chapter 21, RSMo, by adding thereto one new section relating to effects on Missouri in the event of a sudden breakdown in the authority of the federal government, with an emergency clause.

SB 862–By Engler.

An Act to repeal section 34.057, RSMo, and to enact in lieu thereof one new section relating to payment of public works contracts.

SB 863–By Wright-Jones.

An Act to repeal section 210.853, RSMo, and to enact in lieu thereof one new section relating to parenting plans upon a finding of paternity.

SB 864–By Wright-Jones.

An Act to repeal sections 191.710 and 210.105, RSMo, and to enact in lieu thereof two new sections relating to rehospitalizations of premature infants.

SB 865–By Pearce.

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to University of

Missouri extension districts.

SB 866–By Lembke.

An Act to repeal sections 287.902, 287.905, 287.907, 287.909, 287.910, 287.912, 287.915, 287.917, 287.919, and 287.920, RSMo, and to enact in lieu thereof one new section relating to the privatization of the Missouri employers mutual insurance company, with an effective date for certain sections.

SB 867–By Lembke.

An Act to repeal section 105.470, RSMo, and to enact in lieu thereof one new section relating to ethics.

SB 868–By Kehoe.

An Act to repeal section 292.606, RSMo, and to enact in lieu thereof one new section relating to the Missouri emergency response commission.

SB 869–By Kehoe, Richard, Engler, Wasson, Wright-Jones, Schaefer, Dempsey and Green.

An Act to repeal sections 386.370, 393.135, and 620.010, RSMo, and to enact in lieu thereof five new sections relating to public utilities, with an emergency clause.

SB 870–By Lamping.

An Act to amend chapter 337, RSMo, by adding thereto one new section relating to school social workers.

SB 871–By Lamping.

An Act to repeal sections 455.015, 455.020, 455.030, 455.032, 455.035, 455.040, 455.045, 455.050, 455.060, 455.080, 455.085, 455.503, 455.505, 455.513, 455.520, 455.523, 455.538, 527.290, 565.072, 565.073, and 565.074, RSMo, and to enact in lieu thereof twenty-one new sections relating to domestic violence, with existing penalty provisions.

Senator Schmitt assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 655** and **SCS** for **SB 648**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 8**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

SENATE BILLS FOR PERFECTION

Senator Engler moved that **SB 690** be taken up for perfection, which motion prevailed.

On motion of Senator Engler, **SB 690** was declared perfected and ordered printed.

Senator Parson moved that **SB 578** be taken up for perfection, which motion prevailed.

On motion of Senator Parson, **SB 578** was declared perfected and ordered printed.

Senator Dixon moved that **SB 562**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 562**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 562

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing boards of certain state universities, with an emergency clause.

Was taken up.

Senator Dixon moved that **SCS** for **SB 562** be adopted.

Senator Pearce assumed the Chair.

Senator Green offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 562, Page 5, Section 37.005, Line 149, by inserting after the following: "assembly." the following: "**Notwithstanding the provisions of section 174.630 to the contrary, the board of governors of Truman State University shall be required to follow the procedures of subsection 12 of this section to convey or otherwise transfer the title to or other interest in real property.**".

Senator Green moved that the above amendment be adopted.

At the request of Senator Green, **SA 1** was withdrawn.

Senator Dixon moved that **SCS** for **SB 562** be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **SB 562** was declared perfected and ordered printed.

Senator Dixon moved that **SB 563**, with **SCS**, be taken up for perfection, which motion prevailed.

Senator Schmitt assumed the Chair.

SCS for **SB 563**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 563

An Act to repeal section 174.450, RSMo, and to enact in lieu thereof one new section relating to the governing board of Missouri State University, with an emergency clause.

Was taken up.

Senator Dixon moved that **SCS** for **SB 563** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 563, Page 1, In the Title, Line 3, by striking

"the governing board of Missouri State University" and inserting in lieu thereof the following: "governing boards of state universities"; and

Further amend said bill, page 1, section A, line 2, by inserting immediately after said line the following:

"174.332. 1. Notwithstanding the provisions of section 174.050 to the contrary, the board of regents of Northwest Missouri State University shall be composed of nine members, eight of whom shall be voting members and one who shall be a nonvoting member. Not more than four voting members shall belong to any one political party. **Not more than two voting members shall be residents of the same county.** The appointed members of the board serving on August 28, 2008, shall continue to serve until the expiration of the terms for which the appointed members were appointed and until such time a successor is duly appointed.

2. The board of regents shall be appointed as follows:

(1) Six voting members shall be residents of the university's historic statutory service region, as described in section 174.010 and modified by section 174.250, provided at least one member shall be a resident of Nodaway County;

(2) Two voting members shall be residents of a county in the state that is outside the university's historic statutory service region, as described in section 174.010 and modified by section 174.250, provided these two members shall not be appointed from the same congressional district; and

(3) One nonvoting member shall be a full-time student of the university, a United States citizen, and a resident of Missouri.

3. A majority of the voting members of the board shall constitute a quorum for the transaction of business; however, no appropriation of money nor any contract that shall require any appropriation or disbursement of money shall be made, nor teacher employed or dismissed, unless a majority of the voting members of the board vote for the same.

4. Except as specifically provided in this section, the appointments and terms of office for the voting and nonvoting members of the board, and all other duties and responsibilities of the board, shall comply with the provisions of state law regarding boards of regents."; and

Further amend said bill, page 3, section B, lines 1-2, by striking "the governing board of Missouri State University" and inserting in lieu thereof the following: "governing boards of state universities"; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SCS** for **SB 563**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **SB 563**, as amended, was declared perfected and ordered printed.

Senator Engler moved that **SB 736** be taken up for perfection, which motion prevailed.

On motion of Senator Engler, **SB 736** was declared perfected and ordered printed.

Senator Parson moved that **SB 568**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 568** was again taken up.

Senator Parson moved that **SCS** for **SB 568** be adopted, which motion failed.

SB 568 was taken up.

On motion of Senator Parson, **SB 568** was declared perfected and ordered printed.

Senator Brown moved that **SB 621**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 621** was again taken up.

President Pro Tem Mayer assumed the Chair.

At the request of Senator Brown, **SB 621**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 568**; **SB 736**; **SCS** for **SB 563**; **SCS** for **SB 562**; **SB 578**; and **SB 690**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 29, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Ashton Raffety as the student representative of the Northwest Missouri State University Board of Regents, submitted to you on February 22, 2012. Line 1 should be amended to read:

Ashton Raffety, 33707 S. State Route O, Drexel, Bates County, Missouri 64742, as a

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 29, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Kevin Magnan as the student representative of the Southeast Missouri State University Board of Regents, submitted to you on February 22, 2012. Line 1 should be amended to read:

Kevin Magnan, 10828 Bailey School Road, Festus, Jefferson County, Missouri 63028, as

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above addendums to the Committee on Gubernatorial Appointments.

On motion of Senator Dempsey, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Stouffer.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 872–By Justus.

An Act to repeal sections 32.057, 105.478, 115.631, 130.028, 130.031, 142.909, 142.911, 143.1001, 143.1003, 149.200, 168.071, 188.030, 190.621, 191.905, 191.914, 193.315, 194.410, 194.425, 195.005, 195.010, 195.015, 195.016, 195.017, 195.025, 195.030, 195.040, 195.050, 195.060, 195.080, 195.100, 195.110, 195.130, 195.135, 195.140, 195.150, 195.180, 195.190, 195.195, 195.198, 195.202, 195.204, 195.211, 195.212, 195.213, 195.214, 195.217, 195.218, 195.219, 195.222, 195.223, 195.226, 195.233, 195.235, 195.241, 195.242, 195.246, 195.248, 195.252, 195.254, 195.256, 195.275, 195.280, 195.285, 195.291, 195.292, 195.295, 195.296, 195.367, 195.369, 195.371, 195.375, 195.417, 195.418, 195.420, 195.501, 195.503, 195.505, 195.507, 195.509, 195.511, 195.515, 196.979, 197.266, 197.326, 198.015, 198.070, 198.097, 198.158, 205.965, 210.165, 214.410, 217.360, 217.385, 217.400, 217.405, 217.542, 217.543, 217.692, 221.025, 221.111, 221.353, 252.235, 260.207, 260.208, 260.211, 260.212, 260.379, 270.260, 276.421, 276.536, 277.180, 285.306, 285.308, 287.128, 287.129, 288.250, 288.395, 301.390, 301.400, 301.401, 301.559, 301.640, 302.015, 302.020, 302.060, 302.321, 302.500, 302.605, 302.700, 302.705, 302.710, 302.727, 302.745, 302.750, 302.755, 302.780, 303.024, 303.025, 304.070, 306.110, 306.111, 306.112, 306.114, 306.116, 306.117, 306.118, 306.119, 306.141, 306.420, 311.325, 313.004, 313.040, 313.290, 313.550, 313.660, 313.830, 317.018, 320.089, 320.161, 324.1142, 324.1148, 334.250, 335.096, 338.195, 338.315, 338.370, 354.320, 362.170, 367.031, 367.045, 374.210, 374.216, 374.702, 374.757, 374.789, 375.310, 375.537, 375.720, 375.786, 375.991, 375.1176, 375.1287, 380.391, 382.275, 389.653, 407.020, 407.095, 407.420, 407.436, 407.521, 407.536, 407.544, 407.740, 407.1082, 407.1252, 411.260, 411.287, 411.371, 411.517, 411.770, 413.229, 429.012, 429.013, 429.014, 436.485, 443.810, 443.819, 453.110, 455.085, 455.538, 476.055, 542.402, 544.665, 556.011, 556.016, 556.021, 556.022, 556.026, 556.036, 556.037, 556.041, 556.046, 556.051, 556.056, 556.061, 556.063, 557.016, 557.021, 557.026, 557.031, 557.035, 557.036, 557.041, 557.046, 558.011, 558.016, 558.018, 558.019, 558.026, 558.031, 558.041, 558.046, 559.012, 559.021, 559.036, 559.100, 559.105, 559.106, 559.107, 559.110, 559.115, 559.120, 559.125, 559.600, 559.604, 559.633, 560.011, 560.016, 560.021, 560.026, 560.031, 560.036, 561.016, 561.021, 561.026, 562.011, 562.016, 562.031, 562.036, 562.041, 562.051, 562.056, 562.061, 562.066, 562.071, 562.076, 562.086, 563.021, 563.026, 563.033, 563.046, 563.051, 563.056, 563.061, 563.070, 564.011, 564.016, 565.002, 565.004, 565.020, 565.021, 565.023, 565.024, 565.025, 565.030, 565.032, 565.035, 565.040, 565.050, 565.060, 565.063, 565.065, 565.070, 565.072, 565.073,

565.074, 565.075, 565.080, 565.081, 565.082, 565.083, 565.084, 565.085, 565.086, 565.090, 565.092, 565.095, 565.100, 565.110, 565.115, 565.120, 565.130, 565.140, 565.149, 565.150, 565.153, 565.156, 565.160, 565.163, 565.165, 565.169, 565.180, 565.182, 565.184, 565.186, 565.188, 565.190, 565.200, 565.210, 565.212, 565.214, 565.216, 565.218, 565.220, 565.225, 565.250, 565.252, 565.253, 565.255, 565.300, 565.350, 566.010, 566.013, 566.020, 566.023, 566.025, 566.030, 566.032, 566.034, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.083, 566.086, 566.090, 566.093, 566.095, 566.100, 566.111, 566.135, 566.140, 566.141, 566.145, 566.147, 566.148, 566.149, 566.150, 566.151, 566.153, 566.155, 566.203, 566.206, 566.209, 566.212, 566.213, 566.215, 566.218, 566.221, 566.224, 566.226, 566.265, 567.010, 567.020, 567.030, 567.040, 567.050, 567.060, 567.070, 567.080, 567.085, 567.087, 567.110, 567.120, 568.010, 568.020, 568.030, 568.032, 568.040, 568.045, 568.050, 568.052, 568.060, 568.065, 568.070, 568.080, 568.090, 568.100, 568.110, 568.120, 568.175, 569.010, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.055, 569.060, 569.065, 569.067, 569.070, 569.072, 569.080, 569.090, 569.094, 569.095, 569.097, 569.099, 569.100, 569.120, 569.130, 569.140, 569.145, 569.150, 569.155, 569.160, 569.170, 569.180, 570.010, 570.020, 570.030, 570.033, 570.040, 570.050, 570.055, 570.070, 570.080, 570.085, 570.087, 570.090, 570.100, 570.103, 570.110, 570.120, 570.123, 570.125, 570.130, 570.135, 570.140, 570.145, 570.150, 570.155, 570.160, 570.170, 570.180, 570.190, 570.200, 570.210, 570.215, 570.217, 570.219, 570.220, 570.222, 570.223, 570.224, 570.225, 570.226, 570.230, 570.235, 570.240, 570.241, 570.245, 570.255, 570.300, 570.310, 570.380, 571.010, 571.014, 571.015, 571.017, 571.020, 571.030, 571.045, 571.050, 571.060, 571.063, 571.070, 571.072, 571.080, 571.085, 571.087, 571.093, 571.095, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, 571.150, 572.010, 572.020, 572.030, 572.040, 572.050, 572.060, 572.070, 572.110, 572.120, 573.010, 573.013, 573.020, 573.023, 573.025, 573.030, 573.035, 573.037, 573.040, 573.050, 573.052, 573.060, 573.065, 573.090, 573.100, 573.500, 573.509, 573.528, 573.531, 574.010, 574.020, 574.030, 574.040, 574.050, 574.060, 574.070, 574.075, 574.085, 574.105, 574.115, 575.020, 575.021, 575.030, 575.040, 575.050, 575.060, 575.070, 575.080, 575.090, 575.100, 575.110, 575.120, 575.130, 575.145, 575.150, 575.153, 575.159, 575.160, 575.170, 575.180, 575.190, 575.195, 575.200, 575.205, 575.206, 575.210, 575.220, 575.230, 575.240, 575.250, 575.260, 575.270, 575.280, 575.290, 575.300, 575.310, 575.320, 575.350, 575.353, 576.010, 576.020, 576.030, 576.040, 576.050, 576.060, 576.070, 576.080, 577.001, 577.005, 577.006, 577.010, 577.012, 577.017, 577.019, 577.020, 577.021, 577.023, 577.026, 577.029, 577.031, 577.037, 577.039, 577.041, 577.049, 577.051, 577.052, 577.054, 577.060, 577.065, 577.068, 577.070, 577.071, 577.073, 577.075, 577.076, 577.080, 577.090, 577.100, 577.105, 577.110, 577.150, 577.155, 577.160, 577.161, 577.201, 577.203, 577.206, 577.208, 577.211, 577.214, 577.217, 577.221, 577.500, 577.505, 577.510, 577.515, 577.520, 577.525, 577.530, 577.600, 577.602, 577.604, 577.606, 577.608, 577.610, 577.612, 577.614, 577.625, 577.628, 577.675, 577.680, 578.008, 578.009, 578.012, 578.018, 578.021, 578.023, 578.024, 578.025, 578.027, 578.028, 578.029, 578.030, 578.050, 578.075, 578.095, 578.100, 578.105, 578.106, 578.110, 578.120, 578.150, 578.151, 578.152, 578.153, 578.154, 578.173, 578.176, 578.200, 578.205, 578.210, 578.215, 578.220, 578.225, 578.250, 578.255, 578.260, 578.265, 578.300, 578.305, 578.310, 578.315, 578.320, 578.325, 578.330, 578.350, 578.353, 578.360, 578.363, 578.365, 578.375, 578.377, 578.379, 578.381, 578.383, 578.385, 578.387, 578.389, 578.390, 578.405, 578.407, 578.409, 578.412, 578.414, 578.416, 578.418, 578.420, 578.421, 578.425, 578.430, 578.433, 578.437, 578.445, 578.450, 578.500, 578.501, 578.502, 578.503, 578.510, 578.520, 578.525, 578.530, 578.570, 578.614, 589.425, 610.125, 630.155, 630.165, 660.250, 660.255, 660.260, 660.261, 660.263, 660.265, 660.270, 660.275, 660.280, 660.285, 660.290, 660.295, 660.300, 660.305, 660.310, 660.315, 660.317, 660.320, 660.321, and 701.320, RSMo, and to enact in lieu thereof seven

hundred eight new sections for the sole purpose of restructuring the Missouri criminal code, with penalty provisions.

SB 873–By Lembke.

An Act to repeal section 339.501, RSMo, and to enact in lieu thereof one new section relating to real estate appraisers.

SB 874–By McKenna.

An Act to repeal section 67.2815, RSMo, and to enact in lieu thereof one new section relating to property assessment clean energy.

SB 875–By Goodman.

An Act to repeal section 208.010, RSMo, and to enact in lieu thereof one new section relating to personal funeral trust accounts.

SB 876–By Kehoe and Parson.

An Act to repeal section 311.180, RSMo, and to enact in lieu thereof two new sections relating to beer wholesalers.

SB 877–By Mayer.

An Act to amend chapter 23, RSMo, by adding thereto one new section relating to the reporting by each state department of the number of employees within each department.

SB 878–By Mayer.

An Act to repeal sections 287.067, 287.120, 287.220, 287.715, and 287.800, RSMo, and to enact in lieu thereof five new sections relating to workers' compensation, with an emergency clause.

SB 879–By Wasson.

An Act to repeal section 301.193, RSMo, and to enact in lieu thereof one new section relating to the issuance of certain motor vehicle titles to insurers who purchase motor vehicles through the claims adjustment process.

SB 880–By Wasson.

An Act to repeal section 334.735, RSMo, and to enact in lieu thereof one new section relating to physician assistants.

Senator Dempsey requested unanimous consent of the Senate to suspend Senate Rule 49 for the purpose of printing **SB 872**, which request was granted.

SENATE BILLS FOR PERFECTION

At the request of Senator Schaaf, **SB 727** was placed on the Informal Calendar.

At the request of Senator Engler, **SB 710**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 635**, with **SCS**, was placed on the Informal Calendar.

SB 717 was placed on the Informal Calendar.

At the request of Senator Crowell, **SJR 37** was placed on the Informal Calendar.

Senator Goodman moved that **SB 699**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 699**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 699

An Act to repeal sections 221.105, 559.016, 559.036, 559.100, and 559.115, RSMo, and to enact in lieu thereof eight new sections relating to criminal offenders under the supervision of the department of corrections, with penalty provisions.

Was taken up.

Senator Goodman moved that **SCS** for **SB 699** be adopted.

Senator Goodman offered **SS** for **SCS** for **SB 699**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 699

An Act to repeal sections 221.105, 559.016, 559.036, 559.100, and 559.115, RSMo, and to enact in lieu thereof eight new sections relating to criminal offenders under the supervision of the department of corrections, with penalty provisions.

Senator Goodman moved that **SS** for **SCS** for **SB 699** be adopted.

Senator Dempsey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 10, Section 217.718, Line 4, by inserting after the word "reimbursement" the following:

"**, if the reimbursement is less than the actual cost to the county jail or other institution,**".

Senator Dempsey moved that the above amendment be adopted, which motion failed.

Senator Crowell offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 12, Section 221.105, Line 16, by inserting immediately after said line the following:

"**556.001. 1. There is hereby created the "Joint Committee on the Missouri Criminal Code". The committee shall be composed of eleven members as follows:**

(1) Three members of the senate, to be appointed by the president pro tem of the senate, one of whom shall represent the minority party;

(2) Three members of the house of representatives, to be appointed by the speaker of the house of representatives, one of whom shall represent the minority party;

(3) A representative of the Missouri attorney general;

(4) A representative of the Missouri state public defender system;

(5) A representative of victims of crime, to be appointed by the governor;

(6) A representative of the governor; and

(7) A supreme court judge, or his or her designee, as selected by the Missouri supreme court.

2. The committee shall study and receive testimony on Missouri's criminal statutes in order to investigate how to harmonize, organize, and revise the laws to ensure they are up-to-date, consistent and effective in protecting public safety.

3. The committee shall submit a report to the general assembly by December 31, 2012, and such report shall contain any recommendations of the committee for statutory revisions to the Missouri criminal code and other statutes relating to the criminal justice system.

4. The provisions of this section shall expire on January 1, 2013."; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Goodman moved that **SS** for **SCS** for **SB 699**, as amended, be adopted, which motion prevailed.

On motion of Senator Goodman, **SS** for **SCS** for **SB 699**, as amended, was declared perfected and ordered printed.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 1565, regarding Ivy Miller, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1566, regarding Thomas Maerz, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1567, regarding Michael Sumpter, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1568, regarding Paula Britton, Cuba, which was adopted.

Senator Brown offered Senate Resolution No. 1569, regarding Wenyu Zhou, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1570, regarding Kathryn Isbell, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 1571, regarding Amanda Holmes, Rolla, which was adopted.

Senators Dempsey and Rupp offered Senate Resolution No. 1572, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. James "Jim" Bennett, St. Charles, which was adopted.

Senator Engler offered Senate Resolution No. 1573, regarding Reverend and Mrs. Larry E. Sprous, Farmington, which was adopted.

Senator Lager offered Senate Resolution No. 1574, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. James Schmitz, Ravenwood, which was adopted.

Senator Lager offered Senate Resolution No. 1575, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gerald Johnson, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 1576, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jim Galbreath, Barnard, which was adopted.

Senator Wasson offered Senate Resolution No. 1577, regarding Kassie Hyde, Marshfield, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Keaveny introduced to the Senate, Angela Turner Quigless, St. Louis.

Senator Pearce introduced to the Senate, representatives of Missouri International Education Day from around the world.

Senator Munzlinger introduced to the Senate, Coaches Kevin Powell, Errol Hooper, Matt Whisler and members of the Kirksville High School Wrestling team: Tyler Gregory, Clay Darr, Garrett Bedford, Aric Laudwig, Mitch Kriegshauser, Jordan Kissick, Tre Stewart, Kade Proctor, Austin Dovin, TJ Tingley, Dorian Sneddon, Chris Schulte, Will Krause, Nick Ferry, Gavin Somirin, Kylan Easley, Kaleb Cox, Joe Brawner, Evan Aljundi, Justin Vanhoose, Austin Roper, Travis Lang, Makenna Cook, Chris Hooper, Ethan Rentschler, Jesse Griffel, Logan Summers, Ivan McVay, Matt Kelly and Branden Beeler.

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. David Redfern, M.D., Rogersville.

Senator Schmitt introduced to the Senate, representatives of the Missouri Ambulatory Surgery Center Association.

Senator Brown introduced to the Senate, Dr. Lee Parks and Dr. Michael Hunt, Rolla.

Senator Schmitt introduced to the Senate, Lauren Lane, Tiffany Mori, Erin Swinney, Pam Swaney, Kate Rouzer, Elliott Geolat, Glen Horiuchi and Chris Howard, representatives of the St. Louis Ballet Company.

Senator Schaefer introduced to the Senate, Rick Meyer and members of the MU Ag Alumni Association.

Senator Curls introduced to the Senate, Colonel Kevin Masters, Kansas City Police Department.

Senator Pearce introduced to the Senate, Calin Tapp, Rebecca McIntosh and Samantha Dane, representatives of Missouri NEA.

Senator Kehoe introduced to the Senate, his daughter, Carol, Jefferson City.

Senator Pearce introduced to the Senate, members of the Missouri Cattleman's Association.

Senator Lembke introduced to the Senate, Katy Eardley and her children, Toby, Lizzy and Ely, South County.

Senator Schmitt introduced to the Senate, Brent Wiley, George Restovich, Dan Genovese, Troy Walton, Jon Carmody, John Allen and Dan Walsh, St. Louis.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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THIRTY-THIRD DAY–THURSDAY, MARCH 1, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 830-Wasson
SB 831-Wasson
SB 832-Wasson
SB 833-Ridgeway
SB 834-Mayer and Parson
SB 835-Kehoe
SB 836-Schaaf
SB 837-Dempsey
SB 838-Richard
SB 839-Lembke
SB 840-Ridgeway
SB 841-Ridgeway
SB 842-Lamping
SB 843-Lamping
SB 844-Lamping
SB 845-Keaveny
SB 846-Engler
SB 847-Rupp and Dempsey
SB 848-Rupp
SB 849-Purgason
SB 850-Purgason
SB 851-Crowell
SB 852-Crowell
SB 853-Crowell
SB 854-Mayer
SB 855-Schaaf
SB 856-Rupp
SB 857-Brown
SB 858-Schaaf
SB 859-Nieves
SB 860-Nieves
SB 861-Purgason
SB 862-Engler
SB 863-Wright-Jones
SB 864-Wright-Jones
SB 865-Pearce
SB 866-Lembke
SB 867-Lembke
SB 868-Kehoe
SB 869-Kehoe, et al
SB 870-Lamping
SB 871-Lamping
SB 872-Justus
SB 873-Lembke
SB 874-McKenna
SB 875-Goodman
SB 876-Kehoe and Parson
SB 877-Mayer
SB 878-Mayer
SB 879-Wasson
SB 880-Wasson
SJR 51-Lembke

HOUSE BILLS ON SECOND READING

HCS for HJR 43
HB 1135-Smith (150), et al
HCS for HB 1140
HB 1036-Dugger
HB 1039-Leara
HB 1099-Fitzwater, et al
HB 1100-Fitzwater, et al
HB 1105-Day

HCS for HB 1311
HCS for HB 1329
HB 1219-Elmer, et al
HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al
HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka
HB 1269-Brattin, et al
HB 1103-Crawford and Wyatt
HB 1192-Koenig, et al
HB 1041-Thomson
HCS for HB 1059
HB 1107-Dugger, et al
HB 1112-Gosen
HB 1128-Largent
HB 1188-Allen, et al
HB 1347-Franz
HCS for HB 1457
HB 1517-Nolte, et al
HCS for HJR 41
HCS for HBs 1186 & 1147
HCS for HB 1308
HCS for HB 1442
HB 1131-Fisher
HB 1441-Fisher

THIRD READING OF SENATE BILLS

SCS for SB 655-Green, et al
SCS for SB 648-Dempsey
SB 568-Parson
SB 736-Engler
SCS for SB 563-Dixon
SCS for SB 562-Dixon, et al
SB 578-Parson
SB 690-Engler

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 480-Stouffer, with SCS
SB 492-Crowell, with SS (pending)
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS & SA 1 (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 635-Pearce, with SCS
SB 710-Engler, et al, with SCS
SB 717-Stouffer
SB 727-Schaaf
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 37-Crowell

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

HCR 8-Guernsey, et al (Munzlinger)

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-THIRD DAY—THURSDAY, MARCH 1, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"As a man thinks in his heart, so he is." (Proverbs 23:7)

Creator God, hear our prayers this morning as we prepare to finish up our work and head home to be with those we love. Let us be mindful that You are the Creator and we are Your creation. You have created us so that we might be comforted knowing that we are just men and women, husbands and wives, fathers and mothers called to be interdependent with one another and, therefore, in need of one another to be made whole by thinking no more of ourselves than we should. Help us use this time for rest and firm up our relationships with one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 1578, regarding the Finke Theatre, California, which was adopted.

Senator Kehoe offered Senate Resolution No. 1579, regarding Don and Ruth Ann Schnieders, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1580, regarding Veronica Jones, Fulton, which was adopted.

Senator Kehoe offered Senate Resolution No. 1581, regarding Twehous Excavating, Jefferson City, which was adopted.

Senator Rupp offered Senate Resolution No. 1582, regarding C. Alexander Chivetta, Wentzville, which was adopted.

Senator Goodman offered Senate Resolution No. 1583, regarding the Monett Area Community Foundation, which was adopted.

Senator Goodman offered Senate Resolution No. 1584, regarding Ron Overeem, which was adopted.

Senator Lager offered Senate Resolution No. 1585, regarding Shaylee Carlock, Turney, which was adopted.

Senator Kraus offered Senate Resolution No. 1586, regarding the Class 4 State Champion Blue Springs High School Wrestling Team, which was adopted.

CONCURRENT RESOLUTIONS

Senator Stouffer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 26

WHEREAS, the State of Missouri is currently facing a budget crisis and has limited resources for state spending; and

WHEREAS, the General Assembly is a co-equal branch of state government and is responsible for the appropriation of state funds for various governmental entities; and

WHEREAS, the public expects and requires the General Assembly to ensure that state resources are being used as efficiently and effectively as possible; and

WHEREAS, the Missouri Department of Transportation's statewide construction program has averaged $1.2 billion in the immediate past and moving forward it will be about approximately half that amount; and

WHEREAS, the Department of Transportation has entered into maintenance mode, which means it will have to direct all available resources to taking care of highways and bridges the state currently owns and not build new projects; and

WHEREAS, the good highways and bridges Missourians have enjoyed since the passage of Amendment 3 will start to deteriorate without more money for transportation projects; and

WHEREAS, the General Assembly understands the importance of finding innovative ways to fund the transportation infrastructure needs of this state:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the Joint Interim Committee on Transportation Needs in Missouri; and

BE IT FURTHER RESOLVED that the Committee shall be composed of four majority party members to be appointed by the President Pro Tempore of the Senate and three minority party members to be appointed by the Minority Leader of the Senate, and four majority party

members to be appointed by the Speaker of the House of Representatives, and three minority party members to be appointed by the Minority Leader of the House of Representatives; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive analysis of the transportation infrastructure needs of this state, examine any other issues that the Committee deems relevant, and make any recommendations for improving the efficiency and effectiveness of funding Missouri's transportation needs; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the actual expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingency Fund; and

BE IT FURTHER RESOLVED that the Joint Interim Committee is authorized to function during the legislative interim between the Second Regular Session of the Ninety-sixth General Assembly and the First Regular Session of the Ninety-seventh General Assembly through December 31, 2012, as authorized by State v. Atterburry, 300 S.W. 2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 1, 2013, and the authority of such Committee shall terminate on December 31, 2012.

Senator Rupp assumed the Chair.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 881–By Pearce.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for processed biomass engineered fiber fuel.

SB 882–By Pearce.

An Act to repeal section 143.173, RSMo, and to enact in lieu thereof one new section relating to tax deductions for job creation by small businesses.

SB 883–By Richard.

An Act to amend chapter 128, RSMo, by adding thereto one new section relating to the Agreement Among the States to Elect the President by National Popular Vote Act.

SB 884–By Nieves.

An Act to repeal sections 571.020, 571.101, and 571.111, RSMo, and to enact in lieu thereof three new sections relating to weapons, with existing penalty provisions.

SB 885–By Engler.

An Act to repeal section 319.318, RSMo, and to enact in lieu thereof one new section relating to prohibited acts involving the use of explosives.

SB 886–By Engler.

An Act to repeal sections 383.015, 383.016, 383.035, 383.037, and 383.206, RSMo, and to enact in lieu

thereof seven new sections relating to malpractice insurance.

SB 887–By Ridgeway.

An Act to repeal section 94.902, RSMo, and to enact in lieu thereof one new section relating to sales taxes for public safety.

SB 888–By Ridgeway.

An Act to repeal section 67.320, RSMo, and to enact in lieu thereof one new section relating to establishment of a municipal court by a county.

SB 889–By Lager.

An Act to repeal sections 59.319, 60.510, 60.530, 60.540, 60.560, 60.570, 60.580, 60.595, 60.610, 60.620, 260.255, 414.530, 414.560, 414.570, 640.100, 644.051, and 644.145, RSMo, and to enact in lieu thereof seventeen new sections relating to natural resources.

SB 890–By Lager.

An Act to repeal sections 361.070 and 361.080, RSMo, and to enact in lieu thereof two new sections relating to division of finance examinations, with existing penalty provisions.

SB 891–By Lager.

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to utilities.

SB 892–By Kraus.

An Act to repeal sections 115.156, 115.159, 115.275, 115.277, 115.278, 115.281, 115.283, 115.287, 115.291, and 115.292, RSMo, and to enact in lieu thereof twenty-seven new sections relating to uniform military and overseas voters, with existing penalty provisions.

SB 893–By Kraus.

An Act to repeal sections 302.010, 302.060, and 302.309, RSMo, and to enact in lieu thereof three new sections relating to completing a criminal history check as part of the process for issuing or reinstating driving privileges.

SB 894–By Curls.

An Act to repeal sections 301.020 and 571.101, RSMo, and to enact in lieu thereof two new sections relating to applications for certain licenses and permits, with existing penalty provisions.

SB 895–By Curls.

An Act to amend chapters 160, 161, 163, 170, and 171, RSMo, by adding thereto five new sections relating to school districts classified as unaccredited or provisionally accredited by the state board of education.

SB 896–By Schaefer.

An Act to amend chapter 196, RSMo, by adding thereto one new section relating to tobacco.

SB 897–By Schaefer.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the prohibition of establishing roadside checkpoint patterns based on vehicle types.

SB 898–By Schaefer.

An Act to repeal section 643.225, RSMo, and to enact in lieu thereof one new section relating to asbestos abatement.

SB 899–By Green.

An Act to amend chapter 33, RSMo, by adding thereto one new section relating to the transfer of certain fund balances to the general revenue fund.

SB 900–By Munzlinger.

An Act to repeal sections 221.070 and 488.5028, RSMo, and to enact in lieu thereof three new sections relating to delinquent debts for the cost of imprisonment in a county jail.

SB 901–By Lembke.

An Act to repeal sections 100.100, 349.025, 349.050, and 349.055, RSMo, and to enact in lieu thereof four new sections relating to industrial development bonding authority.

SB 902–By Lamping.

An Act to repeal section 393.150, RSMo, and to enact in lieu thereof two new sections relating to the regulation of public utilities.

SB 903–By Lamping.

An Act to repeal section 578.030, RSMo, and to enact in lieu thereof two new sections relating to dog fighting.

SB 904–By Mayer.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to ambulatory surgical centers.

SB 905–By Mayer.

An Act to amend chapters 49, 67, 71, 247, 248, 249, and 278, RSMo, by adding thereto seven new sections relating to political subdivision contracts for water storage tanks.

SB 906–By Kraus.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the eligibility of certain taxpayers for programs administered by the department of economic development.

SB 907–By Schaaf.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organization postings.

THIRD READING OF SENATE BILLS

SCS for **SB 655**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 655

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to the higher education

capital fund.

Was taken up by Senator Green.

On motion of Senator Green, **SCS** for **SB 655** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Lembke Nieves—2

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Green, title to the bill was agreed to.

Senator Green moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 648**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 648

An Act to repeal section 302.130, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary driver instruction permits.

Was taken up by Senator Dempsey.

On motion of Senator Dempsey, **SCS** for **SB 648** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Cunningham—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

SB 568, introduced by Senator Parson, entitled:

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to emergency vehicles, with existing penalty provisions.

Was taken up.

On motion of Senator Parson, **SB 568** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 736, introduced by Senator Engler, entitled:

An Act to repeal section 137.556, RSMo, and to enact in lieu thereof one new section relating to the use of the special road and bridge tax in certain counties.

Was taken up.

On motion of Senator Engler, **SB 736** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason

Richard Ridgeway Rupp Schaaf Schaefer Schmitt Stouffer Wasson Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 563**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 563

An Act to repeal section 174.450, RSMo, and to enact in lieu thereof one new section relating to the governing board of Missouri State University, with an emergency clause.

Was taken up by Senator Dixon.

On motion of Senator Dixon, **SCS** for **SB 563** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator McKenna—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard

Ridgeway Rupp Schaaf Schaefer Schmitt Stouffer Wasson Wright-Jones—32

NAYS—Senator Crowell—1

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Green moved that motion lay on the table, which motion prevailed.

SCS for **SB 562**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 562

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing boards of certain state universities, with an emergency clause.

Was taken up by Senator Dixon.

On motion of Senator Dixon, **SCS** for **SB 562** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Crowell Lembke—2

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell Lembke Nieves—3

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Green moved that motion lay on the table, which motion prevailed.

SB 578, introduced by Senator Parson, entitled:

An Act to authorize the conveyance of property owned by the state in Pettis County to the City of Sedalia.

Was taken up.

On motion of Senator Parson, **SB 578** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 690, introduced by Senator Engler, entitled:

An Act to repeal sections 43.260 and 43.265, RSMo, and to enact in lieu thereof two new sections relating to surplus highway patrol property.

Was taken up.

On motion of Senator Engler, **SB 690** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 45**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1318**, entitled:

An Act to amend chapter 630, RSMo, by adding thereto one new section relating to employees of certain mental health facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1731**, entitled:

An Act to repeal sections 313.321 and 313.835, RSMo, and to enact in lieu thereof two new sections relating to the gaming moneys.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1030**, entitled:

An Act to repeal sections 32.028, 32.087, 105.716, and 144.190, RSMo, and to enact in lieu thereof fifteen new sections relating to collection of state money, with a penalty provision and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1139**, entitled:

An Act to amend chapter 104, RSMo, by adding thereto two new sections relating to Missouri state employees retirement incentives.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1106**, entitled:

An Act to repeal sections 52.010, 54.033, and 54.330, RSMo, and to enact in lieu thereof three new sections relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

CONCURRENT RESOLUTIONS

HCR 8, introduced by Representative Guernsey, et al, entitled:

HOUSE CONCURRENT RESOLUTION NO. 8

Relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

Was taken up by Senator Munzlinger.

Senator Pearce assumed the Chair.

Senator Stouffer assumed the Chair.

On motion of Senator Munzlinger, **HCR 8** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Dempsey	Dixon	Goodman	Kraus	Lager	Mayer	Munzlinger
Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Stouffer	Wasson—19					

NAYS—Senators

Callahan	Cunningham	Curls	Green	Keaveny	Lembke	McKenna	Wright-Jones—8

Absent—Senators

Engler	Justus	Kehoe	Lamping	Schmitt—5

Absent with leave—Senators

Chappelle-Nadal	Crowell—2

Vacancies—None

The President declared the concurrent resolution passed.

On motion of Senator Munzlinger, title to the concurrent resolution was agreed to.

Senator Munzlinger moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Naveed Razzaque, as a member of the Missouri Board of Nursing Home Administrators;

Also,

Thomas E. George, Democrat, as a member of the Health and Educational Facilities Authority of the State of Missouri;

Also,

Michael Mahler, Democrat, as a member of the Missouri Fire Safety Education/Advisory Commission;

Also,

Roberta LeGrand and Lloyd Ray Tubaugh, as members of the Missouri Workforce Investment Board;

Also,

Gary D. Duncan, as a member of the Mental Health Commission;

Also,

Geneva Shearburn, as a member of the Board of Certification of Interpreters;

Also,

Sarah Burkemper and James J. O'Donnell, Democrats, as members of the Truman State University Board of Governors.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following report:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 711**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 722**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 726**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 623**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 569**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 607**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 714**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 743**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 689**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 620**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 744**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lembke, Chairman of the Committee on Governmental Accountability, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 693**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 650**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability, to which was referred **SJR 48**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **SJR 50**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 699**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 24**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 21**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 908–By Kehoe.

An Act to repeal sections 569.140, 569.145, and 569.150, RSMo, and to enact in lieu thereof two new sections relating to the crime of trespass, with existing penalty provisions.

SB 909–By Cunningham, Munzlinger, Dempsey and Wasson.

An Act to repeal sections 490.660, 490.670, 490.680, 490.690, and 490.692, RSMo, and to enact in lieu thereof five new sections relating to records of regularly conducted activity.

SB 910–By Ridgeway.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to use of the state website domain name by political subdivisions.

SB 911–By Ridgeway.

An Act to repeal section 407.1355, RSMo, and to enact in lieu thereof one new section relating to employee social security numbers.

SB 912–By McKenna and Green.

An Act to repeal section 67.1360, RSMo, and to enact in lieu thereof one new section relating to transient guest taxes in a certain city.

CONCURRENT RESOLUTIONS

Senator Ridgeway offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 27

Relating to the calling of a convention proposing amendments to the United States Constitution.

WHEREAS, Article V of the Constitution of the United States provides authority for a Convention to be called by the Congress of the United States for the purpose of proposing amendments to the Constitution upon application of two-thirds of the Legislatures of the several states ("amendments convention"); and

WHEREAS, the Legislature of the State of Missouri favors the proposal and ratification of an amendment to said Constitution which shall provide that the annual expenditures of the federal government shall not exceed the annual revenue for any year, except in time of war, and that further prohibits Congress from raising taxes without approval of two-thirds of the Legislatures of the States:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby respectfully applies, as provided for in Article V of the Constitution of the United States, for an amendments convention to be called for the purpose of proposing an amendment which shall provide that the annual expenditures of the federal government shall not exceed the annual revenue for any year, except in time of war, and that further prohibits Congress from raising taxes without approval of two-thirds of the Legislatures of the States; and

BE IT FURTHER RESOLVED that the amendments convention contemplated by this application shall be entirely focused upon and exclusively limited to the subject matter of proposing for ratification an amendment to the Constitution providing that the annual expenditures of the federal government shall not exceed the annual revenue for any year, except in time of war, and that further prohibits Congress from raising taxes without approval of two-thirds of the Legislatures of the States; and

BE IT FURTHER RESOLVED that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the Legislatures of the several States have made application for an equivalently limited amendments convention; and

BE IT FURTHER RESOLVED that a certified copy of this application be dispatched by the Secretary of the Missouri Senate to the President of the United States Senate, the Speaker of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each house of the several State Legislatures requesting their cooperation in applying for the amendments convention limited to the subject matter contemplated by this application.

Read 1st time.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

SENATE HEARING SCHEDULE
96th GENERAL ASSEMBLY
SECOND REGULAR SESSION
MARCH 1, 2012

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		**Appropriations** **SCR 2** **(Schaefer)**	**Appropriations** **SCR 2** **(Schaefer)** **Transportation** **SCR 1** **(Stouffer)**	
8:15 a.m.		**Health, Mental Health, Seniors and Families** **SCR 1** **(Ridgeway)**		
8:30 a.m.			**Gubernatorial Appointments** **SL** **(Mayer)**	**Ways and Means and Fiscal Oversight** **SCR 1** **(Purgason)** **Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs** **SL** **(Crowell)**
9:00 a.m.		**Progress and Development** **SL** **(Callahan)**		
12:00 Noon		**Small Business, Insurance and Industry** **SCR 1** **(Rupp)** **Rules, Joint Rules, Resolutions and Ethics** **SL** **(Dempsey)**	**Jobs, Economic Development and Local Government** **SL** **(Schmitt)** **Agriculture, Food Production and Outdoor Resources** **SCR 1** **(Munzlinger)**	
12:30 p.m.	**Appropriations** **SCR 2** **(Schaefer)**			
1:30 p.m.		**Commerce, Consumer Protection, Energy and the Environment** **SL** **(Lager)** **General Laws** **SCR 1** **(Cunningham)**	**Governmental Accountability** **SCR 1** **(Lembke)** **Education** **SL** **(Pearce)**	
2:30 p.m.	**Financial and Governmental Organizations and Elections** **SL** **(Engler)**			
7:00 p.m.	**Judiciary and Civil and Criminal Jurisprudence** **SL** **(Goodman)**			

SCR 1 - Senate Committee Rm. 1, Room 118 **SL - Senate Lounge** **SCR 2 - Senate Committee Rm. 2, Room 119**

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1174**, entitled:

An Act to repeal section 162.081, RSMo, and to enact in lieu thereof one new section relating to school accreditation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

SB 830—Health, Mental Health, Seniors and Families.

SB 831—Transportation.

SB 832—Financial and Governmental Organizations and Elections.

SB 833—Transportation.

SB 834—Jobs, Economic Development and Local Government.

SB 835—Small Business, Insurance and Industry.

SB 836—Health, Mental Health, Seniors and Families.

SB 837—Commerce, Consumer Protection, Energy and the Environment.

SB 838—Small Business, Insurance and Industry.

SB 839—Education.

SB 840—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 841—Agriculture, Food Production and Outdoor Resources.

SB 842—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 843—Transportation.

SB 844—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 845—Jobs, Economic Development and Local Government.

SB 846—Jobs, Economic Development and Local Government.

SB 847—Transportation.

SB 848—Financial and Governmental Organizations and Elections.

SB 849—Commerce, Consumer Protection, Energy and the Environment.

SB 850—Agriculture, Food Production and Outdoor Resources.

SB 851—Rules, Joint Rules, Resolutions and Ethics.

SB 852—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 853—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 854—Health, Mental Health, Seniors and Families.

SB 855—Governmental Accountability.

SB 856—Small Business, Insurance and Industry.

SJR 51—Judiciary and Civil and Criminal Jurisprudence.

HOUSE BILLS ON SECOND READING

The following Joint Resolution and Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HJR 43**—Ways and Means and Fiscal Oversight.

HB 1135—Jobs, Economic Development and Local Government.

HCS for **HB 1140**—General Laws.

HB 1036—Financial and Governmental Organizations and Elections.

HB 1039—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HB 1099—General Laws.

HB 1100—General Laws.

HB 1105—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for **HB 1311**—Jobs, Economic Development and Local Government.

HCS for **HB 1329**—Small Business, Insurance and Industry.

HB 1219—Commerce, Consumer Protection, Energy and the Environment.

On motion of Senator Dempsey, the Senate recessed until 12:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

SIGNING OF CONCURRENT RESOLUTIONS

The President Pro Tem announced that all other business would be suspended and **HCR 8**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the concurrent resolution would be signed by the President Pro Tem to the end that it may become law. No objections being made, the concurrent resolution was so read by the Secretary and signed by the President Pro Tem.

INTRODUCTIONS OF GUESTS

Senator Lembke introduced to the Senate, Lauren Alspach, Eric Briesacher and Matt Breite, 1st Senatorial District.

Senator Wright-Jones introduced to the Senate, Alderman Antonio French, St. Louis.

Senator Wright-Jones introduced to the Senate, Kam Phillips, Texas.

Senator Schaefer introduced to the Senate, students participating in the University of Missouri's Undergraduate Research Day.

On behalf of Senator Lembke and himself, Senator Green introduced to the Senate, former State Senator Harry Kennedy, St. Louis.

Senator Richard introduced to the Senate, Bethany Henry, Neosho.

Senator Schaaf introduced to the Senate, Victoria Damba, D.O., Teri Deffenbaugh, D.O., Allison Fischer, D.O., Marianne Klemm, D.O., Carey Vaughn, D.O., Erica Waddington, D.O., and students Jennifer Blair, Tori Logan, Jaclyn Pohlers, Rebecca Verhaeghe and Madeline Werner, representatives of Missouri Association of Osteopathic Physicians and Surgeons.

Senator McKenna introduced to the Senate, students from Festus High School.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, March 5, 2012.

SENATE CALENDAR

———

THIRTY-FOURTH DAY–MONDAY, MARCH 5, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 857-Brown
SB 858-Schaaf
SB 859-Nieves
SB 860-Nieves
SB 861-Purgason
SB 862-Engler
SB 863-Wright-Jones
SB 864-Wright-Jones
SB 865-Pearce
SB 866-Lembke
SB 867-Lembke
SB 868-Kehoe
SB 869-Kehoe, et al
SB 870-Lamping
SB 871-Lamping
SB 872-Justus
SB 873-Lembke
SB 874-McKenna
SB 875-Goodman
SB 876-Kehoe and Parson
SB 877-Mayer
SB 878-Mayer
SB 879-Wasson
SB 880-Wasson
SB 881-Pearce
SB 882-Pearce
SB 883-Richard
SB 884-Nieves

SB 885-Engler
SB 886-Engler
SB 887-Ridgeway
SB 888-Ridgeway
SB 889-Lager
SB 890-Lager
SB 891-Lager
SB 892-Kraus
SB 893-Kraus
SB 894-Curls
SB 895-Curls
SB 896-Schaefer
SB 897-Schaefer
SB 898-Schaefer
SB 899-Green
SB 900-Munzlinger
SB 901-Lembke
SB 902-Lamping
SB 903-Lamping
SB 904-Mayer
SB 905-Mayer
SB 906-Kraus
SB 907-Schaaf
SB 908-Kehoe
SB 909-Cunningham, et al
SB 910-Ridgeway
SB 911-Ridgeway
SB 912-McKenna and Green

HOUSE BILLS ON SECOND READING

HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al
HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka
HB 1269-Brattin, et al
HB 1103-Crawford and Wyatt
HB 1192-Koenig, et al
HB 1041-Thomson
HCS for HB 1059
HB 1107-Dugger, et al
HB 1112-Gosen
HB 1128-Largent
HB 1188-Allen, et al
HB 1347-Franz
HCS for HB 1457
HB 1517-Nolte, et al
HCS for HJR 41
HCS for HBs 1186 & 1147
HCS for HB 1308
HCS for HB 1442
HB 1131-Fisher
HB 1441-Fisher
HJR 45-Solon, et al
HB 1318-Riddle, et al
HCS for HB 1731
HCS for HB 1030
HCS for HB 1139
HCS for HB 1106
HCS for HB 1174

THIRD READING OF SENATE BILLS

SS for SCS for SB 699-Goodman

SENATE BILLS FOR PERFECTION

1. SB 711-Lamping, with SCS
2. SB 722-Lamping, with SCS
3. SB 726-Parson, with SCS
4. SB 623-Cunningham, with SCS
5. SB 569-Kraus, with SCS
6. SB 607-Stouffer
7. SB 714-Lager, with SCS
8. SB 743-Brown
9. SB 689-Engler and Schmitt, with SCS
10. SB 620-Rupp
11. SB 744-Wright-Jones, with SCS
12. SB 693-Crowell
13. SB 650-Ridgeway
14. SJR 48-Dixon
15. SJR 50-Curls

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 470-Dixon, with SCS
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 480-Stouffer, with SCS
SB 492-Crowell, with SS (pending)
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 591-Parson, with SCS & SA 1 (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 635-Pearce, with SCS
SB 710-Engler, et al, with SCS
SB 717-Stouffer
SB 727-Schaaf
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 37-Crowell

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 21-Pearce, et al

SCR 24-Stouffer

To be Referred

SCR 26-Stouffer

SCR 27-Ridgeway

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-FOURTH DAY—MONDAY, MARCH 5, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Wait on the Lord with patient expectation and fervent prayer." (Psalm 27:14)

My Lord and God, we do wait patiently in prayer for Your healing presence for all those who were injured, killed or suffered various losses by the tornados that hit our nation. It was a devastation that touched so many Americans including many in Missouri that we empathize with those hurting and pray for them. We also pray for Ms. Spieler at the death of her father and ask, O Lord, for Your mercy and comfort during this time of grief by her and her family. Bless them and us, O Lord, and be an ever present help. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 1, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer—32

Absent—Senators—None

Absent with leave—Senators

Wasson Wright-Jones—2

Vacancies—None

The Lieutenant Governor was present.

Senator Cunningham requested unanimous consent of the Senate to correct the report made by the Committee on General Laws on March 1, 2012, by submitting the correct senate committee substitute for **SB 744**, which request was granted.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 1587, regarding the Niagara Foundation and the Turkish American Society of Missouri, which was adopted.

Senator Lembke offered Senate Resolution No. 1588, regarding Ronald D. and Anne E. Oestreich, Saint Louis, which was adopted.

Senator Kraus offered Senate Resolution No. 1589, regarding Chase Wrisinger, which was adopted.

Senator Parson offered Senate Resolution No. 1590, regarding Matt Fulson and the Fulson Housing Group LLC, which was adopted.

Senator Schaefer offered Senate Resolution No. 1591, regarding Kimberly Harper, which was adopted.

Senator Schaefer offered Senate Resolution No. 1592, regarding Robert Baum, PhD, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1593, regarding Joshua Dean Damon, Jr., Wayland, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1594, regarding Stu Strickler, Williamstown, which was adopted.

Senator Cunningham offered Senate Resolution No. 1595, regarding Rebecca Robinson, Ballwin, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 470**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 470**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 470

An Act to repeal sections 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof thirteen new sections relating to motor carrier transportation regulated by the state highways and transportation commission.

Was taken up.

Senator Dixon moved that **SCS** for **SB 470** be adopted.

Senator Dixon offered **SS** for **SCS** for **SB 470**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 470

An Act to repeal sections 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof thirteen new sections relating to motor carrier transportation

regulated by the state highways and transportation commission.

Senator Ridgeway assumed the Chair.

Senator Dixon moved that **SS** for **SCS** for **SB 470** be adopted, which motion prevailed.

On motion of Senator Dixon, **SS** for **SCS** for **SB 470** was declared perfected and ordered printed.

Senator Stouffer moved that **SB 480**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 480**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 480

An Act to repeal sections 144.030 and 390.020, RSMo, and to enact in lieu thereof two new sections relating to regulation of motor carriers.

Was taken up.

Senator Stouffer moved that **SCS** for **SB 480** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SCS** for **SB 480** was declared perfected and ordered printed.

Senator Crowell moved that **SB 492**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SB 492** was again taken up.

At the request of Senator Crowell, **SS** for **SB 492** was withdrawn.

Senator Crowell offered **SS No. 2** for **SB 492**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 492

An Act to repeal sections 104.1084 and 104.1091, RSMo, and to enact in lieu thereof two new sections relating to retirement.

Senator Crowell moved that **SS No. 2** for **SB 492** be adopted, which motion prevailed.

On motion of Senator Crowell, **SS No. 2** for **SB 492** was declared perfected and ordered printed.

Senator Pearce assumed the Chair.

Senator Parson moved that **SB 591**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Dempsey, **SA 1** was withdrawn.

Senator Ridgeway offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 591, Page 5, Section 137.115, Lines 127-132, by striking all of said lines and inserting in lieu thereof the following: "the **lowest** trade-in value published in the October issue of **[**the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended**] a single nationally recognized** guide of information for

determining the true value of motor vehicles described in such publication**. Such publication shall be approved by the state tax commission in conjunction with the association representing the majority of assessors of this state. The state tax commission shall also approve four additional guides for determining the true value of motor vehicles. If the owner of the motor vehicle presents evidence that any of the four other approved publications has a lower published trade-in value that is applicable to the motor vehicle, the assessor shall use such value in determining the true value of the motor vehicle**. In the absence of a listing for a particular motor vehicle in"; and further amend line 133, by striking the word "publication" and inserting in lieu thereof the following: "**publications**"; and

Further amend said bill and section, page 7, line 201, by inserting after all of said line the following:

"138.060. 1. The county board of equalization shall, in a summary way, determine all appeals from the valuation of property made by the assessor, and shall correct and adjust the assessment accordingly. There shall be no presumption that the assessor's valuation is correct. In any county with a charter form of government with a population greater than two hundred eighty thousand inhabitants but less than two hundred eighty-five thousand inhabitants, and in any county with a charter form of government with greater than one million inhabitants, and in any city not within a county, the assessor shall have the burden to prove that the assessor's valuation does not exceed the true market value of the subject property. In such county or city, in the event a physical inspection of the subject property is required by subsection 10 of section 137.115, the assessor shall have the burden to establish the manner in which the physical inspection was performed and shall have the burden to prove that the physical inspection was performed in accordance with section 137.115. In such county or city, in the event the assessor fails to provide sufficient evidence to establish that the physical inspection was performed in accordance with section 137.115, the property owner shall prevail on the appeal as a matter of law. At any hearing before the state tax commission or a court of competent jurisdiction of an appeal of assessment from a first class charter county or a city not within a county, the assessor shall not advocate nor present evidence advocating a valuation higher than that value finally determined by the assessor or the value determined by the board of equalization, whichever is higher, for that assessment period. **In an appeal concerning the assessor's valuation of a motor vehicle, the assessor shall have the burden to prove that the owner's evidence of a lower published trade-in value from one of the publications approved pursuant to subsection 9 of section 137.115 does not demonstrate the true value of the motor vehicle.**

2. The county clerk shall keep an accurate record of the proceedings and orders of the board, and the assessor shall correct all erroneous assessments, and the clerk shall adjust the tax book according to the orders of such board and the orders of the state tax commission, except that in adding or deducting such percent to each tract or parcel of real estate as required by such board or state tax commission, he shall add or deduct in each case any fractional sum of less than fifty cents, so that the value of any separate tract shall contain no fractions of a dollar."; and

Further amend the title and enacting clause accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SCS** for **SB 591**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **SB 591**, as amended, was declared perfected and ordered printed.

Senator Schaaf moved that **SB 727** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schaaf offered **SS** for **SB 727**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 727

An Act to repeal section 208.044, RSMo, and to enact in lieu thereof two new sections relating to child care subsidies.

Senator Schaaf moved that **SS** for **SB 727** be adopted.

At the request of Senator Schaaf, **SB 727**, with **SS** (pending), was placed on the Informal Calendar.

Senator Engler moved that **SB 710**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 710**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 710

An Act to repeal sections 195.060, 195.080, and 334.747, RSMo, and to enact in lieu thereof twelve new sections relating to a prescription drug monitoring program, with penalty provisions.

Was taken up.

Senator Engler moved that **SCS** for **SB 710** be adopted.

Senator Engler offered **SS** for **SCS** for **SB 710**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 710

An Act to repeal sections 195.015, 195.060, 195.080, and 334.747, RSMo, and to enact in lieu thereof thirteen new sections relating to a prescription drug monitoring program, with penalty provisions.

Senator Engler moved that **SS** for **SCS** for **SB 710** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 710, Page 1, In the Title, Lines 4-5 of said title, by striking the words "a prescription drug monitoring program, with penalty provisions" and inserting in lieu thereof the following: "controlled substances"; and

Further amend said bill, pages 6-7, section 195.450, by striking all of said section from the bill; and

Further amend said bill, pages 7-9, section 195.453, by striking all of said section from the bill; and

Further amend said bill, pages 9-11, section 195.456, by striking all of said section from the bill; and

Further amend said bill, page 11, section 195.459, lines 15-20 of said page, by striking all of said section from the bill; and

Further amend said bill, pages 11-12, section 195.462, by striking all of said section from the bill; and

Further amend said bill, page 12, section 195.465, lines 6-20 of said page, by striking all of said section

from the bill; and

Further amend said bill, pages 12-13, section 195.468, by striking all of said section from the bill; and

Further amend said bill, page 13-14, section 195.474, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

At the request of Senator Engler, **SB 710**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

REFERRALS

President Pro Tem Mayer referred **SCR 26** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 27—Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1349**, entitled:

An Act to repeal section 362.333, RSMo, and to enact in lieu thereof one new section relating to irrevocable life insurance trusts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1114**, entitled:

An Act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to emergency service boards.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1037**, entitled:

An Act to repeal section 233.280, RSMo, and to enact in lieu thereof one new section relating to the compensation of road district commissioners.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1072**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto six new sections relating to the volunteer health services act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Mayer referred **SS** for **SCS** for **SB 699** to the Committee on Ways and Means and Fiscal Oversight.

INTRODUCTIONS OF GUESTS

Senator Justus introduced to the Senate, Sister Berta Sailor, Susie Roling and Dave Watsula, Kansas City.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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THIRTY-FIFTH DAY–TUESDAY, MARCH 6, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 857-Brown
SB 858-Schaaf
SB 859-Nieves
SB 860-Nieves
SB 861-Purgason
SB 862-Engler
SB 863-Wright-Jones
SB 864-Wright-Jones
SB 865-Pearce
SB 866-Lembke
SB 867-Lembke
SB 868-Kehoe
SB 869-Kehoe, et al
SB 870-Lamping
SB 871-Lamping
SB 872-Justus
SB 873-Lembke
SB 874-McKenna
SB 875-Goodman
SB 876-Kehoe and Parson
SB 877-Mayer
SB 878-Mayer
SB 879-Wasson
SB 880-Wasson
SB 881-Pearce
SB 882-Pearce

SB 883-Richard
SB 884-Nieves
SB 885-Engler
SB 886-Engler
SB 887-Ridgeway
SB 888-Ridgeway
SB 889-Lager
SB 890-Lager
SB 891-Lager
SB 892-Kraus
SB 893-Kraus
SB 894-Curls
SB 895-Curls
SB 896-Schaefer
SB 897-Schaefer
SB 898-Schaefer
SB 899-Green
SB 900-Munzlinger
SB 901-Lembke
SB 902-Lamping
SB 903-Lamping
SB 904-Mayer
SB 905-Mayer
SB 906-Kraus
SB 907-Schaaf
SB 908-Kehoe
SB 909-Cunningham, et al
SB 910-Ridgeway
SB 911-Ridgeway
SB 912-McKenna and Green

HOUSE BILLS ON SECOND READING

HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al
HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka
HB 1269-Brattin, et al
HB 1103-Crawford and Wyatt
HB 1192-Koenig, et al
HB 1041-Thomson
HCS for HB 1059
HB 1107-Dugger, et al
HB 1112-Gosen
HB 1128-Largent
HB 1188-Allen, et al
HB 1347-Franz
HCS for HB 1457
HB 1517-Nolte, et al
HCS for HJR 41
HCS for HBs 1186 & 1147
HCS for HB 1308
HCS for HB 1442
HB 1131-Fisher
HB 1441-Fisher
HJR 45-Solon, et al
HB 1318-Riddle, et al
HCS for HB 1731
HCS for HB 1030
HCS for HB 1139
HCS for HB 1106
HCS for HB 1174
HB 1349-Jones (117), et al
HB 1114-Weter
HB 1037-Dugger
HCS for HB 1072

THIRD READING OF SENATE BILLS

SS for SCS for SB 699-Goodman (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 711-Lamping, with SCS
2. SB 722-Lamping, with SCS
3. SB 726-Parson, with SCS
4. SB 623-Cunningham, with SCS
5. SB 569-Kraus, with SCS
6. SB 607-Stouffer
7. SB 714-Lager, with SCS
8. SB 743-Brown
9. SB 689-Engler and Schmitt, with SCS
10. SB 620-Rupp
11. SB 744-Wright-Jones, with SCS
12. SB 693-Crowell
13. SB 650-Ridgeway
14. SJR 48-Dixon
15. SJR 50-Curls

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS
SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 635-Pearce, with SCS
SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 717-Stouffer
SB 727-Schaaf, with SS (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 37-Crowell

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 21-Pearce, et al
SCR 24-Stouffer

✓

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-FIFTH DAY—TUESDAY, MARCH 6, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Being involved in my faith allowed me to really appreciate life...My faith also reminded me that I have a purpose here." (Beverley Mitchell)

Gracious God, we give You thanks for this day, and the faith that teaches us that we each have a purpose to which You have called us. So we are grateful for the role You have given us who serve here and the opportunity to assist the people who elected us. We are appreciative of all You do and give thanks for every blessing You provide that makes life a joy. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Schmitt—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 1596, regarding Morris L. Collins, Warrensburg, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Crowell moved that **SJR 37** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Stouffer assumed the Chair.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Joint Resolution No. 37, Page 1, In the Title, Line 4, by striking the words "meetings of"; and

Further amend said resolution, page 2, section 2, line 22 by striking the word "four" and inserting in lieu thereof the following: "**ten**"; and further amend line 23 by inserting after the word "apportionment" the following: "**or the date by which the commission stands discharged because of its failure to file a final statement with the secretary of state**"; and

Further amend said resolution, page 4, section 7, line 15 by striking the word "four" and inserting in lieu thereof the following: "**ten**"; and further amend line 16 by inserting after the word "apportionment" the following: "**or the date by which the commission stands discharged because of its failure to file a final statement with the secretary of state**".

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Crowell, **SJR 37**, as amended, was declared perfected and ordered printed.

Senator Lamping moved that **SB 711**, with **SCS**, be taken up for perfection, which motion prevailed.

Senator Lamping moved that **SCS** for **SB 711** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS** for **SB 711** was declared perfected and ordered printed.

At the request of Senator Lamping, **SB 722**, with **SCS**, was placed on the Informal Calendar.

Senator Parson moved that **SB 726**, with **SCS**, be taken up for perfection, which motion prevailed.

Senator Parson moved that **SCS** for **SB 726** be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **SB 726** was declared perfected and ordered printed.

SB 623 was placed on the Informal Calendar.

Senator Kraus moved that **SB 569**, with **SCS**, be taken up for perfection, which motion prevailed.

Senator Kraus moved that **SCS** for **SB 569** be adopted.

Senator Crowell assumed the Chair.

At the request of Senator Kraus, **SB 569**, with **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 591**; **SS No. 2** for **SB 492**; **SCS** for **SB 480**; and **SS** for **SCS** for **SB 470**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Mayer referred **SS No. 2** for **SB 492** to the Committee on Ways and Means and Fiscal Oversight.

On motion of Senator Dempsey, the Senate recessed until 5:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS** for **HCR 32**.

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 32

WHEREAS, the Land and Water Conservation Fund (LWCF) was established by the United States Congress in 1965 to preserve, develop, and assure accessibility to quality outdoor recreation resources "to strengthen the health and vitality of the citizens of the United States"; and

WHEREAS, the LWCF is principally funded by revenue received from offshore energy extraction and is authorized to receive $900 million annually through the annual appropriations process; and

WHEREAS, the LWCF funds a federal land acquisition program and provides matching grants to states and localities for capital projects through the State Assistance program; and

WHEREAS, investments from the LWCF State Assistance program support the creation of public parks in rural and urban communities throughout America, protect green space and local water supplies, guarantee outdoor recreation opportunities, spur economic development, create jobs, and significantly aid national efforts to promote health, connect youth to nature and the outdoors, combat childhood obesity, and protect the environment; and

WHEREAS, in the original authorizing legislation, Congress recognized the important role of state and local parks in achieving its intended purpose by requiring the allocation of 60% of LWCF annual funding to the State Assistance program and 40% to the federal program; and

WHEREAS, the language protecting the State Assistance program was removed in the mid 1970s resulting in a disproportional amount (84%) of LWCF funding going to the federal side of the program over the past 25 years; and

WHEREAS, no language exists to protect the State Assistance funding allocations, and Congress appropriated a total of approximately $304 million to LWCF in FY 2009 but allocated only $19 million (6%) to the State Assistance program, and in FY 2010 appropriated a total of approximately $479 million to LWCF with a mere $40 million (8%) going to the State Assistance program; and

WHEREAS, Missouri received only $509,599 in FY 2009 and $699,429 in FY 2010 based on Missouri's portion (.017%) of the 16% that is currently allocated to the states; and

WHEREAS, the disproportional allocation of LWCF funding between the two programs has severely limited state and local governments

in their capacity to develop parks and open spaces and protect green space and local water supplies in light of rapidly increasing populations; and

WHEREAS, LWCF provides one-time funding for state and local capital projects and state and local governments equally match the federal dollars, then assume all costs of management and maintenance; and

WHEREAS, the State of Missouri has approximately $7 million in unmet need for LWDF State Assistance projects; and

WHEREAS, requiring 40% of LWCF funds to be annually allocated to the State Assistance program would not increase the national debt, but would ensure a more balanced allocation of resources between federal land acquisition and state and local community conservation efforts, as intended by the authorizing legislation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby call on the United States Congress to implement legislation specifying an annual allocation of at least 40% of Land and Water Conservation Fund (LWCF) moneys to the State Assistance program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama, the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

SENATE BILLS FOR PERFECTION

Senator Mayer moved that **SB 439**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 439**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 439

An Act to repeal sections 290.210, 290.250, 290.262, 290.290, and 290.340, RSMo, and to enact in lieu thereof six new sections relating to the prevailing wage, with penalty provisions.

Was taken up.

Senator Mayer moved that **SCS** for **SB 439** be adopted.

Senator Kraus assumed the Chair.

At the request of Senator Mayer, **SB 439**, with **SCS**, was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 726**; **SCS** for **SB 711**; and **SJR 37**, begs leave to report that it has examined the same and finds that the bills and joint resolution have been truly perfected and that the printed copies furnished the Senators are correct.

President Pro Tem Mayer assumed the Chair.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 1219**, begs leave to report that it has considered the same and recommends that the

bill do pass.

Senator Kraus assumed the Chair.

REFERRALS

President Pro Tem Mayer referred **SJR 37** to the Committee on Ways and Means and Fiscal Oversight.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 6, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Eva Danner Horton, 1220 Elm Street, Chillicothe, Livingston County, Missouri 64601, as a member of the Missouri Workforce Investment Board, for a term ending March 3, 2016, and until her successor is duly appointed and qualified; vice, Dennis Kempker, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 6, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael Pantleo, 21257 Coon Branch Road, Lawson, Ray County, Missouri 64062, as a member of the Missouri Workforce Investment Board, for a term ending March 3, 2016, and until his successor is duly appointed and qualified; vice, Zelema Harris, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 6, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Alexis B. Roam, 24200 Redding Lane, Richland, Pulaski County, Missouri 65556, as a member of the Missouri Board of Nursing Home Administrators, for a term ending November 21, 2013, and until her successor is duly appointed and qualified; vice, RSMo 344.060.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 6, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Brian Shewell, 1221 Milwaukee Street, Excelsior Springs, Clay County, Missouri 64024, as a student representative of the Missouri Western State University Board of Governors, for a term ending December 31, 2013, and until his successor is duly appointed and qualified; vice, Peter Gregory, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 6, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Melissa Turner, 691 Compton Hollow Road, Rogersville, Webster County, Missouri 65742, as a member of the Missouri Workforce Investment Board, for a term ending March 3, 2016, and until her successor is duly appointed and qualified; vice, Byron Hill, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

RESOLUTIONS

Senator Ridgeway offered Senate Resolution No. 1597, regarding Evan Jonathan Linard, Kansas City, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1598, regarding Stephen Dean Nolting, Kansas City, which was adopted.

Senator Callahan offered Senate Resolution No. 1599, regarding Connie Rastberger, Ms. Missouri Nursing Home Queen, which was adopted.

Senator Mayer offered Senate Resolution No. 1600, regarding the Butler County Community Resource Council, which was adopted.

On behalf of Senator Schmitt, Senator Dempsey offered Senate Resolution No. 1601, regarding Lee Moss, which was adopted.

On behalf of Senator Schmitt, Senator Dempsey offered Senate Resolution No. 1602, regarding Charlie and Carolyn Downs, which was adopted.

On behalf of Senator Schmitt, Senator Dempsey offered Senate Resolution No. 1603, regarding Peter Sepe, which was adopted.

On behalf of Senator Schmitt, Senator Dempsey offered Senate Resolution No. 1604, regarding Rich Haas, which was adopted.

On behalf of Senator Schmitt, Senator Dempsey offered Senate Resolution No. 1605, regarding Jerry Pinkner, which was adopted.

On behalf of Senator Schmitt, Senator Dempsey offered Senate Resolution No. 1606, regarding Llwelyn's Pub, which was adopted.

On behalf of Senator Schmitt, Senator Dempsey offered Senate Resolution No. 1607, regarding Sylva Neubauer, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Stouffer introduced to the Senate, Homeschoolers from Macon County.

Senator Kehoe introduced to the Senate, Zach Knipp, Tipton.

Senator Rupp introduced to the Senate, Jenny Espenshied and her children, Cole, Trevor and Haley, Homeschoolers from Lake St. Louis; and Cole, Trevor and Haley were made honorary pages.

Senator Kehoe introduced to the Senate, Mrs. Laney Clemens, Mr. Brian Underwood and ninth grade students from Simonsen Ninth Grade Center, Jefferson City.

Senator Kehoe introduced to the Senate, the Physician of the Day, Dr. George Hubbell, M.D., Lake Ozark.

Senator Ridgeway introduced to the Senate, Sharon Barnes and eight Missouri Federation of Republican Women Joanne Breckenridge Scholars.

Senator Ridgeway introduced to the Senate, Nola Wood and Pat Lehman, representatives of Federation of Republican Women, Kansas City.

Senator Mayer introduced to the Senate, Mary Howell, Audi Guined, Devin Grant, Mitchell Nelson, Lonicia Walker and Ashton Howell from Malden High School.

Senator Justus introduced to the Senate, Robyn Holsman and fourth grade students from Red Bridge Elementary School.

Senator Schaefer introduced to the Senate, representatives of Leadership Columbia Program.

Senator Engler introduced to the Senate, Col. Wenninger and members of Farmington High School ROTC.

Senator Ridgeway introduced to the Senate, students from Liberty High School.

Senator Pearce introduced to the Senate, Coach Dan Plott and Assistant Coach Brittney Slifer and members of the 2011 Class 3 State Champion Warrensburg High School Tigers Cross Country Team: Creighton Collier, Andrew Nordyke, Jean-Pierre Espinoza, Albert Fleer, Alex Burson, Max Burson, Trent Classen, Ethan Holland, Nick Forsythe and Ryan Dyer.

Senator Dempsey introduced to the Senate, Hope Homeschool Co-op, St. Charles County.

Senator Wright-Jones introduced to the Senate, former State Senator Maida Coleman, St. Louis.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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THIRTY-SIXTH DAY–WEDNESDAY, MARCH 7, 2012

———

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 857-Brown
SB 858-Schaaf
SB 859-Nieves
SB 860-Nieves
SB 861-Purgason
SB 862-Engler
SB 863-Wright-Jones
SB 864-Wright-Jones
SB 865-Pearce
SB 866-Lembke
SB 867-Lembke
SB 868-Kehoe
SB 869-Kehoe, et al
SB 870-Lamping
SB 871-Lamping
SB 872-Justus
SB 873-Lembke
SB 874-McKenna
SB 875-Goodman
SB 876-Kehoe and Parson
SB 877-Mayer
SB 878-Mayer
SB 879-Wasson
SB 880-Wasson
SB 881-Pearce
SB 882-Pearce
SB 883-Richard
SB 884-Nieves
SB 885-Engler
SB 886-Engler
SB 887-Ridgeway
SB 888-Ridgeway
SB 889-Lager
SB 890-Lager
SB 891-Lager
SB 892-Kraus
SB 893-Kraus
SB 894-Curls
SB 895-Curls
SB 896-Schaefer
SB 897-Schaefer
SB 898-Schaefer
SB 899-Green
SB 900-Munzlinger
SB 901-Lembke
SB 902-Lamping
SB 903-Lamping
SB 904-Mayer
SB 905-Mayer
SB 906-Kraus
SB 907-Schaaf
SB 908-Kehoe
SB 909-Cunningham, et al
SB 910-Ridgeway
SB 911-Ridgeway
SB 912-McKenna and Green

HOUSE BILLS ON SECOND READING

HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al

HB 1156-Rowland, et al
HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka
HB 1269-Brattin, et al
HB 1103-Crawford and Wyatt
HB 1192-Koenig, et al
HB 1041-Thomson
HCS for HB 1059
HB 1107-Dugger, et al
HB 1112-Gosen
HB 1128-Largent
HB 1188-Allen, et al
HB 1347-Franz
HCS for HB 1457
HB 1517-Nolte, et al
HCS for HJR 41
HCS for HBs 1186 & 1147
HCS for HB 1308
HCS for HB 1442
HB 1131-Fisher
HB 1441-Fisher
HJR 45-Solon, et al
HB 1318-Riddle, et al
HCS for HB 1731
HCS for HB 1030
HCS for HB 1139
HCS for HB 1106
HCS for HB 1174
HB 1349-Jones (117), et al
HB 1114-Weter
HB 1037-Dugger
HCS for HB 1072

THIRD READING OF SENATE BILLS

SS for SCS for SB 699-Goodman (In Fiscal Oversight)
SCS for SB 591-Parson
SS#2 for SB 492-Crowell (In Fiscal Oversight)
SCS for SB 480-Stouffer
SS for SCS for SB 470-Dixon
SCS for SB 726-Parson
SCS for SB 711-Lamping
SJR 37-Crowell (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 607-Stouffer
2. SB 714-Lager, with SCS
3. SB 743-Brown
4. SB 689-Engler and Schmitt, with SCS
5. SB 620-Rupp
6. SB 744-Wright-Jones, with SCS
7. SB 693-Crowell
8. SB 650-Ridgeway
9. SJR 48-Dixon
10. SJR 50-Curls

HOUSE BILLS ON THIRD READING

HB 1219-Elmer, et al

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS (pending)

SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 569-Kraus, with SCS (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 623-Cunningham, with SCS
SB 635-Pearce, with SCS
SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 717-Stouffer
SB 722-Lamping, with SCS
SB 727-Schaaf, with SS (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 21-Pearce, et al
SCR 24-Stouffer

To be Referred

HCS for HCR 32

✓

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SIXTH DAY—WEDNESDAY, MARCH 7, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Curiosity is one of the permanent and certain characteristics of a vigorous mind." (Samuel Johnson)

Heavenly Father, we are grateful that You have instilled in us a sense of curiosity which allows us to appreciate the vastness of the cosmos and the subtleness of columns of figures. We appreciate all about us, for they foster a harmony among its citizens and helps us manage the human forces about us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senators Lembke and Schmitt offered Senate Resolution No. 1608, regarding Mary Wetteroff, Saint

Louis, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1609, regarding Martha Henderson, Crestwood, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1610, regarding Patricia Dillon, Fenton, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1611, regarding Steve Boggeman, Kirkwood, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1612, regarding Dee Baebler, Sunset Hills, which was adopted.

Senators Lembke and Schmitt offered Senate Resolution No. 1613, regarding Regions Bank Sunset Hills, which was adopted.

Senator Justus offered Senate Resolution No. 1614, regarding Ted Wiedeman and Kurt Wiedeman and the Reeves Wiedeman Company, Kansas City, which was adopted.

Senator Ridgeway assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 635**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 635**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 635

An Act to repeal section 30.270, RSMo, and to enact in lieu thereof one new section relating to securities that are pledged for the safekeeping and payment of public funds deposited in banks and financial institutions.

Was taken up.

Senator Pearce moved that **SCS** for **SB 635** be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **SB 635** was declared perfected and ordered printed.

Senator Kraus moved that **SB 569**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 569** was again taken up.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 569, Page 2, Section 115.123, Lines 22 to 24, by striking all of said lines from the bill; and

Further renumber the remaining subsections accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 569, Page 2, Section 115.123, Line 19, by striking the word "and" from said line; and further amend line 21, by inserting after "contests" the following: "**; and**

(4) Tax elections necessitated by a financial hardship due to a five percent or greater decline in per-pupil state revenue to a school district from the previous year".

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SCS** for **SB 569**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 569**, as amended, was declared perfected and ordered printed.

Senator Lamping moved that **SB 722**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 722**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 722

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to restricting public contracts with entities that invest in the energy sector in Iran.

Was taken up.

Senator Lamping moved that **SCS** for **SB 722** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS** for **SB 722** was declared perfected and ordered printed.

Senator Dempsey requested unanimous consent of the Senate to allow members of the City of Rolla Police Department to enter the Chamber with side arms, which request was granted.

Senator Stouffer moved that **SB 607** be taken up for perfection, which motion prevailed.

Senator Stouffer offered **SS** for **SB 607**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 607

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the regulation of outdoor advertising.

Senator Stouffer moved that **SS** for **SB 607** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SS** for **SB 607** was declared perfected and ordered printed.

CONCURRENT RESOLUTIONS

Senator Pearce moved that **SCR 21** be taken up for adoption, which motion prevailed.

At the request of Senator Pearce, the motion to adopt **SCR 21** was withdrawn.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 572**.

Emergency clause defeated.

REFERRALS

President Pro Tem Mayer referred the Gubernatorial Appointments appearing on pages 404 and 405 of the Senate Journal for Tuesday, March 6, 2012 to the Committee on Gubernatorial Appointments.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 635**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Lembke offered Senate Resolution No. 1615, regarding Joseph Michael Esswein, St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1616, regarding Connor J. Edler, St. Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1617, regarding Judith Poncet, Steelville, which was adopted.

Senator Brown offered Senate Resolution No. 1618, regarding Sergeant First Class Jeremy David Pirtle, Saint James, which was adopted.

Senator Brown offered Senate Resolution No. 1619, regarding Walmart Transportation, St. James, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1620, regarding Amy Wasson, Frankford, which was adopted.

Senator Mayer offered Senate Resolution No. 1621, regarding Fred Dockins, Farmington, which was adopted.

Senator Mayer offered Senate Resolution No. 1622, regarding Joe King, Piedmont, which was adopted.

CONCURRENT RESOLUTIONS

Senator Stouffer moved that **SCR 24** be taken up for adoption, which motion prevailed.

On motion of Senator Stouffer, **SCR 24** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler	Kraus
Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson—25							

NAYS—Senators

Callahan	Curls	Green	Justus	Keaveny	Wright-Jones—6

Absent—Senators

Goodman	Kehoe	Ridgeway—3

Absent with leave—Senators—None

Vacancies—None

HOUSE BILLS ON THIRD READING

HB 1219, introduced by Representative Elmer, et al, entitled:

An Act to repeal sections 213.010, and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

Was taken up by Senator Lager.

Senator Kehoe assumed the Chair.

Senator Pearce assumed the Chair.

Senator Kraus assumed the Chair.

Senator Ridgeway assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Lager moved that **HB 1219** be read the 3rd time and passed and was recognized to close.

President Pro Tem Mayer referred **HB 1219** to the Committee on Ways and Means and Fiscal Oversight.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 722**; **SS** for **SB 607**; and **SCS** for **SB 569**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 572**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Mayer referred **HCS** for **HCR 32** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 7, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Melissa Turner for the Missouri Workforce Investment Board, submitted to you on March 6, 2012. Line 4 should be amended to read:

term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above addendum to the Committee on Gubernatorial Appointments.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Greg Gagnon, Osage Beach; Bob Hoff, Laurie; Brad Williams and Debbie Hudson, Lamar; Bill Dana and John Huston, Kansas City; and Barry Randolph, Marshall.

Senator Lembke introduced to the Senate, Todd Wagenmaker, Sue vanHoornbeek, parents and students from the Providence Classical Christian Academy, St. Louis.

Senator Callahan introduced to the Senate, the 2011 Ms. Missouri Nursing Home Queen, Connie Rastberger, Independence.

Senator Schaefer introduced to the Senate, Dr. Kristin Sohl and fifty residents representing Community Advocacy through Resident Education.

Senator Keaveny introduced to the Senate, members of the Turkish Parliament, Mehmet Erdogan, Ibrahim Korkmaz and Onder Matli; and Aydin Danaci, Professor Mustafa Sir and Mehmet Kahveci, Ph.D.

Senator Cunningham introduced to the Senate, Dr. Timothy Jennings, Dr. Mark Pelikan, Dr. Anthony D'Angelo and Nicolas Zárkadis, St. Louis County.

Senator Brown introduced to the Senate, representatives of Rolla Day at the Capitol.

Senator Lager introduced to the Senate, students from the Hamilton School District.

Senator Curls introduced to the Senate, Dr. Bill Drake, Dr. Jamie Rosterman, Dr. Pooja French, Dr. Laura Plencner, Dr. Sowmya Kallur and Dr. Catherine Cotney, Kansas City.

Senator Dempsey introduced to the Senate, former State Senator Delbert Scott, Lowry City.

Senator Lembke introduced to the Senate, representatives of Big Brothers Big Sisters Amachi Missouri.

Senator Munzlinger introduced to the Senate, twenty students from Culver-Stockton College, Canton.

Senator Chappelle-Nadal introduced to the Senate, Tobias Gibson, St. Louis.

Senator Brown introduced to the Senate, Fayette Stewart, Barbara Crowell, Eleanor Marriott, Rolla; and Fran Green, Caryl Mussig and Amy Turner, St. James.

Senator Green introduced to the Senate, Principal Ms. McDaniel, Ms. Scurry, parents and forty-eight fourth grade students from Robinwood Elementary School, Florissant; and Natalie Moses, Tyler Jenkins and Ta'Lyssa Jones were made honorary pages.

Senator Brown introduced to the Senate, Stevie Kearse, Amy Campbell, Carolyn Peplow, John Butz, Scott Grahl, Lt. Rick Williams, Capt. Jason Smith, Loretta Wallis, Doyle Edwards, Tony Floyd, Karen McNew, Sue Stoltz and Sarah Greek.

Senator Schaefer introduced to the Senate, Tom Fuhrman and representatives of the Randolph County Leadership Excel Program.

On behalf of Senator Pearce, the President introduced to the Senate, Beth Blunk, Raymore; Kathy Jo McWillams, Pleasant Hill; and students Jonie Oxley, Centerview; Cierra Rodenbaugh, Lee's Summit; Bethany McWilliams, Pleasant Hill; Hagan Zinecker and Matthew Rogers, Warrensburg, representatives of TeenPact.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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THIRTY-SEVENTH DAY–THURSDAY, MARCH 8, 2012

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FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 857-Brown
SB 858-Schaaf
SB 859-Nieves
SB 860-Nieves
SB 861-Purgason
SB 862-Engler
SB 863-Wright-Jones
SB 864-Wright-Jones
SB 865-Pearce
SB 866-Lembke
SB 867-Lembke
SB 868-Kehoe
SB 869-Kehoe, et al
SB 870-Lamping
SB 871-Lamping
SB 872-Justus
SB 873-Lembke
SB 874-McKenna
SB 875-Goodman
SB 876-Kehoe and Parson
SB 877-Mayer
SB 878-Mayer

SB 879-Wasson
SB 880-Wasson
SB 881-Pearce
SB 882-Pearce
SB 883-Richard
SB 884-Nieves
SB 885-Engler
SB 886-Engler
SB 887-Ridgeway
SB 888-Ridgeway
SB 889-Lager
SB 890-Lager
SB 891-Lager
SB 892-Kraus
SB 893-Kraus
SB 894-Curls
SB 895-Curls
SB 896-Schaefer
SB 897-Schaefer
SB 898-Schaefer
SB 899-Green
SB 900-Munzlinger
SB 901-Lembke
SB 902-Lamping
SB 903-Lamping
SB 904-Mayer
SB 905-Mayer
SB 906-Kraus
SB 907-Schaaf
SB 908-Kehoe
SB 909-Cunningham, et al
SB 910-Ridgeway
SB 911-Ridgeway
SB 912-McKenna and Green

HOUSE BILLS ON SECOND READING

HB 1104-Schoeller and Smith (150)
HB 1075-Sater
HB 1093-Elmer, et al
HB 1141-Gatschenberger, et al
HB 1156-Rowland, et al
HB 1179-Hampton, et al
HB 1185-Parkinson and Kelley (126)
HB 1250-Ruzicka, et al
HB 1251-Ruzicka
HB 1269-Brattin, et al
HB 1103-Crawford and Wyatt
HB 1192-Koenig, et al
HB 1041-Thomson
HCS for HB 1059
HB 1107-Dugger, et al
HB 1112-Gosen
HB 1128-Largent
HB 1188-Allen, et al
HB 1347-Franz
HCS for HB 1457
HB 1517-Nolte, et al
HCS for HJR 41
HCS for HBs 1186 & 1147
HCS for HB 1308
HCS for HB 1442
HB 1131-Fisher
HB 1441-Fisher
HJR 45-Solon, et al
HB 1318-Riddle, et al
HCS for HB 1731
HCS for HB 1030
HCS for HB 1139
HCS for HB 1106
HCS for HB 1174
HB 1349-Jones (117), et al
HB 1114-Weter
HB 1037-Dugger
HCS for HB 1072

THIRD READING OF SENATE BILLS

1. SS for SCS for SB 699-Goodman (In Fiscal Oversight)
2. SCS for SB 591-Parson
3. SS#2 for SB 492-Crowell (In Fiscal Oversight)
4. SCS for SB 480-Stouffer
5. SS for SCS for SB 470-Dixon
6. SCS for SB 726-Parson
7. SCS for SB 711-Lamping
8. SJR 37-Crowell (In Fiscal Oversight)
9. SCS for SB 635-Pearce
10. SCS for SB 722-Lamping
11. SS for SB 607-Stouffer
12. SCS for SB 569-Kraus

SENATE BILLS FOR PERFECTION

SB 714-Lager, with SCS
SB 743-Brown
SB 689-Engler and Schmitt, with SCS
SB 620-Rupp
SB 744-Wright-Jones, with SCS
SB 693-Crowell
SB 650-Ridgeway
SJR 48-Dixon
SJR 50-Curls

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS (pending)
SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 623-Cunningham, with SCS
SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 717-Stouffer
SB 727-Schaaf, with SS (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)

HOUSE BILLS ON THIRD READING

HB 1219-Elmer, et al (Lager) (In Fiscal Oversight)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-SEVENTH DAY—THURSDAY, MARCH 8, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"In stillness we learn to remain with the energy that arises from contact we have made with our own spiritual nature." (John Main)

God of Creation, we leave here today, our work done for the week and now a week of rest. Lord may we find time to re-energize our bodies and relax with loved ones. May it restore our minds and souls so we find a stillness that permits us to discover and know You better and learn about ourselves while nurtured by Your word and grace. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

Senator Rupp assumed the Chair.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 1623, regarding the One Hundredth Birthday of Winifred "Winnie" Straham, Blue Springs, which was adopted.

Senator Schaaf offered Senate Resolution No. 1624, regarding the Forty-fifth Wedding Anniversary of Mr. and Mrs. Duane Turk, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 1625, regarding Tyler Zackariah Stanway, Independence, which was adopted.

Senator Mayer, joined by the entire membership of the Senate, offered the following resolution, which was read:

SENATE RESOLUTION NO. 1626

Whereas, the members of the Missouri Senate occasionally pause in their diverse legislative duties in order to recognize those Show-Me State employees whose significant contributions of time and energy have helped ensure that the legislative process is conducted in the efficient, effective manner mandated by the public; and

Whereas, Farrah Fite of Jefferson City, Missouri, has attained considerable distinction as the Majority Caucus Communications Director in the Missouri Senate, a vocational and leadership calling that she will draw to a close on March 16, 2012, after eight years of service; and

Whereas, previously employed in the Senate Communications office from 2001 to 2004, Farrah Fite additionally worked in front of and behind the camera for KOMU in Columbia, Missouri, and for CNN and ABC News in Washington, DC; and

Whereas, Farrah Fite has worked with four Presidents Pro Tem and more than ninety Senators during her tenure as a Senate employee; and

Whereas, no stranger to honors and accolades, Farrah Fite was labeled "The ever-pleasant Farrah Fite" by a Democratic website during a contentious political time; and

Whereas, Farrah Fite has taken great pride in maintaining a professional relationship with the Capitol Press Corps, being an informational asset to the members and staff of the Missouri Senate, and always promoting the principle that "You should report your own bad news first"; and

Whereas, known as an outstanding photographic artist, Farrah Fite also is known as a member of Zonta of Jefferson City, hYPe Jefferson City, and the Jefferson City Concert Association; and

Whereas, Farrah Fite is the beloved wife of Gus Wagner and the daughter of James and Cherry-Ann Fite:

Now, Therefore, Be It Resolved that we, the members of the Missouri Senate, Ninety-sixth General Assembly, join to applaud the personal and professional accomplishments garnered thus far in the life and work of Farrah Fite and to convey to her this legislative body's most heartfelt best wishes for continued success for many more years to come; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for presentation to Farrah Fite of Jefferson City, Missouri.

Senator Mayer moved that the above resolution be adopted, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Richard Inglima, as a member of the Peace Officer Standards and Training Commission;

Also,

Ashton Raffety, as a student representative of the Northwest Missouri State University Board of Regents;

Also,

Kevin Magnan, as a student representative of the Southeast Missouri State University Board of Regents;

Also,

Anthony Wilson and Herbert Dankert, as members of the Missouri Workforce Investment Board.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **HB 1219**; **SS** for **SCS** for **SB 699**; **SS No. 2** for **SB 492**; and **SJR 37**, begs leave to report that it has considered the same and recommends that the bills and joint resolution do pass.

HOUSE BILLS ON THIRD READING

Senator Lager moved that **HB 1219** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Lager, **HB 1219** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Crowell	Dempsey	Dixon	Engler	Goodman	Kehoe	Kraus
Lager	Lamping	Lembke	Mayer	Nieves	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—23	

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Wright-Jones—8

Absent—Senator Ridgeway—1

Absent with leave—Senators

Cunningham Munzlinger—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 699**, introduced by Senator Goodman, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 699

An Act to repeal sections 221.105, 559.016, 559.036, 559.100, and 559.115, RSMo, and to enact in lieu thereof nine new sections relating to criminal offenders under the supervision of the department of corrections, with penalty provisions.

Was taken up.

On motion of Senator Goodman, **SS** for **SCS** for **SB 699** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senator Crowell—1

Absent—Senators—None

Absent with leave—Senators

Cunningham	Schmitt	Munzlinger—3

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 591**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 591

An Act to repeal sections 137.115 and 138.060, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle valuations.

Was taken up by Senator Parson.

On motion of Senator Parson, **SCS** for **SB 591** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler

Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—31	

NAYS—Senators—None

Absent—Senator Wasson—1

Absent with leave—Senators
Cunningham Munzlinger—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS No. 2 for **SB 492**, introduced by Senator Crowell, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 492

An Act to repeal sections 104.1084 and 104.1091, RSMo, and to enact in lieu thereof two new sections relating to retirement.

Was taken up.

On motion of Senator Crowell, **SS No. 2** for **SB 492** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	Parson	Pearce	Purgason	Richard	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Green	McKenna	Nieves	Ridgeway—4

Absent—Senators—None

Absent with leave—Senators
Cunningham Munzlinger—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Crowell, title to the bill was agreed to.

Senator Crowell moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 480**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 480

An Act to repeal sections 144.030 and 390.020, RSMo, and to enact in lieu thereof two new sections relating to regulation of motor carriers.

Was taken up by Senator Stouffer.

On motion of Senator Stouffer, **SCS** for **SB 480** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman
Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Green	Justus—3

Absent—Senators—None

Absent with leave—Senators

Cunningham	Munzlinger	Schmitt—3

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 470**, introduced by Senator Dixon, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 470

An Act to repeal sections 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof thirteen new sections relating to motor carrier transportation regulated by the state highways and transportation commission.

Was taken up.

On motion of Senator Dixon, **SS** for **SCS** for **SB 470** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Cunningham	Lembke	Munzlinger	Schmitt—4

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Green moved that motion lay on the table, which motion prevailed.

Senator Parson moved that **SCS** for **SB 726** be taken up for 3rd reading and final passage, which motion prevailed on a standing division vote.

SCS for **SB 726**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 726

An Act to repeal sections 408.052 and 443.812, RSMo, and to enact in lieu thereof two new sections relating to residential mortgage loan brokers, with existing penalty provisions.

Was taken up by Senator Parson.

On motion of Senator Parson, **SCS** for **SB 726** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senator Chappelle-Nadal—1

Absent—Senator Purgason—1

Absent with leave—Senators

Cunningham	Lembke	Munzlinger	Schmitt—4

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 711**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 711

An Act to repeal section 453.005, RSMo, and to enact in lieu thereof one new section relating to the prohibition of racial considerations in adoption proceedings.

Was taken up by Senator Lamping.

On motion of Senator Lamping, **SCS** for **SB 711** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senators

Cunningham	Lembke	Munzlinger	Schmitt—4

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SJR 37, introduced by Senator Crowell, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to apportionment commissions.

Was taken up.

On motion of Senator Crowell, **SJR 37** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—30		

NAYS—Senators

Curls Wright-Jones—2

Absent—Senator Purgason—1

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Crowell, title to the joint resolution was agreed to.

Senator Crowell moved that the vote by which the joint resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 635**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 635

An Act to repeal section 30.270, RSMo, and to enact in lieu thereof one new section relating to securities that are pledged for the safekeeping and payment of public funds deposited in banks and financial institutions.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **SCS** for **SB 635** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senator Crowell—1

Absent—Senators

Purgason Ridgeway—2

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 722**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 722

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to restricting public contracts with entities that invest in the energy sector in Iran.

Was taken up by Senator Lamping.

On motion of Senator Lamping, **SCS** for **SB 722** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Purgason—1

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SB 607**, introduced by Senator Stouffer, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 607

An Act to amend chapter 226, RSMo, by adding thereto one new section relating to the regulation of outdoor advertising.

Was taken up.

On motion of Senator Stouffer, **SS** for **SB 607** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Chappelle-Nadal	Curls	Green	Justus	Keaveny—5

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 569**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 569

An Act to repeal section 115.123, RSMo, and to enact in lieu thereof one new section relating to dates for conducting elections.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 569** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schmitt	Stouffer	Wasson—29			

NAYS—Senators

Curls	Justus	Schaefer	Wright-Jones—4

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following report:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 449**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 667**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 788**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which were referred **SB 767**, **SB 653**, **SB 754**, **SB 705**, **SB 441**, **SB 528**, **SB 831**, **SB 833** and **SB 847**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 557**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 633**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 755**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 626**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 769**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SJR 47**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 676**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1.

SENATE COMMITTEE AMENDMENT NO. 1

Amend Senate Bill No. 676, Page 3, Section 506.600, Line 79, by striking the word "required" and inserting in lieu thereof the following: "**require**".

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 677**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 549**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 781**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 652**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 760**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 666**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 490**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 695**, begs leave to report that it has considered the same and recommends that the bill do pass.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 857—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 858—Health, Mental Health, Seniors and Families.

SB 859—Financial and Governmental Organizations and Elections.

SB 860—Jobs, Economic Development and Local Government.

SB 861—General Laws.

SB 862—Commerce, Consumer Protection, Energy and the Environment.

SB 863—Judiciary and Civil and Criminal Jurisprudence.

SB 864—Health, Mental Health, Seniors and Families.

SB 865—Agriculture, Food Production and Outdoor Resources.

SB 866—Small Business, Insurance and Industry.

SB 867—Rules, Joint Rules, Resolutions and Ethics.

SB 868—Commerce, Consumer Protection, Energy and the Environment.

SB 869—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 870—Health, Mental Health, Seniors and Families.

SB 871—Judiciary and Civil and Criminal Jurisprudence.

SB 872—Judiciary and Civil and Criminal Jurisprudence.

SB 873—Financial and Governmental Organizations and Elections.

SB 874—Commerce, Consumer Protection, Energy and the Environment.

SB 875—Judiciary and Civil and Criminal Jurisprudence.

SB 876—General Laws.

SB 877—Governmental Accountability.

SB 878—Small Business, Insurance and Industry.

SB 879—Transportation.

SB 880—Health, Mental Health, Seniors and Families.

SB 881—Ways and Means and Fiscal Oversight.

SB 882—Ways and Means and Fiscal Oversight.

SB 883—Financial and Governmental Organizations and Elections.

SB 884—Judiciary and Civil and Criminal Jurisprudence.

SB 885—Judiciary and Civil and Criminal Jurisprudence.

SB 886—Small Business, Insurance and Industry.

SB 887—Jobs, Economic Development and Local Government.

SB 888—Judiciary and Civil and Criminal Jurisprudence.

SB 889—Commerce, Consumer Protection, Energy and the Environment.

SB 890—Financial and Governmental Organizations and Elections.

SB 891—Commerce, Consumer Protection, Energy and the Environment.

SB 892—Financial and Governmental Organizations and Elections.

SB 893—Transportation.

SB 894—Judiciary and Civil and Criminal Jurisprudence.

SB 895—General Laws.

SB 896—Ways and Means and Fiscal Oversight.

SB 897—Judiciary and Civil and Criminal Jurisprudence.

SB 898—Commerce, Consumer Protection, Energy and the Environment.

SB 899—Appropriations.

SB 900—General Laws.

SB 901—Jobs, Economic Development and Local Government.

SB 902—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

SB 903—Judiciary and Civil and Criminal Jurisprudence.

SB 904—Health, Mental Health, Seniors and Families.

SB 905—Small Business, Insurance and Industry.

SB 906—Financial and Governmental Organizations and Elections.

SB 907—General Laws.

SB 908—Judiciary and Civil and Criminal Jurisprudence.

SB 909—General Laws.

SB 910—General Laws.

SB 911—General Laws.

SB 912—Jobs, Economic Development and Local Government.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

HB 1104—Financial and Governmental Organizations and Elections.

HB 1075—Health, Mental Health, Seniors and Families.

HB 1093—Transportation.

HB 1141—Transportation.

HB 1156—Transportation.

HB 1179—Agriculture, Food Production and Outdoor Resources.

HB 1185—Judiciary and Civil and Criminal Jurisprudence.

HB 1250—Financial and Governmental Organizations and Elections.

HB 1251—Commerce, Consumer Protection, Energy and the Environment.

HB 1269—Transportation.

HB 1103—Financial and Governmental Organizations and Elections.

HB 1192—Education.

HB 1041—General Laws.

HCS for **HB 1059**—Financial and Governmental Organizations and Elections.

HB 1107—Transportation.

HB 1112—Small Business, Insurance and Industry.

HB 1128—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HB 1188—Education.

HB 1347—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for **HB 1457**—Financial and Governmental Organizations and Elections.

HB 1517—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for **HJR 41**—Financial and Governmental Organizations and Elections.

HCS for **HBs 1186** and **1147**—Transportation.

HCS for **HB 1308**—Financial and Governmental Organizations and Elections.

HCS for **HB 1442**—Financial and Governmental Organizations and Elections.

HB 1131—Jobs, Economic Development and Local Government.

HB 1441—Judiciary and Civil and Criminal Jurisprudence.

HJR 45—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HB 1318—Health, Mental Health, Seniors and Families.

HCS for **HB 1731**—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for **HB 1030**—Ways and Means and Fiscal Oversight.

HCS for **HB 1139**—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for **HB 1106**—Financial and Governmental Organizations and Elections.

HCS for **HB 1174**—Education.

HB 1349—Judiciary and Civil and Criminal Jurisprudence.

HB 1114—Jobs, Economic Development and Local Government.

HB 1037—Jobs, Economic Development and Local Government.

HCS for **HB 1072**—Commerce, Consumer Protection, Energy and the Environment.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1525**, entitled:

An Act to repeal sections 221.105, 559.016, 559.036, 559.100, and 559.115, RSMo, and to enact in lieu thereof eight new sections relating to criminal offenders under the supervision of the department of corrections, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HB 1317**, entitled:

An Act to repeal section 568.060, RSMo, and to enact in lieu thereof one new section relating to child injuries caused by abusive head trauma, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1193**, entitled:

An Act to repeal sections 195.060, 195.080, and 334.747, RSMo, and to enact in lieu thereof thirteen new sections relating to a prescription drug monitoring system, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1220**, entitled:

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to a pilot project for increasing children's access to incarcerated mothers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1029**, entitled:

An Act to repeal sections 23.140, 23.150, 23.160, 23.170, 23.180, 23.190, 23.200, and 23.265, RSMo, and to enact in lieu thereof seven new sections relating to the oversight subcommittee of the committee on legislative research.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1123**, entitled:

An Act to repeal sections 197.080 and 197.100, RSMo, and to enact in lieu thereof two new sections relating to hospital licensure.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1513**, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to animal rights.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1659** and **1116**, entitled:

An Act to repeal sections 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.430, 141.440, 141.480, 141.500, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, and 141.790 RSMo, 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for

senate bill no. 778, eighty-ninth general assembly, second regular session, and to enact in lieu thereof thirty-seven new sections relating to land tax collection, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1214**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to resources for the development of businesses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS** for **SCS** for **SB 572**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

SS for **SCS** for **SB 572**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

On motion of Senator Dempsey, the Senate recessed until 11:50 a.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1212**, entitled:

An Act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to weight limitations for vehicles hauling livestock and agricultural products.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1331**, entitled:

An Act to repeal section 104.603, RSMo, and to enact in lieu thereof one new section relating to

reciprocal transfer of creditable service for state retirement systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1495**, entitled:

An Act to repeal section 375.993, RSMo, and to enact in lieu thereof one new section relating to the reporting of insurance fraud.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1621**, entitled:

An Act to amend chapter 571, RSMo, by adding thereto one new section relating to discrimination against persons for the lawful carry or use of firearms.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HB 1219**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Frank G. Rieger, M.D. and his wife, Reggie, Columbia.

Senator Parson introduced to the Senate, "Tiny Miss Missouri Outdoors" Maranda Burke and her parents, Randy and Rashell, Warsaw.

Senator Dixon introduced to the Senate, Greater Ozarks Leadership Development Class VI Participants: Ty Alexander, Kristy Bork, Mike Brothers, Eric Claussen, Sherry Coker, Brent Davis, Doug Durrington, Denise Gibson, Kelly Green, Martin Gugel, Jerry Jesky, Rosa Maria, Kristin Pattinson, Melissa Payne, Roddy Rogers, Robert Willenbrink and Shawn Williams, Springfield; David Ames, Marshfield; Garrison Earnest, Mt.Vernon; Benjy Fenske, Clever/Billings; Mike Goldenberg and Beth Anne West, Battlefield; Dori Grinder and Jeff Jochems, Ozark; Christine Hopkins, Billings; Joel Hornickel, Branson; Lisa Knutzen, Carl Junction; Jim Krischke, Republic; Robert Marsh, Fordland; and Jimmy Sebree, Nixa.

Senator Goodman introduced to the Senate, Benjy Fenske, Clever/Billings.

Senator Kehoe introduced to the Senate, Mrs. Dixon, Ms. Holland, Mrs. Pragman and fourth grade students from Blair Oaks Elementary School, Jefferson City.

On motion of Senator Dempsey, the Senate adjourned until 9:00 a.m., Friday, March 16, 2012.

SENATE CALENDAR

THIRTY-EIGHTH DAY–FRIDAY, MARCH 16, 2012

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1525
HCS #2 for HB 1317
HCS for HB 1193
HCS for HB 1220
HB 1029-Flanigan and Allen
HCS for HB 1123
HB 1513-Franz, et al
HCS for HBs 1659 & 1116
HCS for HB 1214
HCS for HB 1212
HB 1331-Jones (117), et al
HCS for HB 1495
HB 1621-Brown (116), et al

SENATE BILLS FOR PERFECTION

1. SB 714-Lager, with SCS
2. SB 743-Brown
3. SB 689-Engler and Schmitt, with SCS
4. SB 620-Rupp
5. SB 744-Wright-Jones, with SCS
6. SB 693-Crowell
7. SB 650-Ridgeway
8. SJR 48-Dixon
9. SJR 50-Curls
10. SB 449-Rupp
11. SB 667-Wasson
12. SB 788-Keaveny, with SCS
13. SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847-Goodman, with SCS
14. SB 557-Brown
15. SB 633-Engler, with SCS
16. SB 755-Mayer, with SCS
17. SB 626-Kehoe, with SCS
18. SB 769-Kraus
19. SJR 47-Rupp, with SCS
20. SB 676-Nieves, with SCA 1
21. SB 677-Pearce, with SCS
22. SB 549-Lembke
23. SB 781-Goodman
24. SB 652-Lager
25. SB 760-Dempsey
26. SB 666-Keaveny, with SCS
27. SB 490-Munzlinger, with SCS
28. SB 695-Parson

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS (pending)

SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 623-Cunningham, with SCS
SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 717-Stouffer
SB 727-Schaaf, with SS (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Report from Committee

SCR 16-Stouffer
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

THIRTY-EIGHTH DAY—FRIDAY, MARCH 16, 2012

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 1627, regarding Delta Delta chapter of Pi Kappa Phi fraternity, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 1628, regarding Robert E. Brown, Louisiana, which was adopted.

On behalf of Senator Mayer, Senator Kehoe offered Senate Resolution No. 1629, regarding the Ninetieth Birthday of Mack L. Cross, Portageville, which was adopted.

On behalf of Senator Mayer, Senator Kehoe offered Senate Resolution No. 1630, regarding Zachary A. Vincent, which was adopted.

On behalf of Senator Rupp, Senator Kehoe offered Senate Resolution No. 1631, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. J.E. Bockhorst, Troy, which was adopted.

On behalf of Senator Nieves, Senator Kehoe offered Senate Resolution No. 1632, regarding John Kyle Baughman, Union, which was adopted.

On behalf of Senator Nieves, Senator Kehoe offered Senate Resolution No. 1633, regarding the Washington Public Library, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 1634, regarding D&D Sexton, Carthage, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 1635, regarding Transport Distribution Company, Joplin, which was adopted.

On behalf of Senator Crowell, Senator Kehoe offered Senate Resolution No. 1636, regarding Mark Crader, Sikeston, which was adopted.

On behalf of Senator Crowell, Senator Kehoe offered Senate Resolution No. 1637, regarding the Sixty-sixth Wedding Anniversary of Mr. and Mrs. Ray Seyer, Cape Girardeau, which was adopted.

On behalf of Senator Engler, Senator Kehoe offered Senate Resolution No. 1638, regarding Michael Anthony Shy, which was adopted.

On behalf of Senator Engler, Senator Kehoe offered Senate Resolution No. 1639, regarding Adam Shane Milan, Belleview, which was adopted.

On behalf of Senator Green, Senator Kehoe offered Senate Resolution No. 1640, regarding William Edwards, St. Louis, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 1641, regarding the American Society for the Prevention of Cruelty to Animals, which was adopted.

On behalf of Senator Parson, Senator Kehoe offered Senate Resolution No. 1642, regarding Paul Robert Bartlett Derks, Warsaw, which was adopted.

On behalf of Senator Schaefer, Senator Kehoe offered Senate Resolution No. 1643, regarding Nathan Bailey, Columbia, which was adopted.

On behalf of Senator Schaefer, Senator Kehoe offered Senate Resolution No. 1644, regarding Elias Eniade, Columbia, which was adopted.

On behalf of Senator Mayer, Senator Kehoe offered Senate Resolution No. 1645, regarding Mariah Griggs, New Madrid, which was adopted.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 19, 2012.

SENATE CALENDAR

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THIRTY-NINTH DAY–MONDAY, MARCH 19, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1525
HCS#2 for HB 1317
HCS for HB 1193
HCS for HB 1220
HB 1029-Flanigan and Allen
HCS for HB 1123
HB 1513-Franz, et al
HCS for HBs 1659 & 1116
HCS for HB 1214
HCS for HB 1212
HB 1331-Jones (117), et al
HCS for HB 1495
HB 1621-Brown (116), et al

SENATE BILLS FOR PERFECTION

1. SB 714-Lager, with SCS
2. SB 743-Brown
3. SB 689-Engler and Schmitt, with SCS
4. SB 620-Rupp
5. SB 744-Wright-Jones, with SCS
6. SB 693-Crowell

7. SB 650-Ridgeway
8. SJR 48-Dixon
9. SJR 50-Curls
10. SB 449-Rupp
11. SB 667-Wasson
12. SB 788-Keaveny, with SCS
13. SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847-Goodman, with SCS
14. SB 557-Brown
15. SB 633-Engler, with SCS
16. SB 755-Mayer, with SCS
17. SB 626-Kehoe, with SCS
18. SB 769-Kraus
19. SJR 47-Rupp, with SCS
20. SB 676-Nieves, with SCA 1
21. SB 677-Pearce, with SCS
22. SB 549-Lembke
23. SB 781-Goodman
24. SB 652-Lager
25. SB 760-Dempsey
26. SB 666-Keaveny, with SCS
27. SB 490-Munzlinger, with SCS
28. SB 695-Parson

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS (pending)
SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 623-Cunningham, with SCS
SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 717-Stouffer
SB 727-Schaaf, with SS (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 21-Pearce, et al

✓

Journal of the Senate

SECOND REGULAR SESSION

THIRTY-NINTH DAY—MONDAY, MARCH 19, 2012

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

"My soul will be satisfied as with the richest of foods; with singing lips my mouth will praise you." (Psalm 63:5)

God of Creation, we give You thanks as we return refreshed from our Spring Break and once again renewed to do what is before us. Grant us, we pray, that our eyes be on what must be done and our hearts and thoughts set to accomplish all that You have laid ahead of us. And bless us throughout this week with Your presence and guidance. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, March 8, 2012 and Friday, March 16, 2012 were read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 1646, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Joe Bob Dunn, Republic, which was adopted.

Senator Wasson offered Senate Resolution No. 1647, regarding Zachary Wayne Jones, which was adopted.

Senator Parson offered Senate Resolution No. 1648, regarding Cameron Locke, St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1649, regarding Therese Thieret, Saint Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1650, regarding Debbie Prange, Saint Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1651, regarding Michelle Hubbard, Saint Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1652, regarding Kathy Medina, Saint Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1653, regarding Ken Fisher, Saint Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1654, regarding Courtney Jonas, Saint Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1655, regarding the Gasconade County R-I School District Board of Education, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1656, regarding Mitchell Levi Campbell, which was adopted.

Senator Lembke offered Senate Resolution No. 1657, regarding Cindy Bright, O'Fallon, Illinois, which was adopted.

Senator Lembke offered Senate Resolution No. 1658, regarding Michelle Lynn Pohl, Waterloo, Illinois, which was adopted.

Senator Lembke offered Senate Resolution No. 1659, regarding Amie Branch, St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1660, regarding Christopher E. Livingston, which was adopted.

Senator Lembke offered Senate Resolution No. 1661, regarding Heather Bourisaw, St. Charles, which was adopted.

Senator Lembke offered Senate Resolution No. 1662, regarding Jason Landherr, St. Louis, which was adopted.

Senator Lager offered Senate Resolution No. 1663, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Don Kohrs, Chillicothe, which was adopted.

Senator Lager offered Senate Resolution No. 1664, regarding Nick Eldredge, Lathrop, which was adopted.

Senator Kehoe offered Senate Resolution No. 1665, regarding Karen Schneider, Fulton, which was adopted.

Senator Kehoe offered Senate Resolution No. 1666, regarding Bonnie Baker, Jefferson City, which was adopted.

Senator Schaefer offered Senate Resolution No. 1667, regarding Gentry Pemberton, Centralia, which was adopted.

Senator Keaveny offered Senate Resolution No. 1668, regarding Terry Lee Watkins Jr., University City, which was adopted.

Senator Goodman offered Senate Resolution No. 1669, regarding the Eightieth Birthday of Dayton Mackey, Monett, which was adopted.

Senator Kehoe offered Senate Resolution No. 1670, regarding Fran Joy, Ashland, which was adopted.

Senator Kehoe offered Senate Resolution No. 1671, regarding Billy Arney, Fulton, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1576**, entitled:

An Act to amend chapters 103 and 210, RSMo, by adding thereto two new sections relating to the purchase of state health insurance by certain foster parents.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1258**, **1259** and **1260**, entitled:

An Act to repeal sections 193.215 and 453.040, RSMo, and to enact in lieu thereof three new sections relating to consent for adoption.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1340**, entitled:

An Act to amend chapter 49, RSMo, by adding thereto one new section relating to county officers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1404**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of Missouri pet breeders appreciation month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1108**, entitled:

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to caller location information.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1236**, entitled:

An Act to repeal sections 115.315 and 115.327, RSMo, and to enact in lieu thereof two new sections relating to third party candidates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1098** and **1084**, entitled:

An Act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to the resale of donated goods for charitable purposes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1504**, entitled:

An Act to repeal sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 144.805, and 182.802, RSMo, and to enact in lieu thereof nine new sections relating to sales taxes, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1042**, entitled:

An Act to repeal sections 173.005 and 173.040, RSMo, and to enact in lieu thereof two new sections relating to duties prescribed to the coordinating board for higher education, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1319**, **1045** and **1369**, entitled:

An Act to repeal sections 475.375, 571.020, 571.030, 571.101, 571.111, and 571.117, RSMo, and to enact in lieu thereof seven new sections relating to weapons, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Lager moved that **SB 714**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 714**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 714

An Act to repeal section 301.010, RSMo, and to enact in lieu thereof two new sections relating to the use of recreational off-highway vehicles, with penalty provisions.

Was taken up.

Senator Lager moved that **SCS** for **SB 714** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 714, Page 7, Section 301.010, Line 199, by striking the word "sixty" and inserting in lieu thereof the following: "**sixty-four**"; and further amend line 201, by striking the opening bracket "**[**"; and further amend line 202, by striking the closing bracket "**]**".

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Lager moved that **SCS** for **SB 714**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SCS** for **SB 714**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 743** be taken up for perfection, which motion prevailed.

President Kinder assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 743, Page 2, Section 302.020, Line 23, by inserting immediately after "director." the following: "**If, as a result of operating or riding a motorcycle or motortricycle without protective headgear, a person twenty-one years of age or older sustains an injury, then such person shall not be eligible for MO HealthNet services under chapter 208 for such injury.**".

Senator Schaaf moved that the above amendment be adopted.

Senator Chappelle-Nadal requested a roll call vote be taken on the adoption of **SA 1**. She was joined in her request by Senators Callahan, Curls, Justus and Keaveny.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Cunningham	Curls	Engler	Green	Justus	Keaveny
Kraus	Lamping	Lembke	Schaaf	Schmitt	Wright-Jones—14		

NAYS—Senators

Brown	Crowell	Dempsey	Dixon	Goodman	Kehoe	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Rupp	Schaefer
Stouffer	Wasson—18						

Absent—Senator Lager—1

Absent with leave—Senator Ridgeway—1

Vacancies—None

Senator Pearce assumed the Chair.

Senator Keaveny offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 743, Page 1, In the Title, Lines 3-4, by striking all of said lines and inserting in lieu thereof the following: "to the regulation of motor vehicles, with penalty provisions."; and further amend said bill, page 2, section 302.020, line 43 by inserting after said line the following:

"307.178. 1. As used in this section, the term "passenger car" means every motor vehicle designed for carrying ten persons or less and used for the transportation of persons; except that, the term "passenger car" shall not include motorcycles, motorized bicycles, motor tricycles, and trucks with a licensed gross weight of twelve thousand pounds or more.

2. Each driver, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this state, and persons less than eighteen years of age operating or riding in a truck, as defined in section 301.010, on a street or highway

of this state shall wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements. No person shall be stopped, inspected, or detained solely to determine compliance with this subsection. The provisions of this section and section 307.179 shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body, nor shall the provisions of this section be applicable to persons while operating or riding a motor vehicle being used in agricultural work-related activities. Noncompliance with this subsection shall not constitute probable cause for violation of any other provision of law. The provisions of this subsection shall not apply to the transporting of children under sixteen years of age, as provided in section 307.179.

3. Each driver of a motor vehicle transporting a child less than sixteen years of age shall secure the child in a properly adjusted and fastened restraint under section 307.179.

4. In any action to recover damages arising out of the ownership, common maintenance or operation of a motor vehicle, failure to wear a safety belt in violation of this section shall not be considered evidence of comparative negligence. Failure to wear a safety belt in violation of this section may be admitted to mitigate damages, but only under the following circumstances:

(1) Parties seeking to introduce evidence of the failure to wear a safety belt in violation of this section must first introduce expert evidence proving that a failure to wear a safety belt contributed to the injuries claimed by plaintiff;

(2) If the evidence supports such a finding, the trier of fact may find that the plaintiff's failure to wear a safety belt in violation of this section contributed to the plaintiff's claimed injuries, and may reduce the amount of the plaintiff's recovery by an amount not to exceed one percent of the damages awarded after any reductions for comparative negligence.

5. Except as otherwise provided for in section 307.179, each person who violates the provisions of subsection 2 of this section is guilty of an infraction for which a fine not to exceed **[**ten**]** **fifty** dollars may be imposed. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section. In no case shall points be assessed against any person, pursuant to section 302.302, for a violation of this section.

6. The state highways and transportation commission shall initiate and develop a program of public information to develop understanding of, and ensure compliance with, the provisions of this section. The commission shall evaluate the effectiveness of this section and shall include a report of its findings in the annual evaluation report on its highway safety plan that it submits to NHTSA and FHWA pursuant to 23 U.S.C. 402.

7. If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the passengers who are unable to wear seat belts shall sit in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front-seated area. The passenger or passengers occupying a seat location referred to in this subsection is not in violation of this section. This subsection shall not apply to passengers who are accompanying a driver of a motor vehicle who is licensed under section 302.178.";

and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

Senator Engler requested a roll call vote be taken on the adoption of **SA 2** and was joined in his request

by Senators Curls, Kehoe, Kraus and Lembke.

Senator Kehoe assumed the Chair.

Senator Dempsey raised the point of order that **SA 2** is out of order as it goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

At the request of Senator Brown, **SB 743** was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 16, 2012

TO THE SECRETARY OF THE SENATE
96th GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Committee Substitute for Senate Bill No. 572 entitled:

AN ACT

To repeal sections 287.067, 287.120, 287.150, and 287.240, RSMo, and to enact in lieu thereof four new sections relating to workers' compensation.

I disapprove of Senate Substitute for Senate Committee Substitute for Senate Bill No. 572. My reasons for disapproval are as follows:

Under current law, workers suffering from work-related occupational diseases may seek redress by bringing a civil action against their employer. This includes workers who suffer from serious and deadly work-related occupational diseases such as mesothelioma and cardiopulmonary disease that involve long-term workplace exposure to toxic substances. Current law appropriately recognizes the severity and duration of these types of occupational diseases, which may take years or even decades to manifest themselves, by allowing affected workers broader redress through access to the civil justice system. Taking this right away from workers suffering from serious and deadly occupational diseases, as Senate Substitute for Senate Committee Substitute for Senate Bill No. 572 would do by adding "occupational disease" to the workers' compensation exclusivity provision, is not acceptable.

With respect to proposed Section 287.120.11, RSMo, which provides that a civil action against an employer or employee of the employer may not proceed until all administrative remedies are exhausted, it is worth noting that both employers and employees have a shared interest in a timely and efficient disposition of claims. It is questionable whether holding a civil action in abeyance pending "exhaustion" of all "administrative remedies" – terms that, moreover, are not defined in the bill – furthers these goals. Procedural requirements should foster an efficient and equitable resolution for all parties.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Committee Substitute for Senate Bill No. 572 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 1466**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to mathematics and science tutoring centers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1449**, entitled:

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to economic incentives.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 714**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTIONS OF GUESTS

Senator Nieves introduced to the Senate, Scott and Lynette Smith and their son, Adam, Homeschoolers from Washington; and Adam was made an honorary page.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FORTIETH DAY–TUESDAY, MARCH 20, 2012

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FORMAL CALENDAR

VETOED BILLS

SS for SCS for SB 572-Dempsey

HOUSE BILLS ON SECOND READING

HCS for HB 1525

HCS#2 for HB 1317

HCS for HB 1193
HCS for HB 1220
HB 1029-Flanigan and Allen
HCS for HB 1123
HB 1513-Franz, et al
HCS for HBs 1659 & 1116
HCS for HB 1214
HCS for HB 1212
HB 1331-Jones (117), et al
HCS for HB 1495
HB 1621-Brown (116), et al
HCS for HB 1576
HCS for HBs 1258, 1259 & 1260
HCS for HB 1340
HB 1404-Reiboldt, et al
HCS for HB 1108
HB 1236-Entlicher, et al
HCS for HBs 1098 & 1084
HB 1504-Richardson
HCS for HB 1042
HCS for HBs 1319, 1045 & 1369
HB 1466-Jones (63), et al
HCS for HB 1449

THIRD READING OF SENATE BILLS

SCS for SB 714-Lager

SENATE BILLS FOR PERFECTION

1. SB 689-Engler and Schmitt, with SCS
2. SB 620-Rupp
3. SB 744-Wright-Jones, with SCS
4. SB 693-Crowell
5. SB 650-Ridgeway
6. SJR 48-Dixon
7. SJR 50-Curls
8. SB 449-Rupp
9. SB 667-Wasson
10. SB 788-Keaveny, with SCS
11. SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847-Goodman, with SCS
12. SB 557-Brown
13. SB 633-Engler, with SCS
14. SB 755-Mayer, with SCS
15. SB 626-Kehoe, with SCS
16. SB 769-Kraus
17. SJR 47-Rupp, with SCS
18. SB 676-Nieves, with SCA 1
19. SB 677-Pearce, with SCS
20. SB 549-Lembke
21. SB 781-Goodman
22. SB 652-Lager
23. SB 760-Dempsey
24. SB 666-Keaveny, with SCS
25. SB 490-Munzlinger, with SCS
26. SB 695-Parson

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer

SB 439-Mayer, with SCS (pending)

SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 623-Cunningham, with SCS
SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 717-Stouffer
SB 727-Schaaf, with SS (pending)
SB 743-Brown
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 21-Pearce, et al

✓

Journal of the Senate

SECOND REGULAR SESSION

FORTIETH DAY—TUESDAY, MARCH 20, 2012

The Senate met pursuant to adjournment.

Senator Stouffer in the Chair.

Reverend Carl Gauck offered the following prayer:

"Prayer that runs its course till the last day of life needs a strong and tranquil soul." (Clement of Alexandria)

Almighty God, we are back in the swing of our work and we need our communication strong and constant with You every day and evening. Grant us a "strong and tranquil soul" so we are capable to persistently pray, our hearts knowing You our God and minds attuned to what is best for us to do as You would have us do it. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1672, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Larry Coale, El Dorado Springs, which was adopted.

Senator Parson offered Senate Resolution No. 1673, regarding the Twenty-fifth Wedding Anniversary of Mr. and Mrs. Raymond Hensley, Bolivar, which was adopted.

Senator Parson offered Senate Resolution No. 1674, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Frank Mahalovich, Sedalia, which was adopted.

Senator Parson offered Senate Resolution No. 1675, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Everett Stevenson, Smithton, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1676, regarding Shayd Laye, Clarence, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1677, regarding Dorothy Webb, Louisiana, which was adopted.

Senator Lembke offered Senate Resolution No. 1678, regarding Glenn Koenen, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Engler moved that **SB 689**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 689**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 689

An Act to repeal sections 565.182 and 570.145, RSMo, and to enact in lieu thereof two new sections relating to crimes against certain types of vulnerable persons, with penalty provisions.

Was taken up.

Senator Engler moved that **SCS** for **SB 689** be adopted.

Senator Engler offered **SS** for **SCS** for **SB 689**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 689

An Act to repeal sections 565.182 and 570.145, RSMo, and to enact in lieu thereof two new sections relating to crimes against certain types of vulnerable persons, with penalty provisions.

Senator Engler moved that **SS** for **SCS** for **SB 689** be adopted, which motion prevailed.

On motion of Senator Engler, **SS** for **SCS** for **SB 689** was declared perfected and ordered printed.

Senator Rupp moved that **SB 620** be taken up for perfection, which motion prevailed.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 620, Page 3, Section 376.307, Line 43, by inserting immediately after said line

the following:

"**376.1150. 1. Sections 376.1150 to 376.1185 shall be known and may be cited as the "Show-Me Health Insurance Exchange Act".**

2. The purpose of sections 376.1150 to 376.1185 is to provide for the establishment of a health benefit exchange to facilitate the purchase and sale of qualified health plans and qualified dental plans in the individual market in this state and to provide for the establishment of a small business health options program (SHOP exchange) to assist qualified small employers in this state in facilitating the enrollment of their employees in qualified health plans and qualified dental plans offered in the small group market. The intent of the exchange is to reduce the number of uninsured, provide a transparent marketplace, increase competition in the health insurance market, increase portability of health insurance coverage, reduce health care costs, provide consumer education, and assist individuals with access to programs, premium assistance tax credits, and cost-sharing reductions. The exchange shall conduct extensive consumer outreach to increase the awareness and effectiveness of the exchange.

3. As used in sections 376.1150 to 376.1185, the following terms shall mean:

(1) "Beneficiaries of an eligible entity", individuals who are determined to be eligible for programs administered under Title XIX or Title XXI of the Social Security Act.

(2) "Board of trustees" or "board", the Show-Me health insurance exchange board of trustees;

(3) "Catastrophic plan", a health plan meeting the requirements of Section 1302(e) of the federal act;

(4) "Department", the department of insurance, financial institutions and professional registration;

(5) "Director", the director of the department of insurance, financial institutions and professional registration;

(6) "Educated health care consumer", an individual who is knowledgeable about the health care system, and has background or experience in making informed decisions regarding health, medical, and scientific matters;

(7) "Eligible entity", a person or agency meeting the requirements of Section 1311(f)(3)(B) of the federal act;

(8) "Exchange", the Show-Me health insurance exchange established under section 376.1153;

(9) "Federal act", the federal Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the federal Health Care and Education Reconciliation Act of 2010, Public Law 111-152, and any amendments thereto, or regulations or guidance issued under such federal acts;

(10) "Health insurance coverage" or "health benefit plan", shall have the same meaning as such terms are defined in section 376.450. For purpose of sections 376.1150 through 376.1185, the terms "health plan" and "health insurance" shall also have the same meaning as the terms "health insurance coverage" or "health benefit plan" as such terms are defined in section 376.450;

(11) "Health insurance issuer" or "insurer" or "issuer", the same meaning as such terms are defined in section 376.450;

(12) "Navigator", an entity chosen by the exchange that meets the requirements of the federal act and the exchange. A navigator may carry out activities authorized by the federal act and the exchange except a navigator or any person acting on behalf of a navigator may not perform any function or engage in any conduct requiring licensure as an insurance producer without being properly licensed as an insurance producer;

(13) "Qualified dental plan", a limited scope dental plan that has been certified in accordance with subsection 4 of section 376.1165;

(14) "Qualified employer", a small employer that elects to make its full-time employees eligible for one or more qualified health plans and qualified dental plans offered through the SHOP exchange, and at the option of the employer, some or all of its part-time employees, provided that:

(a) The employer has its principal place of business in this state and elects to provide coverage through the SHOP exchange to all of its eligible employees, wherever employed; or

(b) The employer's full-time employees meet the requirements of section 379.930;

(15) "Qualified health plan", a health plan that meets the criteria for certification described in Sections 1301 and 1311 of the federal act and section 376.1165. Health plans considered qualified health plans may include health benefit plans as defined in section 376.450;

(16) "Qualified individual", an individual, including a minor, who:

(a) Is seeking to enroll in a qualified health plan or a qualified dental plan offered to individuals through the exchange;

(b) Resides in this state;

(c) At the time of enrollment is not incarcerated, other than incarceration pending the disposition of charges; and

(d) Is and is reasonably expected to be for the entire period for which enrollment is sought a citizen or national of the United States or an alien lawfully present in the United States;

(17) "Secretary", the secretary of the federal Department of Health and Human Services;

(18) "SHOP exchange", the small group market health options program within the unified exchange established under section 376.1153;

(19) "Small employer", an employer that employed an average of not more than fifty employees during the preceding calendar year. For purposes of this subdivision:

(a) All persons treated as a single employer under Section 414(b), (c), (m), or (o) of the Internal Revenue Code of 1986, as amended, shall be treated as a single employer;

(b) An employer and any predecessor employer shall be treated as a single employer;

(c) All employees shall be counted, including part-time employees and employees who are not eligible for coverage through the employer;

(d) If an employer was not in existence throughout the preceding calendar year, the determination of whether such employer is a small employer shall be based on the average number of employees the employer is reasonably expected to employ on business days in the current calendar year;

(e) An employer that makes enrollment in qualified health plans or qualified dental plans available to its employees through the SHOP exchange and would cease to be a small employer by reason of an increase in the number of its employees, shall continue to be treated as a small employer for purposes of sections 376.1150 to 376.1185 as long as it continuously makes enrollment through the SHOP exchange available to its employees;

(20) "Unified exchange", for administrative purposes only, an organized and transparent marketplace for individuals and small employers to purchase health insurance coverage through qualified health plans and qualified dental plans and obtain health insurance information; except that, a unified exchange shall not combine actuarial and underwriting functions for the individual and small group market, and shall keep intact a separate and distinct risk pool for the individual market and the SHOP exchange market.

376.1153. 1. There is hereby created the "Show-Me Health Insurance Exchange" as a quasi-public governmental agency under the direction of a board of trustees. The purpose of the board of trustees shall be to conduct the business necessary to implement the exchange and to carry out the functions of the exchange in a fair and impartial manner in order to execute a more competitive insurance marketplace. Notwithstanding any provision of law to the contrary, such exchange may transact business, contract, sue and be sued, invest funds and hold cash, securities, and other property, and shall be vested with such other powers as may be necessary or proper to enable it, its officers, employees, and agents to carry out fully and effectively the purposes of sections 376.1150 to 376.1185.

2. The board shall be comprised of the following seventeen members:

(1) The directors of the following departments as ex officio members:

(a) Social services;

(b) Insurance, financial institutions and professional registration, who shall serve as vice-chair;

(c) Mental health;

(d) Health and senior services;

(2) Two members of the house of representatives, one from the majority party and one from the minority party, to be appointed by the speaker of the house;

(3) Two members of the senate, one from the majority party and one from the minority party, to be appointed by the president pro tem of the senate;

(4) The following nine members to be appointed by the governor with the advice and consent of the senate:

(a) A representative for licensed health insurance producers;

(b) A representative for licensed health insurance issuers that is ranked as one of the top ten health insurance issuers by total market share in the state in the department's annual market share ranking and participates in the unified exchange;

(c) A representative of a licensed health insurance issuer that is ranked between eleven and twenty health insurance issuers by total market share in the state in the department's annual market share ranking and participates in the unified exchange;

(d) A public health consumer advocate for individuals who purchase coverage through the exchange;

(e) A large employer representative;

(f) A small employer representative;

(g) An individual with expertise in administering and negotiating health plan contracts on behalf of employees; and

(h) Two at-large members.

3. One member of the board shall serve as chair, to be elected annually by a majority of the members of the board.

4. The general assembly and department director members of the board shall serve on the board so long as they hold their respective title and position. With the exception of the initial terms, all members of the board appointed by the governor shall serve a three-year term; except that, the initial terms of the appointed board members shall be as follows:

(1) The at-large member shall serve a one-year term;

(2) The small employer and large employer representatives shall serve two-year terms;

(3) The representatives for licensed health insurance producers, licensed health insurance issuers, public health consumer advocate, and the individual with expertise in administering and negotiating health plan contracts on behalf of employees shall serve three-year terms.

5. Vacancies for an unexpired term for a member of the general assembly shall be filled by the speaker of the house of representatives and president pro tem of the senate. Vacancies for an unexpired term of members appointed by the governor shall be filled by the governor.

6. All members shall be eligible for reappointment.

7. A financial interest in the exchange shall not prohibit an individual from being appointed by the governor or the general assembly to serve on the board; except that, all appointed board members shall annually disclose to the board any and all personal and professional financial interests related to the operation of the exchange, which shall be made available upon public request. The annual disclosure shall be supplemented as necessary during the year if any board member's personal or professional financial interest related to the operation of the exchange changes in any way. A board member shall recuse himself or herself from any deliberations or voting actions of the board when a conflict of interest has been disclosed.

8. Any board member or employee of the exchange accepting any gratuity or compensation for the purpose of influencing his or her action with respect to the investment of the funds of the exchange or who fails to disclose conflicts of interest and recuse himself or herself from board deliberations and voting actions related to such conflict of interest shall thereby forfeit his or her membership or employment and shall be subject to the penalties prescribed by law.

9. (1) The board shall appoint an executive director for the exchange, who shall have charge of the offices, records, and employees of the exchange, subject to the board's approval. The executive director and the board shall employ additional essential officers of the quasi-public governmental agency necessary to the operation of the exchange.

(2) The executive director shall employ such other employees as authorized by the board to conduct the business of the exchange.

(3) Employees and officers of the exchange shall receive salaries and necessary expenses set by the board. The board shall take into account salaries paid by health insurance issuers, health plans, and health care providers in establishing appropriate pay schedules for its employees.

10. The board shall arrange for annual audits of the records and accounts of the plan by a certified public accountant or firm of certified public accountants. The state auditor shall examine such audits at least once every three years and report to the board and the governor.

11. The state auditor shall have the authority to independently audit the accounts and records of the "Show-Me Health Insurance Exchange" and its board of trustees.

12. The board shall keep a record of its proceedings, which shall be open to public inspection. The board shall prepare annually and make available a report showing the financial condition of the exchange which shall contain, but not be limited to, a financial balance sheet, a statement of income and disbursements, a detailed statement of investments acquired and disposed of during the year, together with a detailed statement of the annual rates on investment return from all assets and from each type of investment, a listing of all advisors and consultants retained by the board, and such other data as the board shall deem necessary or desirable for a proper understanding of the condition of the plan. The board and exchange shall be subject to the provisions of chapter 610.

13. Members of the board of trustees shall serve without compensation for their services as members of the board, but shall be paid for any necessary expenses incurred in attending meetings of the board or committees thereof or in the performance of other duties authorized by the board.

14. The board shall meet within the state of Missouri not less than once per calendar quarter, at a time set at a previously scheduled meeting or at the request of the chair or any four members of the board acting jointly. Board members may use teleconferencing and other electronic means to attend board meetings. Notice of the meeting shall be made public on the exchange website or such other readily available public access media. The board may meet at any time by unanimous consent.

15. Subject to the limitations of law, the board shall formulate and adopt rules for the governing of its own proceedings.

376.1155. The exchange shall:

(1) Facilitate the purchase and sale of qualified health plans and qualified dental plans;

(2) Provide for the establishment of a unified exchange to assist both individuals who purchase coverage in the individual market and qualified small employers in this state in facilitating the enrollment of their employees in qualified health plans and qualified dental plans in the SHOP exchange;

(3) Meet the requirements of sections 376.1150 to 376.1185 and any rules promulgated thereunder;

(4) Implement procedures for the certification, recertification, and decertification of health plans as qualified health plans and qualified dental plans, consistent with Sections 1301 and 1311 of the federal act and guidelines developed by the Secretary;

(5) Provide for the operation of a toll-free telephone hotline to respond to requests for assistance;

(6) Provide for enrollment periods under Section 1311(c)(6) of the federal act;

(7) Maintain an internet website through which enrollees and prospective enrollees of qualified health plans and qualified dental plans may obtain standardized comparative information on such plans;

(8) Assign a rating to each qualified health plan and qualified dental plan offered through the exchange in accordance with the criteria developed by the Secretary under Section 1311(c)(3) of the federal act, and determine each qualified health plan's or dental plan's level of coverage in accordance with regulations issued by the Secretary under Section 1302(d) of the federal act;

(9) Use a standardized format for presenting health benefit plan options in the exchange, including the use of the uniform outline of coverage established under Section 2715 of the federal Public Health Services Act;

(10) In accordance with Section 1413 of the federal act, inform individuals of eligibility requirements for the Medicaid program under Title XIX of the Social Security Act, the Children's Health Insurance Program (CHIP) under Title XXI of the Social Security Act, or any applicable state or local public program and if through screening of the application by the exchanges, the exchange determines that any individual is eligible for any such program, enroll the individual in such program. Nothing in this subdivision shall be construed to require an individual to participate in the exchange;

(11) Establish and make available by electronic means:

(a) A calculator to determine the actual cost of coverage after application of any premium tax credit under Section 36B of the Internal Revenue Code of 1986, as amended, and any cost-sharing reduction under Section 1402 of the federal act; and

(b) A consumer tool to calculate out-of-pocket costs for each health plan offered through the exchange if the data required to support the tool is provided by the health insurance issuer that offers a health plan through the exchange;

(12) Develop a standardized application for qualified individuals and small employers to use to apply for health benefit plans through the exchange. Each health insurance issuer that offers a qualified health plan through the exchange shall use the standard application and shall not use any other application for health benefit plans;

(13) Subject to Section 1411 of the federal act, grant a certification attesting that, for purposes of the individual responsibility penalty under Section 5000A of the Internal Revenue Code of 1986, as amended, an individual is exempt from the individual responsibility requirement or from the penalty imposed by Section 5000A of the Internal Revenue Code of 1986, as amended, because:

(a) There is no affordable qualified health plan available through the exchange or the individual's employer covering the individual; or

(b) The individual meets the requirements for any other such exemption from the individual responsibility requirement or penalty;

(14) Transfer information under Section 1311(d)(4)(I) to the federal Secretary of the Treasury regarding:

(a) Individuals exempted from the individual responsibility requirement;

(b) Employed individuals eligible for the premium tax credit under Section 36B of the Internal Revenue Code of 1986, as amended; and

(c) Individuals with changes to their employer-sponsored coverage;

(15) Provide to each employer the name of each employee of the employer described in paragraph (b) of subdivision (14) of this section who ceases coverage under a qualified health plan during a plan year and the effective date of the cessation;

(16) Perform duties required of the exchange by the Secretary or the Secretary of the Treasury related to determining eligibility for premium tax credits, reduced cost-sharing, or individual responsibility requirement exemptions;

(17) Establish a navigator program as a function of the exchange operations for the purpose of awarding grants to selected entities to perform and carry out functions of a navigator, as described in Section 1311(I) of the federal act. Grants awarded by the exchange shall be made from the operational funds of the exchange. Federal funds received by the state to establish the exchange shall not be used for grants;

(18) Establish a fair and impartial health insurance producer referral network for the purpose of assisting individual and qualified small employers in obtaining health insurance coverage through the unified exchange. The producers in the producer referral network shall be compensated in a manner appropriate to the health insurance producer industry;

(19) Stakeholder groups may be formed to provide consultation or guidance to the exchange, or its board, with regard to the duties and activities required under sections 376.1150 to 376.1185. Members of the stakeholder group may include but not be limited to:

(a) Educated health care consumers who are enrollees in qualified health plans and qualified dental plans;

(b) Individuals and entities with experience in facilitating enrollment in qualified health plans and qualified dental plans;

(c) Representatives of small employers and self-employed individuals;

(d) Advocates for enrolling hard-to-reach populations;

(e) Appropriate eligible entities as identified in section 376.1160;

(f) Health insurance issuers;

(g) Health care providers, including but not limited to physicians, hospitals, pharmacists, and pharmaceutical manufacturers; and

(h) Others interested in access to affordable quality health care services;

(20) Meet the following financial integrity requirements:

(a) Keep an accurate accounting of all activities, receipts, and expenditures, and annually submit to the Secretary, the governor, and the general assembly a report concerning such accountings;

(b) Fully cooperate with any investigation conducted by the Secretary in accordance with the Secretary's authority under the federal act, and allow the Secretary, in coordination with the Inspector General of the U.S. Department of Health and Human Services, to:

a. Investigate the affairs of the exchange;

b. Examine the properties and records of the exchange; and

c. Require periodic reports in relation to the activities undertaken by the exchange; and

(c) In carrying out its activities under sections 376.1150 to 376.1185, not use any funds intended for the administrative and operational expenses of the exchange for staff retreats, promotional giveaways, excessive executive compensation, or promotion of federal or state legislative and regulatory modifications;

(21) Develop guidelines for qualified health plans and qualified dental plans to mitigate the occurrence of adverse selection within the exchange as allowable under the federal act; and

(22) Review the rate of premium growth within the exchange and outside the exchange, and consider the information in developing recommendations on whether to continue limiting qualified employer status to small employers.

376.1160. 1. The exchange may enter contract or enter into a memorandum of understanding with an eligible entity or health plan for state employees as defined in chapter 103 for any or all of its administrative functions described in sections 376.1150 to 376.1185.

2. Beneficiaries of an eligible entity may select any health plan offered by a health insurance issuer contracted with MO HealthNet. The director of the MO HealthNet division shall provide to the exchange no less than annually a list of contracted health insurance issuers. Health plans offered through the exchange to beneficiaries of an eligible entity shall be maintained in a risk pool that is separate and distinct from qualified health plans and qualified dental plans offered within the exchange to individuals who are not beneficiaries of an eligible entity. Nothing in this section shall require a health insurance issuer to offer a health plan to beneficiaries of an eligible entity.

3. A state employee as defined in section 103.003 may select any qualified health plan or qualified dental plan through the exchange.

4. The exchange may contract with the department for the certification, recertification, and decertification of health plans and dental plans as qualified health plans and qualified dental plans.

5. An eligible entity that contracts with the exchange for purposes of this section shall not be eligible to offer a qualified health plan or qualified dental plan through the exchange.

6. The exchange may enter into information-sharing agreements with federal and state agencies and other state exchanges to carry out its responsibilities under sections 376.1150 to 376.1185, provided such agreements include adequate protections with respect to the confidentiality of the information to be shared and comply with all state and federal laws and regulations.

376.1165. 1. The exchange shall certify a health plan as a qualified health plan or qualified dental plan if that plan has met the requirements in subdivision (4) of section 376.1155.

2. The exchange shall not exclude a health plan:

(1) On the basis that the plan is a fee-for-service plan;

(2) Through the imposition of premium price controls by the exchange;

(3) On the basis that the health plan provides treatments necessary to prevent patients' deaths in

circumstances the exchange determines are inappropriate or too costly; or

(4) On the basis that the health plan is offered by a health insurance issuer not contracted with the MO HealthNet program.

3. The exchange shall require each health insurance issuer seeking certification of a plan as a qualified health plan or qualified dental plan to meet the following requirements:

(1) Submitting justification for premium increases under Section 1311(e)(2) of the federal act;

(2) Providing public disclosure of information under Section 1311(e)(3)(A) of the federal act;

(3) Providing consumer education about the exchange under Section 1311(e)(3)(C) of the federal act;

(4) Providing notification of health plan changes;

(5) Promptly notifying affected individuals of price and benefit changes, or other changes in circumstance that could materially impact enrollment or coverage; and

(6) Providing timely updates regarding the plan's provider network, including the addition of new providers or the withdrawal of an existing provider through the publicly accessible internet website selected by the exchange as the most appropriate way to disseminate the information.

4. (1) The provisions of sections 376.1150 to 376.1185 that are applicable to qualified health plans shall also apply to the extent relevant to qualified dental plans, except as modified in accordance with the provisions of subdivisions (2) to (4) of this subsection or by regulations adopted by the exchange.

(2) The issuer shall be licensed to offer dental coverage, but need not be licensed to offer other health benefits.

(3) The exchange shall allow a health insurance issuer to offer a plan that provides limited scope dental benefits meeting the requirements of Section 9832(c)(2)(A) of the Internal Revenue Code of 1986, as amended, through the exchange, either separately or in conjunction with a qualified health plan, if the plan provides pediatric dental benefits meeting the requirements of Section 1302(b)(1)(J) of the federal act. The plan shall be limited to dental and oral health benefits, without substantially duplicating the benefits typically offered by health plans without dental coverage and shall include, at a minimum, the essential pediatric dental benefits prescribed by the Secretary under Section 1302(b)(1)(J) of the federal act, and such other dental benefits as the exchange or the Secretary may specify by regulation.

(4) Health insurance issuers may jointly offer a comprehensive plan through the exchange in which the dental benefits are provided by a health insurance issuer through a qualified dental plan and the other benefits are provided by a health insurance issuer through a qualified health plan, provided the plans are priced separately and are also made available for purchase separately at the same price. Nothing in this section shall be construed as prohibiting a health insurance issuer from offering a discounted rate on a qualified dental plan when purchased jointly with a qualified health plan.

5. (1) The exchange shall not exempt any health insurance issuer seeking certification of a qualified health plan or qualified dental plan, regardless of the type or size of the health insurance issuer, from state licensure or solvency requirements and shall apply the criteria of this section in a

manner that assures competition between or among health insurance issuers participating in the exchange.

(2) The director shall determine whether a health plan seeking certification or recertification as a qualified health plan or qualified dental plan meets all the requirements related to licensure and solvency.

6. The exchange shall establish an appeals process for health insurance issuers to appeal a decertification decision or the denial of certification as a qualified health plan or qualified dental plan.

376.1170. 1. Beginning January 1, 2014, the exchange shall be operational to make available for purchase qualified health plans and qualified dental plans to qualified individuals and qualified employers. The exchange shall not make available any health benefit plan that is not a qualified health plan or qualified dental plan; except for any health plan described in subsection 2 of section 376.1160. Prior to January 1, 2014, the exchange may disclose qualified health plan and qualified dental plan coverage and price information available for consumers.

2. Neither the exchange nor a health insurance issuer offering health plans through the exchange may charge an individual a fee or penalty for termination of coverage if the individual enrolls in another type of minimum essential coverage because the individual has become newly eligible for that coverage or because the individual's employer-sponsored coverage has become affordable under the standards of Section 36B(c)(2)(C) of the Internal Revenue Code of 1986, as amended.

3. Qualified employers in the small group market may make their employees eligible for one or more qualified health plans offered through the exchange and specify a level of coverage so that any of its employees may enroll in any qualified health plan or qualified dental plan offered through the SHOP exchange at the specified level of coverage.

4. The exchange shall permit a consumer to establish a personal health record.

376.1175. 1. Federal funding for direct costs related to the development and operation of the exchange through 2014, the first year of operation, shall be provided under federal law. By January 1, 2015, the exchange shall be financially self-sustained through fees and assessments under subsection 3 of this section and under Section 1311(d)(5)(A) of the federal act.

2. The board shall annually submit a copy of the operating budget for the exchange to the speaker of the house of representatives and president pro tem of the senate for any year in which the exchange is allocated federal funds.

3. The exchange shall charge assessments or user fees to health insurance issuers, whether or not they are participating in the exchange, for each policyholder of an individual health insurance policy issued in this state, for each employee covered under a small group policy issued in this state, and may otherwise generate funding necessary to support its operations provided under sections 376.1150 to 376.1185. Any assessments or fees charged to health insurance issuers shall be limited to the minimum amount necessary to pay for the administrative and capital costs and expenses that have been approved in the annual budget process, with consideration of other available funding sources. Services performed by the exchange on behalf of other state programs or federal programs shall not be funded with assessments or user fees collected from health insurance issuers.

4. Any unexpended funding of the exchange shall be used for further exchange operations or

returned to health insurance issuers and health plans as a credit for future imposed assessments or fees.

5. The exchange shall publish the average costs of licensing, regulatory fees, taxes, issuer assessments, and any other payments required by the exchange, and the administrative costs of the exchange, on an internet website to educate consumers on such costs as authorized under Section 1311(d)(7) of the federal act.

6. Taxes, fees, or assessments used to finance the exchange shall be considered a state tax or assessment as outlined in Section 2718 of the Public Health Services Act and its implementing regulations, and shall be excluded from health plan administrative costs for the purpose of calculating medical loss ratios or rebates, to the full extent allowed by federal regulation.

7. The board shall have exclusive jurisdiction and control over the funds and property of the exchange. Income of the exchange shall not be considered revenue of the state of Missouri. The assets of the exchange shall be exempt from state and all political subdivision taxes.

8. All moneys received by or belonging to the exchange shall be paid to the executive director and promptly deposited by the executive director to the credit of the exchange in one or more banks, trust companies, or other financial institutions as selected by the board. No such moneys shall be deposited or be retained by any bank, trust company, or other financial institution which does not have on deposit with and for the board at the time the kind and value of collateral required by sections 30.240 and 30.270 for depositories of the state treasurer. Such moneys shall be funds of the exchange and shall not be commingled with any funds in the state treasury. The executive director shall be responsible for all funds, securities, and property belonging to the exchange and shall be provided with such corporate surety bond for the faithful handling of such funds, securities, and property as the board shall require.

376.1180. 1. Nothing in sections 376.1150 to 376.1185 shall prohibit qualified individuals or qualified employers from purchasing any health plans and dental plans outside the exchange.

2. The provisions of sections 376.1150 to 376.1185 shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policy of six months' or less duration, or any other supplemental policy.

376.1185. 1. (1) The board may promulgate rules for the proceedings, implementation, and operations of sections 376.1150 to 376.1185.

(2) Rules promulgated under this subdivision shall not conflict with or prevent the application of rules promulgated by the Secretary under the federal act.

(3) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 376.1150 to 376.1185 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 376.1150 to 376.1185 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

2. (1) Nothing in sections 376.1150 to 376.1185 and no action taken by the exchange under sections 376.1150 to 376.1185 shall be construed to preempt or supersede the authority of the director to regulate the business of insurance within this state.

(2) Except as expressly provided to the contrary in sections 376.1150 to 376.1185, all health insurance issuers offering qualified health plans in this state shall comply fully with all applicable health insurance laws of this state and regulations adopted and orders issued by the director.

(3) The director may promulgate rules regarding the activities of navigators, consistent with the federal act and any regulations issued by the secretary. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. The provisions of this subdivision and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

3. Sections 376.1150 to 376.1185 shall become null and void and be unenforceable in this state as of the date the federal act in its entirety or Section 1311 of the federal act is declared to be unconstitutional or otherwise invalid by the United States Supreme Court or is repealed by the United States Congress.

[374.284. The department of insurance, financial institutions and professional registration shall create an advisory committee to be known as the "Health Insurance Advisory Committee". This committee shall be a voluntary committee comprised of representatives of the insurance industry, provider groups and the public. The committee shall consist of at least, but not limited to, one member representing each of the following areas: small group insurance, managed care, doctors of medicine, doctors of osteopathy, pharmacists, dentists and public members representing self-employed workers and the elderly. This committee shall meet to discuss and advise the department on issues relating to health care insurance.**]**"; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

On motion of Senator Rupp, **SB 620** was declared perfected and ordered printed.

Senator Wright-Jones moved that **SB 744**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 744**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 744

An Act to repeal sections 8.115 and 8.177, RSMo, and to enact in lieu thereof two new sections relating to security within the state capitol, with an emergency clause.

Was taken up.

Senator Wright-Jones moved that **SCS** for **SB 744** be adopted.

Senator Green offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 744, Page 1, Section 8.115, Lines 1-8, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted.

At the request of Senator Green, **SA 1** was withdrawn.

Senator Green offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 744, Page 1, Section 8.115, Lines 1-8, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted.

At the request of Senator Wright-Jones, **SB 744**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 689** and **SB 620**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 22**.

HOUSE CONCURRENT RESOLUTION NO. 22

WHEREAS, women have served honorably and with courage in all of America's wars and conflicts since the American Revolution; and

WHEREAS, the United States military has evolved from a predominantly male force to a force of over 14% women who are currently serving on active duty, and nearly 17% serving in the Reserves and National Guard; and

WHEREAS, the population of women veterans is increasing exponentially from 1.1 million in 1980 to a projection of nearly 2 million by 2020, and will comprise more than 10% of the veteran population; and

WHEREAS, the projected population of male veterans is expected to continue to decline; and

WHEREAS, given that an unprecedented number of women are serving in the military and participating in Operation Enduring Freedom and Operation Iraqi Freedom, the United States Department of Veterans Affairs (VA) is working to provide consistent, comprehensive, and quality health care and benefits to women veterans of all eras; and

WHEREAS, the number of women veterans has increased over the last decade because there is an increasing number and proportion of women who are entering and leaving the military, and women are living longer than men and have a younger age distribution compared to male veterans; and

WHEREAS, even though the VA has been at the forefront of health care and lifestyle solutions affecting an aging male population, there is now a growing need to improve health care services for women veterans, ensure clinicians are properly trained to provide primary care and gender specific care to women of all ages, and identify innovative courses of treatment and solutions to obstacles that are unique to women veterans; and

WHEREAS, with a rapidly increasing number of women serving in the military today and returning from deployments as seasoned veterans, and some with exposure to combat, VA facilities and veterans service organizations are working to ensure that the post-deployment mental and physical health needs unique to women veterans are also met; and

WHEREAS, even though the roles of women in the military have changed over time and will continue to change, they deserve to be acknowledge for their military service and treated with equal respect:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby encourages the Missouri Veterans Commission and its women veterans state coordinator to work in conjunction with the National Foundation for Women Legislators and the Center for Women Veterans at the United States Department of Veterans Affairs to reach out to all women veterans within the State of Missouri to encourage them to bring their specific needs and concerns to the attention of agency officials so that state legislators and agency officials may work together to identify unique issues impacting women veterans and consider policy solutions that will improve the quality of life for women veterans within this state; and

BE IT FURTHER RESOLVED that the Missouri General Assembly formally honors all of the women in this state who have heroically answered their call to duty and recognizes the important role women have played in shaping this great nation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Veterans Commission.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 37**.

HOUSE CONCURRENT RESOLUTION NO. 37

WHEREAS, the United States relies - and will continue to rely for many years - on gasoline, diesel, and jet fuel, as well as renewable and alternative sources of energy; and

WHEREAS, in order to fuel our economy, the United States will need more oil and natural gas while also requiring additional alternative energy sources; and

WHEREAS, the United States currently depends on foreign imports for more than half of its petroleum usage and is the largest consumer of petroleum in the world. United States dependence on overseas oil has created difficult geopolitical relationships with potentially damaging consequences for our national security; and

WHEREAS, oil deposits in the Bakken Reserves of Montana, North Dakota, and South Dakota are an increasingly important crude oil resource, with an estimated 11 billion barrels of recoverable crude oil. There is not enough pipeline capacity for crude oil supplies from Montana, North Dakota, South Dakota, Oklahoma, and Texas to American refineries; and

WHEREAS, Canadian oil reserves contain an estimated 173 billion barrels of recoverable oil. Canada is the single largest supplier of oil to the United States at 2.62 million barrels per day and has the capacity to significantly increase that rate; and

WHEREAS, the original Keystone Pipeline which spans across the northern part of Missouri supplies over 435,000 barrels of North American crude oil to American refineries in the Midwest. The Keystone XL Pipeline will, when completed, carry 700,000 barrels of North American crude oil to American refineries in the Gulf Coast region; and

WHEREAS, construction of pipelines linking North American energy to the United States will create hundreds of thousands of jobs nationwide, including tens of thousands in construction and manufacturing, creating billions in economic growth and generating millions of dollars worth of government receipts; and

WHEREAS, a recent study by the United States Department of Energy found that increasing delivery of crude oil from Montana, North Dakota, South Dakota, and Alberta, Canada, as well as Texas and Oklahoma to American refineries has the potential to substantially reduce our country's dependency on sources outside of North America; and

WHEREAS, Canada sends more than 99% of its oil exports to the United States, the bulk of which goes to Midwestern refineries. Oil companies are investing huge sums to expand and upgrade refineries in the Midwest and elsewhere to make gasoline and other refined products from Canadian oil derived from oil sands. The expansion and upgrade projects have and will create many new construction jobs over the next five years and will add to the gross product of Missouri; and

WHEREAS, 99% of the money used to buy Canadian oil will likely later be spent directly on United States goods and services, in contrast with increasing the trade relationship with unstable regions. Supporting the continued shift towards reliable and secure sources of North American oil is of vital interest to the United States and the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly:

(1) Support continued and increased development and delivery of oil derived from North American oil reserves to American refineries;

(2) Urge the United States Congress to support continued and increased development and delivery of oil from Canada to the United States; and

(3) Urge the United States Congress to enact legislation deeming the Keystone XL Pipeline to be in the national interest of the United States; and

(4) Urge the United States Secretary of State to approve the Keystone XL pipeline project to ensure America's oil independence, improve our national security, reduce the cost of gasoline, create new jobs, and strengthen ties between the United States and Canada; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro Tem of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Stouffer.

Photographers from the University of Missouri were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Stouffer offered Senate Resolution No. 1679, regarding Todd Matthew Calton, which was adopted.

Senator Schmitt offered Senate Resolution No. 1680, regarding Suzanne Stewart Bolten, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1681, regarding the Eighty-ninth Birthday of Sarah R. Lewis, University City, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1682, regarding Mariah Studebaker, Gladstone, which was adopted.

Senator Schaaf offered Senate Resolution No. 1683, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Floyd Auxier, St. Joseph, which was adopted.

Senator Stouffer offered Senate Resolution No. 1684, regarding Rosa Hoyle, Jefferson City, which was adopted.

Senator Pearce offered Senate Resolution No. 1685, regarding Bailey Everhart, Centerview, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Crowell moved that **SB 693** be taken up for perfection, which motion prevailed.

At the request of Senator Crowell, **SB 693** was placed on the Informal Calendar.

Senator Ridgeway moved that **SB 650** be taken up for perfection, which motion prevailed.

Senator Ridgeway offered **SS** for **SB 650**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 650

An Act to repeal sections 21.800, 21.830, 21.910, 33.752, 37.735, 41.1010, 67.601, 70.605, 104.450, 160.905, 161.400, 174.332, 174.450, 191.853, 263.523, 287.610, 288.475, 301.129, 301.3087, 348.256, 376.961, 443.816, 478.1000, 536.305, 558.019, 620.602, 620.1200, 630.461, 643.173, 650.350, and 650.457, RSMo, and to enact in lieu thereof thirty new sections relating to certain boards, commissions, or committees, with an emergency clause for certain sections.

Senator Ridgeway moved that **SS** for **SB 650** be adopted.

Senator Green offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 650, Pages 54-57, Section 478.1000, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 650, Page 1, Section A, Line 11, by inserting after all of said line the following:

"**26.302. The governor shall give electronic notice to the general assembly at least thirty days before the term ends for an appointed member of any board, commission, or committee that is subject to the advice and consent of the senate.**"; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted.

President Kinder assumed the Chair.

At the request of Senator Ridgeway, **SB 650**, with **SS** and **SA 2** (pending), was placed on the Informal Calendar.

Senator Schmitt assumed the Chair.

Senator Engler moved that **SB 710**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Pearce assumed the Chair.

Senator Kraus assumed the Chair.

At the request of Senator Engler, **SB 710**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Chappelle-Nadal introduced to the Senate, representatives of Express Scripts.

Senator Wright-Jones introduced to the Senate, Jordan Brewer, St. Louis.

Senator Cunningham introduced to the Senate, Scott Harter and his sons, Kevin and Danny, Ballwin; and Kevin was made an honorary page.

On behalf of Senator Stouffer, the President introduced to the Senate, fourth grade students from Salisbury School District.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FORTY-FIRST DAY–WEDNESDAY, MARCH 21, 2012

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FORMAL CALENDAR

VETOED BILLS

SS for SCS for SB 572-Dempsey

HOUSE BILLS ON SECOND READING

HCS for HB 1525
HCS#2 for HB 1317
HCS for HB 1193
HCS for HB 1220
HB 1029-Flanigan and Allen
HCS for HB 1123
HB 1513-Franz, et al
HCS for HBs 1659 & 1116
HCS for HB 1214
HCS for HB 1212
HB 1331-Jones (117), et al
HCS for HB 1495
HB 1621-Brown (116), et al
HCS for HB 1576
HCS for HBs 1258, 1259 & 1260
HCS for HB 1340
HB 1404-Reiboldt, et al
HCS for HB 1108
HB 1236-Entlicher, et al
HCS for HBs 1098 & 1084
HB 1504-Richardson
HCS for HB 1042
HCS for HBs 1319, 1045 & 1369
HB 1466-Jones (63), et al
HCS for HB 1449

THIRD READING OF SENATE BILLS

SCS for SB 714-Lager
SS for SCS for SB 689-Engler
SB 620-Rupp

SENATE BILLS FOR PERFECTION

1. SJR 48-Dixon
2. SJR 50-Curls
3. SB 449-Rupp
4. SB 667-Wasson
5. SB 788-Keaveny, with SCS
6. SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847-Goodman, with SCS
7. SB 557-Brown
8. SB 633-Engler, with SCS
9. SB 755-Mayer, with SCS
10. SB 626-Kehoe, with SCS
11. SB 769-Kraus
12. SJR 47-Rupp, with SCS
13. SB 676-Nieves, with SCA 1
14. SB 677-Pearce, with SCS
15. SB 549-Lembke
16. SB 781-Goodman
17. SB 652-Lager
18. SB 760-Dempsey
19. SB 666-Keaveny, with SCS
20. SB 490-Munzlinger, with SCS
21. SB 695-Parson

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS (pending)
SB 442-Stouffer, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 623-Cunningham, with SCS
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 693-Crowell
SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 717-Stouffer
SB 727-Schaaf, with SS (pending)
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SJR 29-Lamping, with SS & SA 1 (pending)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer

SCR 21-Pearce, et al

To be Referred

HCR 22-Walton Gray, et al

HCR 37-Barnes, et al

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-FIRST DAY—WEDNESDAY, MARCH 21, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Let everyone understand that the real love of God does not consist in tear-shedding...but in serving God by serving those around us, in justice, fortitude of soul, and humility." (St. Teresa of Avila)

Merciful God, we are so mindful that throughout Your teachings, Your word compels us to aid those who are in need around us. We are in a difficult time for our country and our state and we need to assist as we can to bring relief and assistance to our unemployed and those who are underemployed. We here are challenged to find ways that what we do allow jobs to be created and methods to help those who are hurting. So enlighten our minds and hearts to follow where You lead us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 1686, regarding the Girl Scouts of Missouri Heartland, which was adopted.

Senator Richard offered Senate Resolution No. 1687, regarding Missouri Gas Energy, which was adopted.

Senator Rupp offered Senate Resolution No. 1688, regarding Bradley Thomas Peetz, Lake St. Louis, which was adopted.

Senator Mayer offered Senate Resolution No. 1689, regarding Dolores K. Murray, which was adopted.

Senator Mayer offered Senate Resolution No. 1690, regarding the Sixty-sixth Birthday of Elenor Ruth Tucker, which was adopted.

Senator Mayer offered Senate Resolution No. 1691, regarding the Sixty-sixth Birthday of William "Bill" Tucker, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1692, regarding Woodrow W. Burt, Ph.D., Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1693, regarding the Thirtieth Anniversary of KMEM-FM 100.5, Memphis, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1694, regarding Corrections Officer III Ronald Wirtz, which was adopted.

REFERRALS

President Pro Tem Mayer referred **HCR 22** and **HCR 37** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

SJR 48 was placed on the Informal Calendar.

Senator Curls moved that **SJR 50** be taken up for perfection, which motion prevailed.

At the request of Senator Curls, **SJR 50** was placed on the Informal Calendar.

Senator Rupp moved that **SB 449** be taken up for perfection, which motion prevailed.

At the request of Senator Rupp, **SB 449** was placed on the Informal Calendar.

Senator Kraus assumed the Chair.

SB 667 was placed on the Informal Calendar.

Senator Keaveny moved that **SB 788**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 788**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 788

An Act to repeal section 483.015, RSMo, and to enact in lieu thereof one new section relating to the appointment of circuit clerks.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 788** be adopted.

At the request of Senator Keaveny, **SB 788**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Goodman moved that **SB 767**, **SB 653**, **SB 754**, **SB 705**, **SB 441**, **SB 528**, **SB 831**, **SB 833** and **SB 847**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 767**, **653**, **754**, **705**, **441**, **528**, **831**, **833** and **847**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 767, 653, 754, 705, 441, 528, 831, 833 and 847

An Act to repeal sections 143.1009 and 301.3084, RSMo, and to enact in lieu thereof ten new sections relating to transportation.

Was taken up.

Senator Goodman moved that **SCS** for **SBs 767**, **653**, **754**, **705**, **441**, **528**, **831**, **833** and **847** be adopted.

Senator Chappelle-Nadal offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bills Nos. 767, 653, 754, 705, 441, 528, 831, 833 and 847, Page 10, Section 301.3165, Line 69, by inserting immediately after said line the following:

"**Section 1. The stretch of Interstate 170, from its intersection with Interstate 270 on the North to its intersection with Delmar Boulevard on the South, shall be designated the Harriett Woods Memorial Highway. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs for such designation to be paid for by private donation.**"; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Goodman moved that **SCS** for **SBs 767**, **653**, **754**, **705**, **441**, **528**, **831**, **833** and **847**, as amended, be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **SBs 767**, **653**, **754**, **705**, **441**, **528**, **831**, **833** and **847**, as amended, was declared perfected and ordered printed.

Senator Brown moved that **SB 557** be taken up for perfection, which motion prevailed.

On motion of Senator Brown, **SB 557** was declared perfected and ordered printed.

Senator Engler moved that **SB 633**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 633**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 633

An Act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to scrap metal operators.

Was taken up.

Senator Engler moved that **SCS** for **SB 633** be adopted.

Senator Engler offered **SS** for **SCS** for **SB 633**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 633

An Act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to scrap metal operators.

Senator Engler moved that **SS** for **SCS** for **SB 633** be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

On motion of Senator Engler, **SS** for **SCS** for **SB 633** was declared perfected and ordered printed.

Senator Mayer moved that **SB 755**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 755**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 755

An Act to repeal section 574.085, RSMo, and to enact in lieu thereof two new sections relating to crimes involving institutions, with penalty provisions.

Was taken up.

Senator Mayer moved that **SCS** for **SB 755** be adopted.

Senator Stouffer assumed the Chair.

Senator Mayer offered **SS** for **SCS** for **SB 755**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 755

An Act to repeal section 574.085, RSMo, and to enact in lieu thereof two new sections relating to crimes involving institutions, with penalty provisions.

Senator Mayer moved that **SS** for **SCS** for **SB 755** be adopted.

Senator Crowell offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Pages 2-4, Section 574.085, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted.

At the request of Senator Crowell, **SA 1** was withdrawn.

Senator Crowell offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 574.035, Lines 8-14, by striking all of said lines; and

Further amend said bill, pages 2-4, section 574.085, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

At the request of Senator Mayer, **SB 755**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaaf.

SENATE BILLS FOR PERFECTION

Senator Wasson moved that **SB 667** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Wasson, **SB 667** was declared perfected and ordered printed.

Senator Mayer moved that **SB 755**, with **SCS** and **SS** for **SCS**, as amended, be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Keaveny offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 1, Section 574.035, Line 7, by inserting immediately after "synagogue," the following: "**mosque,**".

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Mayer moved that **SS** for **SCS** for **SB 755**, as amended, be adopted, which motion prevailed.

On motion of Senator Mayer, **SS** for **SCS** for **SB 755**, as amended, was declared perfected and ordered printed.

Senator Dixon moved that **SJR 48** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Dixon offered **SS** for **SJR 48**, entitled:

SENATE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 48

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to apportionment.

Senator Dixon moved that **SS** for **SJR 48** be adopted.

At the request of Senator Dixon, **SS** for **SJR 48** was withdrawn.

Senator Dixon offered **SS No. 2** for **SJR 48**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE JOINT RESOLUTION NO. 48

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to apportionment commissions.

Senator Dixon moved that **SS No. 2** for **SJR 48** be adopted, which motion prevailed.

On motion of Senator Dixon, **SS No. 2** for **SJR 48** was declared perfected and ordered printed.

Senator Kehoe moved that **SB 626**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 626**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 626

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to products liability.

Was taken up.

Senator Kehoe moved that **SCS** for **SB 626** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **SB 626** was declared perfected and ordered printed.

Senator Kraus moved that **SB 769** be taken up for perfection, which motion prevailed.

Senator Kraus offered **SS** for **SB 769**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 769

An Act to amend chapter 701, RSMo, by adding thereto one new section relating to anemometer towers, with penalty provisions.

Senator Kraus moved that **SS** for **SB 769** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SB 769** was declared perfected and ordered printed.

SJR 47, with **SCS**, was placed on the Informal Calendar.

Senator Nieves moved that **SB 676**, with **SCA 1**, be taken up for perfection, which motion prevailed.

SCA 1 was taken up.

Senator Nieves moved that the above committee amendment be adopted.

Senator Pearce assumed the Chair.

At the request of Senator Nieves, **SB 676**, with **SCA 1** (pending), was placed on the Informal Calendar.

Senator Schaaf moved that **SB 727**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SB 727** was again taken up.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 727, Page 5, Section 208.053, Lines 9-11, by striking all of said lines, and inserting in lieu thereof the following: "**service benefits received by the recipient. If the division is unable to obtain such waivers, the division shall implement the program to the degree possible without such waivers.**"; and

Further amend said section, page 6, line 5, by inserting immediately after "shall", the following: "**, if required by federal law,**".

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf moved that **SS** for **SB 727**, as amended, be adopted, which motion prevailed.

At the request of Senator Schaaf, **SS** for **SB 727**, as amended, was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 21, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Donald Scott Bockenkamp, 507 Brim Street, Desloge, Saint Francios County, Missouri 63601, as a member of the Safe Drinking Water Commission, for a term ending September 1, 2014, and until his successor is duly appointed and qualified; vice, Donald Scott Bockenkamp, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 21, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jeffrey Dunlap, 19008 East 34th Street South, Independence, Jackson, Missouri 64057, as a member of the Board of Certification of Interpreters, for a term ending June 27, 2013, and until his successor is duly appointed and qualified; vice, Mary Luebke, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 21, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Teresa J. Finn, 901 Southwest Loula Lane, Lees Summit, Jackson County, Missouri 64081, as a member of the Organ Donation Advisory Committee, for a term ending January 1, 2015, and until her successor is duly appointed and qualified; vice, Teresa J. Finn, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 21, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Kyle Shell, 916 Anderson Street, Warrensburg, Johnson County, Missouri 64093, as the student representative of the University of Central Missouri Board of Governors, for a term ending December 31, 2013, and until his successor is duly appointed and qualified; vice, Darren Doherty, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above appointments to the Committee on Gubernatorial Appointments.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 17**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 17

WHEREAS, two of this country's greatest waterways, the Mississippi River on Missouri's eastern border and the Missouri River which winds across the state, helped Missouri become a supply center for many of the westward-bound settlers of the nation's early years; and

WHEREAS, from the muddy Missouri to the swift and clear Jacks Fork, the hundreds of rivers and streams in Missouri snake across more than 110,000 miles of the state - more than four times the distance around the earth - providing endless recreational opportunities for Missourians, including boating, fishing, swimming, and bird watching along the bluffs bordering our many rivers and streams; and

WHEREAS, shipping along the navigable rivers boosted Missouri's status as an agriculture supplier, barges and steamboats used the waterways to move goods, river towns boomed, and railroads continued to fuel the growth of Missouri as a large transportation center; and

WHEREAS, the Missouri Territory, and later the State of Missouri, took the name of the Missouri River which was named for the Missouri Indians who lived along the banks; and

WHEREAS, the State of Missouri has many nicknames, with the most widely recognized being "The Show-Me State" and "The Cave

State"; and

WHEREAS, roads along or near both banks of the Mississippi River along its entire length have been designated as "The Great River Road" and are marked with a special road sign which depicts a ship's wheel; and

WHEREAS, the Great Rivers Greenway District was established in November 2000 in St. Louis City, St. Louis County, and St. Charles County to eventually develop "The River Ring" as an interconnected system of greenways, parks, and trails in the St. Louis area which will enhance the quality of life for residents and visitors; and

WHEREAS, from confluence of the Big Muddy and the Mighty Mississippi at the eastern portion of the state and looking north, south, or west, the State of Missouri includes the land that Meriwether Lewis and William Clark scanned as they began their journey up the Missouri River on their Voyage of Discovery in 1804, the land that is habitat for deer, turkey, bald eagles, and other wildlife, the land that is farmland abundant with agricultural crops, and the same land that held 260 billion gallons of water during the Great Flood of 1993; and

WHEREAS, with much of Missouri's history tied to the mighty rivers that flow through it, Missouri should also be known as the "The Great Rivers State":

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby encourage the use of the slogan "The Great Rivers State" as a slogan for the State of Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for Kathleen Steele-Danner, the Director of the Division of Tourism.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 557**; **SS** for **SCS** for **SB 633**; **SCS** for **SBs 767**, **653**, **754**, **705**, **441**, **528**, **831**, **833** and **847**; **SS No. 2** for **SJR 48**; **SCS** for **SB 626**; **SB 667**; **SS** for **SCS** for **SB 755**; and **SS** for **SB 769**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Mayer referred **SS No. 2** for **SJR 48** to the Committee on Ways and Means and Fiscal Oversight.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1695, regarding Susan Lidholm, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1696, regarding Christian Ackmann, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1697, regarding Nick Sun, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1698, regarding Tina Wang, Columbia, which was adopted.

Senator Schaefer offered Senate Resolution No. 1699, regarding Amy Scott, Columbia, which was adopted.

Senator Dempsey offered Senate Resolution No. 1700, regarding the Boys & Girls Clubs of Missouri, which was adopted.

Senator Goodman offered Senate Resolution No. 1701, regarding the 2011-2012 Class 3 state champion

Mount Vernon High School girls basketball program, which was adopted.

Senator Brown offered Senate Resolution No. 1702, regarding Angelique Pearson, Montgomery City, which was adopted.

Senator Brown offered Senate Resolution No. 1703, regarding James Day, New Florence, which was adopted.

Senator Richard offered Senate Resolution No. 1704, regarding Donald Decan, Russellville, Arkansas, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Kelly Long, K.D. Fitterling, Leona Hobbs and Rose Brister, representatives of Johnson County Hospice.

Senator Pearce introduced to the Senate, Laurie Bybee and students, Trenton Rader, Andrew Purchase, Tori Stutzman, Jayce Vantellman and Taylor Owsley, Walker Junior High School, Vernon County.

Senator Stouffer introduced to the Senate, Ann Palmer, Odessa.

Senator Munzlinger introduced to the Senate, Dr. Rex Lee and Deana Berrey, Kirksville.

Senator Brown introduced to the Senate, Farley Burke, Hallsville.

Senator Brown introduced to the Senate, Coach Sharon Baker and students, Austin Wagner, Skye Prince, Nicolas Robinson, Lucas Stieferman and Luke Sharpe, Osage R-II School, Linn.

Senator Parson introduced to the Senate, Robert and Susan Salmon, St. Clair; Josh and Lawanna Salmon and their children Justin, Austin and Cheyenne, Appleton City.

Senator Rupp introduced to the Senate, Barbara Westland, Robin Carnett and representatives of Missouri Hospice and Palliative Care from around the state.

Senator Kehoe introduced to the Senate, Nip Neidert, Jefferson City.

Senator Kehoe introduced to the Senate, Bonnie Baker and students, Morgan Spicer, Katy Weith, Kyle Schulte, Joey Conway and Rebecca Schroeder, Blair Oaks Middle School, Jefferson City.

Senator Goodman introduced to the Senate, EmmaLee Wilson, Mt. Vernon.

Senator Richard introduced to the Senate, Advisors Heather Hughes and Dianna Baker; and Davi Bentz, BreAnna McBride, Tyler Hays, David Hopper, Scotti Holweger, Forrest Bunter, Jessica Sanders, Christa Bates, Kate Kelley, Reanna Strait, Bob Ducomman, Carlie Golladay, Josh Born, Brandon Carry, Quinn Hobbs, Christian Hancock, Allison Tindall, Garrett Wood, Chris Dayton, McKenzie Pendergrass, Becca Ratliff, Katrina Enlow, Michelle Forbes, Elizabeth Wood, Catie Cummins, Sara Massey, Kendra Hamilton, Rachel Mallory, Kaitlyn Yunek, Zack Jones and Eric Jackson, honor students from Neosho High School.

Senator Richard introduced to the Senate, Robert Miller and Donald Decan, Joplin; Gerald Hulsey and Ralph Conduff, Carthage; Ronald Hoover, Mark Bramel, Glen Horack, Charles Mason Conlee and Thomas E. Miller, Springfield; and Chester Surface, Holts Summit, Missouri Trucking Association 2011 Drivers of the Month.

Senator Goodman introduced to the Senate, representatives of Missouri County Treasurers' Association.

Senator Pearce introduced to the Senate, Bob and Linda Mickey, Holden; and Doug Doll, Joplin.

Senator Munzlinger introduced to the Senate, Heather Belts, Donna Ellison and Sharon Myers, representatives of Pike County Hospice.

Senator Schaaf introduced to the Senate, members of the Dead Patriots Society from Lafayette High School, St. Joseph.

Senator Kehoe introduced to the Senate, Ms. Laura Rudolph, parents and twenty-three fourth grade students from St. Stanislaus Catholic Elementary School, Wardsville.

Senator Lembke introduced to the Senate, Chief Brian Hendrix, Mehlville.

Senator Mayer introduced to the Senate, Natalie Johnson, Lugenia Counce, Dana Constant and fourth grade students from Caruthersville Elementary School; and Laura Constant, Will Constant, Alyssa Odell and Bailey Weber were made honorary pages.

Senator Dixon introduced to the Senate, Jay and Denise Maddox and their children, Samantha and Tucker, Springfield.

Senator Kraus introduced to the Senate, his wife, Carmen and their son, Tannor, Lee's Summit.

Senator Munzlinger introduced to the Senate, students from Scotland County R-I High School, Memphis.

Senator Munzlinger introduced to the Senate, students from Truman State University, Kirksville.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Kaylea Boutwell, St. Louis.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FORTY-SECOND DAY–THURSDAY, MARCH 22, 2012

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FORMAL CALENDAR

VETOED BILLS

SS for SCS for SB 572-Dempsey

HOUSE BILLS ON SECOND READING

HCS for HB 1525
HCS#2 for HB 1317
HCS for HB 1193
HCS for HB 1220
HB 1029-Flanigan and Allen
HCS for HB 1123
HB 1513-Franz, et al
HCS for HBs 1659 & 1116
HCS for HB 1214
HCS for HB 1212

HB 1331-Jones (117), et al
HCS for HB 1495
HB 1621-Brown (116), et al
HCS for HB 1576
HCS for HBs 1258, 1259 & 1260
HCS for HB 1340
HB 1404-Reiboldt, et al
HCS for HB 1108
HB 1236-Entlicher, et al
HCS for HBs 1098 & 1084
HB 1504-Richardson
HCS for HB 1042
HCS for HBs 1319, 1045 & 1369
HB 1466-Jones (63), et al
HCS for HB 1449

THIRD READING OF SENATE BILLS

1. SCS for SB 714-Lager
2. SS for SCS for SB 689-Engler
3. SB 620-Rupp
4. SB 557-Brown
5. SS for SCS for SB 633-Engler
6. SCS for SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847-Goodman
7. SS#2 for SJR 48-Dixon (In Fiscal Oversight)
8. SCS for SB 626-Kehoe
9. SB 667-Wasson
10. SS for SCS for SB 755-Mayer
11. SS for SB 769-Kraus

SENATE BILLS FOR PERFECTION

SB 677-Pearce, with SCS
SB 549-Lembke
SB 781-Goodman
SB 652-Lager
SB 760-Dempsey
SB 666-Keaveny, with SCS
SB 490-Munzlinger, with SCS
SB 695-Parson

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)

SB 596-Brown, with SCS
SB 621-Brown, with SCS & SS for SCS (pending)
SB 623-Cunningham, with SCS
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 717-Stouffer
SS for SB 727-Schaaf
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SB 788-Keaveny, with SCS (pending)
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 47-Rupp, with SCS
SJR 50-Curls

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 17-Lamping, with SCS
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-SECOND DAY—THURSDAY, MARCH 22, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"We have to pray with our eyes on God, not on the difficulties." (Oswald Chambers)

Heavenly Father, we bring another week to a close and have a growing awareness that the days we have left are getting shorter. We know that prayer helps us settle our souls, minds and bodies, so that we can deal with the stress and pressures that are building. So we ask, help us, O God, to keep our eyes on You and believe that difficulties can be solved by trusting in You. We also pray for Senator Ridgeway and her family at the death of her brother, Daryl. Grant mercy, comfort and healing at this time of their grief and pain. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from ABC-17 were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

The Senate observed a moment of silence in memory of Daryl Ridgeway.

RESOLUTIONS

Senator Engler offered Senate Resolution No. 1705, regarding Travis Culton, which was adopted.

Senator Schaaf offered Senate Resolution No. 1706, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. John R. Borchers, St. Joseph, which was adopted.

Senator Kraus offered Senate Resolution No. 1707, regarding Dan Anderson, which was adopted.

Senator Kraus offered Senate Resolution No. 1708, regarding Roscoe Righter, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 1709, regarding Rachel Hummel, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 1710, regarding Village Gardens, Blue Springs, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1711, regarding the Fiftieth Birthday of Stephanie Lyn White, St. Louis, which was adopted.

THIRD READING OF SENATE BILLS

SCS for **SB 714**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 714

An Act to repeal section 301.010, RSMo, and to enact in lieu thereof two new sections relating to the use of recreational off-highway vehicles, with penalty provisions.

Was taken up by Senator Lager.

On motion of Senator Lager, **SCS** for **SB 714** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 689**, introduced by Senator Engler, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 689

An Act to repeal sections 565.182 and 570.145, RSMo, and to enact in lieu thereof two new sections relating to crimes against certain types of vulnerable persons, with penalty provisions.

Was taken up.

On motion of Senator Engler, **SS** for **SCS** for **SB 689** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Rupp	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Crowell Schaaf—2

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 620, introduced by Senator Rupp, entitled:

An Act to repeal sections 376.010, 376.015, and 376.307, RSMo, and to enact in lieu thereof three new sections relating to life, health, and accident insurance.

Was taken up.

On motion of Senator Rupp, **SB 620** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager

Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 557, introduced by Senator Brown, entitled:

An Act to repeal section 301.190, RSMo, and to enact in lieu thereof one new section relating to the vehicle examination process used for the issuance of prior salvage motor vehicle titles.

Was taken up.

On motion of Senator Brown, **SB 557** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 633**, introduced by Senator Engler, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 633

An Act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to scrap metal operators.

Was taken up.

On motion of Senator Engler, **SS** for **SCS** for **SB 633** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SBs 767**, **653**, **754**, **705**, **441**, **528**, **831**, **833** and **847**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 767, 653, 754, 705, 441, 528, 831, 833 and 847

An Act to repeal sections 143.1009 and 301.3084, RSMo, and to enact in lieu thereof eleven new sections relating to transportation.

Was taken up by Senator Goodman.

Senator Stouffer assumed the Chair.

On motion of Senator Goodman, **SCS** for **SBs 767**, **653**, **754**, **705**, **441**, **528**, **831**, **833** and **847** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard

Rupp	Schaaf	Schmitt	Stouffer	Wasson	Wright-Jones—30

NAYS—Senators

Crowell	Kraus	Schaefer—3

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 626**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 626

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to products liability.

Was taken up by Senator Kehoe.

On motion of Senator Kehoe, **SCS** for **SB 626** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Purgason	Richard	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson—27					

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Wright-Jones—5

Absent—Senator Pearce—1

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 667, introduced by Senator Wasson, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

Was taken up.

On motion of Senator Wasson, **SB 667** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Purgason	Richard
Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senator Callahan—1

Absent—Senators

Pearce Schmitt—2

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 755**, introduced by Senator Mayer, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 755

An Act to amend chapter 574, RSMo, by adding thereto one new section relating to crimes involving institutions, with penalty provisions.

Was taken up.

On motion of Senator Mayer, **SS** for **SCS** for **SB 755** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Dempsey	Dixon	Engler	Goodman	Keaveny
Kehoe	Kraus	Lager	Lamping	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Purgason	Richard	Rupp	Schmitt	Stouffer	Wasson—24

NAYS—Senators

Crowell	Cunningham	Curls	Green	Justus	Lembke	Schaaf	Schaefer

Wright-Jones—9

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SB 769**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 769

An Act to amend chapter 701, RSMo, by adding thereto one new section relating to anemometer towers, with penalty provisions.

Was taken up.

On motion of Senator Kraus, **SS** for **SB 769** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 621**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 621** was again taken up.

Senator Pearce assumed the Chair.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 621, Page 5, Section 197.100, Lines 22-28 of said page, by striking all of the opening brackets "**[**", all of the closing brackets "**]**", and all of the underlined language from said lines.

Senator Schaaf moved that the above amendment be adopted.

Senator Stouffer assumed the Chair.

At the request of Senator Brown, **SB 621**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Crowell, Chairman of the Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **SB 625**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **SB 715**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred **SB 516**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 795**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 665**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 656**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 504**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which were referred **SB 489** and **SB 637**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 636**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 683**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 789**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SJR 40**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 565**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to

which was referred **SB 645**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 806**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SJR 39**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 671**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 811**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 599**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 482**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 595**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lembke, Chairman of the Committee on Governmental Accountability, submitted the following reports:

Mr. President: Your Committee on Governmental Accountability, to which was referred **SB 877**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Governmental Accountability, to which was referred **SJR 25**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Crowell requested unanimous consent to have the committee reports on **SB 625** and **SB 715** returned to the Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, which request was granted.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government,

submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which were referred **SB 588** and **SB 585**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 692**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 729**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 584**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 566**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 631**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1326**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto three new sections relating to business premises safety.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **HB 1324**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to the right to raise domesticated animals.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1191**, entitled:

An Act to repeal section 253.090, RSMo, and to enact in lieu thereof two new sections relating to state parks.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1300**, entitled:

An Act to repeal section 137.115, RSMo, and to enact in lieu thereof one new section relating to motor vehicle valuations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1400**, entitled:

An Act to repeal sections 67.085, 400.9-311, 408.052, and 443.812, RSMo, and to enact in lieu thereof four new sections relating to financial transactions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1644**, entitled:

An Act to repeal section 313.807, RSMo, and to enact in lieu thereof one new section relating to the licensing period for certain licenses issued by the Missouri gaming commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 1525**—Judiciary and Civil and Criminal Jurisprudence.

HCS No. 2 for **HB 1317**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 1193**—Financial and Governmental Organizations and Elections.

HCS for **HB 1220**—Judiciary and Civil and Criminal Jurisprudence.

HB 1029—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 1123**—Financial and Governmental Organizations and Elections.

HB 1513—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HBs 1659** and **1116**—Ways and Means and Fiscal Oversight.

HCS for **HB 1214**—Small Business, Insurance and Industry.

HCS for **HB 1212**—Agriculture, Food Production and Outdoor Resources.

HB 1331—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for **HB 1495**—Small Business, Insurance and Industry.

HB 1621—General Laws.

HCS for **HB 1576**—Small Business, Insurance and Industry.

HCS for **HBs 1258**, **1259** and **1260**—Health, Mental Health, Seniors and Families.

HCS for **HB 1340**—Financial and Governmental Organizations and Elections.

HB 1404—General Laws.

HCS for **HB 1108**—Commerce, Consumer Protection, Energy and the Environment.

HB 1236—Financial and Governmental Organizations and Elections.

HCS for **HBs 1098** and **1084**—Ways and Means and Fiscal Oversight.

RE-REFERRALS

President Pro Tem Mayer re-referred **SB 838** to the Committee on Jobs, Economic Development and Local Government.

INTRODUCTIONS OF GUESTS

Senator Kraus introduced to the Senate, the Physician of the Day, Dr. Stephen Griffith, M.D. and his daughter, Caroline, Blue Springs.

Senator Nieves introduced to the Senate, Hugh Nisbet and Dan Turner, Eolia; Ray Rolley, St. Clair; Robert White, Gary Keeney and Mike Pate, Union; members of the American Legion.

Senator Richard introduced to the Senate, Circuit Clerk Patty Krueger and Deputy Clerk Amanda Johnson, Newton County.

Senator Rupp introduced to the Senate, his children, Noell and Scottie, Wentzville; and Noell and Scottie were made honorary pages.

Senator Crowell introduced to the Senate, teacher, Laura Seyer, and students from Nell Holcomb

School, Cape Girardeau.

Senator Justus introduced to the Senate, Cub Scout Pack 118, Kansas City.

Senator Munzlinger introduced to the Senate, Donna Broadwell, Alicia Grgurich and thirteen fourth grade students from Adair County R-I Elementary School, Novinger.

Senator Crowell introduced to the Senate, Principal Adrian Eftink, and fifty-two fourth grade students from Oak Ridge Elementary School.

On behalf of Senator Pearce, the President introduced to the Senate, Veterans of Foreign Wars: Donald L. Osborn and Lance McClymond, Adrian; Forrest L. Albin, Clinton; Randy Butt, Keith Chester and Sam W. Raber, Holden; Huet Donald, Bryan Lee, Sam Yancey, Alex Slocum, Gene Reed, Mel and Kathy Cox and Davin Mudd, Warrensburg; Laurence Truman, Archie; and Taylor Elwell, Leeton.

Senator Pearce introduced to the Senate, Veterans of Foreign Wars: Chuck Ledford, David Haffa, John Friel and Dewaine Lewis, Cass County.

Senator Rupp introduced to the Senate, his wife, Carissa; Hayley, Emily and Christian Mattern; and Alex, Ethan and Madisson Schaper, Wentzville; and Hayley, Emily, Christian, Alex, Ethan and Madisson were made honorary pages.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, March 26, 2012.

SENATE CALENDAR

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FORTY-THIRD DAY–MONDAY, MARCH 26, 2012

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FORMAL CALENDAR

VETOED BILLS

SS for SCS for SB 572-Dempsey

HOUSE BILLS ON SECOND READING

HB 1504-Richardson
HCS for HB 1042
HCS for HBs 1319, 1045 & 1369
HB 1466-Jones (63), et al
HCS for HB 1449
HB 1326-Cox, et al
HCS for HB 1324
HB 1191-Ruzicka
HCS for HB 1300
HCS for HB 1400
HCS for HB 1644

THIRD READING OF SENATE BILLS

SS#2 for SJR 48-Dixon (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 677-Pearce, with SCS
2. SB 549-Lembke
3. SB 781-Goodman
4. SB 652-Lager
5. SB 760-Dempsey
6. SB 666-Keaveny, with SCS
7. SB 490-Munzlinger, with SCS
8. SB 695-Parson
9. SB 516-Schaaf, with SCS
10. SB 795-Callahan, et al, with SCS
11. SB 665-Stouffer
12. SB 656-Lager and Dixon, with SCS
13. SB 504-Wright-Jones
14. SBs 489 & 637-Munzlinger, with SCS
15. SB 636-Keaveny
16. SB 683-Crowell, with SCS
17. SB 789-Kraus, with SCS
18. SJR 40-Kraus, with SCS
19. SB 565-Schaaf, with SCS
20. SB 645-Schaefer
21. SB 806-Cunningham, with SCS
22. SJR 39-Cunningham
23. SB 671-Parson, with SCS
24. SB 811-Dixon
25. SB 599-Schaefer
26. SB 482-Stouffer
27. SB 595-Kraus, with SCS
28. SB 877-Mayer
29. SJR 25-Crowell
30. SBs 588 & 585-Schmitt, with SCS
31. SB 692-Stouffer, with SCS
32. SB 729-Schaefer, with SCS
33. SB 584-Richard and Kehoe, with SCS
34. SB 566-Brown, with SCS
35. SB 631-Parson, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 547-Purgason
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 717-Stouffer
SS for SB 727-Schaaf
SB 743-Brown

SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SB 788-Keaveny, with SCS (pending)
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 47-Rupp, with SCS
SJR 50-Curls

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 17-Lamping, with SCS
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-THIRD DAY—MONDAY, MARCH 26, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"So we have known and believe the love that God has for us. God is love and those who abide in love abide in God." (I John 4:16)

Gracious God, we give You thanks and praise for Your abiding presence in our lives, for watching over us, guiding us and care for "our going out and coming in." We thank You for the love You have shown us that permits us to share with others for it brings joy to our hearts and smiles on our lips. We thank You for Your Spirit that helps our discernment of difficult and complex issues facing us. And we thank You for Your continual blessing us and dwelling in our hearts so to serve You and Your people better. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 22, 2012 was read and approved.

Photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

Absent—Senators—None

Absent with leave—Senators

Ridgeway Rupp—2

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Justus offered Senate Resolution No. 1712, regarding the One Hundredth Birthday of Lucille E. "Lucy" Jenkins, Kansas City, which was adopted.

Senator Parson offered Senate Resolution No. 1713, regarding Cameron Locke, Stockton, which was adopted.

Senator Keaveny offered Senate Resolution No. 1714, regarding Dr. Lynne M. Cooper, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1715, regarding the death of Bishop Willie James Ellis Jr., St. Louis, which was adopted.

Senator Nieves offered Senate Resolution No. 1716, regarding Virginia "Ginny" Girardier, St. Clair, which was adopted.

Senator Richard offered Senate Resolution No. 1717, regarding Mike Gullett, which was adopted.

Senator Richard offered Senate Resolution No. 1718, regarding Donald J. "Don" Hicks, which was adopted.

Senator Mayer offered Senate Resolution No. 1719, regarding Charles (Stubbee) May, Advance, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2001**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds of these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2002**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013;

provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2003**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2004**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2005**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney

General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2006**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2007**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2008**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2009**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2010**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2011**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2012**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2013**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 22, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John Munich, Democrat, 2109 Stillwater Point Court, Clarkson Valley, St. Louis County, Missouri 63005, as a member of the Missouri Ethics Commission, for a term ending March 15, 2016, and until his successor is duly appointed and qualified; vice, James Tweedy, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 22, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

William Stoltz, Republican, 12311 Williams Place, Rolla, Phelps County, Missouri 65401, as a member of the Missouri Ethics Commission, for a term ending March 15, 2016, and until his successor is duly appointed and qualified; vice, James Wright, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 22, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Jeffrey Dunlap as a member of the Board of Certification of Interpreters, submitted to you on March 21, 2012. Line 1 should be amended to read:

Jeffrey Dunlap, 19008 East 34th Street South, Independence, Jackson County, Missouri

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 22, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Teresa J. Finn as a member of the Organ Donation Advisory Committee, submitted to you on March 21, 2012. Line 1 should be amended to read:

Teresa J. Finn, 901 Southwest Loula Lane, Lee's Summit, Jackson County, Missouri

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above appointments and addendums to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

At the request of Senator Pearce, **SB 677**, with **SCS**, was placed on the Informal Calendar.

Senator Lembke moved that **SB 549** be taken up for perfection, which motion prevailed.

Senator Schmitt assumed the Chair.

At the request of Senator Lembke, **SB 549** was placed on the Informal Calendar.

Senator Goodman moved that **SB 781** be taken up for perfection, which motion prevailed.

Senator Goodman offered **SS** for **SB 781**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 781

An Act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to appointments to emergency services boards in certain counties.

Senator Goodman moved that **SS** for **SB 781** be adopted, which motion prevailed.

On motion of Senator Goodman, **SS** for **SB 781** was declared perfected and ordered printed.

SB 652 was placed on the Informal Calendar.

Senator Dempsey moved that **SB 760** be taken up for perfection, which motion prevailed.

On motion of Senator Dempsey, **SB 760** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 666**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 666**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 666

An Act to repeal sections 578.600, 578.602, 578.610, 578.620, and 578.622, RSMo, and to enact in lieu thereof twenty-two new sections relating to possession of exotic animals, with penalty provisions.

Was taken up.

Senator Keaveny moved that **SCS** for **SB 666** be adopted.

Senator Keaveny offered **SS** for **SCS** for **SB 666**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 666

An Act to repeal sections 578.600, 578.602, 578.604, 578.606, 578.610, 578.612, 578.614, 578.620, and 578.622, RSMo, and to enact in lieu thereof twenty-seven new sections relating to possession of exotic animals, with penalty provisions.

Senator Keaveny moved that **SS** for **SCS** for **SB 666** be adopted.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 666, Page 5, Section 578.602, Line 12 of said page, by inserting immediately at the end of said line the following: "**or**"; and further amend lines 16-19 of said page, by striking all of said lines and inserting in lieu thereof the following: "felony." and

Further amend said bill, page 14, section 578.706, lines 4-5, by striking all of said lines and inserting

in lieu thereof the following: "**(2) A law enforcement officer or department of agriculture employee acting under the authority of sections 578.700 to 578.745;**"; and

Further amend said bill, page 16, section 578.715, lines 25-27 of said page, by striking the following: "**At no time shall the total fee revenues unreasonably exceed the total cost of administering and enforcing these sections.**".

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Keaveny, **SB 666**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 490**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Parson, **SB 695** was placed on the Informal Calendar.

Senator Schaaf moved that **SB 516**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 516**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 516

An Act to repeal sections 33.752, 37.735, 41.1010, 67.601, 70.605, 104.450, 105.463, 160.905, 161.400, 191.853, 263.523, 288.475, 301.3087, 443.816, 536.305, 558.019, 620.1200, 643.173, 650.350, and 650.457, RSMo, and to enact in lieu thereof twenty-seven new sections relating to gubernatorial appointments.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 516** be adopted.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 516, Page 1, In the Title, Line 5 of the title, by inserting after "appointments" the following: "with an emergency clause for a certain section"; and

Further amend said bill, Page 16, Section 173.325, Line 2, by inserting after all of said line the following:

"174.450. 1. Except as provided in subsection 2 and subsection 6 of this section, the governing board of **the University of** Central Missouri **[**State University**]**, Missouri State University, Missouri Southern State University, Missouri Western State University, and of each other public institution of higher education which, through the procedures established in subdivision (7) or (8) of section 173.030, is charged with a statewide mission shall be a board of governors consisting of eight members, composed of seven voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party. The appointed members of the board of regents serving on the date of the statutory mission change shall become members of the board of governors on the effective date of the statutory mission change and serve until the expiration of the terms for which they were appointed. The

board of regents of any such institution shall be abolished on the effective date of the statutory mission change, as prescribed in subdivision (7) or (8) of section 173.030.

2. The governing board of Missouri State University, a public institution of higher education charged with a statewide mission in public affairs, shall be a board of governors of ten members, composed of nine voting members and one nonvoting member, who shall be appointed by the governor, by and with the advice and consent of the senate. The nonvoting member shall be a student selected in the same manner as prescribed in section 174.055. At least one but no more than two voting members shall be appointed to the board from each congressional district, and every member of the board shall be a citizen of the United States, and a resident of this state for at least two years prior to his or her appointment. No more than five voting members shall belong to any one political party. The term of office of the governors shall be six years**, except as provided in this subsection**. **[**The voting members of the board of governors serving on August 28, 2005, shall serve until the expiration of the terms for which they were appointed. For those voting members appointed after August 28, 2005, the term of office will be established in a manner where no more than three terms shall expire in a given year.**]** The term of office for those appointed hereafter shall end January first in years ending in an odd number. **For the six voting members' terms that expired in 2011, the successors shall be appointed in the following manner:**

(1) Of the five voting members' terms that expired on August 28, 2011, one successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2013;

(2) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to terms that shall expire on January 1, 2015;

(3) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to a term that shall expire on January 1, 2017; and

(4) For the voting member's term that expired on January 1, 2011, the successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2017.

Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.

3. If a voting member of the board of governors of Missouri State University is found by unanimous vote of the other governors to have moved such governor's residence from the district from which such governor was appointed, then the office of such governor shall be forfeited and considered vacant.

4. Should the total number of Missouri congressional districts be altered, all members of the board of governors of Missouri State University shall be allowed to serve the remainder of the term for which they were appointed.

5. Should the boundaries of any congressional districts be altered in a manner that displaces a member of the board of governors of Missouri State University from the congressional district from which the member was appointed, the member shall be allowed to serve the remainder of the term for which the

member was appointed.

6. The governing board of Missouri Southern State University shall be a board of governors consisting of nine members, composed of eight voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party."; and

Further amend said bill, Page 33, Section 680.205, line 3, by inserting after all of said line the following:

"Section B. Because of the importance of appointing members to governing boards of state universities in a timely manner, the repeal and reenactment of section 174.450 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 174.450 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Schaaf, **SB 516**, with **SCS**, as amended (pending), was placed on the Informal Calendar.

At the request of Senator Callahan, **SB 795**, with **SCS**, was placed on the Informal Calendar.

SB 665 was placed on the Informal Calendar.

SB 656, with **SCS**, was placed on the Informal Calendar.

Senator Wright-Jones moved that **SB 504** be taken up for perfection, which motion prevailed.

On motion of Senator Wright-Jones, **SB 504** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 781** and **SB 760**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1051**, entitled:

An Act to amend chapter 29, RSMo, by adding thereto one new section relating to a one-time audit and analysis of fiscal practices and cost savings in state agencies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 1720, regarding Kyle Matthew Sullivan, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 1721, regarding Lukas Kevin Fryer, Lee's Summit, which was adopted.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FORTY-FOURTH DAY–TUESDAY, MARCH 27, 2012

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FORMAL CALENDAR

VETOED BILLS

SS for SCS for SB 572-Dempsey

HOUSE BILLS ON SECOND READING

HB 1504-Richardson
HCS for HB 1042
HCS for HBs 1319, 1045 & 1369
HB 1466-Jones (63), et al
HCS for HB 1449
HB 1326-Cox, et al
HCS for HB 1324
HB 1191-Ruzicka
HCS for HB 1300
HCS for HB 1400
HCS for HB 1644
HCS for HB 2001
HCS for HB 2002
HCS for HB 2003
HCS for HB 2004
HCS for HB 2005
HCS for HB 2006
HCS for HB 2007
HCS for HB 2008
HCS for HB 2009
HCS for HB 2010
HCS for HB 2011
HCS for HB 2012
HCS for HB 2013
HB 1051-Allen, et al

THIRD READING OF SENATE BILLS

SS#2 for SJR 48-Dixon (In Fiscal Oversight)
SS for SB 781-Goodman
SB 760-Dempsey

SENATE BILLS FOR PERFECTION

1. SBs 489 & 637-Munzlinger, with SCS
2. SB 636-Keaveny
3. SB 683-Crowell, with SCS
4. SB 789-Kraus, with SCS
5. SJR 40-Kraus, with SCS
6. SB 565-Schaaf, with SCS
7. SB 645-Schaefer
8. SB 806-Cunningham, with SCS
9. SJR 39-Cunningham
10. SB 671-Parson, with SCS
11. SB 811-Dixon
12. SB 599-Schaefer
13. SB 482-Stouffer
14. SB 595-Kraus, with SCS
15. SB 877-Mayer
16. SJR 25-Crowell
17. SBs 588 & 585-Schmitt, with SCS
18. SB 692-Stouffer, with SCS
19. SB 729-Schaefer, with SCS
20. SB 584-Richard and Kehoe, with SCS
21. SB 566-Brown, with SCS
22. SB 631-Parson, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 665-Stouffer
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 677-Pearce, with SCS
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 717-Stouffer
SS for SB 727-Schaaf
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 749-Lamping, with SS & SA 1 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 47-Rupp, with SCS
SJR 50-Curls

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 17-Lamping, with SCS
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-FOURTH DAY—TUESDAY, MARCH 27, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"I believe in one God, Creator of the Universe. That he governs it by his Providence. That he ought to be worshiped. That the most acceptable Service we can render to him is doing Good to his other Children..." (Benjamin Franklin)

Merciful God, we give You thanks for the blessings of this world You have created and the joy we have in serving those who have elected us. Make us particularly mindful for the opportunities we together may have to help deal with the difficulties of life and this time in our state. Help us help our fellow Missourians face what needs to be done so to ensure justice and care for one another. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Ridgeway—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1722, regarding Roy O. Francis, which was adopted.

Senator Pearce offered Senate Resolution No. 1723, regarding Phi Theta Kappa's 2012 All-Missouri Academic Team and the Missouri Community College Association, which was adopted.

Senator Wasson offered Senate Resolution No. 1724, regarding the 2011-2012 Class 2 State Champion Billings High School Boys Basketball Team, which was adopted.

Senator Nieves offered Senate Resolution No. 1725, regarding Cole Thomas Bestgen, Wildwood, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Lamping moved that **SB 749**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Justus, **SA 1** was withdrawn.

Senator Lamping offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 749, Page 1, Section 191.724, Lines 4-5 of said page, by striking all of said lines and inserting in lieu thereof the following:

"**191.724. 1. The rights guaranteed under this section are in addition to the rights guaranteed under section 376.805, relating to health plan coverage of abortion, and section 376.1199, relating to health plan coverage of certain obstetrical and gynecological benefits and pharmaceutical coverage.**"; and further amend line 11 of said page, by striking the semicolon ";" at the end of said line and inserting in lieu thereof the following: "**. When an employee declines or refuses coverage for such items or procedures under this subdivision, any health carrier as defined under section 376.1350, shall make available and the employer shall provide an alternate health plan that excludes coverage for abortion, contraception, or sterilization if the use or provision of such items or procedures are contrary to the religious beliefs or moral convictions of such person or entity.**"; and

Further amend said bill and section, page 2, line 19 of said page, by striking the word "shall" and inserting in lieu thereof the following; "**may**"; and

Further amend said bill and section, page 3, line 7 of said page, by inserting after all of said line the following:

"**3. For purposes of this section, "sterilization" shall mean any elective medical procedure for which the sole purpose is to make an individual incapable of reproduction, except that sterilization shall not mean when the procedure is for the purpose of making an individual incapable of reproduction because of such person's diagnosed hereditary genetic disease or disorder.**

4. Nothing in this section shall be construed to exclude coverage for prescription contraceptive drugs or devices ordered by a health care provider with prescriptive authority for reasons other than contraceptive or abortion purposes.".

Senator Lamping moved that the above amendment be adopted.

Senator Kraus assumed the Chair.

At the request of Senator Lamping, **SB 749**, with **SS** and **SA 2** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 504**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 2001**—Appropriations.

HCS for **HB 2002**—Appropriations.

HCS for **HB 2003**—Appropriations.

HCS for **HB 2004**—Appropriations.

HCS for **HB 2005**—Appropriations.

HCS for **HB 2006**—Appropriations.

HCS for **HB 2007**—Appropriations.

HCS for **HB 2008**—Appropriations.

HCS for **HB 2009**—Appropriations.

HCS for **HB 2010**—Appropriations.

HCS for **HB 2011**—Appropriations.

HCS for **HB 2012**—Appropriations.

HCS for **HB 2013**—Appropriations.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Stouffer.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 1726, regarding Chloe Myers, which was adopted.

Senator Pearce offered Senate Resolution No. 1727, regarding Dominic Puller, Nevada, which was adopted.

Senator Pearce offered Senate Resolution No. 1728, regarding Casey Barker, Nevada, which was

adopted.

Senator Pearce offered Senate Resolution No. 1729, regarding Taylor Scott, Nevada, which was adopted.

Senator Pearce offered Senate Resolution No. 1730, regarding Anne Wilson, Raymore, which was adopted.

Senator Pearce offered Senate Resolution No. 1731, regarding Hannah Turos, Peculiar, which was adopted.

Senator Pearce offered Senate Resolution No. 1732, regarding Kimberly Sommerkamp, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 1733, regarding Nellie Maple, Raymore, which was adopted.

Senator Pearce offered Senate Resolution No. 1734, regarding Kayla Degges, Peculiar, which was adopted.

Senator Pearce offered Senate Resolution No. 1735, regarding Cassie Daldrup, Peculiar, which was adopted.

Senator Pearce offered Senate Resolution No. 1736, regarding Mya Alexis DeBerry, Knob Noster, which was adopted.

Senator Lager offered Senate Resolution No. 1737, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Curtis Matson, Cainsville, which was adopted.

Senator Lager offered Senate Resolution No. 1738, regarding Jacob Lemons, which was adopted.

Senator Lager offered Senate Resolution No. 1739, regarding Chris Holtman, which was adopted.

Senator Lager offered Senate Resolution No. 1740, regarding Fadhili Kegode, which was adopted.

Senator Lager offered Senate Resolution No. 1741, regarding Dakota Luke, which was adopted.

Senator Lager offered Senate Resolution No. 1742, regarding Derek Luke, which was adopted.

Senator Lager offered Senate Resolution No. 1743, regarding Ian Macali, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Lamping moved that **SB 749**, with **SS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Lamping moved that **SS** for **SB 749**, as amended, be adopted, which motion prevailed.

On motion of Senator Lamping, **SS** for **SB 749**, as amended, was declared perfected and ordered printed.

Senator Munzlinger moved that **SB 489** and **SB 637**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 489** and **637**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 489 and 637

An Act to repeal section 571.111, RSMo, and to enact in lieu thereof one new section relating to weapons, with existing penalty provisions and an emergency clause.

Was taken up.

Senator Munzlinger moved that **SCS** for **SBs 489** and **637** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **SBs 489** and **637**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 489 and 637

An Act to repeal sections 571.020 and 571.111, RSMo, and to enact in lieu thereof two new sections relating to weapons, with existing penalty provisions and an emergency clause.

Senator Munzlinger moved that **SS** for **SCS** for **SBs 489** and **637** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SCS** for **SBs 489** and **637** was declared perfected and ordered printed.

Senator Keaveny moved that **SB 636** be taken up for perfection, which motion prevailed.

On motion of Senator Keaveny, **SB 636** was declared perfected and ordered printed.

Senator Crowell moved that **SB 683**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 683**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 683

An Act to repeal sections 513.430 and 513.440, RSMo, and to enact in lieu thereof two new sections relating to property exempt from attachment or execution.

Was taken up.

Senator Crowell moved that **SCS** for **SB 683** be adopted, which motion prevailed.

On motion of Senator Crowell, **SCS** for **SB 683** was declared perfected and ordered printed.

Senator Kraus moved that **SB 789**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 789**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 789

An Act to repeal sections 488.5050, 650.055, and 650.100, RSMo, and to enact in lieu thereof three new sections relating to DNA profiling, with a penalty provision.

Was taken up.

Senator Kraus moved that **SCS** for **SB 789** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 789** was declared perfected and ordered printed.

Senator Kraus moved that **SJR 40**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SJR 40**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 40

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 13 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to laws that are retrospective in operation.

Was taken up.

Senator Kraus moved that **SCS** for **SJR 40** be adopted.

Senator Kraus offered **SS** for **SCS** for **SJR 40**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 40

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 13 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to laws that are retrospective in operation.

Senator Kraus moved that **SS** for **SCS** for **SJR 40** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SCS** for **SJR 40** was declared perfected and ordered printed.

Senator Schaaf moved that **SB 565**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 565**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 565

An Act to repeal section 376.961, RSMo, and to enact in lieu thereof one new section relating to the board of directors of the Missouri health insurance pool.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 565** be adopted, which motion prevailed.

On motion of Senator Schaaf, **SCS** for **SB 565** was declared perfected and ordered printed.

At the request of Senator Schaefer, **SB 645** was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 806**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Cunningham, **SJR 39** was placed on the Informal Calendar.

Senator Parson moved that **SB 671**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 671**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 671

An Act to repeal sections 52.010, 54.033, 54.330, and 115.342, RSMo, and to enact in lieu thereof four

new sections relating to certain public offices that have statutory bond requirements.

Was taken up.

Senator Pearce assumed the Chair.

Senator Parson moved that **SCS** for **SB 671** be adopted.

President Pro Tem Mayer assumed the Chair.

Senator Crowell offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 671, Page 1, Section 52.010, Lines 13-16, by striking all of said lines; and

Further amend said bill, page 2, section 54.330, lines 6-9, by striking all of said lines and inserting in lieu thereof the following: "**property taxes. A**"; and

Further amend said bill, page 4, section 115.342, lines 38-45, by striking all of said lines.

Senator Crowell moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SCS** for **SB 671**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **SB 671**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 565**; **SCS** for **SB 789**; **SS** for **SB 749**; **SCS** for **SB 683**; **SB 636**; **SS** for **SCS** for **SBs 489** and **637**; and **SS** for **SCS** for **SJR 40**, begs leave to report that it has examined the same and finds that the bills and joint resolution have been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, David Barnhart, Raymore.

Senator Dixon introduced to the Senate, Anne Scott, Springfield.

Senator Schaaf introduced to the Senate, Mike and Terri Abel and their granddaughter, Azure Spears, Kansas City; and Azure was made an honorary page.

Senator Richard introduced to the Senate, Amy and John Bass, Ann Butts, Dwain Mouser, Emily Stanley, Jared Wicklund, Lynda Thompson, Marcia Sadler, Mary Campbell, Randy Richardson, Shawn Pingleton, Stephanie Howard, Travis Jones, Will Endicott, Carol Ramsour and Nate Morris, representatives of Empire District Electric Company, Joplin.

Senator Kraus introduced to the Senate, Steve and Ellen Bishop and their children Ania, Malachi, Hosanna and Nicholas and Jim and Pat Shimel, Independence; and Malachi, Ania, Hosanna and Nicholas were made honorary pages.

Senator Brown introduced to the Senate, his grandchildren, Maya and Rio Sherrill and Brody Ned and Kennedy Brown, Rolla.

Senator McKenna introduced to the Senate, members of Missouri Right to Life from around the state.

Senator McKenna introduced to the Senate, members of Missouri AFL-CIO from across the state.

Senator Schaefer introduced to the Senate, his wife, Stacia and their children, Maximilian, Wolfgang and Magdalena, Columbia; and Wolfgang and Magdalena were made honorary pages.

Senator Green introduced to the Senate, his daughter, Megan, St. Louis; and Joan and Maggie Jasper, St. Charles.

Senator Lembke introduced to the Senate, Marisa Jacobson, Kathi Jantz, Dakota Huse, Stephen Couture, Kayla Stout, Caleb Couture, Kyle Perkins, Tyler Tipton, Joshua Lucas, Dave Miller, Gabrial Gage, Steve Aubuchon, Gene Rugh, Randy Fuller, Dennis Pearson, Dave Aubuchon, Caleb Skinner, Ethan Vicario, Kagen Wyler, Megan Crosby, Brooke Maynard, Max Miller, Christopher Miller, Benjamin Brown, Cody Sivcovih and David Daubach, members of the Civil Air Patrol.

Senator Schmitt introduced to the Senate, Angie Echele and her children, Jacob and Kathryn; and Charley and Patricia Snyder, Fenton; and Jacob and Kathryn were made honorary pages.

Senator Schmitt introduced to the Senate, fourth grade students from Bristol Elementary, Webster Groves.

Senator Pearce introduced to the Senate, Shari Bax, Beth Rutt, and students from University of Central Missouri Student Government Association, Warrensburg.

Senator Schaaf introduced to the Senate, Katherine Thompson, Kansas City; and Rebecca Rooney, Weston.

Senator Justus introduced to the Senate, Theresa Garza Ruiz and Michelle Newby, Kansas City.

Senator Kehoe introduced to the Senate, Bishop John R. Gaydos, Dr. John L. Yeats and his wife Sharon and Dr. Monte Shinkle, Jefferson City; Darrin Rodgers, Springfield; Maggie Karner, Bristol, Connecticut; and Archbishop Robert J. Carlson, St. Louis.

Senator Dempsey introduced to the Senate, Mayor Len Pagano and Julie Smith, St. Peters.

Senator Lembke introduced to the Senate, former State Senator Irene Treppler, her husband Walter, former State Representative Earlene Judd, Lisa Foster and Anita Zolman, St. Louis.

Senator Schmitt introduced to the Senate, Bill and Delores Priesmeyer, St. Louis County.

Senator Curls introduced to the Senate, Bonnaye Mims and Dwon LittleJohn, Kansas City.

Senator Kraus introduced to the Senate, the Physician of the Day, Sean Clinefelter, M.D., Grain Valley.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FORTY-FIFTH DAY–WEDNESDAY, MARCH 28, 2012

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FORMAL CALENDAR

VETOED BILLS

SS for SCS for SB 572-Dempsey

HOUSE BILLS ON SECOND READING

HB 1504-Richardson
HCS for HB 1042
HCS for HBs 1319, 1045 & 1369
HB 1466-Jones (63), et al
HCS for HB 1449
HB 1326-Cox, et al
HCS for HB 1324
HB 1191-Ruzicka
HCS for HB 1300
HCS for HB 1400
HCS for HB 1644
HB 1051-Allen, et al

THIRD READING OF SENATE BILLS

1. SS#2 for SJR 48-Dixon (In Fiscal Oversight)
2. SS for SB 781-Goodman
3. SB 760-Dempsey
4. SB 504-Wright-Jones
5. SCS for SB 565-Schaaf
6. SCS for SB 789-Kraus
7. SS for SB 749-Lamping
8. SCS for SB 683-Crowell
9. SB 636-Keaveny
10. SS for SCS for SBs 489 & 637-Munzlinger
11. SS for SCS for SJR 40-Kraus

SENATE BILLS FOR PERFECTION

1. SB 811-Dixon
2. SB 599-Schaefer
3. SB 482-Stouffer
4. SB 595-Kraus, with SCS
5. SB 877-Mayer
6. SJR 25-Crowell
7. SBs 588 & 585-Schmitt, with SCS
8. SB 692-Stouffer, with SCS
9. SB 729-Schaefer, with SCS
10. SB 584-Richard and Kehoe, with SCS
11. SB 566-Brown, with SCS
12. SB 631-Parson, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 665-Stouffer
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 677-Pearce, with SCS
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS, SS for SCS & SA 1 (pending)
SB 717-Stouffer
SS for SB 727-Schaaf
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 806-Cunningham, with SCS
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 17-Lamping, with SCS
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-FIFTH DAY—WEDNESDAY, MARCH 28, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Deliberately dare to slow down your life when everything in you – or around you – is screaming "rush!" (Unknown)

As yet another week is passing quickly and what is before us and lies ahead can be overwhelming. So we call upon You, O God, to slow us down and provide us a right and good perspective for what is truly important. Then in a deliberate way help us make sure each bill accomplishes what is most helpful and needful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from the Associated Press and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators —None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1744, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Karl Kasak, Smithton, which was adopted.

Senator Parson offered Senate Resolution No. 1745, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Delbert Simpson, Bolivar, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1746, regarding Joseph Andy Elliott, Louisiana, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Mayer moved that **SB 439**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 439** was again taken up.

Senator Kehoe assumed the Chair.

Senator Green offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 439, Page 5, Section 290.250, Line 73, by inserting immediately after said line the following:

"**290.257. 1. No contractor or subcontractor shall contract with or construct public works for the Missouri state highways and transportation commission unless such contractor or subcontractor has participated in the wage survey process utilized by the department pursuant to section 290.260 to determine the prevailing hourly rate of wages in Missouri localities for highway construction work by submitting reports to the department of all the hours worked by and all wage rates paid to its workers in each occupational title for highway construction work during the previous reporting period utilized by the department in determining the wage order issued pursuant to section 290.260; or such contractor or subcontractor has engaged in no construction work for the Missouri state highways and transportation commission during the previous reporting period utilized by the department in determining the general wage order, which the contractor may establish by providing an affidavit or other sworn statement so attesting to the department, or by other means satisfactory to the department.**

2. The prohibition established in subsection 1 of this section shall become effective on January 1, 2014.

290.259. 1. No contractor may contract with or construct public works with any public body, other than the Missouri state highways and transportation commission, unless such contractor participated in the wage survey process utilized by the department pursuant to section 290.262 to determine the prevailing hourly rate of wages in Missouri localities for construction work, other than highway construction work, by submitting reports to the department of all the hours worked by and all wage rates paid to its workers in each occupational title for construction work, other than residential construction, during the previous calendar year; or such contractor engaged in no construction work, with the exception of residential construction work during the previous calendar year, which the contractor may establish by providing an affidavit or other sworn statement so attesting to the

department, or by other means satisfactory to the department.

2. The prohibition established in subsection 1 of this section shall become effective on January 1, 2014."; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted.

At the request of Senator Mayer, **SB 439**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

REFERRALS

President Pro Tem Mayer referred **SCS** for **SB 789** and **SS** for **SCS** for **SJR 40** to the Committee on Ways and Means and Fiscal Oversight.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 671**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

RESOLUTIONS

Senator Goodman offered Senate Resolution No. 1747, regarding the One Hundredth Anniversary of the city of Branson, which was adopted.

Senator Lembke offered Senate Resolution No. 1748, regarding Lisa Foster, St. Louis, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1749, regarding Alex Joseph Alshouse, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1750, regarding Wilbur Hill, D.O., Liberty, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1751, regarding Quinton Cole Whitaker, Platte City, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1752, regarding Zachary Michael P'Pool, Kansas City, which was adopted.

Senator Schaefer offered Senate Resolution No. 1753, regarding Frank Haith, head coach for the University of Missouri-Columbia men's basketball program, which was adopted.

Senator Schaefer offered Senate Resolution No. 1754, regarding the 2011-2012 Mizzou Tigers

basketball team, which was adopted.

Senator Purgason offered Senate Resolution No. 1755, regarding Daniel T. Carlsen, which was adopted.

Senator Curls offered Senate Resolution No. 1756, regarding the death of Katie Lee Jones Barnes, which was adopted.

Senator Goodman offered Senate Resolution No. 1757, regarding the Centennial Anniversary of the sinking of the RMS Titanic, which was adopted.

Senator Pearce offered Senate Resolution No. 1758, regarding Barbara Ann Ketcher Boucher, Peculiar, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 450**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1073**, entitled:

An Act to repeal section 276.401, RSMo, and to enact in lieu thereof one new section relating to the Missouri grain dealer law.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1096**, entitled:

An Act to repeal section 205.042, RSMo, and to enact in lieu thereof one new section relating to county health centers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1190**, entitled:

An Act to repeal sections 66.200, 66.210, 66.220, 66.230, and 66.240, RSMo, relating to police records.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1231**, entitled:

An Act to repeal section 34.070, RSMo, and to enact in lieu thereof one new section relating to state purchasing.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 450**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SB 450**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Stouffer assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Dixon moved that **SB 811** be taken up for perfection, which motion prevailed.

On motion of Senator Dixon, **SB 811** was declared perfected and ordered printed.

Senator Pearce assumed the Chair.

Senator Schaefer moved that **SB 599** be taken up for perfection, which motion prevailed.

On motion of Senator Schaefer, **SB 599** was declared perfected and printed.

Senator Stouffer moved that **SB 482** be taken up for perfection, which motion prevailed.

On motion of Senator Stouffer, **SB 482** was declared perfected and ordered printed.

Senator Kraus moved that **SB 595**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 595**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 595

An Act to repeal sections 162.961 and 162.962, RSMo, and to enact in lieu thereof two new sections relating to due process hearing panel members.

Was taken up.

Senator Kraus moved that **SCS** for **SB 595** be adopted.

Senator Kraus offered **SS** for **SCS** for **SB 595**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 595

An Act to repeal sections 162.961 and 162.962, RSMo, and to enact in lieu thereof four new sections relating to due process hearing panel members, with an emergency clause for certain sections.

Senator Kraus moved that **SS** for **SCS** for **SB 595** be adopted.

Senator Engler offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 595, Page 6, Section 162.961, Lines 2-7, by striking all of said lines; and further amend line 8 of said page by striking the following: "hearings." and inserting in lieu thereof the following: "**8.**".

Senator Engler moved that the above amendment be adopted, which motion prevailed.

Senator Kraus moved that **SS** for **SCS** for **SB 595**, as amended, be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SCS** for **SB 595**, as amended, was declared perfected and ordered printed.

Senator Mayer moved that **SB 877** be taken up for perfection, which motion prevailed.

Senator Mayer offered **SS** for **SB 877**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 877

An Act to amend chapter 23, RSMo, by adding thereto one new section relating to the reporting by each state department of the number of employees within each department.

Senator Mayer moved that **SS** for **SB 877** be adopted.

Senator Mayer offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 877, Page 1, Section 23.230, Line 14, by striking the first use of the word "the" on said line.

Senator Mayer moved that the above amendment be adopted, which motion prevailed.

Senator Mayer moved that **SS** for **SB 877**, as amended, be adopted, which motion prevailed.

On motion of Senator Mayer, **SS** for **SB 877**, as amended, was declared perfected and ordered printed.

Senator Engler moved that **SB 710**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Engler, **SS** for **SCS** for **SB 710** was withdrawn rendering **SA 1** moot.

Senator Engler offered **SS No. 2** for **SCS** for **SB 710**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 710

An Act to repeal sections 195.015, 195.060, 195.080, and 334.747, RSMo, and to enact in lieu thereof thirteen new sections relating to a prescription drug monitoring program, with penalty provisions.

Senator Engler moved that **SS No. 2** for **SCS** for **SB 710** be adopted.

At the request of Senator Engler, **SB 710**, with **SCS** and **SS No. 2** for **SCS** (pending), was placed on the Informal Calendar.

Senator Stouffer moved that **SB 665** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Stouffer offered **SS** for **SB 665**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 665

An Act to authorize the conveyance of property owned by the state to the state highways and transportation commission.

Senator Stouffer moved that **SS** for **SB 665** be adopted.

At the request of Senator Stouffer, **SB 665**, with **SS** (pending), was placed on the Informal Calendar.

BILLS DELIVERED TO THE GOVERNOR

SB 450, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1337**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to cardiopulmonary resuscitation instruction in schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1373**, entitled:

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to county annual budgets.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1492**, entitled:

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to county municipal courts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1577**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to foster care students.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1634**, entitled:

An Act to repeal sections 34.032 and 260.255, RSMo, and to enact in lieu thereof one new section relating to the recycling of newspapers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1641**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to an American Red Cross special license plate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1668**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to United States Olympic Committee special license plates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 1341**, entitled:

An Act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to utilities, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HB 1524**, entitled:

An Act to repeal section 228.368, RSMo, and to enact in lieu thereof four new sections relating to the improvement and maintenance of private roads.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1484**, entitled:

An Act to repeal sections 32.057, 142.836, 142.842, 142.900, 143.571, 143.611, 144.100, and 144.210, RSMo, and to enact in lieu thereof eleven new sections relating to electronic notifications and forms from the department of revenue, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1880**, entitled:

An Act to amend chapter 77, RSMo, by adding thereto one new section relating to a centennial business recognition.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1048**, entitled:

An Act to repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to school directors in urban districts, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1062**, entitled:

An Act to repeal section 160.522, RSMo, and to enact in lieu thereof one new section relating to school accountability.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1170**, entitled:

An Act to repeal section 67.1521, RSMo, and to enact in lieu thereof one new section relating to property tax assessment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1171**, entitled:

An Act to repeal section 211.031, RSMo, and to enact in lieu thereof one new section relating to juvenile court jurisdiction.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1221**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1261**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bicycle and pedestrian bridge.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Stouffer moved that **SB 665**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SB 665** was again taken up.

Senator Stouffer moved that **SS** for **SB 665** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SS** for **SB 665** was declared perfected and ordered printed.

Senator Mayer moved that **SB 439**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Stouffer assumed the Chair.

At the request of Senator Mayer, **SB 439**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1264**, entitled:

An Act to repeal section 301.030, RSMo, and to enact in lieu thereof one new section relating to motor vehicle registration periods.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1267**, entitled:

An Act to amend chapter 453, RSMo, by adding thereto one new section relating to foster children.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1315**, entitled:

An Act to amend chapter 41, RSMo, by adding thereto one new section relating to state employee leave for members of the United States Coast Guard Auxiliary.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1325**, entitled:

An Act to authorize the conveyance of property owned by the state in Pettis County to the City of Sedalia.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1345**, entitled:

An Act to repeal section 11.010, RSMo, and to enact in lieu thereof two new sections relating to publication of the state manual.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1363**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto four new sections relating to exhibition of livestock at fairs and expositions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1407**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to a sickle cell standing committee.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1408**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of organ donor recognition day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1063**, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of the official state exercise.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1460**, entitled:

An Act to repeal section 476.055, RSMo, and to enact in lieu thereof one new section relating to the statewide court automation fund, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1424**, entitled:

An Act to repeal sections 43.260 and 43.265, RSMo, and to enact in lieu thereof two new sections relating to the state highway patrol.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HB 1462**, entitled:

An Act to repeal section 142.031, RSMo, and to enact in lieu thereof one new section relating to the Missouri Qualified Biodiesel Producer Incentive Fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1477**, entitled:

An Act to repeal section 276.401, RSMo, and to enact in lieu thereof one new section relating to the Missouri grain dealer law.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1518** and **1522**, entitled:

An Act to repeal sections 337.300, 337.310, 337.315, 337.325, and 337.345, RSMo, and to enact in lieu thereof five new sections relating to licensure of behavior analysts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1563**, entitled:

An Act to repeal sections 338.315 and 338.333, RSMo, and to enact in lieu thereof two new sections relating to legend drugs, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1545**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of PKS day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1615**, entitled:

An Act to repeal section 537.528, RSMo, and to enact in lieu thereof one new section relating to actions for money damages for conduct or speech at public hearings or meetings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1820**, entitled:

An Act to authorize the conveyance of property owned by the state to the state highways and transportation commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1623**, entitled:

An Act to repeal section 67.1305, RSMo, and to enact in lieu thereof one new section relating to members of economic development tax boards.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1630**, entitled:

An Act to repeal section 226.030, RSMo, and to enact in lieu thereof one new section relating to the highways and transportation commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1636**, entitled:

An Act to repeal section 479.040, RSMo, and to enact in lieu thereof one new section relating to the election of courts to hear violations of municipal ordinances.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1651**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of spinal cord injury month in Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1652**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of

fibromyalgia month in Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 877**; **SB 811**; **SS** for **SB 665**; **SB 599**; **SS** for **SCS** for **SB 595**; and **SB 482**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTIONS OF GUESTS

Senator Callahan introduced to the Senate, members of the Independence Chamber of Commerce.

Senator Callahan introduced to the Senate, Georgia Sanders, Independence.

Senator Wasson introduced to the Senate, Principal Roger Cavener, Coach Kendall Tilley, Assistant Coach Jeff Mitchell, Manager Kyle Kimberling and members of the Billings High School boys basketball team: Connor Jenisch, Kaleb Harter, Nathan Blades, Austin Essick, Brady Chastain, Chad Yeokum, Seth Hagerman, Sawyer Hawkins, Dawson Meyer and Lane Truman.

Senator Munzlinger introduced to the Senate, Dan Putrah, Mary Dickey and Chuck Brazeale, Paris.

Senator Brown introduced to the Senate, David Connell and Bob Wilson.

Senator Kehoe introduced to the Senate, Ms. Fran Joy, Cori Putz, Ann Hutton, Una Bennett, Stacey Hudson and Brandon Farris, Jefferson City.

Senator Schmitt introduced to the Senate, Holly Lintner, Scott Clark, Ron Mark, Jeannine Stuart, Tom Wilsdon, Matt Ehlen, Barb Grimm, Bob and Helen Gough, and Marshell Foss, representatives of Missouri Pachyderm Club.

Senator Crowell introduced to the Senate, Donna Ozark and seventh and eighth grade students from Immanuel Lutheran, Perryville.

Senator Rupp introduced to the Senate, one hundred ten fourth grade students from Prairie View Elementary, Wentzville.

Senator Pearce introduced to the Senate, Johnson County Recorder of Deeds, Jan Jones, Warrensburg.

Senator Lamping introduced to the Senate, representatives of Child Advocacy Day from around the state.

Senator Lembke introduced to the Senate, Mrs. Maggie Vogt and her daughter, Lucy; and Mrs. Vicky Ebert and her son, Mick, 1st Senatorial District.

Senator Lager introduced to the Senate, County Coroners from around the state.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FORTY-SIXTH DAY–THURSDAY, MARCH 29, 2012

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FORMAL CALENDAR

VETOED BILLS

SS for SCS for SB 572-Dempsey

HOUSE BILLS ON SECOND READING

HB 1504-Richardson
HCS for HB 1042
HCS for HBs 1319, 1045 & 1369
HB 1466-Jones (63), et al
HCS for HB 1449
HB 1326-Cox, et al
HCS for HB 1324
HB 1191-Ruzicka
HCS for HB 1300
HCS for HB 1400
HCS for HB 1644
HB 1051-Allen, et al
HB 1073-Sater
HB 1096-Wieland
HB 1190-Allen, et al
HB 1231-Cauthorn, et al
HB 1337-Stream
HCS for HB 1373
HB 1492-Molendorp and Brattin
HB 1577-Largent, et al
HB 1634-Ruzicka
HB 1641-Pollock, et al
HB 1668-Denison, et al
HB 1341-Dugger, et al
HCS#2 for HB 1524
HB 1484-McCaherty and Nolte
HB 1880-Pollock, et al
HB 1048-Schneider
HB 1062-Dieckhaus and Lampe
HB 1170-Franz
HCS for HB 1171
HB 1221-Black, et al
HB 1261-Swearingen, et al
HB 1264-Fallert, et al
HB 1267-Denison, et al
HB 1315-McCaherty, et al
HCS for HB 1325
HB 1345-Cauthorn, et al
HCS for HB 1363
HCS for HB 1407
HB 1408-Walton Gray, et al
HB 1063-Conway (27)
HB 1460-Jones (117), et al
HB 1424-Marshall, et al
HCS#2 for HB 1462
HCS for HB 1477
HCS for HBs 1518 & 1522
HCS for HB 1563
HB 1545-Kirkton, et al
HB 1615-Oxford, et al
HB 1820-Asbury and Shively
HCS for HB 1623
HB 1630-Franz
HB 1636-Fuhr, et al
HB 1651-McGeoghegan, et al
HB 1652-McGeoghegan, et al

THIRD READING OF SENATE BILLS

1. SS#2 for SJR 48-Dixon (In Fiscal Oversight)
2. SS for SB 781-Goodman
3. SB 760-Dempsey
4. SB 504-Wright-Jones
5. SCS for SB 565-Schaaf
6. SCS for SB 789-Kraus (In Fiscal Oversight)
7. SS for SB 749-Lamping
8. SCS for SB 683-Crowell
9. SB 636-Keaveny
10. SS for SCS for SBs 489 & 637-Munzlinger
11. SS for SCS for SJR 40-Kraus (In Fiscal Oversight)
12. SCS for SB 671-Parson
13. SS for SB 877-Mayer
14. SB 811-Dixon
15. SS for SB 665-Stouffer
16. SB 599-Schaefer
17. SS for SCS for SB 595-Kraus
18. SB 482-Stouffer

SENATE BILLS FOR PERFECTION

SJR 25-Crowell
SBs 588 & 585-Schmitt, with SCS
SB 692-Stouffer, with SCS
SB 729-Schaefer, with SCS
SB 584-Richard and Kehoe, with SCS
SB 566-Brown, with SCS
SB 631-Parson, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS & SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 677-Pearce, with SCS
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SS for SB 727-Schaaf
SB 743-Brown

SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 806-Cunningham, with SCS
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 17-Lamping, with SCS
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-SIXTH DAY—THURSDAY, MARCH 29, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"My soul will be satisfied as with the richest of foods: with singing lips my mouth will praise you." (Psalm 63:5)

Gracious God, we find our satisfaction in You who continuously provide us all the wherewithal of life, food for our bodies, friends for our fellowship, love for our hearts and sharing of Your spiritual presence with those we love. Words cannot even express how grateful we are that You are in our lives for it makes them complete. Be with us this weekend in all we say and do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators —None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1759, regarding Todd Leonard and the Rusty Jug

Barbeque & Root Beer Saloon, El Dorado Springs, which was adopted.

Senator Kehoe offered Senate Resolution No. 1760, regarding Christian James "CJ" Loehner, which was adopted.

Senator Kehoe offered Senate Resolution No. 1761, regarding Jamison William Moore, which was adopted.

Senator Schmitt offered the following resolution:

SENATE RESOLUTION NO. 1762

WHEREAS, the Orthodox Christian Church, in existence for nearly 2,000 years, numbers approximately 300,000,000 members world-wide with more than 2,000,000 members in the United States; and

WHEREAS, since 1453, the continuing presence of the Ecumenical Patriarchate in Turkey has been a living testament to the religious coexistence of Christians and Muslims; and

WHEREAS, the European Union defined membership criteria for accession at the Copenhagen European Council in 1993, obligating candidate countries to achieve certain levels of reform, including stability of institutions guaranteeing democracy, adherence to the rule of law, and respect for and protection of minorities and human rights; and

WHEREAS, the Turkish government's current treatment of the Ecumenical Patriarchate is inconsistent with the membership conditions and goals of the European Union; and

WHEREAS, Orthodox Christians in this state and throughout the United States stand to lose their spiritual leader because of the continued actions of the Turkish government; and

WHEREAS, the Turkish government closed the Theological School on the Island of Halki in 1971 and has refused to allow it to reopen, thus impeding training for Orthodox Christian clergy; and

WHEREAS, the Turkish government has confiscated nearly 94% of the Ecumenical Patriarchate's properties and has placed a 42% tax, retroactive to 1999, on the Balouki Hospital and Home for the Aged, a charity hospital run by the Ecumenical Patriarchate; and

WHEREAS, the European Union, a group of nations with a common goal of promoting peace and the well-being of its people, began accession negotiations with Turkey on October 3, 2005; and

WHEREAS, the European Union defined membership criteria for accession; and

WHEREAS, this religious coexistence is in jeopardy because the Ecumenical Patriarchate is considered a minority religion by the Turkish government; and

WHEREAS, the Turkish government has limited the candidates available to hold the office of Ecumenical Patriarch to only Turkish nationals, and from the millions of Orthodox Christians living in Turkey at the turn of the 20th century and due to the continued policies during this period by the Turkish government, there remain less than 3,000 of the Ecumenical Patriarch's flock left in Turkey today; and

WHEREAS, the Archons of the Ecumenical Patriarchate of the Order of St. Andrew the Apostle, a group of laymen who each have been honored with a patriarchal title, or "offikion", by the Ecumenical Patriarch for their outstanding service to the Orthodox Church, will send an American delegation to Turkey to meet with Turkish government officials, as well as the United States Ambassador to the Republic of Turkey, regarding the Turkish government's treatment of the Ecumenical Patriarchate:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, hereby urge the Turkish government to:

(1) Uphold and safeguard religious and human rights without compromise;

(2) Cease its discrimination of the Ecumenical Patriarchate;

(3) Grant the Ecumenical Patriarch appropriate international recognition, ecclesiastic succession, and the right to train clergy of all nationalities; and

(4) Respect the property rights and human rights of the Ecumenical Patriarchate; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the United States Ambassador to the Republic of Turkey, the Ambassador of the Republic of

Turkey to the United States, and each member of the Missouri Congressional delegation.

Senator Pearce offered Senate Resolution No. 1763, regarding J. Phillip "Phil" Shreves, Warrensburg, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **SS No. 2** for **SJR 48**; **SS** for **SCS** for **SJR 40**; and **SCS** for **SB 789**, begs leave to report that it has considered the same and recommends that the joint resolutions and bill do pass.

Senator Pearce assumed the Chair.

THIRD READING OF SENATE BILLS

SS No. 2 for **SJR 48**, introduced by Senator Dixon, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE JOINT RESOLUTION NO. 48

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to apportionment commissions.

Was taken up.

On motion of Senator Dixon, **SS No. 2** for **SJR 48** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Nieves Ridgeway—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the joint resolution was agreed to.

Senator Dixon moved that the vote by which the joint resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SB 781**, introduced by Senator Goodman, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 781

An Act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to appointments to emergency services boards in certain counties.

Was taken up.

On motion of Senator Goodman, **SS** for **SB 781** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 760, introduced by Senator Dempsey, entitled:

An Act to repeal section 252.043, RSMo, and to enact in lieu thereof one new section relating to hunting accidents.

Was taken up.

On motion of Senator Dempsey, **SB 760** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Green
Kehoe	Kraus	Lamping	McKenna	Munzlinger	Parson	Pearce	Richard
Schaefer	Schmitt	Wasson	Wright-Jones—20				

NAYS—Senators

Crowell	Cunningham	Goodman	Justus	Keaveny	Lager	Lembke	Mayer
Nieves	Ridgeway	Rupp	Schaaf	Stouffer—13			

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

SB 504, introduced by Senator Wright-Jones, entitled:

An Act to repeal sections 307.365 and 643.320, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle inspections, with penalty provisions.

Was taken up.

On motion of Senator Wright-Jones, **SB 504** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Goodman
Justus	Keaveny	Kehoe	Kraus	Lamping	Mayer	McKenna	Munzlinger
Parson	Pearce	Richard	Rupp	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—25							

NAYS—Senators

Crowell	Engler	Lager	Lembke	Nieves	Purgason	Ridgeway	Schaaf—8

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wright-Jones, title to the bill was agreed to.

Senator Wright-Jones moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 565**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 565

An Act to repeal section 376.961, RSMo, and to enact in lieu thereof one new section relating to the board of directors of the Missouri health insurance pool.

Was taken up by Senator Schaaf.

On motion of Senator Schaaf, **SCS** for **SB 565** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Purgason	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer—26						

NAYS—Senators

Chappelle-Nadal	Curls	Green	Justus	Keaveny	Richard	Wasson	Wright-Jones—8

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 789**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 789

An Act to repeal sections 488.5050, 650.055, and 650.100, RSMo, and to enact in lieu thereof three new sections relating to DNA profiling, with a penalty provision.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 789** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Goodman	Justus
Keaveny	Kehoe	Kraus	Lager	Munzlinger	Parson	Pearce	Rupp
Schaefer	Schmitt	Stouffer	Wright-Jones—20				

NAYS—Senators

Crowell	Cunningham	Engler	Green	Lamping	Lembke	Mayer	McKenna
Nieves	Purgason	Richard	Ridgeway	Schaaf	Wasson—14		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SB 749**, introduced by Senator Lamping, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 749

An Act to amend chapter 191, RSMo, by adding thereto one new section relating to the protection of the religious beliefs and moral convictions of certain persons and entities, with an emergency clause.

Was taken up.

On motion of Senator Lamping, **SS** for **SB 749** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schmitt
Stouffer	Wasson—26						

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Wright-Jones—5

Absent—Senators

Green	Purgason	Schaefer—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer
Wasson—25							

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Justus	Keaveny	Wright-Jones—6

Absent—Senators

Green	Purgason	Schaefer—3

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 683**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 683

An Act to repeal sections 513.430 and 513.440, RSMo, and to enact in lieu thereof two new sections relating to property exempt from attachment or execution.

Was taken up by Senator Crowell.

On motion of Senator Crowell, **SCS** for **SB 683** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green	Schaefer—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Crowell, title to the bill was agreed to.

Senator Crowell moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 636, introduced by Senator Keaveny, entitled:

An Act to repeal section 456.950, RSMo, and to enact in lieu thereof one new section relating to qualified spousal trusts.

Was taken up.

On motion of Senator Keaveny, **SB 636** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green Purgason—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SBs 489** and **637**, introduced by Senator Munzlinger, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 489 and 637

An Act to repeal sections 571.020 and 571.111, RSMo, and to enact in lieu thereof two new sections relating to weapons, with existing penalty provisions and an emergency clause.

Was taken up.

On motion of Senator Munzlinger, **SS** for **SCS** for **SBs 489** and **637** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson—29			

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Wright-Jones—4

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Keaveny
Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger

Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson—28				

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Justus	Wright-Jones—5

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SJR 40**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 40

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 13 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to laws that are retrospective in operation.

Was taken up.

On motion of Senator Kraus, **SS** for **SCS** for **SJR 40** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—31	

NAYS—Senators

Justus	Wright-Jones—2

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Kraus, title to the joint resolution was agreed to.

Senator Kraus moved that the vote by which the joint resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 671**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 671

An Act to repeal sections 52.010, 54.033, 54.330, and 115.342, RSMo, and to enact in lieu thereof four new sections relating to certain public offices that have statutory bond requirements.

Was taken up by Senator Parson.

On motion of Senator Parson, **SCS** for **SB 671** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SB 877**, introduced by Senator Mayer, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 877

An Act to amend chapter 23, RSMo, by adding thereto one new section relating to the reporting by each state department of the number of employees within each department.

Was taken up.

On motion of Senator Mayer, **SS** for **SB 877** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason

Richard	Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green	Schmitt—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 811, introduced by Senator Dixon, entitled:

An Act to authorize the conveyance of property owned by the board of governors of Missouri State University to the city of Springfield.

Was taken up.

On motion of Senator Dixon, **SB 811** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green	Richard—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SB 665**, introduced by Senator Stouffer, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 665

An Act to authorize the conveyance of property owned by the state to the state highways and transportation commission.

Was taken up.

On motion of Senator Stouffer, **SS** for **SB 665** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 599, introduced by Senator Schaefer, entitled:

An Act to repeal section 160.522, RSMo, and to enact in lieu thereof one new section relating to gifted education.

Was taken up.

On motion of Senator Schaefer, **SB 599** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Crowell—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 595**, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 595

An Act to repeal sections 162.961 and 162.962, RSMo, and to enact in lieu thereof four new sections relating to due process hearing panel members, with an emergency clause for certain sections.

Was taken up.

On motion of Senator Kraus, **SS** for **SCS** for **SB 595** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Callahan Chappelle-Nadal Curls—3

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 482, introduced by Senator Stouffer, entitled:

An Act to repeal section 172.803, RSMo, and to enact in lieu thereof one new section relating to funding for research projects by the University of Missouri board of curators.

Was taken up.

On motion of Senator Stouffer, **SB 482** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Dempsey moved that **SS** for **SCS** for **SB 572** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe	Kraus
Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—24

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Ridgeway
Wright-Jones—9							

Absent—Senator Crowell—1

Absent with leave—Senators—None

Vacancies—None

CONCURRENT RESOLUTIONS

Senator Lamping moved that **SCR 17**, with **SCS**, be taken up for adoption, which motion prevailed.

SCS for **SCR 17** was taken up.

Senator Lamping moved that **SCS** for **SCR 17** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCR 17**, as amended by the **SCS**, was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Curls	Dempsey	Dixon	Green	Goodman
Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	Munzlinger	Parson
Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt
Wasson—25							

NAYS—Senators

Chappelle-Nadal	Crowell	Engler	Kraus	Lembke	McKenna	Nieves	Stouffer—8

Absent—Senator Wright-Jones—1

Absent with leave—Senators—None

Vacancies—None

Senator Stouffer requested unanimous consent of the Senate to suspend Senate Rule 48 for the purpose of introducing a joint resolution, which request was denied.

Senator Stouffer moved that Senate Rule 48 be suspended for the purpose of introducing a joint resolution.

At the request of Senator Stouffer, the motion to suspend Senate Rule 48 was withdrawn.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following report:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 682**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 721**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 510**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 675**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 548**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Crowell, Chairman of the Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **SB 842**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **SB 625**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **SB 715**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **SB 673**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 856**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 837**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 451**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 813**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 911**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 576**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 661**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 475**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SJR 30**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Pearce assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1662**, entitled:

An Act to repeal section 67.4505, RSMo, and to enact in lieu thereof one new section relating to county drinking water supply lake authorities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1665**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of lupus awareness month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1680**, entitled:

An Act to repeal section 620.515, RSMo, and to enact in lieu thereof one new section relating to the Show-Me heroes program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1687**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1692**, entitled:

An Act to repeal section 115.091, RSMo, and to enact in lieu thereof one new section relating to the oath of an election judge.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1737**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1744**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of pancreatic cancer awareness month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1782**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1804**, entitled:

An Act to repeal section 92.338, RSMo, and to enact in lieu thereof one new section relating to convention and tourism tax exemptions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1827**, entitled:

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to the Missouri electronic prior authorization committee.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1807**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1266**, entitled:

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of an official state butterfly.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1841**, entitled:

An Act to repeal section 407.400, RSMo, and to enact in lieu thereof one new section relating to pyramid sales schemes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1864**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a Pony Express special license plate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1868**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1875**, entitled:

An Act to repeal section 301.193, RSMo, and to enact in lieu thereof one new section relating to vehicles purchased by insurers through the claims adjustment process.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1878**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1738**, entitled:

An Act to repeal section 301.143, RSMo, and to enact in lieu thereof one new section relating to lift accessible parking, with a penalty provision and an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1560**, entitled:

An Act to repeal section 483.015, RSMo, and to enact in lieu thereof one new section relating to the appointment of certain circuit clerks.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1527**, entitled:

An Act to repeal sections 513.430 and 513.440, RSMo, and to enact in lieu thereof two new sections relating to property exempt from attachment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 1165**, entitled:

An Act to repeal section 456.950, RSMo, and to enact in lieu thereof one new section relating to qualified spousal trusts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1811**, entitled:

An Act to repeal section 194.255, RSMo, and to enact in lieu thereof one new section relating to anatomical gifts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1296**, entitled:

An Act to amend chapter 452, RSMo, by adding thereto one new section relating to child custody and visitation for military personnel.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1094**, entitled:

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the acceptance of electronic payments by the office of administration.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1647**, entitled:

An Act to repeal section 292.606, RSMo, and to enact in lieu thereof one new section relating to the Missouri Emergency Response Commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCS** for **HB 1395**, entitled:

An Act to repeal sections 59.319, 60.510, 60.530, 60.540, 60.560, 60.570, 60.580, 60.595, 60.610, 60.620, and 640.100, RSMo, and to enact in lieu thereof eleven new sections relating to the department of natural resources.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1512**, entitled:

An Act to amend chapter 506, RSMo, by adding thereto one new section relating to the laws of other countries.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1541**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto seven new sections relating to the conscience rights of all individuals who provide medical services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1278** and **1152**, entitled:

An Act to repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, 135.800, 135.825, and 135.1150, RSMo, and to enact in lieu thereof ten new sections relating to certain benevolent tax credits, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1700**, entitled:

An Act to repeal sections 43.650, 589.400, 589.402, 589.403, 589.405, 589.407, 589.410, and 589.414, RSMo, and to enact in lieu thereof nine new sections relating to sex offender registration, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1402**, entitled:

An Act to repeal sections 304.120, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof fifteen new sections relating to road use.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 1504—Jobs, Economic Development and Local Government.

HCS for **HB 1042**—Education.

HCS for **HBs 1319**, **1045** and **1369**—Judiciary and Civil and Criminal Jurisprudence.

HB 1466—Education.

HCS for **HB 1449**—Jobs, Economic Development and Local Government.

HB 1326—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 1324**—Agriculture, Food Production and Outdoor Resources.

HB 1191—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 1300**—Transportation.

HCS for **HB 1400**—Financial and Governmental Organizations and Elections.

HCS for **HB 1644**—Ways and Means and Fiscal Oversight.

HB 1051—Financial and Governmental Organizations and Elections.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

March 29, 2012

Senator Jim Lembke
Chairman, Government Accountability Committee
Room 419, State Capitol
Jefferson City, MO 65101

Dear Chairman Lembke:

Pursuant to Senate Rule 28 Section 8, I request that your committee investigate the recent controversy surrounding the St. Louis Post-Dispatch story, "Missouri National Guard sergeant tied to Nazism is fired," which I have attached to this letter for your review.

This issue was brought to my attention by Senator Bill Stouffer after a constituent contacted him. It is troubling to me that it has taken the Missouri National Guard three years to dismiss a state military honor guard employee who was a confirmed neo-Nazi. As you are aware, it

is the duty of the military honor guard to attend funerals of veterans, many of whom having fought against this ignorance abroad during the 20th century. If I can be of additional assistance, please do no hesitate to contact my office.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
District 25 Senator

INTRODUCTIONS OF GUESTS

Senator Schmitt introduced to the Senate, Evan and Mary Pederson and their children, Arielle and Jilane, Thuan Ho and his daughter, Emily, Guangyi and Tracy Ling, Qing and Ynixi Tan, Huiging Zhao and Marissa Miller, Valley Park; and Marissa, Arielle, Tracy, Emily and Jilane were made honorary pages.

Senator Dempsey introduced to the Senate, Karen Hutchison and her grandson, Brendan, St. Charles.

Senator Crowell introduced to the Senate, eighth grade students from St. Vincent De Paul, Cape Girardeau.

Senator Richard introduced to the Senate, Bradley Moll, Shawn Pryer, Tres Wright, Alyssa Rockers, Grant Wolf, Blake Adams, Josie McCorkle, Ethan Hatfield, Stetson Beck, Marcus Donham, Kirstin Winchester and Lydia Poindexter, representatives of Jasper County Farm Bureau Youth Leadership.

On behalf of Senator Pearce, the President introduced to the Senate, Jenny Wainscott, Alex Jenkins and Megan Oberly, representatives of Bates County Farm Bureau Youth Leadership.

Senator Mayer introduced to the Senate, Teresa McKee, Andrew Hulshof, Cassy Green, Hannah Cooper and Talana Woodson, representatives of Stoddard County Farm Bureau Youth Leadership.

Senator Crowell introduced to the Senate, representatives of Bollinger County Farm Bureau Youth Leadership.

Senator Purgason introduced to the Senate, Bill and Janet Holden and their son, Jared, Summersville.

Senator Stouffer introduced to the Senate, representatives of Farm Bureau Youth Leadership from Macon and Carroll counties.

Senator Parson introduced to the Senate, representatives of Farm Bureau Youth Leadership from St. Clair, Polk, Dallas, Cedar and Henry counties.

Senator Kehoe introduced to the Senate, Jennifer Kempker, Janice Martin, Dakota Mason, Madison Gooden, Sara Abbett, Danielle Rush, Rachel Groves and Joseph Limbach, representatives of Miller County Farm Bureau Youth Leadership.

Senator Kehoe introduced to the Senate, Sandi Knipp, Lauren Imhoff, Matt Hendrickson, Madison Knipp and Callie Loganbill, representatives of Moniteau County Farm Bureau Youth Leadership.

Senator Brown introduced to the Senate, Cassie Schultz, Towle Owen and Jessica Bailey, Waynesville; Logan Ishreal, Jordan Rifke and Kyle Thornsberry, Crocker, representatives of Farm Bureau Youth Leadership.

On behalf of Senator Pearce, the President introduced to the Senate, Patrick Anderson, Jason Dieckhoff, Victoria Bostic, Haley Peterka, Tyler Ayler, Michaela Hinkle, Kaily Kurzweil, Austin Davis and Tyler Miller, representatives of Cass County Farm Bureau Youth Leadership.

Senator Munzlinger introduced to the Senate, representatives of Adair County Farm Bureau Youth Leadership.

Senator Brown introduced to the Senate, Alicia Cason, Ashley Wansing and Chad Miller, representatives of Osage County Farm Bureau Youth Leadership.

Senator Crowell introduced to the Senate, Crystal Richey and fourth grade students from Cape Christian, Cape Girardeau.

Senator Wasson introduced to the Senate, Abby Bass, Gerad Ray, Jessie Isenberger, Parker Glouse, Austin Witt, Tanna Eagleburger and Tammy Lowery, representatives of Greene County Farm Bureau Youth Leadership.

Senator Wasson introduced to the Senate, Robert Powell, Dylan Wright, Ashlee Jones, Kortney Parker, Haze and Heath Wright and Jeremy Sisco, representatives of Christian County Farm Bureau Youth Leadership.

Senator Wasson introduced to the Senate, Katie Wantland, Kylie Kirk, Nick Mikkelson, Brenda Leap and Gary Don Letterman, representatives of Webster County Farm Bureau Youth Leadership.

Senator Stouffer introduced to the Senate, representatives of Farm Bureau Youth Leadership from Lafayette and Howard Counties.

Senator Nieves introduced to the Senate, Sean Giesert, Washington; and Stacy Ward, Warrenton, representatives of Farm Bureau Youth Leadership.

Senator Kehoe introduced to the Senate, Helias Catholic High School Farm Bureau Youth Leadership representatives, Alex Carmichael, Jared Bentlage, Jordan and Debbie Backes, Jefferson City.

Senator Purgason introduced to the Senate, Kaylin Rose, Nicholaus Martin and David Crews, representatives of Oregon County Farm Bureau Youth Leadership.

Senator Mayer introduced to the Senate, Drew Joyce, Campbell.

Senator Engler introduced to the Senate, Don Barzowski and Tony Harbison, representatives of Iron County Farm Bureau Youth Leadership.

Senator Lager introduced to the Senate, representatives of Linn County Farm Bureau Youth Leadership.

Senator Kehoe introduced to the Senate, Brian Lehman, Dewayne Schad, Diane Olsen, Rae Dawn Tomblinson, Chloe Schwartz, Brittany Stamps, Daniel Sheremeta and Trey Marriott, representatives of Morgan County Farm Bureau Youth Leadership.

Senator Goodman introduced to the Senate, Shelby Weaver, Matilda Brotllund, Audra Blevins, Courtney Spencer and Landon Steele, representatives of Lawrence County Farm Bureau Youth Leadership.

Senator Lager introduced to the Senate, representatives of Farm Bureau Youth Leadership from Grundy, Caldwell, Daviess and Livingston counties.

Senator Mayer introduced to the Senate, Alyssa Counce, Alana Mann, Kendrick Bradley, Clark Ledford, Barbara Hutchison and Jana Merideth, representatives of Pemiscot County Farm Bureau Youth Leadership.

Senator Crowell introduced to the Senate, Tracy Kirchdoerfer and fourth grade students from Chaffee Elementary.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, April 2, 2012.

SENATE CALENDAR

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FORTY-SEVENTH DAY–MONDAY, APRIL 2, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1073-Sater
HB 1096-Wieland
HB 1190-Allen, et al
HB 1231-Cauthorn, et al
HB 1337-Stream
HCS for HB 1373
HB 1492-Molendorp and Brattin
HB 1577-Largent, et al
HB 1634-Ruzicka
HB 1641-Pollock, et al
HB 1668-Denison, et al
HB 1341-Dugger, et al
HCS for HB 1524
HB 1484-McCaherty and Nolte
HB 1880-Pollock, et al
HB 1048-Schneider
HB 1062-Dieckhaus and Lampe
HB 1170-Franz
HCS for HB 1171
HB 1221-Black, et al
HB 1261-Swearingen, et al
HB 1264-Fallert, et al
HB 1267-Denison, et al
HB 1315-McCaherty, et al
HCS for HB 1325
HB 1345-Cauthorn, et al
HCS for HB 1363
HCS for HB 1407
HB 1408-Walton Gray, et al
HB 1063-Conway (27)
HB 1460-Jones (117), et al
HB 1424-Marshall, et al
HCS#2 for HB 1462
HCS for HB 1477
HCS for HBs 1518 & 1522
HCS for HB 1563
HB 1545-Kirkton, et al
HB 1615-Oxford, et al
HB 1820-Asbury and Shively
HCS for HB 1623
HB 1630-Franz
HB 1636-Fuhr, et al
HB 1651-McGeoghegan, et al
HB 1652-McGeoghegan, et al
HB 1662-Weter
HB 1665-Jones (163), et al
HB 1680-Davis, et al
HB 1687-Schieffer, et al
HB 1692-Entlicher, et al
HB 1737-Gatschenberger
HB 1744-Kelley (126), et al
HB 1782-Fitzwater, et al

HB 1804-Molendorp, et al
HCS for HB 1827
HB 1807-Marshall, et al
HB 1266-Denison, et al
HCS for HB 1841
HB 1864-Johnson, et al
HB 1868-Cauthorn
HCS for HB 1875
HB 1878-Riddle
HCS for HB 1738
HB 1560-Diehl, et al
HCS for HB 1527
HB 1165-Diehl
HB 1811-Carter
HB 1296-Davis, et al
HCS for HB 1094
HCS for HB 1647
HCS for HB 1395
HB 1512-Curtman, et al
HCS for HB 1541
HCS for HBs 1278 & 1152
HCS for HB 1700
HCS for HB 1402

SENATE BILLS FOR PERFECTION

1. SJR 25-Crowell
2. SBs 588 & 585-Schmitt, with SCS
3. SB 692-Stouffer, with SCS
4. SB 729-Schaefer, with SCS
5. SB 584-Richard and Kehoe, with SCS
6. SB 566-Brown, with SCS
7. SB 631-Parson, with SCS
8. SB 682-Dempsey, with SCS
9. SB 721-Rupp
10. SB 510-Cunningham, with SCS
11. SB 675-Crowell, with SCS
12. SB 548-Purgason, with SCS
13. SB 842-Lamping, with SCS
14. SB 625-Kehoe, with SCS
15. SB 715-Kraus, with SCS
16. SB 673-Brown, with SCS
17. SB 856-Rupp, with SCS
18. SB 837-Dempsey, with SCS
19. SB 451-Cunningham, with SCS
20. SB 813-Richard
21. SB 911-Ridgeway
22. SB 576-Stouffer, with SCS
23. SB 661-Schmitt, with SCS
24. SB 475-Lamping
25. SJR 30-Lamping

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS & SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason

SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 677-Pearce, with SCS
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SS for SB 727-Schaaf
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 806-Cunningham, with SCS
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 21-Pearce, et al

To be Referred

SR 1762-Schmitt

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-SEVENTH DAY—MONDAY, APRIL 2, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"How much of God's sunshine has entered your life? How much time have you spent in the radiance of his presence?" (E. Townley Lord)

As we begin a new week we are so mindful of the draining pressures and demands that are beginning to increase around us. Help us Lord, for we need You to give us quietness and patience as we seek Your blessings in all that we do here. We recognize that the surest spiritual search is made in silence, so help us find such quietness in each day to wait upon You so that we might be refreshed for what lies ahead. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 29, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators —None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 1764, regarding Dakota James Hommes, St. Charles, which was adopted.

Senator Dempsey offered Senate Resolution No. 1765, regarding Brandon S. McBride, St. Peters, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1766, regarding the death of Clarence Spight, Jr., St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 1767, regarding Steven "Mik" Ebert, which was adopted.

Senator Lembke offered Senate Resolution No. 1768, regarding Lucy Catherine Vogt, which was adopted.

Senator Wasson offered Senate Resolution No. 1769, regarding former Senator Dan Clemens, Marshfield, which was adopted.

Senator Wasson offered Senate Resolution No. 1770, regarding Shaynna Shoemaker, Marshfield, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1771, regarding Robbie Montgomery, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1772, regarding Xernona Clayton, Atlanta, Georgia, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1773, regarding Kacie Starr Triplett, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1774, regarding Adrian E. Bracy, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1775, regarding Kathleen Brady, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1776, regarding Jacqueline Brock, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1777, regarding Myrtle E.B. Dorsey, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1778, regarding Shirley J. Drury, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1779, regarding Frankie Eichenberger, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1780, regarding Cindy Erickson, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1781, regarding Kimberly McKinney, which was

adopted.

Senator Wright-Jones offered Senate Resolution No. 1782, regarding Sandra Moore, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1783, regarding Valerie Patton, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1784, regarding Mary Attyberry Polk, which was adopted.

Senator Crowell offered Senate Resolution No. 1785, regarding Missouri Alpha Delta Kappa Sorority, which was adopted.

Senator Kehoe offered Senate Resolution No. 1786, regarding Commander Timothy A. Rexrode, USN, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 52**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 44 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to bird, fish, game, wildlife, or forestry resources.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1909**, entitled:

An Act to repeal section 144.805, RSMo, and to enact in lieu thereof one new section relating to sales of aviation jet fuel.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1169**, entitled:

An Act to repeal section 160.261, RSMo, and to enact in lieu thereof one new section relating to spanking in schools, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1046**, entitled:

An Act to repeal sections 115.399 and 115.761, RSMo, and to enact in lieu thereof two new sections relating to declarations of candidacy.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1722**, entitled:

An Act to repeal sections 173.606, 173.608, 173.612, 173.614, 173.616, and 173.618, RSMo, and to enact in lieu thereof six new sections relating to proprietary schools, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1126**, entitled:

An Act to repeal sections 137.1018 and 304.022, RSMo, and to enact in lieu thereof two new sections relating to transportation, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1172**, entitled:

An Act to repeal section 135.1150, RSMo, and to enact in lieu thereof two new sections relating to tax credits for certain contributions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1498**, entitled:

An Act to repeal sections 311.087, 311.089, 311.090, 311.093, 311.097, 311.098, 311.102, 311.104, 311.174, 311.176, 311.178, 311.273, 311.293, 311.481, 311.485, and 311.486, RSMo, and to enact in lieu thereof nine new sections relating to sales of intoxicating liquor.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 2, 2012

TO THE SECRETARY OF THE SENATE
96th GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 450 entitled:

AN ACT

To repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to school directors in urban districts, with an emergency clause.

On April 2, 2012, I approved said Senate Bill No. 450.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

SENATE BILLS FOR PERFECTION

Senator Pearce moved that **SB 677**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 677**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 677

An Act to repeal section 162.081, RSMo, and to enact in lieu thereof one new section relating to school accreditation, with an emergency clause.

Was taken up.

Senator Pearce moved that **SCS** for **SB 677** be adopted.

Senator Pearce offered **SS** for **SCS** for **SB 677**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 677

An Act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof two new sections relating to school accreditation, with an emergency clause.

Senator Pearce moved that **SS** for **SCS** for **SB 677** be adopted.

Senator Kehoe assumed the Chair.

Senator Lembke offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 677, Page 8, Section 162.081, Lines 19-24, by striking all of said lines.

Senator Lembke moved that the above amendment be adopted.

At the request of Senator Pearce, **SB 677**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Pearce moved that **SB 677**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Lembke, **SA 1** was withdrawn.

Senator Kraus assumed the Chair.

Senator Chappelle-Nadal offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 677, Page 8, Section 162.081, Lines 19-24, by striking all of said lines from the bill and inserting in lieu thereof the following:

"**8. Nothing in this section or section 162.083 shall supersede, or be construed to supersede, the provisions of section 167.131 and section 167.241. No action of the state board of education shall be contrary to the provisions of section 167.131 and section 167.241.**".

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Pearce moved that **SS** for **SCS** for **SB 677**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SS** for **SCS** for **SB 677**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCS** for **HCR 30**.

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, over the course of the Spring and Summer of 2011, unprecedented releases of water upstream by the U.S. Army Corps of Engineers have caused extensive pressure on the river levees in the state of Missouri that protect many communities, businesses, and prime agricultural lands; and

WHEREAS, in the face of this tremendous pressure some of Missouri's levees have been intentionally and unintentionally breached, resulting in widespread flooding, which has proved devastating to many Missouri homes, farms, families, and livelihoods; and

WHEREAS, last summer, the U.S. Army Corps of Engineers intentionally breached the Birds Point levee in southeast Missouri which resulted in the flooding of 130,000 acres of mostly agricultural land; and

WHEREAS, Missouri families have suffered unprecedented losses as a result of this situation and many Missouri farmers have experienced

a complete and total loss of agricultural production, resulting in decimated farm incomes and ravaged local economies; and

WHEREAS, according to a June 2011 report drafted by the Food and Agriculture Policy Research Institute of the University of Missouri, the breach of the levee and subsequent flooding of crop lands in Southeast Missouri has resulted in economic losses totaling $60.6 million, a combination of forgone net returns and incurred production expenses in the affected area; and

WHEREAS, according to the University of Missouri Extension, the southeast Missouri region produced the following shares of the state's total production of specific agricultural commodities in 2010:

1) 100% of total cotton production in Missouri;

2) 99.6% of total rice production in Missouri;

3) 52.9% of total wheat production in Missouri;

4) 21.4% of total grain sorghum production in Missouri;

5) 18.1% of total soybean production in Missouri;

6) 15.4% of total corn production in Missouri; and

WHEREAS, with the agricultural production of southeast Missouri accounting for approximately one-third of the state's total economy, the catastrophic results of the flooding of agricultural land due to the intentional breach of the Birds Point levee in southeast Missouri has a significant economic impact for the entire state. This complete and total loss of agricultural production at a time when our state's economy is experiencing recession can only exacerbate the state's current economic hardships; and

WHEREAS, the flood waters have not yet receded in some parts of Missouri and continue to disrupt the lives of hard-working Missourians; and

WHEREAS, even after the flood waters recede, much work will need to be done to restore the productivity of the damaged agricultural land and repair the ruined homes and businesses; and

WHEREAS, the U.S. Army Corps of Engineers is charged with management of the nation's rivers and flood control is one of the primary purposes for which the rivers are to be managed; and

WHEREAS, the original flood plan was authorized in 1928 in response to severe flooding of the Mississippi River in 1927. The U.S. Army Corps of Engineers is obligated to re-examine the flood plan in light of the devastating losses, both short-term and long-term, suffered in this state as a result of the unprecedented releases of water upstream and the intentional breach of the Birds Point levee by the U.S. Army Corps of engineers during the Spring and Summer of 2011:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the U.S. Army Corps of Engineers to:

1) Re-examine the flood control operations for the Missouri and Mississippi rivers; and

2) Manage the rivers in such a way as to avoid the devastating flooding disasters that have occurred this year; and

3) Rebuild the damaged levees to at least their previous heights as expediently as possible; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly encourage communities, families and other stakeholders to work together to restore the prime agricultural lands that have been damaged by the recent flooding so that the productive value of these lands is not irrevocably lost; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly strongly encourage the members of the Missouri Congressional delegation to actively support policies for the management of the Missouri River that minimize devastating flood events such as those that have been experienced by so many Missourians this summer; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Secretary of the U.S. Army and the members of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and adopted **HCR 25**.

HOUSE CONCURRENT RESOLUTION NO. 25

WHEREAS, the practice of school nursing began in the United States in 1902, when the initial role of the school nurse was to reduce absenteeism by intervening with students and families regarding health care needs related to communicable diseases; and

WHEREAS, today, professional school nursing is a specialized practice that advances the well-being, academic success, and lifelong achievement of students. To that end, school nurses facilitate positive student responses to normal development, promote health and safety, intervene with actual and potential health problems, provide case management services, and actively collaborate with others to build student and family capacity for adaptation, self-management, and self-advocacy, and learning; and

WHEREAS, seven roles have been identified by the National Association of School Nurses:

(1) Providing health care to students and staff;

(2) Providing leadership for the provision of health services;

(3) Providing screening and referral for health care;

(4) Promoting a healthy school environment;

(5) Promoting health;

(6) Serving in a leadership role for health policies and programs;

(7) Serving as a liaison between school personnel, family, community, and health care providers; and

WHEREAS, under optimal conditions, all public schools should have a school nurse on staff; and

WHEREAS, today, school nurses are facing increased pressures from every direction. Overwhelming amounts of paperwork, strict administrative policies, diminishing school budgets, and serious concerns regarding legal liabilities leave an insufficient amount of time and resources to provide students with the quality of care they deserve; and

WHEREAS, as schools grapple with mandates from the federal government to vaccinate students, many districts have few or no nurses to prevent or respond to outbreaks, leaving students more vulnerable to viruses that spread easily in classrooms and take a heavier toll on children and young adults; and

WHEREAS, a 2008 survey by the National Association of School Nurses found that only 45% of public schools have their own full-time nurse, another 30% have a part-time nurse, and 25% don't have any nurses at all; and

WHEREAS, given the vital role of our professional school nurses, school districts should recognize the dedication and contributions made by professionals:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby recognize the important health and educational services that professional school nurses provide and strongly urge every school district in this state to recognize the dedication of professional school nurses and the valuable role they play in Missouri schools; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for each school district in Missouri.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 11**.

HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, the State of Missouri has a proud agricultural tradition, with the first farms in this state established around 1725 by French settlers in the St. Genevieve area; and

WHEREAS, today in Missouri, according to the 2007 Census of Agriculture:

(1) 66% of Missouri's total land area is farmland;

(2) 53% of Missouri's total agricultural receipts came from livestock;

(3) Missouri ranks 2nd in the nation in the number of farms, with 108,000 farms. The average farm size is 269 acres, with 86% of all Missouri farms having less than 500 acres of land;

(4) 88% of all farm operations in this state were owned by individuals, families, or sole proprietors. Only 0.3% were owned by nonfamily corporations;

(5) Missouri has $7.51 billion value in agricultural products sold each year, with cattle and calves, hogs, and turkeys as Missouri's top livestock crops; and

(6) Missouri ranks 14th in the nation in total value of agricultural products sold. In 2009, 30% of Missouri's top agricultural production was in cattle and calves (16.1%), hogs (10%), and turkeys (4%); and

WHEREAS, in 2009, Missouri ranked 12th in the nation in agricultural exports, with livestock animals and meat as the 3rd highest agricultural export in the state; and

WHEREAS, with animal agriculture playing such a vital role in the lives of Missourians, it is appropriate to set aside one day to celebrate Missouri's animal agriculture industry in Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby designate October 3, 2012, as "Missouri Animal Agriculture Day" and encourage all citizens of this state to commemorate the day by eating and enjoying the fine meat selections raised in Missouri, including beef, pork, chicken, and turkey, as well as our wild game of deer, turkey, rabbit, and elk, and the many fish from our lakes, rivers, streams, and creeks.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1593**, entitled:

An Act to repeal section 135.680, RSMo, and to enact in lieu thereof three new sections relating to the Missouri Angel Investment Incentive Act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REFERRALS

President Pro Tem Mayer referred **SR 1762** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator Lamping introduced to the Senate, Brian and Kelly Estes and their children, Samantha Claire and Luke Austin, Columbia, Illinois; and Samantha Claire and Luke Austin were made honorary pages.

Senator Lembke introduced to the Senate, Dr. Susan Swope, Kerry Luster and Jim and Ann Jesse from the 1st Senatorial District; and Wes Ridgeway.

Senator Green introduced to the Senate, his son, Patrick T., St. Louis; and Emily Yokugaitis, Lake Charles, Louisiana.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-EIGHTH DAY– TUESDAY, APRIL 3, 2012

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1073-Sater
HB 1096-Wieland
HB 1190-Allen, et al
HB 1231-Cauthorn, et al
HB 1337-Stream
HCS for HB 1373
HB 1492-Molendorp and Brattin
HB 1577-Largent, et al
HB 1634-Ruzicka
HB 1641-Pollock, et al
HB 1668-Denison, et al
HB 1341-Dugger, et al
HCS for HB 1524
HB 1484-McCaherty and Nolte
HB 1880-Pollock, et al
HB 1048-Schneider
HB 1062-Dieckhaus and Lampe
HB 1170-Franz
HCS for HB 1171
HB 1221-Black, et al
HB 1261-Swearingen, et al
HB 1264-Fallert, et al
HB 1267-Denison, et al
HB 1315-McCaherty, et al
HCS for HB 1325
HB 1345-Cauthorn, et al
HCS for HB 1363
HCS for HB 1407
HB 1408-Walton Gray, et al
HB 1063-Conway (27)
HB 1460-Jones (117), et al
HB 1424-Marshall, et al
HCS#2 for HB 1462
HCS for HB 1477
HCS for HBs 1518 & 1522
HCS for HB 1563
HB 1545-Kirkton, et al
HB 1615-Oxford, et al
HB 1820-Asbury and Shively
HCS for HB 1623
HB 1630-Franz
HB 1636-Fuhr, et al
HB 1651-McGeoghegan, et al
HB 1652-McGeoghegan, et al
HB 1662-Weter
HB 1665-Jones (163), et al
HB 1680-Davis, et al
HB 1687-Schieffer, et al
HB 1692-Entlicher, et al
HB 1737-Gatschenberger
HB 1744-Kelley (126), et al
HB 1782-Fitzwater, et al
HB 1804-Molendorp, et al
HCS for HB 1827
HB 1807-Marshall, et al
HB 1266-Denison, et al
HCS for HB 1841
HB 1864-Johnson, et al
HB 1868-Cauthorn
HCS for HB 1875

HB 1878-Riddle
HCS for HB 1738
HB 1560-Diehl, et al
HCS for HB 1527
HB 1165-Diehl
HB 1811-Carter
HB 1296-Davis, et al
HCS for HB 1094
HCS for HB 1647
HCS for HB 1395
HB 1512-Curtman, et al
HCS for HB 1541
HCS for HBs 1278 & 1152
HCS for HB 1700
HCS for HB 1402
HJR 52-Ruzicka
HB 1909-Hoskins
HCS for HB 1169
HB 1046-Rowland
HCS for HB 1722
HCS for HB 1126
HB 1172-Franz
HCS for HB 1498
HB 1593-Jones (89), et al

SENATE BILLS FOR PERFECTION

1. SJR 25-Crowell
2. SBs 588 & 585-Schmitt, with SCS
3. SB 692-Stouffer, with SCS
4. SB 729-Schaefer, with SCS
5. SB 584-Richard and Kehoe, with SCS
6. SB 566-Brown, with SCS
7. SB 631-Parson, with SCS
8. SB 682-Dempsey, with SCS
9. SB 721-Rupp
10. SB 510-Cunningham, with SCS
11. SB 675-Crowell, with SCS
12. SB 548-Purgason, with SCS
13. SB 842-Lamping, with SCS
14. SB 625-Kehoe, with SCS
15. SB 715-Kraus, with SCS
16. SB 673-Brown, with SCS
17. SB 856-Rupp, with SCS
18. SB 837-Dempsey, with SCS
19. SB 451-Cunningham, with SCS
20. SB 813-Richard
21. SB 911-Ridgeway
22. SB 576-Stouffer, with SCS
23. SB 661-Schmitt, with SCS
24. SB 475-Lamping
25. SJR 30-Lamping

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS & SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason

SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SS for SB 727-Schaaf
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 806-Cunningham, with SCS
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 21-Pearce, et al

To be Referred

HCR 11-Kelly (126), et al
HCR 25-Allen, et al
HCS for HCR 30

✓

Journal of the Senate

SECOND REGULAR SESSION

FORTY-EIGHTH DAY—TUESDAY, APRIL 3, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Prayer then involves all things, and is an attempt to bring all things into focus, to see all things as they really are, as seen by God." (Melvyn Matthews)

Heavenly Father, we come before You in prayer asking You to help us focus on what is truly important and for You to help us see things the way You would have us see them, through loving eyes and a grateful spirit. Bless what we do according to Your will and forgive our failures. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators —None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 1787, regarding David Wayne Anderson, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1788, regarding Michael Glenn Soendker, Lee's Summit, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 677**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Cunningham moved that **SB 806**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 806**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 806

An Act to repeal sections 160.045, 163.172, 168.101, 168.102, 168.104, 168.106, 168.108, 168.110, 168.112, 168.114, 168.116, 168.118, 168.120, 168.122, 168.124, 168.128, 168.130, 168.201, 168.211, 168.221, 168.251, 168.291, 168.410, and 536.018, RSMo, and to enact in lieu thereof twenty-five new sections relating to the employment of school personnel, with an effective date.

Was taken up.

Senator Stouffer assumed the Chair.

Senator Cunningham moved that **SCS** for **SB 806** be adopted.

Senator Crowell offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 806, Pages 1-2, Section 160.045, by striking all of said section from the bill; and

Further amend said bill, page 2, section 168.251, by striking all of said section from the bill; and

Further amend said bill, pages 2-3, section 168.291, by striking all of said section from the bill; and

Further amend said bill, page 3, section 168.410, by striking all of said section from the bill; and

Further amend said bill, pages 3-4, section 168.999, by striking all of said section from the bill; and

Further amend said bill, page 4, section 168.1000, by striking all of said section from the bill; and

Further amend said bill, pages 4-5, section 168.1002, by striking all of said section from the bill; and

Further amend said bill, page 5, section 168.1003, by striking all of said section from the bill; and

Further amend said bill, pages 5-6, section 168.1004, by striking all of said section from the bill; and

Further amend said bill, page 6, section 168.1006, by striking all of said section from the bill; and

Further amend said bill, page 6, section 168.1007, by striking all of said section from the bill; and

Further amend said bill, pages 6-7, section 168.1008, by striking all of said section from the bill; and

Further amend said bill, page 7, section 168.1009, by striking all of said section from the bill; and

Further amend said bill, page 7, section 168.1010, by striking all of said section from the bill; and

Further amend said bill, page 7, section 168.1011, by striking all of said section from the bill; and

Further amend said bill, pages 7-8, section 168.1012, by striking all of said section from the bill; and

Further amend said bill, pages 8-10, section 168.1016, by striking all of said section from the bill; and

Further amend said bill, page 10, section 168.1020, by striking all of said section from the bill; and

Further amend said bill, pages 10-11, section 168.1022, by striking all of said section from the bill; and

Further amend said bill, page 11, section 168.1025, by striking all of said section from the bill; and

Further amend said bill, pages 11-12, section 168.1026, by striking all of said section from the bill; and

Further amend said bill, page 12, section 168.1028, by striking all of said section from the bill; and

Further amend said bill, page 12, section 168.1030, by striking all of said section from the bill; and

Further amend said bill, pages 12-17, section 168.1032, by striking all of said section from the bill; and

Further amend said bill, page 17, section 536.018, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted.

At the request of Senator Cunningham, **SB 806**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Schaaf moved that **SS** for **SB 727** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Schaaf, **SS** for **SB 727** was declared perfected and ordered printed.

At the request of Senator Crowell, **SJR 25** was placed on the Informal Calendar.

Senator Schmitt moved that **SB 588** and **SB 585**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SBs 588** and **585**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 588 and 585

An Act to amend chapter 67, RSMo, by adding thereto two new sections relating to tax incentives to attract sporting events to Missouri.

Was taken up.

Senator Schmitt moved that **SCS** for **SBs 588** and **585** be adopted.

At the request of Senator Schmitt, **SB 588** and **SB 585**, with **SCS** (pending), was placed on the Informal Calendar.

REFERRALS

President Pro Tem Mayer referred **HCR 11**, **HCR 25** and **HCS** for **HCR 30** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Green offered Senate Resolution No. 1789, regarding the Class 5 State Champion McCluer North High School Basketball Team, Florissant, which was adopted.

Senators Lager and Pearce offered Senate Resolution No. 1790, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Bill Smith, Chillicothe, which was adopted.

Senator Schaaf offered Senate Resolution No. 1791, regarding Captain Bill Albertson, which was adopted.

Senator Schaaf offered Senate Resolution No. 1792, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jesse Grable, DeKalb, which was adopted.

Senator Schaaf offered Senate Resolution No. 1793, regarding Pastor Earnestine Blakely, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 1794, regarding Abbey McKern, Dearborn, which was adopted.

Senator Nieves offered Senate Resolution No. 1795, regarding Carol Voss, Eureka, which was adopted.

Senator Nieves offered Senate Resolution No. 1796, regarding John M. Kuykendall, Wildwood, which was adopted.

Senator Brown offered Senate Resolution No. 1797, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bill Mead, Salem, which was adopted.

Senators Stouffer and Pearce offered Senate Resolution No. 1798, regarding the Ninety-ninth Birthday of Miles Plzak, Fayette, which was adopted.

Senator Stouffer offered Senate Resolution No. 1799, regarding the Bi-County SERVICE, Incorporated, Foster Grandparent Program, which was adopted.

Senator Stouffer offered Senate Resolution No. 1800, regarding James Robert "Bob" Burrows, Lexington, which was adopted.

Senator Stouffer offered Senate Resolution No. 1801, regarding Linda Joyce Ingalls, Lexington, which

was adopted.

Senator Stouffer offered Senate Resolution No. 1802, regarding Donna Jean Gonder, Lexington, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 727**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Stouffer moved that **SB 692**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 692**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 692

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to procedures for decreasing county budgets.

Was taken up.

Senator Stouffer moved that **SCS** for **SB 692** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SCS** for **SB 692** was declared perfected and ordered printed.

Senator Schaefer moved that **SB 729**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 729**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 729

An Act to repeal sections 50.660 and 50.783, RSMo, and to enact in lieu thereof two new sections relating to county purchases.

Was taken up.

Senator Schaefer moved that **SCS** for **SB 729** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **SB 729** was declared perfected and ordered printed.

At the request of Senator Richard, **SB 584**, with **SCS**, was placed on the Informal Calendar.

Senator Brown moved that **SB 566**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 566**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 566

An Act to amend chapter 322, RSMo, by adding thereto one new section relating to vaccination of dogs and cats against rabies.

Was taken up.

President Pro Tem Mayer assumed the Chair.

Senator Brown moved that **SCS** for **SB 566** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 566** was declared perfected and ordered printed.

Senator Schaefer requested unanimous consent of the Senate to allow President Timothy M. Wolfe and Chancellor Brady Deaton to enter the Chamber, which request was granted.

SB 631, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Dempsey, **SB 682**, with **SCS**, was placed on the Informal Calendar.

Senator Rupp moved that **SB 721** be taken up for perfection, which motion prevailed.

Senator Stouffer assumed the Chair.

On motion of Senator Rupp, **SB 721** was declared perfected and ordered printed.

Senator Cunningham moved that **SB 806**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Crowell, **SA 1** was withdrawn.

Senator Cunningham offered **SS** for **SCS** for **SB 806**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 806

An Act to repeal sections 168.101, 168.102, 168.104, 168.106, 168.108, 168.110, 168.112, 168.114, 168.116, 168.118, 168.120, 168.122, 168.126, 168.128, 168.130, 168.201, 168.211, and 168.221, RSMo, and to enact in lieu thereof one new section relating to the employment of school personnel, with an effective date.

Senator Cunningham moved that **SS** for **SCS** for **SB 806** be adopted.

Senator Lembke offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 806, Page 16, Section 168.221, Line 24 of said page, by inserting after all of said line the following:

"**[**168.291. Whenever it is necessary to decrease the number of employees because of insufficient funds or decrease in pupil enrollment or lack of work the board of education may cause the necessary number of employees, beginning with those serving probationary periods, to be placed on leave of absence without pay, but only in the inverse order of their appointment. Each employee placed on leave of absence shall be reinstated in inverse order of his placement on leave of absence. Such reemployment shall not result in a loss of status or credit for previous periods of service. No new appointments shall be made while there are available employees on leave of absence who have not attained the age of seventy years and who are adequately qualified to fill the vacancy in the

particular department unless the employees fail to advise the board within thirty days from date of notification by the board that positions are available to them, that they will return to employment, and will assume the duties of the position to which they are appointed not later than the beginning of the month following the date of the notice by the board.**]**"; and

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 806, Page 10, Section 168.122, Line 8 of said page by inserting after all of said line the following:

"**[**168.124. 1. The board of education of a school district may place on leave of absence as many teachers as may be necessary because of a decrease in pupil enrollment, school district reorganization or the financial condition of the school district. In placing teachers on leave, the board of education shall be governed by the following provisions:

(1) No permanent teacher shall be placed on leave of absence while probationary teachers are retained in positions for which a permanent teacher is qualified;

(2) Permanent teachers shall be retained on the basis of performance-based evaluations and seniority (however, seniority shall not be controlling) within the field of specialization;

(3) Permanent teachers shall be reinstated to the positions from which they have been given leaves of absence, or if not available, to positions requiring like training and experience, or to other positions in the school system for which they are qualified by training and experience;

(4) No appointment of new teachers shall be made while there are available teachers on unrequested leave of absence who are properly qualified to fill such vacancies;

(5) A teacher placed on leave of absence may engage in teaching or another occupation during the period of such leave;

(6) The leave of absence shall not impair the tenure of a teacher;

(7) The leave of absence shall continue for a period of not more than three years unless extended by the board.

2. Should a board of education choose to utilize the mechanism for reducing teacher forces as provided in subsection 1 of this section in an attempt to manage adverse financial conditions caused at least partially by a withholding of, or a decrease or less than expected increase in, education appropriations, then the district additionally shall follow the provisions of subsection 3 of this section.

3. If a school district has an unrestricted combined ending fund balance of more than ten percent of current expenditures in its teachers' and incidental funds, and in the subsequent fiscal year such district, because of state appropriations, places a contracted teacher on leave of absence after forty days subsequent to the governor signing the elementary and secondary education appropriation bill, the district shall pay the affected teacher the greater of his or her salary for any days worked under the contract, or a sum equal to three thousand dollars.**]**"; and

Further amend the title and enacting clause accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 806, Page 2, Section 168.1022, Line 5 of said page by inserting at the end of said line the following: "**For purposes of this section, "adverse financial conditions" shall mean a five percent decrease in a school district's fund balance from the previous school year.**".

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Pearce offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 806, Page 2, Section 168.1022, Line 14 of said page, by inserting after all of said line the following:

"**Section 1. 1. During the legislative interim between the second regular session of the ninety-sixth general assembly and the first regular session of the ninety-seventh general assembly, the joint committee on education shall oversee a task force on teacher compensation and effectiveness.**

2. The membership of the task force shall consist of the following:

(1) Two members of the senate and two members of the house of representatives who serve on the joint committee on education, to be appointed by the chair of the joint committee;

(2) The commissioner of education or his or her designee;

(3) Three members who shall be active teachers, to be appointed by the joint committee;

(4) One member who shall be an active public school administrator, to be appointed by the joint committee;

(5) One member who shall be an active school board member, to be appointed by the joint committee;

(6) The dean or chief administrator of a state-approved baccalaureate-level teacher preparation program located in Missouri, to be appointed by the chair of the joint committee;

(7) One member who shall be an academic researcher from Missouri or a contiguous state with expertise in education policy, to be appointed by the chair of the joint committee;

(8) The executive director of the public school retirement system of Missouri, or his or her designee, who shall have a background or employment experience with a public school retirement system in Missouri; and

(9) An expert in human resources or personnel policies from the private sector with experience evaluating employee performance, to be appointed by the chair of the joint committee.

3. The task force shall consider options and make recommendations to the general assembly and

state board of education that seek to ensure that all licensed education personnel are:

(1) Evaluated using multiple fair, transparent, timely, rigorous, and valid methods, which shall consider and include the academic growth of their students;

(2) Afforded a meaningful opportunity to improve their effectiveness;

(3) Provided the means to share effective practices with other educators throughout the state.

4. The task force shall meet at least four times. Meetings may be conducted by video conference or teleconference.

5. A chair and vice chair of the task force shall be selected by the task force.

6. The task force shall submit a final report with recommendations for legislative action by the general assembly no later than December 31, 2012, to the chair of the joint committee on education, the secretary of the senate, the chief clerk of the house of representatives, and the president of the state board of education.

7. Task force members shall receive no compensation for their duties. Actual and necessary expenses of the task force and its members shall be paid by the joint committee on education.

8. The staff of the joint committee on education, committee on legislative research, senate research, and house research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in performance of its duties."; and

Further amend said bill, pages 2-3, section 168.101, by striking all of said section from the bill; and

Further amend said bill, page 3, section 168.102, by striking all of said section from the bill; and

Further amend said bill, pages 4-5, section 168.104, by striking all of said section from the bill; and

Further amend said bill, page 5, section 168.106, by striking all of said section from the bill; and

Further amend said bill, pages 5-6, section 168.108, by striking all of said section from the bill; and

Further amend said bill, page 6, section 168.110, by striking all of said section from the bill; and

Further amend said bill, page 6, section 168.112, by striking all of said section from the bill; and

Further amend said bill, pages 6-7, section 168.114, by striking all of said section from the bill; and

Further amend said bill, page 7, section 168.116, by striking all of said section from the bill; and

Further amend said bill, pages 7-8, section 168.118, by striking all of said section from the bill; and

Further amend said bill, pages 8-9, section 168.120, by striking all of said section from the bill; and

Further amend said bill, pages 9-10, section 168.122, by striking all of said section from the bill; and

Further amend said bill, pages 10-11, section 168.126, by striking all of said section from the bill; and

Further amend said bill, page 11, section 168.128, by striking all of said section from the bill; and

Further amend said bill, pages 11-12, section 168.130, by striking all of said section from the bill; and

Further amend said bill, page 12, section 168.201, by striking all of said section from the bill; and

Further amend said bill, pages 12-13, section 168.211, by striking all of said section from the bill; and

Further amend said bill, pages 13-16, section 168.221, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

Senator Crowell requested a roll call vote be taken on the adoption of **SA 4** and was joined in his request by Senators Cunningham, Lembke, Mayer and Nieves.

SA 4 was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Curls	Dixon	Engler	Green	Justus	Keaveny
Kraus	McKenna	Munzlinger	Parson	Pearce	Richard	Schaefer	Wasson
Wright-Jones—17							

NAYS—Senators

Chappelle-Nadal	Crowell	Cunningham	Dempsey	Kehoe	Lager	Lamping	Lembke
Mayer	Nieves	Purgason	Ridgeway	Schaaf	Schmitt	Stouffer—15	

Absent—Senators

Goodman Rupp—2

Absent with leave—Senators—None

Vacancies—None

At the request of Senator Cunningham, **SB 806**, with **SCS** and **SS** for **SCS**, as amended (pending), was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 510**, with **SCS**, was placed on the Informal Calendar.

Senator Crowell moved that **SB 675**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 675**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 675

An Act to repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to the Missouri property tax credit.

Was taken up.

Senator Crowell moved that **SCS** for **SB 675** be adopted.

Senator Green requested a roll call vote be taken on the adoption of **SCS** for **SB 675** and was joined in his request by Senators Crowell, Keaveny, McKenna and Stouffer.

At the request of Senator Crowell, **SB 675**, with **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 721**; **SCS** for **SB 692**; **SCS** for **SB 566**; and **SCS** for **SB 729**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Mayer referred **SS** for **SB 727** to the Committee on Ways and Means and Fiscal Oversight.

RESOLUTIONS

Senator Stouffer offered Senate Resolution No. 1803, regarding Susie Elaine Rasa, Lexington, which was adopted.

Senator Stouffer offered Senate Resolution No. 1804, regarding Kaye Hurley Worthington, Lexington, which was adopted.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

April 3, 2012

Ms. Terry Spieler
Secretary of the Senate
State Capitol
Jefferson City, MO 65101

Dear Ms. Spieler:

Please be advised that I am hereby appointing Senators Bob Dixon and Brian Munzlinger to the Missouri Emergency Response Commission effective immediately.

The commission's purpose is to "protect public health and the environment by assisting communities with chemical incident prevention, preparedness, response and recovery; and by receiving, processing and reporting on chemical information received under the community right-to-know laws."

It is important that this commission is represented by senators who have dealt first hand with the intricacies involved in response efforts for these difficult emergency situations in the communities of Missouri. I am very confident that Senators Dixon and Munzlinger will work diligently with their fellow commission members in reviewing emergency response plans.

If you have any questions regarding these appointments, please do not hesitate to contact my office.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator McKenna introduced to the Senate, fourth grade students from Antonia Elementary.

Senator Rupp introduced to the Senate, fifth grade students from Messiah Lutheran School, Weldon

Spring.

Senator Richard introduced to the Senate, Dr. Jodie Pennington, Jeremy Elliott-Engel, Sheila Littlefield, Sheri Farmer, Debbie Seufert, Nathaniel Peterman, Jacob Boeglin, Jesse Shilling, Cady Littlefield and Madelaine Giebler, representatives of Newton County Extension.

Senator Brown introduced to the Senate, Chancellor Dr. Cheryl Schrader, Missouri University of Science and Technology, Rolla.

Senator Lamping introduced to the Senate, Dr. Kantor, Dr. Yadiva and Dr. Conley, St. Louis.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Matt Casey, Creve Coeur.

Senator Callahan introduced to the Senate, students from Stephens College Children's School, Columbia.

Senator Goodman introduced to the Senate, Jeremy Elliott-Engel.

Senator Goodman introduced to the Senate, Shelby and Abby Bishop, Noel; Tosha and Hannah Sherman, Pineville; Megan Thomas, Purdy; Noah Tucker, Exeter; and Joe Stephens, Rocky Comfort.

Senator Goodman introduced to the Senate, his wife, Laura and their son, Jack Elliott, Mt. Vernon; parents, Margaret Kleiboeker, Shara Martin, Lori McKnight, Don Paszek, April Smith, Matt Ticknor, Jaime Zengotita and third grade students, Dana Wormington, Faith Drewianka, Ellie Enlow, Dylan Frazier, Madelyn Jones, Kaitlin Kleiboeker, Elizabeth Martin, Markus McKnight, Samuel Paszek, Katie Smith, Parker Ticknor and Gabriela Zengotita from Trinity Lutheran, Freistatt.

Senator Goodman introduced to the Senate, parents, Kim Bennett, Patsy Woods, Nancy Bushman, Michael Blewett, Shawn Clemen, Sheila Drewianka, Michael Frazier, Jeremy Jelinek, John Kleiboeker, Jenny Moennig, Jenni Schmidt, Marcus Schoen and fourth grade students, Shanna Jelinek, Hannah Bennett, Kathryn Bushman, Jonathan Blewett, Matthew Clemen, Sara Drewianka, Lily Easter, Damon Frazier, Raelin Jelinek, Jackson Kleiboeker, Dane Moennig, Dustin Schmidt, Parker Schoen and Beth Williams from Trinity Lutheran, Freistatt.

Senator Goodman introduced to the Senate, his son, William True Goodman, Mt. Vernon; and William True was made an honorary page.

On behalf Senator Pearce, the President introduced to the Senate, Shelby Mustain, Jefferson City.

Senator Schaefer introduced to the Senate, President Tim Wolfe, Chancellor Brady Deaton, Athletic Director Mike Alden, Coach Frank Haith, coaching and athletic department staff and members of the Big 12 Conference Tournament Champion University of Missouri-Columbia men's basketball team, Phil Pressey, Jabari Brown, Matt Pressey, Ricardo Ratliffe, Michael Dixon Jr., Marcus Denmon, Laurence Bowers, Keion Bell, Kim English, Jarrett Sutton, Danny Feldmann, Steve Moore, Earnest Ross, Andrew Jones and Andy Rosburg.

Senator Munzlinger introduced to the Senate, Nancy Houghton and her son, Hunter, Martinsburg.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FORTY-NINTH DAY–WEDNESDAY, APRIL 4, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1073-Sater
HB 1096-Wieland
HB 1190-Allen, et al
HB 1231-Cauthorn, et al
HB 1337-Stream
HCS for HB 1373
HB 1492-Molendorp and Brattin
HB 1577-Largent, et al
HB 1634-Ruzicka
HB 1641-Pollock, et al
HB 1668-Denison, et al
HB 1341-Dugger, et al
HCS for HB 1524
HB 1484-McCaherty and Nolte
HB 1880-Pollock, et al
HB 1048-Schneider
HB 1062-Dieckhaus and Lampe
HB 1170-Franz
HCS for HB 1171
HB 1221-Black, et al
HB 1261-Swearingen, et al
HB 1264-Fallert, et al
HB 1267-Denison, et al
HB 1315-McCaherty, et al
HCS for HB 1325
HB 1345-Cauthorn, et al
HCS for HB 1363
HCS for HB 1407
HB 1408-Walton Gray, et al
HB 1063-Conway (27)
HB 1460-Jones (117), et al
HB 1424-Marshall, et al
HCS#2 for HB 1462
HCS for HB 1477
HCS for HBs 1518 & 1522
HCS for HB 1563
HB 1545-Kirkton, et al
HB 1615-Oxford, et al
HB 1820-Asbury and Shively
HCS for HB 1623
HB 1630-Franz
HB 1636-Fuhr, et al
HB 1651-McGeoghegan, et al
HB 1652-McGeoghegan, et al
HB 1662-Weter
HB 1665-Jones (163), et al
HB 1680-Davis, et al
HB 1687-Schieffer, et al
HB 1692-Entlicher, et al
HB 1737-Gatschenberger
HB 1744-Kelley (126), et al
HB 1782-Fitzwater, et al
HB 1804-Molendorp, et al
HCS for HB 1827
HB 1807-Marshall, et al
HB 1266-Denison, et al
HCS for HB 1841
HB 1864-Johnson, et al
HB 1868-Cauthorn
HCS for HB 1875
HB 1878-Riddle
HCS for HB 1738
HB 1560-Diehl, et al
HCS for HB 1527
HB 1165-Diehl
HB 1811-Carter
HB 1296-Davis, et al
HCS for HB 1094

HCS for HB 1647
HCS for HB 1395
HB 1512-Curtman, et al
HCS for HB 1541
HCS for HBs 1278 & 1152
HCS for HB 1700
HCS for HB 1402
HJR 52-Ruzicka
HB 1909-Hoskins
HCS for HB 1169
HB 1046-Rowland
HCS for HB 1722
HCS for HB 1126
HB 1172-Franz
HCS for HB 1498
HB 1593-Jones (89), et al

THIRD READING OF SENATE BILLS

SS for SCS for SB 677-Pearce
SS for SB 727-Schaaf (In Fiscal Oversight)
SB 721-Rupp
SCS for SB 692-Stouffer
SCS for SB 566-Brown
SCS for SB 729-Schaefer

SENATE BILLS FOR PERFECTION

1. SB 548-Purgason, with SCS
2. SB 842-Lamping, with SCS
3. SB 625-Kehoe, with SCS
4. SB 715-Kraus, with SCS
5. SB 673-Brown, with SCS
6. SB 856-Rupp, with SCS
7. SB 837-Dempsey, with SCS
8. SB 451-Cunningham, with SCS
9. SB 813-Richard
10. SB 911-Ridgeway
11. SB 576-Stouffer, with SCS
12. SB 661-Schmitt, with SCS
13. SB 475-Lamping
14. SJR 30-Lamping

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS & SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 510-Cunningham, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS

SB 631-Parson, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 682-Dempsey, with SCS
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 806-Cunningham, with SCS & SS for SCS (pending)
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FORTY-NINTH DAY—WEDNESDAY, APRIL 4, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Like good stewards of the manifold grace of God, serve one another with whatever gift each of you has received." (1 Peter 4:10)

Gracious God, You have shown us what a servant's heart reveals to the world. We need to keep our service to You in mind today not as a way of elevating ourselves but in a way that our gifts assist one another here in this chamber, so our burdens are lightened and work moves more smoothly. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from ABC-17 News were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators —None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 1805, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bob Gragg, Bolckow, which was adopted.

Senator Kraus offered Senate Resolution No. 1806, regarding Kyle Ray Walker, which was adopted.

Senator Keaveny offered Senate Resolution No. 1807, regarding the Fiftieth Anniversary of St. Louis Community College (STLCC), Bridgeton, which was adopted.

CONCURRENT RESOLUTIONS

Senator Mayer offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 28

WHEREAS, the State of Missouri first adopted the Missouri Criminal Code in 1977 to create a cohesive body of criminal law to be published in one portion of the Revised Statutes of Missouri; and

WHEREAS, the Code now lacks the cohesiveness it was created to embody after more than three decades of criminal statutes being enacted outside of the Missouri Criminal Code and non-criminal statutes being added to the Code; and

WHEREAS, the statutes enacted over the years include duplicative and conflicting criminal laws and inconsistent penalties; and

WHEREAS, some of these laws, in practice, have not had the intended effect of serving practitioners of criminal law and victims of crimes; and

WHEREAS, the Missouri Bar Association has spent four years developing recommendations for improving the Missouri Criminal Code, making the Code more cohesive and consistent, and repealing duplicative and conflicting provisions; and

WHEREAS, the recommendations of the Missouri Bar Association encompass more than 700 sections of law; and

WHEREAS, the General Assembly understands the importance and immensity of reviewing the recommendations and developing a plan to revise the Missouri Criminal Code:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the Joint Committee on the Missouri Criminal Code; and

BE IT FURTHER RESOLVED that the Committee shall be composed of two majority party members to be appointed by the President Pro Tempore of the Senate and one minority party member to be appointed by the Minority Leader of the Senate, and two majority party members to be appointed by the Speaker of the House of Representatives, and one minority party member to be appointed by the Minority Leader of the House of Representatives; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive review of the Missouri Criminal Code and the Missouri Bar Associations recommendations, examine any other issues that the Committee deems relevant, and make any recommendations for improving the cohesiveness, consistency, and effectiveness of the state's criminal laws; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the actual expenses of the Joint Committee, its members, and any staff assigned to the Joint Committee incurred by the Joint Committee shall be paid by the Joint Contingency Fund; and

BE IT FURTHER RESOLVED that the Joint Committee is authorized to begin its work beginning on the adoption of this resolution and continue during the legislative interim between the Second Regular Session of the Ninety-sixth General Assembly and the First Regular Session of the Ninety-seventh General Assembly through December 31, 2012, as authorized by State v. Atterburry, 300 S.W. 2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by

November 15, 2012, and the authority of such Committee shall terminate on November 14, 2012.

Senator Mayer requested unanimous consent of the Senate to suspend Senate Rule 71 for the purpose of taking **SCR 28** up for adoption, which request was granted.

On motion of Senator Mayer, **SCR 28** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Goodman Ridgeway—2

Absent with leave—Senator Kehoe—1

Vacancies—None

SENATE BILLS FOR PERFECTION

Senator Parson moved that **SB 631**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 631**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 631

An Act to repeal section 276.401, RSMo, and to enact in lieu thereof one new section relating to grain purchases.

Was taken up.

Senator Parson moved that **SCS** for **SB 631** be adopted, which motion prevailed.

On motion of Senator Parson, **SCS** for **SB 631** was declared perfected and ordered printed.

At the request of Senator Purgason, **SB 548**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Lamping, **SB 842**, with **SCS**, was placed on the Informal Calendar.

SB 625, with **SCS**, was placed on the Informal Calendar.

Senator Kraus moved that **SB 715**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 715**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 715

An Act to repeal sections 40.435 and 41.050, RSMo, and to enact in lieu thereof one new section

relating to the state militia.

Was taken up.

Senator Kraus moved that **SCS** for **SB 715** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 715** was declared perfected and ordered printed.

Senator Brown moved that **SB 673**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 673**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 673

An Act to repeal sections 302.130 and 302.132, RSMo, and to enact in lieu thereof two new sections relating to temporary motor vehicle instruction permits, with an effective date.

Was taken up.

Senator Schmitt assumed the Chair.

Senator Brown moved that **SCS** for **SB 673** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 673** was declared perfected and ordered printed.

Senator Rupp moved that **SB 856**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 856**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 856

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to the Missouri Employers Mutual Insurance Company.

Was taken up.

President Pro Tem Mayer assumed the Chair.

Senator Schaaf assumed the Chair.

Senator Kraus assumed the Chair.

Senator Rupp moved that **SCS** for **SB 856** be adopted, which motion prevailed.

On motion of Senator Rupp, **SCS** for **SB 856** was declared perfected and ordered printed.

Senator Lamping moved that **SB 842**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 842**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 842

An Act to repeal sections 169.030, 169.070, 169.620, and 169.670, RSMo, and to enact in lieu thereof four new sections relating to teacher and school employee retirement systems, with existing penalty provisions and an emergency clause.

Was taken up.

Senator Lamping moved that **SCS** for **SB 842** be adopted.

At the request of Senator Lamping, **SB 842**, with **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 856**; **SCS** for **SB 715**; **SCS** for **SB 673**; and **SCS** for **SB 631**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Stouffer.

Senator Dempsey announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 1808, regarding Diane Simpson, Agency, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Lamping moved that **SB 842**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 842** was again taken up.

Senator Lamping moved that **SCS** for **SB 842** be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS** for **SB 842** was declared perfected and ordered printed.

SB 837, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 451**, with **SCS**, was placed on the Informal Calendar.

Senator Richard moved that **SB 813** be taken up for perfection, which motion prevailed.

Senator Kehoe assumed the Chair.

On motion of Senator Richard, **SB 813** was declared perfected and ordered printed.

Senator Ridgeway moved that **SB 911** be taken up for perfection, which motion prevailed.

On motion of Senator Ridgeway, **SB 911** was declared perfected and ordered printed.

Senator Stouffer moved that **SB 576**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 576**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 576

An Act to repeal sections 29.205, 160.400, 160.405, 160.410, 160.415, and 160.420, RSMo, and to enact in lieu thereof nine new sections relating to charter schools.

Was taken up.

Senator Stouffer moved that **SCS** for **SB 576** be adopted.

At the request of Senator Stouffer, **SB 576**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Schmitt moved that **SB 661**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 661**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 661

An Act to repeal section 143.071, RSMo, and to enact in lieu thereof two new sections relating to the taxation of business income.

Was taken up.

Senator Schmitt moved that **SCS** for **SB 661** be adopted.

At the request of Senator Schmitt, **SB 661**, with **SCS** (pending), was placed on the Informal Calendar.

SB 475 was placed on the Informal Calendar.

Senator Dempsey moved that **SB 837**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 837**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 837

An Act to repeal section 407.400, RSMo, and to enact in lieu thereof one new section relating to franchises.

Was taken up.

Senator Dempsey moved that **SCS** for **SB 837** be adopted.

At the request of Senator Dempsey, **SB 837**, with **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 911**; **SCS** for **SB 842**; and **SB 813**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred

SCR 20, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 25**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 37**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

INTRODUCTIONS OF GUESTS

Senator Stouffer introduced to the Senate, Brian Shewell, St. Joseph.

Senator Dixon introduced to the Senate, Pat Gartland, Sean McGinnis and Randy Bachus, Springfield.

Senator Munzlinger introduced to the Senate, Keith Tonnies, La Belle; Shelby Tonnies, La Grange; and Doug Mayer, Edina.

Senator Richard introduced to the Senate, Bill Lee, Carthage.

Senator Richard introduced to the Senate, Dr. Stephen Bazanno and Dr. Henry Petry, Joplin.

Senator Dixon introduced to the Senate, Scott Turk, Springfield.

Senator Dempsey introduced to the Senate, thirteen students nominated for Boys and Girls Clubs Missouri State Youth of the Year.

Senator Wright-Jones introduced to the Senate, Marsha Walls, Herbert Hoover Boys and Girls Clubs Youth of the Year, St. Louis.

Senator Pearce introduced to the Senate, the Physician of the Day, Dr. Curtis Long, Butler.

Senator Pearce introduced to the Senate, Kenneth and Lois Zeller, Peculiar; John and Sheila Oliver, Lake Winnebago; Susanne and Amy Garlett, Lee and Ira Garlett, and Zac Pollock, Harrisonville; and Mary Cockman, Pleasant Hill.

Senator Lembke introduced to the Senate, Charlie Bonney, 1st Senatorial District.

Senator Green introduced to the Senate, Principal Mary Ann Kauffman, Theresa Kremer and thirty seventh grade students from St. Angela Merici, Florissant; and Christian Augsburger, Ellen Cain, Matthew Newton and Emma Wulf were made honorary pages.

On behalf of Senator Lembke and himself, Senator Schmitt introduced to the Senate, fourth grade students from Crestwood Elementary.

Senator Schaaf introduced to the Senate, Janice Tilman, Theresa and Cara Emerson, Tom Welliver and Carolyn Strode, representatives of Platte County Board of Services for the Developmentally Disabled.

Senator Pearce introduced to the Senate, Deliah R. Nichols and Charles Lynn Lowder and his grandson, Justice Lowder-Cole, from the University of Central Missouri, Warrensburg.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FIFTIETH-DAY–THURSDAY, APRIL 5, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1073-Sater
HB 1096-Wieland
HB 1190-Allen, et al
HB 1231-Cauthorn, et al
HB 1337-Stream
HCS for HB 1373
HB 1492-Molendorp and Brattin
HB 1577-Largent, et al
HB 1634-Ruzicka
HB 1641-Pollock, et al
HB 1668-Denison, et al
HB 1341-Dugger, et al
HCS for HB 1524
HB 1484-McCaherty and Nolte
HB 1880-Pollock, et al
HB 1048-Schneider
HB 1062-Dieckhaus and Lampe
HB 1170-Franz
HCS for HB 1171
HB 1221-Black, et al
HB 1261-Swearingen, et al
HB 1264-Fallert, et al
HB 1267-Denison, et al
HB 1315-McCaherty, et al
HCS for HB 1325
HB 1345-Cauthorn, et al
HCS for HB 1363
HCS for HB 1407
HB 1408-Walton Gray, et al
HB 1063-Conway (27)
HB 1460-Jones (117), et al
HB 1424-Marshall, et al
HCS#2 for HB 1462
HCS for HB 1477
HCS for HBs 1518 & 1522
HCS for HB 1563
HB 1545-Kirkton, et al
HB 1615-Oxford, et al
HB 1820-Asbury and Shively
HCS for HB 1623
HB 1630-Franz
HB 1636-Fuhr, et al
HB 1651-McGeoghegan, et al
HB 1652-McGeoghegan, et al
HB 1662-Weter
HB 1665-Jones (163), et al
HB 1680-Davis, et al
HB 1687-Schieffer, et al
HB 1692-Entlicher, et al
HB 1737-Gatschenberger
HB 1744-Kelley (126), et al
HB 1782-Fitzwater, et al
HB 1804-Molendorp, et al
HCS for HB 1827
HB 1807-Marshall, et al
HB 1266-Denison, et al
HCS for HB 1841
HB 1864-Johnson, et al

HB 1868-Cauthorn
HCS for HB 1875
HB 1878-Riddle
HCS for HB 1738
HB 1560-Diehl, et al
HCS for HB 1527
HB 1165-Diehl
HB 1811-Carter
HB 1296-Davis, et al
HCS for HB 1094
HCS for HB 1647
HCS for HB 1395
HB 1512-Curtman, et al
HCS for HB 1541
HCS for HBs 1278 & 1152
HCS for HB 1700
HCS for HB 1402
HJR 52-Ruzicka
HB 1909-Hoskins
HCS for HB 1169
HB 1046-Rowland
HCS for HB 1722
HCS for HB 1126
HB 1172-Franz
HCS for HB 1498
HB 1593-Jones (89), et al

THIRD READING OF SENATE BILLS

1. SS for SCS for SB 677-Pearce
2. SS for SB 727-Schaaf (In Fiscal Oversight)
3. SB 721-Rupp
4. SCS for SB 692-Stouffer
5. SCS for SB 566-Brown
6. SCS for SB 729-Schaefer
7. SCS for SB 856-Rupp
8. SCS for SB 715-Kraus
9. SCS for SB 673-Brown
10. SCS for SB 631-Parson
11. SB 911-Ridgeway
12. SCS for SB 842-Lamping
13. SB 813-Richard

SENATE BILLS FOR PERFECTION

SJR 30-Lamping

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS & SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 510-Cunningham, with SCS
SB 516-Schaaf, with SCS (pending)

SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 576-Stouffer, with SCS (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 625-Kehoe, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 682-Dempsey, with SCS
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 806-Cunningham, with SCS & SS for SCS (pending)
SB 837-Dempsey, with SCS (pending)
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 20-Rupp
SCR 21-Pearce, et al
SCR 25-Mayer
HCR 37-Barnes, et al

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Journal of the Senate

SECOND REGULAR SESSION

FIFTIETH DAY—THURSDAY, APRIL 5, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"But let all who take refuge in you rejoice; let them ever sing for joy." (Psalm 5:11a)

Victorious God, as we leave for this special long weekend may we be mindful of the life giving message it offers to those who believe in Your love and the final victory over death You bestow on those who love You. May we rejoice with those You have given us to love; this miracle You offer that will keep us together beyond the grave. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators —None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 1809, regarding the Delta Tau Alpha chapter at the University of Central Missouri, Warrensburg, which was adopted.

Senator Kraus offered Senate Resolution No. 1810, regarding Trevor Ray Wilson, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 1811, regarding Ryan T. Andrews, Lee's Summit, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SS** for **SB 727**, begs leave to report that it has considered the same and recommends that the bill do pass.

SENATE BILLS FOR PERFECTION

Senator Cunningham moved that **SB 806**, with **SCS** and **SS** for **SCS**, as amended (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 806**, as amended, was again taken up.

At the request of Senator Cunningham, **SS** for **SCS** for **SB 806**, as amended, was withdrawn.

Senator Cunningham offered **SS No. 2** for **SCS** for **SB 806**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 806

An Act to repeal sections 168.124, 168.221, and 168.291, RSMo, and to enact in lieu thereof two new sections relating to the employment of school personnel, with an effective date.

Senator Cunningham moved that **SS No. 2** for **SCS** for **SB 806** be adopted.

Senator Kehoe assumed the Chair.

Senator Dempsey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 806, Page 1, Section 168.124, Line 8 of said page, by striking the opening bracket "**[**"; and further amend lines 10-16 of said page, by striking all of said lines; and

Further amend said bill and section, page 2, lines 1-4 of said page, by striking all of said lines; and further amend said section by renumbering the remaining subdivisions accordingly; and further amend line 13 of said page, by striking the closing bracket "**]**" and inserting in lieu thereof the following: "**;**

(5)".

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 806, Page 2, Section 168.124, Lines 17-19, by striking all of said lines; and

Further amend said section by renumbering the remaining subsections accordingly.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

President Kinder assumed the Chair.

Senator Dempsey offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 806, Page 1, Section A, Line 3 of said page, by inserting immediately after said line the following:

"168.104. The following words and phrases when used in sections 168.102 to 168.130, except in those instances where the context indicates otherwise, mean:

(1) "Board of education", the school board or board of directors of a school district, except a metropolitan school district, having general control of the affairs of the district;

(2) "Demotion", any reduction in salary or transfer to a position carrying a lower salary, except on request of a teacher, other than any change in salary applicable to all teachers or all teachers in a classification;

(3) "Indefinite contract", every contract heretofore or hereafter entered into between a school district and a permanent teacher;

(4) "Permanent teacher", any teacher who has been employed or who is hereafter employed as a teacher in the same school district for **[**five**] ten** successive years and who has continued or who thereafter continues to be employed as a teacher by the school district or any supervisor of teachers who was employed as a teacher in the same school district for at least **[**five**] ten** successive years prior to becoming a supervisor of teachers and who continues thereafter to be employed as a certificated employee by the school district; except that, when a permanent teacher resigns or is permanently separated from employment by a school district, and is afterwards reemployed by the same school district, reemployment for the first school year does not constitute an indefinite contract but if he is employed for the succeeding year, the employment constitutes an indefinite contract; and except that any teacher employed under a part-time contract by a school district shall accrue credit toward permanent status on a prorated basis. Any permanent teacher who is promoted with his consent to a supervisory position including principal or assistant principal, or is first employed by a district in a supervisory position including principal or assistant principal, shall not have permanent status in such position but shall retain tenure in the position previously held within the district, or, after serving two years as principal or assistant principal, shall have tenure as a permanent teacher of that system;

(5) "Probationary teacher", any teacher as herein defined who has been employed in the same school district for **[**five**] ten** successive years or less. In the case of any probationary teacher who has been employed in any other school system as a teacher for two or more years, the board of education shall waive one year of his probationary period;

(6) "School district", every school district in this state, except metropolitan school district as defined in section 162.571;

(7) "Teacher", any employee of a school district, except a metropolitan school district, regularly required to be certified under laws relating to the certification of teachers, except superintendents and assistant superintendents but including certified teachers who teach at the prekindergarten level in a nonmetropolitan public school within a prekindergarten program in which no fees are charged to parents or guardians."; and

Further amend said bill, page 3, section 168.221, line 12 of said page, by striking the word "five" and inserting in lieu thereof the following: "**ten**"; and further amend line 24 of said page, by striking the word "five" and inserting in lieu thereof the following: "**ten**"; and

Further amend the title and enacting clause accordingly.

Senator Dempsey moved that the above amendment be adopted.

Senator Stouffer assumed the Chair.

Senator Chappelle-Nadal offered **SSA 1** for **SA 3**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 806, Page 1, Section A, Line 3 of said page, by inserting immediately after said line the following:

"168.104. The following words and phrases when used in sections 168.102 to 168.130, except in those instances where the context indicates otherwise, mean:

(1) "Board of education", the school board or board of directors of a school district, except a metropolitan school district, having general control of the affairs of the district;

(2) "Demotion", any reduction in salary or transfer to a position carrying a lower salary, except on request of a teacher, other than any change in salary applicable to all teachers or all teachers in a classification;

(3) "Indefinite contract", every contract heretofore or hereafter entered into between a school district and a permanent teacher;

(4) "Permanent teacher", any teacher who has been employed or who is hereafter employed as a teacher in the same school district for five successive years**, or ten successive years for any teacher who is first hired on or after August 28, 2012,** and who has continued or who thereafter continues to be employed as a teacher by the school district or any supervisor of teachers who was employed as a teacher in the same school district for at least five successive years**, or ten successive years for any teacher who is first hired on or after August 28, 2012,** prior to becoming a supervisor of teachers and who continues thereafter to be employed as a certificated employee by the school district; except that, when a permanent teacher resigns or is permanently separated from employment by a school district, and is afterwards reemployed by the same school district, reemployment for the first school year does not constitute an indefinite contract but if he is employed for the succeeding year, the employment constitutes an indefinite contract; and except that any teacher employed under a part-time contract by a school district shall accrue credit toward permanent status on a prorated basis. Any permanent teacher who is promoted with his consent to a supervisory position including principal or assistant principal, or is first employed by a district in a supervisory position

including principal or assistant principal, shall not have permanent status in such position but shall retain tenure in the position previously held within the district, or, after serving two years as principal or assistant principal, shall have tenure as a permanent teacher of that system;

(5) "Probationary teacher", any teacher as herein defined who has been employed in the same school district for five successive years or less**, or ten successive years or less for any teacher first hired on or after August 28, 2012**. In the case of any probationary teacher who has been employed in any other school system as a teacher for two or more years, the board of education shall waive one year of his probationary period;

(6) "School district", every school district in this state, except metropolitan school district as defined in section 162.571;

(7) "Teacher", any employee of a school district, except a metropolitan school district, regularly required to be certified under laws relating to the certification of teachers, except superintendents and assistant superintendents but including certified teachers who teach at the prekindergarten level in a nonmetropolitan public school within a prekindergarten program in which no fees are charged to parents or guardians."; and

Further amend said bill, page 3, section 168.221, line 12, by inserting immediately after the word "employment" the following: "**, or the first ten years of employment for a teacher first hired after August 28, 2012,**"; and further amend line 25 by inserting immediately after the word "months" the following: "**, or ten years and six months for a teacher first hired after August 28, 2012,**"; and

Further amend said bill, page 8, Section B, lines 24-25 of said page, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above substitute amendment be adopted, which motion failed.

President Kinder assumed the Chair.

SA 3 was again taken up.

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham moved that **SS No. 2** for **SCS** for **SB 806**, as amended, be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS No. 2** for **SCS** for **SB 806**, as amended, was declared perfected and ordered printed.

THIRD READING OF SENATE BILLS

At the request of Senator Pearce, **SS** for **SCS** for **SB 677** was placed on the Informal Calendar.

SS for **SB 727**, introduced by Senator Schaaf, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 727

An Act to repeal section 208.044, RSMo, and to enact in lieu thereof two new sections relating to child care subsidies.

Was taken up.

On motion of Senator Schaaf, **SS** for **SB 727** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Lembke—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 721, introduced by Senator Rupp, entitled:

An Act to repeal section 99.825, RSMo, and to enact in lieu thereof one new section relating to tax increment financing in certain counties.

Was taken up.

Senator Kehoe assumed the Chair.

On motion of Senator Rupp, **SB 721** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Stouffer moved that motion lay on the table, which motion prevailed.

SCS for **SB 692**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 692

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to procedures for decreasing county budgets.

Was taken up by Senator Stouffer.

On motion of Senator Stouffer, **SCS** for **SB 692** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Photographers from ABC-17 News were given permission to take pictures in the Senate Chamber.

SCS for **SB 566**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 566

An Act to amend chapter 322, RSMo, by adding thereto one new section relating to vaccination of dogs and cats against rabies.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 566** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Green	Justus	Keaveny	Kehoe	Lamping	McKenna	Munzlinger	Parson
Pearce	Richard	Schaefer	Schmitt	Wasson	Wright-Jones—22		

NAYS—Senators

Cunningham	Goodman	Kraus	Lager	Lembke	Mayer	Nieves	Purgason
Ridgeway	Rupp	Schaaf	Stouffer—12				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 729**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 729

An Act to repeal sections 50.660 and 50.783, RSMo, and to enact in lieu thereof two new sections relating to county purchases.

Was taken up by Senator Schaefer.

On motion of Senator Schaefer, **SCS** for **SB 729** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 856**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 856

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to the Missouri Employers Mutual Insurance Company.

Was taken up by Senator Rupp.

On motion of Senator Rupp, **SCS** for **SB 856** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Lamping	Mayer	McKenna	Munzlinger
Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaefer	Schmitt
Stouffer	Wasson—26						

NAYS—Senators

Chappelle-Nadal	Curls	Kraus	Lager	Lembke	Schaaf	Wright-Jones—7

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 715**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 715

An Act to repeal sections 40.435 and 41.050, RSMo, and to enact in lieu thereof one new section relating to the state militia.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 715** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon

Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 673**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 673

An Act to repeal sections 302.130 and 302.132, RSMo, and to enact in lieu thereof two new sections relating to temporary motor vehicle instruction permits, with an effective date.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS** for **SB 673** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 631**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 631

An Act to repeal section 276.401, RSMo, and to enact in lieu thereof one new section relating to grain purchases.

Was taken up by Senator Parson.

On motion of Senator Parson, **SCS** for **SB 631** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 911, introduced by Senator Ridgeway, entitled:

An Act to repeal section 407.1355, RSMo, and to enact in lieu thereof one new section relating to employee social security numbers.

Was taken up.

On motion of Senator Ridgeway, **SB 911** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Ridgeway, title to the bill was agreed to.

Senator Ridgeway moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Lamping, **SCS** for **SB 842** was placed on the Informal Calendar.

SB 813, introduced by Senator Richard, entitled:

An Act to repeal section 67.085, RSMo, and to enact in lieu thereof one new section relating to the investment of certain public funds.

Was taken up.

On motion of Senator Richard, **SB 813** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Richard, title to the bill was agreed to.

Senator Richard moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Dempsey moved that **SB 837**, with **SCS** (pending), be called from the Informal Calendar and

again taken up for perfection, which motion prevailed.

SCS for **SB 837** was again taken up.

Senator Dempsey moved that **SCS** for **SB 837** be adopted, which motion prevailed.

On motion of Senator Dempsey, **SCS** for **SB 837** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Aliah Holman, as a member of the Bi-State Development Agency of the Missouri-Illinois Metropolitan District;

Also,

Bennett Keller, Democrat, as a member of the Tourism Commission;

Also,

Alexis B. Roam, as a member of the Missouri Board of Nursing Home Administrators;

Also,

Melissa Turner, Eva Danner Horton and Michael Pantleo, as members of the Missouri Workforce Investment Board;

Also,

Brian Shewell, as a student representative of the Missouri Western State University Board of Governors.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following report:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 742**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 659**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SB 668**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1193**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1104**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1106**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Stouffer, Chairman of the Committee on Transportation, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **SB 843**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **SB 818**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 628**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 804**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 903**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred

SB 807, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 909**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 1174**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 1188**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2014**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 491**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 1179**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Ridgeway assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HB 1073—Agriculture, Food Production and Outdoor Resources.

HB 1096—Jobs, Economic Development and Local Government.

HB 1190—Judiciary and Civil and Criminal Jurisprudence.

HB 1231—Small Business, Insurance and Industry.

HB 1337—Education.

HCS for **HB 1373**—Jobs, Economic Development and Local Government.

HB 1492—Judiciary and Civil and Criminal Jurisprudence.

HB 1577—Education.

HB 1634—Commerce, Consumer Protection, Energy and the Environment.

HB 1641—Transportation.

HB 1668—Transportation.

HB 1341—Commerce, Consumer Protection, Energy and the Environment.

HCS No. 2 for **HB 1524**—Judiciary and Civil and Criminal Jurisprudence.

HB 1484—Ways and Means and Fiscal Oversight.

HB 1880—Transportation.

HB 1048—Education.

HB 1062—Education.

HB 1170—Jobs, Economic Development and Local Government.

HCS for **HB 1171**—Judiciary and Civil and Criminal Jurisprudence.

HB 1221—Transportation.

HB 1261—Transportation.

HB 1264—Transportation.

HB 1267—Health, Mental Health, Seniors and Families.

HB 1315—Jobs, Economic Development and Local Government.

HCS for **HB 1325**—General Laws.

HB 1345—General Laws.

HCS for **HB 1363**—Agriculture, Food Production and Outdoor Resources.

HCS for **HB 1407**—Financial and Governmental Organizations and Elections.

HB 1408—General Laws.

HB 1063—Health, Mental Health, Seniors and Families.

HB 1460—Judiciary and Civil and Criminal Jurisprudence.

HB 1424—General Laws.

HCS No. 2 for **HB 1462**—Agriculture, Food Production and Outdoor Resources.

HCS for **HB 1477**—Agriculture, Food Production and Outdoor Resources.

HCS for **HBs 1518** and **1522**—Financial and Governmental Organizations and Elections.

HCS for **HB 1563**—Commerce, Consumer Protection, Energy and the Environment.

HB 1545—General Laws.

HB 1615—Judiciary and Civil and Criminal Jurisprudence.

HB 1820—General Laws.

HCS for **HB 1623**—Jobs, Economic Development and Local Government.

HB 1630—Transportation.

HB 1636—Judiciary and Civil and Criminal Jurisprudence.

HB 1651—General Laws.

HB 1652—General Laws.

HB 1662—Commerce, Consumer Protection, Energy and the Environment.

HB 1665—General Laws.

HB 1680—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HB 1687—Transportation.

HB 1692—Judiciary and Civil and Criminal Jurisprudence.

HB 1737—Transportation.

HB 1744—General Laws.

HB 1782—Transportation.

HB 1804—Jobs, Economic Development and Local Government.

HCS for **HB 1827**—Small Business, Insurance and Industry.

HB 1807—Transportation.

HB 1266—Financial and Governmental Organizations and Elections.

HCS for **HB 1841**—Commerce, Consumer Protection, Energy and the Environment.

HB 1864—Transportation.

HB 1868—Transportation.

HCS for **HB 1875**—Transportation.

HB 1878—Transportation.

HCS for **HB 1738**—Jobs, Economic Development and Local Government.

HB 1560—Financial and Governmental Organizations and Elections.

HCS for **HB 1527**—Judiciary and Civil and Criminal Jurisprudence.

HB 1165—Judiciary and Civil and Criminal Jurisprudence.

HB 1811—Health, Mental Health, Seniors and Families.

HB 1296—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 1094**—General Laws.

HCS for **HB 1647**—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 1395**—Commerce, Consumer Protection, Energy and the Environment.

HB 1512—General Laws.

HCS for **HB 1541**—General Laws.

HCS for **HBs 1278** and **1152**—Ways and Means and Fiscal Oversight.

HCS for **HB 1700**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 1402**—Transportation.

HJR 52—Financial and Governmental Organizations and Elections.

HB 1909—Transportation.

HCS for **HB 1169**—Education.

HB 1046—Financial and Governmental Organizations and Elections.

HCS for **HB 1722**—Education.

HCS for **HB 1126**—Ways and Means and Fiscal Oversight.

HB 1172—Ways and Means and Fiscal Oversight.

HCS for **HB 1498**—Jobs, Economic Development and Local Government.

HB 1593—Jobs, Economic Development and Local Government.

Senator Pearce requested unanimous consent of the Senate to correct the Committee on Education's report on **HB 1188**, by submitting a corrected report, which request was granted.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 1188**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1.

SENATE COMMITTEE AMENDMENT NO. 1

Amend House Bill No. 1188, Page 1, Section 167.635, Line 2, by striking the word "for" as it appears the second time.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1789**, entitled:

An Act to repeal sections 162.431 and 167.121, RSMo, and to enact in lieu thereof two new sections relating to travel hardships of public school pupils.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1060**, entitled:

An Act to repeal sections 54.040, 78.090, 115.123, 115.124, 115.241, 115.293, 115.350, 115.637, and 115.761, RSMo, and to enact in lieu thereof eight new sections relating to elections, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1361**, entitled:

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to utilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1111**, entitled:

An Act to repeal section 304.155, RSMo, and to enact in lieu thereof one new section relating to the towing and storage of abandoned vehicles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1150**, entitled:

An Act to repeal section 301.190, RSMo, and to enact in lieu thereof two new sections relating to the vehicle examination process used for the issuance of prior salvage motor vehicle titles.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1691**, entitled:

An Act to repeal section 301.221, RSMo, and to enact in lieu thereof one new section relating to salvage dealers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1640**, entitled:

An Act to repeal sections 136.055, 144.010, 144.030, 301.010, 301.032, 301.069, 301.130, 301.140, 301.142, 301.160, 301.218, 301.280, 301.290, 301.300, 301.301, 301.302, 301.559, 301.560, 301.562, 301.567, 301.570, 302.132, 302.302, and 390.020, RSMo, and to enact in lieu thereof thirty-one new sections relating to motor vehicles, with penalty provisions and an effective date for certain sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1608**, entitled:

An Act to repeal sections 37.115, 37.125, 37.300, 37.310, 37.320, 37.330, 37.340, 37.360, 37.370, 37.390, 37.500, 42.014, 42.015, 160.375, 160.542, 160.950, 161.182, 161.235, 161.800, 162.1010, 162.1168, 167.229, 167.290, 167.292, 167.294, 167.296, 167.298, 167.300, 167.302, 167.304, 167.306, 167.308, 167.310, 167.320, 167.322, 167.324, 167.326, 167.328, 167.330, 167.332, 168.430, 168.550, 168.555, 168.560, 168.565, 168.570, 168.575, 168.580, 168.585, 168.590, 168.595, 168.600, 169.580, 170.254, 173.053, 173.055, 173.198, 173.199, 173.267, 173.500, 173.510, 173.515, 173.520, 173.525, 173.530, 173.535, 173.545, 173.550, 173.555, 173.560, 173.565, 173.724, 173.727, 191.390, 191.425, 191.727, 191.733, 191.735, 191.741, 191.745, 191.909, 192.640, 192.642, 192.644, 192.729, 193.295, 193.305, 198.086, 198.527, 198.531, 207.150, 208.153, 208.178, 208.179, 208.192, 208.202, 208.309, 208.311, 208.313, 208.315, 208.335, 208.500, 208.503, 208.505, 208.507, 208.612, 208.615, 208.700, 208.705, 208.710, 208.715, 208.720, 217.105, 217.378, 261.105, 261.110, 261.120, 262.460, 421.028, 453.322, 453.325, 476.415, 633.180, 633.185, 660.016, 660.019, 660.020, 660.021, 660.530, 660.532, 660.534, 660.535, 660.537, 660.539, 660.541, 660.543, 660.545, and 660.725, RSMo, and to enact in lieu thereof four new sections for the sole purpose of repealing unfunded and obsolete programs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1515**, entitled:

An Act to repeal sections 160.261, 210.115, 210.1014, 306.130, 455.020, 455.035, 455.040, 455.060, 455.085, 455.505, 455.513, 455.523, 455.538, 488.5050, 513.653, 527.290, 558.019, 565.074, 565.182, 570.145, 574.085, 575.060, 575.070, 575.080, 610.021, 650.055, 650.100, and 650.120, RSMo, and to enact in lieu thereof thirty-two new sections relating to crimes and criminal procedure, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1109**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to federal holidays.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1110**, entitled:

An Act to repeal sections 478.001, 478.003, and 478.005, RSMo, and to enact in lieu thereof four new sections relating to drug courts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1273**, entitled:

An Act to amend chapter 171, RSMo, by adding thereto four new sections relating to school bus advertisements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Ridgeway offered Senate Resolution No. 1812, regarding Zachary Fergen, Smithville, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1813, regarding Samuel Richard Termorshuizen, Ridgely, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1814, regarding James Zachary Jarrard, Kansas City, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1815, regarding Joshua Lee, Smithville, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1816, regarding Andrew Michael Murphy, Smithville, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1817, regarding Christopher T. Morgan, Liberty, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Schaaf introduced to the Senate, Kellen Dunn, Jefferson City; and Kellen was made an honorary page.

Senator Richard introduced to the Senate, Ryan Jackson, Kyle Birkinsha, Gabe Lett and Anthony Osborn, representatives of Leadership Joplin.

Senator Wright-Jones introduced to the Senate, President Lee Fetter, Vice President Rick Majzun, Becky Hadfield, Jamie Chilese and her mother, Stacey, representatives of St. Louis Children's Hospital.

Senator Green introduced to the Senate, Athletic Director Bruce Smith, Coach Randy Reed, Assistant Coaches, Steve Lee, Trevor Laney and Patrick Dougherty, Managers, John Mosley and Sidney King, Statistician, Noren Kirksey, and members of the Class 5 State Champion McCluer North High School boys basketball team: Bryon Ray, Jordan Boone, Damon Clemons, Zac Taylor, Latron Thomas, Jacari Finley,

Alex Bluiett, Dorian Holland, Tremayne Garrett, Galen Brown, Jordon Granger and Keith Jones.

Senator Schmitt introduced to the Senate, fourth grade students from Twin Oaks Christian, Ballwin.

Senator Ridgeway introduced to the Senate, Pastor Robert Franseen and his wife, Pat, Crystal Fortin, Laurie Baral and teachers and students from Eagle Heights Christian, Clay County.

Senator Kehoe introduced to the Senate, Clayton Skoda, Brentwood, Tennessee.

Senator Keaveny introduced to the Senate, John Morse, St. Charles.

Senator Lager introduced to the Senate, Chad and Chris Higdon and their children, Kiersten, Michael and Kelsey Johnson; and Kiersten, Michael and Kelsey were made honorary pages.

Senator Kraus introduced to the Senate, Mrs. Sanders and Mrs. Gibson and forty-five fourth grade students from Summit Christian Academy, Lee's Summit.

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. James Wolfe, Battlefield.

On motion of Senator Dempsey, the Senate adjourned until 3:00 p.m., Tuesday, April 10, 2012.

SENATE CALENDAR

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FIFTY-FIRST DAY–TUESDAY, APRIL 10, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1789
HCS for HB 1060
HCS for HB 1361
HCS for HB 1111
HCS for HB 1150
HB 1691-Dugger
HCS for HB 1640
HCS for HB 1608
HCS for HB 1515
HB 1109-Brattin, et al
HCS for HB 1110
HB 1273-Kelly (126), et al

SENATE BILLS FOR PERFECTION

1. SJR 30-Lamping
2. SB 742-Brown
3. SB 659-Dempsey and Rupp
4. SB 668-Lembke
5. SB 843-Lamping, with SCS
6. SB 818-Parson, with SCS
7. SB 628-Schaefer
8. SB 804-Engler
9. SB 903-Lamping
10. SB 807-Dempsey
11. SB 909-Cunningham, et al
12. SB 491-Munzlinger, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 1193, with SCS (Engler)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HCS for HB 1106 (Parson)
HCS for HB 1174, with SCS
HB 1188-Allen, et al, with SCA 1
HCS for HB 2014 (Schaefer)
HB 1179-Hampton, et al (Mayer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 677-Pearce
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS & SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 510-Cunningham, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 576-Stouffer, with SCS (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 625-Kehoe, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 682-Dempsey, with SCS
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 20-Rupp
SCR 21-Pearce, et al
SCR 25-Mayer
HCR 37-Barnes, et al (Pearce)

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FIRST DAY—TUESDAY, APRIL 10, 2012

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

"Owe no man anything, but to love one another." (Romans 13:8)

Heavenly Father, we begin a new and shortened week with its pressures and differences with one another, let us be reminded that as Your children we owe to You and all humankind the debt of love. Let us express this love and kindness and helpfulness to those we work with and meet each day. Let us live as if love is not optional but something we have to do daily as Your own. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 5, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Dempsey—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Callahan offered Senate Resolution No. 1818, regarding Dennis C. Myers, Sparks, Nevada,

which was adopted.

Senator Nieves offered Senate Resolution No. 1819, regarding Downtown Washington, Incorporated, which was adopted.

Senator Lager offered Senate Resolution No. 1820, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dean Stufflebean, Brookfield, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1821, regarding Amanda Earlene Holloway, St. Louis, which was adopted.

Senator Schaaf offered Senate Resolution No. 1822, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Michael L. "Mick" Kneale, St. Joseph, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1823, regarding Saint Charles Police Officers Shaun Hoselton and Derek Sissom, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1824, regarding retired Police Officer Rich Tiemann, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1825, regarding Saint Charles Police Officer John Stanczak, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1826, regarding Saint Charles Police Detectives Mike Myers and Derek Piasecki, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1827, regarding Eugene Watson, Saint Charles, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1828, regarding Steven Marks, Saint Charles, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1829, regarding Saint Charles Police Officer Tim Hancock, which was adopted.

Senators Ridgeway and Schaaf offered Senate Resolution No. 1830, regarding Diane Simpson, Kansas City, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1831, regarding Monica Moreno, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1832, regarding Lindsey Tucknott, Saint Charles, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1833, regarding Kim Crossman, Lake Saint Louis; Paul Murri, Wright City; and Chris Griffith, Saint Charles, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1834, regarding Michelle Black, O'Fallon, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1835, regarding Alexandra Polansky, Saint Peters, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1836, regarding Jason Breuer, Saint Louis, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1837, regarding Robert Lang, Troy, and Kristina Mitchell, Moscow Mills, which was adopted.

On behalf of Senator Dempsey, Senator Goodman offered Senate Resolution No. 1838, regarding Jason Brown, Saint Charles, and Stephanie Schwartz, Creve Coeur, which was adopted.

Senator Schaefer offered Senate Resolution No. 1839, regarding Andrew Brennen O'Haro, Columbia, which was adopted.

Senator Lager offered Senate Resolution No. 1840, regarding the Ninetieth Birthday of James Eldon Gillespie, King City, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1841, regarding the death of Richard Allen Chappelle, Sr., Saint Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1842, regarding the One Hundred Fifty-second Anniversary of Compton Hill Missionary Baptist Church, Saint Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1843, regarding Sheet Metal Workers Local 36, Saint Louis, which was adopted.

Senator Kraus offered Senate Resolution No. 1844, regarding Joseph Keith Bledsoe, Blue Springs, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1845, regarding Bob and Karli Foreman, Clay County, which was adopted.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Goodman submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS No. 2** for **SCS** for **SB 806** and **SCS** for **SB 837**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Lamping moved that **SJR 30** be taken up for perfection, which motion prevailed.

President Kinder assumed the Chair.

At the request of Senator Lamping, **SJR 30** was placed on the Informal Calendar.

Senator Brown moved that **SB 742** be taken up for perfection, which motion prevailed.

Senator Brown offered **SS** for **SB 742**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 742

An Act to amend chapter 376, RSMo, by adding thereto three new sections relating to the credentialing and payment of health care practitioners by health insurers.

Senator Brown moved that **SS** for **SB 742** be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

On motion of Senator Brown, **SS** for **SB 742** was declared perfected and ordered printed.

SB 659 was placed on the Informal Calendar.

Senator Lembke moved that **SB 668** be taken up for perfection, which motion prevailed.

On motion of Senator Lembke, **SB 668** was declared perfected and ordered printed.

Senator Lamping moved that **SB 843**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 843**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 843

An Act to repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to temporary license plates.

Was taken up.

Senator Lamping moved that **SCS** for **SB 843** be adopted.

Senator Lamping offered **SS** for **SCS** for **SB 843**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 843

An Act to repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to temporary license plates.

Senator Lamping moved that **SS** for **SCS** for **SB 843** be adopted.

At the request of Senator Lamping, **SB 843**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

At the request of Senator Parson, **SB 818**, with **SCS**, was placed on the Informal Calendar.

Senator Schaefer moved that **SB 628** be taken up for perfection, which motion prevailed.

On motion of Senator Schaefer, **SB 628** was declared perfected and ordered printed.

Senator Engler moved that **SB 804** be taken up for perfection, which motion prevailed.

Senator Schaaf assumed the Chair.

On motion of Senator Engler, **SB 804** was declared perfected and ordered printed.

At the request of Senator Lamping, **SB 903** was placed on the Informal Calendar.

SB 807 was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 909** was placed on the Informal Calendar.

REFERRALS

President Pro Tem Mayer referred **HB 1104**, with **SCS** to the Committee on Ways and Means and Fiscal Oversight.

INTRODUCTIONS OF GUESTS

On behalf of Senator Pearce, the President introduced to the Senate, David Mudd, Alex Slocum and students: Kayla Goth, Michael DeFoor, Nathan Kreher and Garren Wegener, representatives of Missouri State Youth Government Day.

Senator Engler introduced to the Senate, Kim Chamberlain, New York, New York; Mike Esser, St. Louis; and Jeevan Ramapriya, Boston, Massachusetts.

Senator Crowell introduced to the Senate, Krista Baker and her children, Maddie and Brayden, Kayle and Jacob Suderman and Anna Dittmer, Homeschoolers from Bollinger County.

On motion of Senator Goodman, the Senate adjourned under the rules.

SENATE CALENDAR

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FIFTY-SECOND DAY–WEDNESDAY, APRIL 11, 2012

———

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1789
HCS for HB 1060
HCS for HB 1361
HCS for HB 1111
HCS for HB 1150
HB 1691-Dugger
HCS for HB 1640
HCS for HB 1608
HCS for HB 1515
HB 1109-Brattin, et al
HCS for HB 1110
HB 1273-Kelly (126), et al

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham
SCS for SB 837-Dempsey

SENATE BILLS FOR PERFECTION

SB 491-Munzlinger, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 1193, with SCS (Engler)
HB 1104-Schoeller and Smith (150), with SCS (Engler) (In Fiscal Oversight)
HCS for HB 1106 (Parson)
HCS for HB 1174, with SCS
HB 1188-Allen, et al, with SCA 1
HCS for HB 2014 (Schaefer)
HB 1179-Hampton, et al (Mayer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 677-Pearce
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS & SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 510-Cunningham, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 576-Stouffer, with SCS (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 625-Kehoe, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 682-Dempsey, with SCS
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)

SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 818-Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 903-Lamping
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 20-Rupp
SCR 21-Pearce, et al
SCR 25-Mayer
HCR 37-Barnes, et al (Pearce)

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-SECOND DAY—WEDNESDAY, APRIL 11, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Better light work that takes a long time than a hard job that is quickly done." (Sayings of the Desert Fathers)

Almighty God, we acknowledge that there is much to do and we thank You for allowing us to do what must be done. Help us take what time is needed to accomplish a good thing and to rejoice in our working together for that is what You would have us do. Help us pray for one another so we might draw closer to one another and distances between us diminish. And help us trust in You so we may learn to trust one another in doing what is right for all of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Parson offered Senate Resolution No. 1846, regarding the One Hundredth Anniversary of Horace Mann Elementary School, Sedalia, which was adopted.

Senator Dempsey offered Senate Resolution No. 1847, regarding Ameristar Casino, Saint Charles, which was adopted.

Senator Curls offered Senate Resolution No. 1848, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Edward Charles Rambo, which was adopted.

Senator Crowell offered Senate Resolution No. 1849, regarding Deidre Hartmann, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 1850, regarding Julie Vangilder, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 1851, regarding Roseann Bruns, which was adopted.

Senator Crowell offered Senate Resolution No. 1852, regarding Anne Brown, Gordonville, which was adopted.

Senator Crowell offered Senate Resolution No. 1853, regarding Dan Burkemper, which was adopted.

Senator Crowell offered Senate Resolution No. 1854, regarding Mr. and Mrs. Michael Ray Uhrhan, which was adopted.

Senator Brown offered Senate Resolution No. 1855, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Raymond Underwood, Salem, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Stouffer moved that **SB 576**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 576** was again taken up.

Senator Stouffer offered **SS** for **SCS** for **SB 576**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 576

An Act to repeal sections 29.205, 160.400, 160.405, 160.410, 160.415, and 160.420, RSMo, and to enact in lieu thereof nine new sections relating to charter schools.

Senator Stouffer moved that **SS** for **SCS** for **SB 576** be adopted.

Senator Pearce assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Chappelle-Nadal offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 576, Page 2, Section

160.400, Lines 25-26, by striking the following: "thirty-five" and inserting in lieu thereof the following: "**twenty-five**".

Senator Chappelle-Nadal moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Callahan, Justus, Schaaf and Stouffer.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Green	Justus	McKenna	Wright-Jones—5

NAYS—Senators

Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler	Goodman
Keaveny	Kehoe	Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves
Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson—27					

Absent—Senators

Brown	Kraus—2

Absent with leave—Senators—None

Vacancies—None

Senator Chappelle-Nadal offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 576, Page 40, Section 160.415, Lines 20-21, by striking the following: "or its designee".

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion failed.

Senator Chappelle-Nadal offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 576, Page 30, Section 160.405, Line 5, by striking the following: "shall" and inserting in lieu thereof the following: "**may**".

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion failed.

Senator Chappelle-Nadal offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 576, Page 33, Section 160.410, Lines 3-4, by striking the following: "Charter schools may limit admission based on gender only when the school is a single-gender school.".

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion failed.

Senator Pearce assumed the Chair.

Senator Schaaf assumed the Chair.

Senator Stouffer moved that **SS** for **SCS** for **SB 576** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SS** for **SCS** for **SB 576** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 742**; **SB 804**; **SB 668**; and **SB 628**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 7**.

HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, the Tenth Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

WHEREAS, the Tenth Amendment defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

WHEREAS, the scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

WHEREAS, today, in 2012, the states are demonstrably treated as agents of the federal government; and

WHEREAS, many federal mandates are directly in violation of the Tenth Amendment to the Constitution of the United States; and

WHEREAS, the United States Supreme Court has ruled in New York v. United States, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

WHEREAS, a number of proposals from previous administrations and some now pending from the present administration and from Congress may further violate the Constitution of the United States:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri House of Representatives, Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby claims sovereignty for the State of Missouri under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; and

BE IT FURTHER RESOLVED that this resolution shall serve as a notice and demand to the federal government, as our agent, to cease and desist, effective immediately, mandates that are beyond the scope of these constitutionally-delegated powers; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Speaker of the House and President of the Senate of each state's legislature of the United States of America, and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 31**.

HOUSE CONCURRENT RESOLUTION NO. 31

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these rivers, estimated to be $6 billion, does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the river; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantifies the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 36**.

HOUSE CONCURRENT RESOLUTION NO. 36

WHEREAS, the states of Missouri and Israel share a deep and abiding friendship; and

WHEREAS, Missouri's own President Harry S Truman announced on May 14, 1948, that the United States would become the first country to recognize the new Nation of Israel; and

WHEREAS, from its very founding, democracy has been the cornerstone of the State of Israel; and

WHEREAS, since its establishment, Israel has fulfilled the dreams of its founders who evidence a vigorous, open, and stable democracy; and

WHEREAS, Israel is deeply committed to maintaining its vigorous democratic society; and

WHEREAS, the State of Israel and the United States share democratic values and ideals, and fundamental strategic interests in promoting

regional freedom and stability; and

WHEREAS, the ongoing commitment of Israel to the democratic ideals of freedom and pluralism has been unswerving, and is a commitment that Israel shares with the United States:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby:

(1) Express their respect and admiration for the people of Israel;

(2) Commend the people of Israel for their dedication to democratic ideals - a dedication made manifest through 64 years since the establishment of the state;

(3) Affirm the shared values and commitment to freedom and democracy which bind the United States-Israel relationship;

(4) Reaffirm the importance of projects of mutual economic benefit, which include improved trade, technology development, science, agriculture; and tourism; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Prime Minister of Israel, Benjamin Netanyahu, and the Missouri Department of Economic Development.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 42**.

HOUSE CONCURRENT RESOLUTION NO. 42

WHEREAS, Missouri needs a foundational, centralized, guiding document that clarifies the state's interpretation of existing laws and practices relating to educating children who are deaf and hard of hearing; and

WHEREAS, Missouri needs to clarify standard educational principles for educators and administrators, and to provide ongoing direction to policymakers so that children who are deaf and hard of hearing will not be left behind in our educational system; and

WHEREAS, deaf and hard of hearing children have the same right and potential to become as independent and self-actualizing as their hearing peers:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby endorse the "Deaf and Hard of Hearing Children's Bill of Rights" as follows:

(1) Children who are deaf or hard of hearing are entitled to appropriate screening and assessment of hearing capabilities, communication, and language needs at the earliest possible age and to the continuation of screening services throughout the educational experience;

(2) Children who are deaf or hard of hearing are entitled to early intervention to provide for acquisition of solid language bases developed at the earliest possible age;

(3) Children who are deaf or hard of hearing are entitled to their parents' or guardians' full and informed participation in their educational planning;

(4) Children who are deaf or hard of hearing benefit from interaction with adult role models who are deaf or hard of hearing;

(5) Children who are deaf or hard of hearing benefit from interacting with their deaf, hard of hearing, and hearing peers;

(6) Children who are deaf or hard of hearing are entitled to qualified teachers, interpreters, and resource personnel who communicate effectively with each child in that child's preferred mode of communication;

(7) Children who are deaf or hard of hearing are entitled to placement best suited to each child's individual needs, including but not limited to social, emotional, and cultural needs, with consideration for the child's age, degree of hearing loss, academic level, mode of communication, style of learning, motivational level, and amount of family support;

(8) Children who are deaf or hard of hearing are entitled to individual considerations for free, appropriate education across a full spectrum of educational programs;

(9) Children who are deaf or hard of hearing are entitled to full support services provided by qualified professionals in their educational

settings;

(10) Children who are deaf or hard of hearing are entitled to full access to all programs in their educational settings;

(11) Children who are deaf or hard of hearing are entitled to have the public fully informed concerning medical, cultural, and linguistic issues of deafness and hearing loss;

(12) Children who are deaf or hard of hearing benefit by having deaf and hard of hearing adults involved in determining the extent, content, and purpose of programs that affect their education; and

(13) Children who are deaf or hard of hearing are entitled to free and unrestricted communication with others who communicate in their same language mode. The child's preferred mode of communication should be respected in order to attain the highest education possible for that individual in an appropriate environment; and

BE IT FURTHER RESOLVED that notwithstanding any of the above principles, nothing in this resolution shall require:

(1) Individual school districts to ensure the availability of a specific number of deaf or hard of hearing peers; or

(2) Parents to abrogate their statutory rights to educational choice; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional Delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1403**, entitled:

An Act to repeal sections 287.067, 287.120, 287.140, 287.141, 287.143, 287.149, 287.150, 287.160, 287.210, 287.220, 287.690, and 287.715, RSMo, and to enact in lieu thereof thirteen new sections relating to workers' compensation, with an emergency clause for certain sections.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1272**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to certain court actions against correctional facilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Dempsey, the Senate recessed until 4:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Mayer offered Senate Resolution No. 1856, regarding Pamela Peeler, Caruthersville, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 53**, entitled:

HOUSE CONCURRENT RESOLUTION NO. 53

Relating to submission of a revised Summary Statement to House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, to the secretary of state.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, on March 27, 2012, the Circuit Court of Cole County in *Aziz v. Mayer*, Case No. 11AC-CC00439 consolidated with No. 11AC-CC00449, found that the Summary Statement as enacted in House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, "is insufficient and unfair because...the Proposed Constitutional Amendment (1) does not contain a "Voter Protection Act" in any of its sections; (2) the words "voter protection act," "protection," or "act" do not appear anywhere therein; and (3) no indication is given to where this "Voter Protection Act" can be found"; and

WHEREAS, Section 116.155, RSMo, allows the General Assembly to formulate a summary statement for measures it refers to the people for a vote; and

WHEREAS, the Court in *Aziz* stated, "Because significant changes are required here and policy choices need to be made as to how to reallocate the words in a revised summary statement, the Court chooses to vacate the summary statement and to provide the General Assembly an opportunity to revise it"; and

WHEREAS, in accordance with the Court's statement which gives the General Assembly the opportunity to revise the Summary Statement, the General Assembly hereby submits a revised Summary Statement to House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, to read as follows:

> "Shall the Missouri Constitution be amended to create standards for enacting general laws that authorize advance voting, require the use of government-issued photo identification in order to vote, and govern voting procedures based on whether an individual is voting in person or by absentee ballot?":

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby submits a revised Summary Statement to House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, in order to address the issues raised in *Aziz v. Mayer*, Case No. 11AC-CC00439 consolidated with No. 11AC-CC00449, by the Circuit Court of Cole County; and

BE IT FURTHER RESOLVED that this resolution of the General Assembly be deemed as an official submission by the General Assembly of a revised Summary Statement for House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, to the Secretary of State; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Robin Carnahan, Secretary of State.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 576**, begs leave to report that it has examined the same and finds that the bill has been

truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Cunningham moved that **SB 510**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 510**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 510

An Act to repeal section 137.076, RSMo, and to enact in lieu thereof one new section relating to assessment of real property for tax purposes.

Was taken up.

Senator Cunningham moved that **SCS** for **SB 510** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SCS** for **SB 510** was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1193**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 1106**, entitled:

An Act to repeal sections 52.010, 54.033, and 54.330, RSMo, and to enact in lieu thereof three new sections relating to elections.

Was taken up by Senator Parson.

Senator Stouffer assumed the Chair.

Senator Parson offered **SS** for **HCS** for **HB 1106**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1106

An Act to repeal sections 52.010, 54.033, 54.330, and 115.342, RSMo, and to enact in lieu thereof four new sections relating to certain public offices that have statutory bond requirements.

Senator Parson moved that **SS** for **HCS** for **HB 1106** be adopted.

Senator McKenna offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 1106, Page 1, Section A, Line 4 of said page, by inserting immediately after all of said line the following:

"50.332. **[**Each county officer**]** In all counties **[**except first class counties having a charter form of government**] of the first, second, third, and fourth classes, and in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, each county officer** may, subject to the approval of the governing body of the county, contract with the governing body of any municipality located within such county, either in whole or in part, to

perform the same type of duties for such municipality as such county officer is performing for the county. Any compensation paid by a municipality for services rendered pursuant to this section shall be paid directly to the county, or county officer, or both, as provided in the provisions of the contract, and any compensation allowed any county officer under any such contract may be retained by such officer in addition to all other compensation provided by law."; and

Further amend said bill, page 2, section 52.010, line 4 of said page, by inserting immediately after all of said line the following:

"52.320. 1. The collector of revenue in counties using data processing systems of record keeping, except counties of the first class having a charter form of government, in addition to other duties provided by law, shall coordinate the purification of the tax data flows from the offices of the recorder, county clerk and assessor with that of the collector of revenue in cooperation with the data processing center handling such records.

2. In all counties of the first class not having a charter form of government **and in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants** the collector of revenue may enter into a contract with a city providing for the collection of municipal taxes by the collector. Any compensation paid by a city for services rendered pursuant to this section shall be paid directly to the county, or collector, or both, as provided in the contract, and all compensation, not to exceed three thousand dollars annually from all such contracts, allowed the collector under any such contract may be retained by the collector in addition to all other compensation provided by law."; and

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SS** for **HCS** for **HB 1106**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SS** for **HCS** for **HB 1106**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Nieves Ridgeway—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1174**, with **SCS**, entitled:

An Act to repeal section 162.081, RSMo, and to enact in lieu thereof one new section relating to school accreditation, with an emergency clause.

Was taken up by Senator Pearce.

SCS for **HCS** for **HB 1174**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1174

An Act to repeal section 162.081, RSMo, and to enact in lieu thereof one new section relating to school accreditation, with an emergency clause.

Was taken up.

Senator Pearce moved that **SCS** for **HCS** for **HB 1174** be adopted.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1174, Page 5, Section 162.081, Line 157, by inserting after all of said line the following:

"167.131. 1. The board of education of each district in this state that does not maintain an accredited school **for specific grade levels** pursuant to the authority of the state board of education to classify schools as established in section 161.092 shall pay **[**the**]** tuition **[**of**] as calculated by the receiving district under subsection 2 of this section** and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who attends an accredited **public** school in another district of the same or an adjoining county.

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

167.133. 1. (1) The board of education of each district in this state that has been declared unaccredited pursuant to the authority of the state board of education as established in section 161.092 shall pay tuition and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who meets the criteria of this section.

(2) Unless a receiving district qualifies under subdivision (3) of this subsection, the rate of tuition to be charged by the district attended and paid by the sending district is the per-pupil cost of maintaining the district's grade-level grouping which includes the school attended. The cost of maintaining a grade-level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per-pupil cost of the grade-level grouping shall be determined by dividing the cost of maintaining the grade-level grouping by the average daily pupil attendance.

(3) When any metropolitan school district is unaccredited or any district located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants is unaccredited, the tuition amount for students residing in those districts shall be the same as the tuition payment in effect at the time for any voluntary interdistrict transfer program regardless of whether the receiving district was or is participating in the interdistrict transfer program. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final.

2. A pupil from an unaccredited district may attend a school in another district of the same or an adjoining county if the receiving district is accredited without provision and if the pupil has been enrolled in and attending a public school in the district during the school year when such declaration is made, or has enrolled and attended in the unaccredited district in school years subsequent to the year in which the declaration is made. Pupils who reside in the unaccredited district who become eligible for kindergarten or first grade in a school year after the effective date of this section are also eligible to transfer. A student who resides in an unaccredited district but who is attending a private school on or after the date the district is declared unaccredited shall become eligible to transfer to a public school in another district of the same or adjoining county under this section after the student has enrolled in and completed a full school year in a public school or charter school in the unaccredited district.

3. By June 30, 2012, each school district shall establish specific criteria through board policy for the admission of nonresident pupils from districts that have been classified as unaccredited by the state board of education who seek admission into a school district under this section. The primary criteria shall be the availability of highly qualified teachers in existing classroom space. Each district shall establish criteria for calculating available seats that take into account the district's resident student population growth or decrease, based on demographic projections provided by the office of socioeconomic data analysis, such that the receiving district shall not be required to employ additional teachers or construct new classrooms to accommodate such transfer pupils. No resident pupil shall be displaced from a school to which he or she would otherwise be assigned to accommodate the admission of a nonresident pupil. The assignment of a student to a particular building shall be the decision of the receiving district. Once a student from an unaccredited district has been accepted under this section, the student may complete his or her educational program in the district even if the student's residence district has regained its accreditation.

4. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

167.425. 1. When the state board of education classifies a metropolitan school district as unaccredited or any school district located in a county with a charter form of government and with more than nine hundred thousand inhabitants as unaccredited, the department of elementary and secondary education shall establish a clearinghouse, as provided in this section, to assist students to transfer from an unaccredited district.

2. For purposes of this section, "clearinghouse" means a neutral third party appointed by the department of elementary and secondary education to coordinate student transfers from unaccredited school districts to accredited districts subject to the conditions of section 167.133.

3. The clearinghouse shall make information and assistance available to assist parents or guardians who intend to transfer their child from an unaccredited district to an accredited district under this section.

4. The parent or guardian of a pupil residing in an unaccredited district who intends to enroll the parent's or guardian's child in an accredited district under the provisions of this section shall send initial notification to the pupil's school district of residence and the clearinghouse. Each parent or guardian of a pupil who provides notice of intent to transfer from an unaccredited school district to another school under this section shall do so on forms prescribed by the department of elementary and secondary education. Initial notification shall be made by January fifteenth for enrollment in the subsequent school year.

5. (1) If a parent or guardian fails to file the initial notification forms by the deadline specified in subsection 4 of this section, and satisfies the definition of good cause as defined in subdivision (3) of this subsection, or if the request is to enroll a child in a school in an accredited district under this section for kindergarten or first grade or in any grade if a child is moving into Missouri or moving into the public school district for the first time, the parent or guardian shall be permitted, if accepted, to enroll the child in the other district in the same manner as if the deadline had been met.

(2) Until the last Friday in March of that calendar year, the parent or guardian requesting transfer shall send notification to the district of residence and the clearinghouse, on forms prescribed by the department of elementary and secondary education, that good cause, as defined in subdivision (3) of this subsection, exists for failure to meet the deadline. The clearinghouse shall take action to approve the request if good cause exists. A denial of a request by the clearinghouse is not subject to appeal.

(3) For purposes of this section, "good cause" means a change in a child's residence due to a change in family residence, a change in a child's parents' marital status, a guardianship or custody change, placement in foster care, adoption, participation in a substance abuse or mental health treatment program, or student health or safety concerns; or a change in the status of a child's district of residence, such as removal of accreditation by the state board of education, permanent closure of a public or nonpublic school that the child attends, or revocation of a charter school's charter as provided in section 160.405. If the good cause relates to a change in status of a child's school district of residence, however, action by a parent or guardian must be taken to file the notification within forty-five days of the last official action relating to such status. Student health or safety concerns shall include, but not be limited to, ongoing bullying, supported by official school reports, sexual misconduct complaints, reports, or investigations, and drug or alcohol concerns with peers. If the district does not agree with the parent's or child's concerns, a written notice of need for relocation

from a medical or mental health professional shall suffice to satisfy "good cause" under this subsection.

6. The clearinghouse may contract with a school district, any voluntary interdistrict council, or any private entity for transportation services.

7. The expenses associated with the administration of pupil transfers under this section shall be defrayed by the department of elementary and secondary education retaining funds to cover the cost of administration from the state school aid withheld from a transfer student's district of residence.";
and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

At the request of Senator Pearce, **HCS** for **HB 1174**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

REFERRALS

President Pro Tem Mayer referred **SS** for **SCS** for **SB 576** to the Committee on Ways and Means and Fiscal Oversight.

INTRODUCTIONS OF GUESTS

Senator Justus introduced to the Senate, Wyatt Shimeall, Columbus, Ohio.

Senator Keaveny introduced to the Senate, Patricia Bailey, St. Louis.

Senator Dempsey introduced to the Senate, representatives of Missouri Chamber Leadership Class of 2012 from around the state.

Senator Ridgeway introduced to the Senate, Missouri's 2012 National Distinguished Principal, Diane Simpson and her husband Bill, Park Hill; and Lonnie Schneider and Andrea Follett, Jefferson City.

Senator Dixon introduced to the Senate, the Physician of the Day, Dr. Norman Knowlton, Springfield.

Senator Dixon introduced to the Senate, Christine Murphy and eighth grade students from St. Agnes Catholic School, Springfield.

Senator Dixon introduced to the Senate, Kenneth McClure, Debbie Donnellan and University Staff Ambassadors from Missouri State University, Springfield.

Senator Goodman introduced to the Senate, Tammy Holder, Elizabeth Sperry, Brett Williams, Caylen Cantrell, Dakota Tucker, Brandy Bettels, Megan Murry, Kenny Lowe, Caleb Johns, Taylor Short, Garrett Gutshall, Daryl Brown, Stephanie Knowls and Kurt McDonald, from College of the Ozarks, Point Lookout.

Senator Rupp introduced to the Senate, seventh grade students from St. Paul Catholic School.

Senator Lager introduced to the Senate, fourth grade students from Walt Disney Elementary, Marceline.

Senator Mayer introduced to the Senate, Caleb Johns, Dexter.

On behalf of Senator Pearce, the President introduced to the Senate, Chris Patterson and Lane Patterson, Lee's Summit.

Senator Nieves introduced to the Senate, Chairman Jon Bopp and members of the West St. Louis County

Chamber of Commerce.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FIFTY-THIRD DAY–THURSDAY, APRIL 12, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1789
HCS for HB 1060
HCS for HB 1361
HCS for HB 1111
HCS for HB 1150
HB 1691-Dugger
HCS for HB 1640
HCS for HB 1608
HCS for HB 1515
HB 1109-Brattin, et al
HCS for HB 1110
HB 1273-Kelly (126), et al
HB 1403-Schatz, et al
HCS for HB 1272

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham
SCS for SB 837-Dempsey
SS for SB 742-Brown
SB 804-Engler
SB 668-Lembke
SB 628-Schaefer
SS for SCS for SB 576-Stouffer (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 491-Munzlinger, with SCS

HOUSE BILLS ON THIRD READING

HB 1104-Schoeller and Smith (150), with SCS (Engler) (In Fiscal Oversight)
HB 1188-Allen, et al, with SCA 1 (Schmitt)
HCS for HB 2014 (Schaefer)
HB 1179-Hampton, et al (Mayer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 677-Pearce
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS & SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 625-Kehoe, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 682-Dempsey, with SCS
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 818-Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 903-Lamping
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1174, with SCS & SA 1 (pending) (Pearce)
HCS for HB 1193, with SCS (Engler)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 16-Stouffer
SCR 20-Rupp
SCR 21-Pearce, et al
SCR 25-Mayer
HCR 37-Barnes, et al (Pearce)

To be Referred

HCR 7-Rowland
HCR 31-Schieffer, et al
HCR 36-Asbury, et al
HCR 42-Rowland, et al
HCR 53-Schoeller, et al

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-THIRD DAY—THURSDAY, APRIL 12, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"...how little do my countrymen know what precious blessings they are in possession of, and which no other people on earth enjoy." (Thomas Jefferson)

Gracious God, we often take so much of our freedom for granted and the cost to have obtained it and to maintain it. We see our military put their lives on the line and sometimes die to preserve our freedom and democracy. We pray for their families and the sacrifice they make. We pray for guidance that helps us lead and do what we can to secure our safety and protect our people. So let us use our time to prepare ourselves to do what is right. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from United Press International and KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 1857, regarding the 2012 National Champion Ozark High School's JROTC Rifle Team, which was adopted.

Senator Wasson offered Senate Resolution No. 1858, regarding United States Army First Sergeant Terry Thompson (ret.), Ozark, which was adopted.

Senator Wasson offered Senate Resolution No. 1859, regarding Tessa Howald, which was adopted.

Senator Wasson offered Senate Resolution No. 1860, regarding Shelby Brummett, which was adopted.

Senator Wasson offered Senate Resolution No. 1861, regarding Logan Hunt, which was adopted.

Senator Wasson offered Senate Resolution No. 1862, regarding Makennon Doran, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Winston Rutledge, Independent, as a member of the Lincoln University Board of Curators;

Also,

William Stoltz, Republican, as a member of the Missouri Ethics Commission;

Also,

Buddy Bennett, Independent, as a member of the Clean Water Commission of the State of Missouri;

Also,

Jeffrey Dunlap, as a member of the Board of Certification of Interpreters;

Also,

Kyle Shell, as the student representative of the University of Central Missouri Board of Governors;

Also,

Teresa J. Finn, as a member of the Organ Donation Advisory Committee;

Also,

Donald Scott Bockenkamp, as a member of the Safe Drinking Water Commission.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointments, which motion prevailed.

Senator Ridgeway assumed the Chair.

THIRD READING OF SENATE BILLS

At the request of Senator Cunningham, **SS No. 2** for **SCS** for **SB 806** was placed on the Informal Calendar.

SCS for **SB 837**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 837

An Act to repeal section 407.400, RSMo, and to enact in lieu thereof one new section relating to franchises.

Was taken up by Senator Dempsey.

On motion of Senator Dempsey, **SCS** for **SB 837** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Goodman
Green	Justus	Keaveny	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Schaaf
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Chappelle-Nadal	Engler	Kraus	Rupp	Schaefer—5

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

SS for **SB 742**, introduced by Senator Brown, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 742

An Act to amend chapter 376, RSMo, by adding thereto three new sections relating to the credentialing and payment of health care practitioners by health insurers.

Was taken up.

On motion of Senator Brown, **SS** for **SB 742** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon	Goodman

Green	Justus	Keaveny	Kraus	Lager	Lamping	Lembke	Mayer
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Callahan Engler—2

Absent—Senator McKenna—1

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 804, introduced by Senator Engler, entitled:

An Act to repeal section 535.030, RSMo, and to enact in lieu thereof one new section relating to the failure to vacate leased premises in a rent and possession case, with penalty provisions.

Was taken up.

On motion of Senator Engler, **SB 804** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Keaveny	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—30		

NAYS—Senators

Curls Justus Wright-Jones—3

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 668, introduced by Senator Lembke, entitled:

An Act to amend chapter 52, RSMo, by adding thereto one new section relating to property tax bills of certain counties.

Was taken up.

On motion of Senator Lembke, **SB 668** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 628, introduced by Senator Schaefer, entitled:

An Act to repeal section 488.5026, RSMo, and to enact in lieu thereof one new section relating to a surcharge in certain criminal cases.

Was taken up.

On motion of Senator Schaefer, **SB 628** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Pearce moved that **HCR 37** be taken up for adoption, which motion prevailed.

On motion of Senator Pearce, **HCR 37** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Keaveny	Kraus	Lager	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—29			

NAYS—Senator Chappelle-Nadal—1

Absent—Senators

Justus	Lamping	Wasson—3

Absent with leave—Senator Kehoe—1

Vacancies—None

Senator Mayer moved that **SCR 25** be taken up for adoption, which motion prevailed.

On motion of Senator Mayer, **SCR 25** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Keaveny	Kraus	Lager	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Green	Justus	Lamping—3

Absent with leave—Senator Kehoe—1

Vacancies—None

Senator Stouffer moved that **SCR 16** be taken up for adoption, which motion prevailed.

Senator Stouffer offered **SS** for **SCR 16**, entitled:

SENATE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 16

WHEREAS, in the year 2011, heavy rainfall and snowmelt along the Missouri River combined with intentional releases of impounded water by the U.S. Army Corps of Engineers caused unprecedented amounts of water flow on the river, which led to breached levees and widespread flooding for the states along the river, including Missouri; and

WHEREAS, the extensive flooding destroyed many homes, farms, and businesses, severely impacting the livelihoods of thousands of Missourians, who, in addition to suffering the emotional toll of the disaster, are also suffering a heavy economic burden to repair the devastated land and infrastructure; and

WHEREAS, the U.S. Army Corps of Engineers is charged with management of the Missouri River for eight congressionally-authorized purposes, one of which is flood control; and

WHEREAS, the Army Corps of Engineers has worked extensively for numerous years to develop the Missouri River Master Manual to guide its management of the river which seeks to balance the competing interests of the eight authorized purposes; and

WHEREAS, it is evident that due to the immediate, large-scale and potentially life-threatening impacts upon public health and safety caused by flooding, the authorized purpose of flood control must have the utmost importance in any planning activities on the part of the Army Corps; and

WHEREAS, as a result of the widespread devastation caused by the flood events of 2011, an independent technical review panel was formed to evaluate the Army Corps' river management performance and, specifically, its performance with regard to its responsibility to protect public health and safety through flood control; and

WHEREAS, the independent technical review panel issued its findings and recommendations in December 2011 and concluded that while the Army Corps may have acted in accordance with the Master Manual, the Master Manual itself may not be appropriately flexible or responsive to adequately protect the public from flooding in the case of extreme weather events such as those experienced in 2011; and

WHEREAS, the panel's report further concluded that the Army Corps' Master Manual should not regard extreme weather events such as the precipitation in 2011 as rare, isolated events, but rather as part of a potential climatic pattern for which the Army Corps must be continuously prepared to address; and

WHEREAS, understanding that the prediction of future weather patterns is not an exact science, the Army Corps must allow greater flexibility in its management activities of reservoir storage and spring rise to anticipate and respond to higher than expected snow and rainfall in the river basin so as to prevent future catastrophic flooding events like that which occurred in 2011 and to position the Army Corps to be successful in accomplishing its flood control duties and protecting the public from disasters that could have been prevented:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Commanding General of the U.S. Army Corps of Engineers to accept the recommendations of the independent technical review panel in order to improve its flood protection operations and conduct its river management activities in proper accordance with the Corps' mandated responsibility to protect life and property through flood control actions; and

BE IT FURTHER RESOLVED that the U.S. Army Corps of Engineers be urged to continually place the utmost priority on flood control in any future annual operating plans with the goal of allowing the Army Corps to be able to successfully react and respond to unpredictable weather and extreme weather events so as to prevent future flooding disasters; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commanding General of the U.S. Army Corps of Engineers and the members of the Missouri Congressional delegation.

Senator Stouffer moved that **SS** for **SCR 16** be adopted, which motion prevailed.

On motion of Senator Stouffer, **SCR 16**, as amended by the **SS** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Keaveny	Kraus	Lager	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf

Schaefer Schmitt Stouffer Wasson Wright-Jones—29

NAYS—Senators—None

Absent—Senators

Green Justus Lamping Lembke—4

Absent with leave—Senator Kehoe—1

Vacancies—None

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1134**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for physical therapy services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1256**, entitled:

An Act to repeal sections 32.056, 56.807, 67.2010, 195.222, 195.223, 211.031, 211.093, 211.177, 400.9-311, 452.402, 453.030, 453.050, 453.080, 456.950, 456.8-808, 476.055, 479.011, 479.040, 483.015, 488.026, 488.426, 488.2250, 488.5320, 513.430, 513.440, 537.345, 537.346, 537.528, 542.301, 558.019, 559.100, 559.105, 566.083, 566.151, 569.100, and 570.120, RSMo, and to enact in lieu thereof forty-two new sections relating to the judiciary, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1383**, entitled:

An Act to repeal section 37.850, RSMo, and to enact in lieu thereof three new sections relating to the transparency and accountability of public funds, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1444**, entitled:

An Act to repeal sections 578.018 and 578.030, RSMo, and to enact in lieu thereof two new sections relating to confiscated animals, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1458**, entitled:

An Act to repeal sections 190.400, 190.410, 190.430, 190.440, 302.291, 320.106, 320.131, 320.136, 320.202, 321.015, 321.130, 321.162, 321.460, 321.711, 577.029, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof eighteen new sections relating to emergency services with a penalty provision and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1549**, entitled:

An Act to repeal sections 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof five new sections relating to the no-call list.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HJR 47**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing sections 50 and 52(a) of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to initiative and referendum petitions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 49**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 23 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the right

to bear arms.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 71**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 6 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to property taxation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following reports:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 448**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 739**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 758**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 854**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 803**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which were referred **SB 817** and **SB 774**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **SB 906**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **SB 893**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 816**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 905**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 657**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SJR 45**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 834**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 865**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce assumed the Chair.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 510**, begs leave to report that it has examined the same and finds that the bill has been truly

perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Mayer referred **HCR 7**, **HCR 31**, **HCR 36** and **HCR 42** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

HCR 53—Rules, Joint Rules, Resolutions and Ethics.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 1789**—General Laws.

HCS for **HB 1060**—Financial and Governmental Organizations and Elections.

HCS for **HB 1361**—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 1111**—Transportation.

HCS for **HB 1150**—Transportation.

HB 1691—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 1640**—Transportation.

HCS for **HB 1608**—General Laws.

HCS for **HB 1515**—Judiciary and Civil and Criminal Jurisprudence.

HB 1109—General Laws.

HCS for **HB 1110**—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HB 1273—Education.

HB 1403—Small Business, Insurance and Industry.

HCS for **HB 1272**—Judiciary and Civil and Criminal Jurisprudence.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

April 10, 2012

Senator Jim Lembke
Chairman, Government Accountability Committee
Room 419, State Capitol
Jefferson City, MO 65101

Dear Chairman Lembke:

Pursuant to Senate Rule 28 Section 8, I request that your committee investigate the manner in which state Medicaid contracts are awarded by

the Office of Administration by reviewing its competitive bidding process.

If I can be of additional assistance, please do not hesitate to contact my office.

Sincerely,

/s/ Robert N. Mayer

Robert N. Mayer

District 25 Senator

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, Kathleen Miller, parents and fourth grade students: Alyson Albright, Miles Cheatum, Andrew Davenport, Zoe Derboven, Ben Geisler, Nora Hollister, Emi Irovic, Grace Loyd, Grace Martin, Misael Martinez, Lane Masters, Mallory Prewitt, Maddie Risner and Katie Stevens, Christian Chapel Academy, Columbia.

Senator Crowell introduced to the Senate, fourth grade students from Alma Schrader Elementary, Cape Girardeau.

Senator Pearce introduced to the Senate, Tammy Atcheson and third and fourth grade students from Heartland Christian Academy, Belton.

Senator Dixon introduced to the Senate, Christine Johnson and thirty fourth grade students from Greenwood Laboratory, Springfield.

Senator Purgason introduced to the Senate, his wife, Janet, Caulfield.

Senator Dempsey introduced to the Senate, Major Neal Richardson, Major Charles Smith and Jim Hoffmeister, representatives of the Missouri Salvation Army.

Senator Richard introduced to the Senate, the Senior Adult Class from Racine Christian Church.

Senator Schaaf introduced to the Senate, the Physician of the Day, Dr. James Reynolds, St. Joseph.

On behalf of Senators Justus, Callahan and himself, Senator Pearce introduced to the Senate, Hal Lowenstein, Kansas City.

Senator Lembke introduced to the Senate, Brenda Doering and fourth grade students from Abiding Savior Lutheran, South St. Louis County.

Senator Lembke introduced to the Senate, Randy Moeller and fourth grade students from Our Savior Lutheran, Fenton.

Senator Pearce introduced to the Senate, Mayor Don Butterfield, Dodee Matthews, Sue Kraus and Tammy Long, Warrensburg.

Senator Lembke introduced to the Senate, Dr. Melody Gunn, Southwest Baptist University, Bolivar; and assistant principals and teachers, South St. Louis County.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, April 16, 2012.

SENATE CALENDAR

FIFTY-FOURTH DAY–MONDAY, APRIL 16, 2012

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1134
HCS for HB 1256
HCS for HB 1383
HCS for HB 1444
HCS for HB 1458
HCS for HB 1549
HCS for HJR 47
HJR 49-Brattin, et al
HJR 71-Elmer, et al

THIRD READING OF SENATE BILLS

SS for SCS for SB 576-Stouffer (In Fiscal Oversight)
SCS for SB 510-Cunningham

SENATE BILLS FOR PERFECTION

1. SB 491-Munzlinger, with SCS
2. SB 448-Rupp, with SCS
3. SB 739-Keaveny
4. SB 758-Wasson, with SCS
5. SB 854-Mayer
6. SB 803-Rupp, with SCS
7. SBs 817 & 774-Parson, with SCS
8. SB 906-Kraus, with SCS
9. SB 893-Kraus
10. SB 816-Kraus, with SCS
11. SB 905-Mayer
12. SB 657-Rupp, with SCS
13. SJR 45-Nieves
14. SB 834-Mayer and Parson, with SCS
15. SB 865-Pearce, with SCS

HOUSE BILLS ON THIRD READING

HB 1104-Schoeller and Smith (150), with SCS (Engler) (In Fiscal Oversight)
HB 1188-Allen, et al, with SCA 1 (Schmitt)
HCS for HB 2014 (Schaefer)
HB 1179-Hampton, et al (Mayer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 677-Pearce
SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS & SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 625-Kehoe, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 682-Dempsey, with SCS
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 818-Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 903-Lamping
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1174, with SCS & SA 1 (pending) (Pearce)

HCS for HB 1193, with SCS (Engler)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 20-Rupp

SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FOURTH DAY—MONDAY, APRIL 16, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"O give thanks to the Lord, for he is good; for his steadfast love endures forever." (Psalm 107:1)

Good Lord, we do give You thanks for You are good and we see this in our everyday experiences. We see Your love in the way that the earth brings forth its beauty and bounty. We see it in the care and response about us in the trail of destruction in our neighboring states and loss of life was minimal. We see it in our interactions with one another and opportunity to work together even where differences are present. So we give thanks to You for this day and Your love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 12, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Rupp offered Senate Resolution No. 1863, regarding Nicholas Patrick Tuley, Wentzville, which was adopted.

Senator Lembke offered Senate Resolution No. 1864, regarding Chaplain, Colonel Joseph A. Weber, Jr., which was adopted.

Senator Lager offered Senate Resolution No. 1865, regarding Michael John Ogle, Parnell, which was adopted.

Senator Lager offered Senate Resolution No. 1866, regarding Addison C. Fuller, which was adopted.

Senator Kehoe offered Senate Resolution No. 1867, regarding Lois Wininger, Jefferson City, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1868, regarding David Gonzalez, Smithville, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1869, regarding Anthony Kawecki, Smithville, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1870, regarding Kevin Kopp, Smithville, which was adopted.

Senator Kraus offered Senate Resolution No. 1871, regarding Daniel "Dan" Eaton, Lee's Summit, which was adopted.

Senator Kehoe offered Senate Resolution No. 1872, regarding the Ninety-ninth Birthday of Adelaide Lolli Decker, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 1873, regarding Calvin J. Shelden, Russellville, which was adopted.

Senator Mayer offered Senate Resolution No. 1874, regarding Mortina J. Williams, Patterson, which was adopted.

Senator Mayer offered Senate Resolution No. 1875, regarding Lydia Ellen Clark, Patterson, which was adopted.

Senator Mayer offered Senate Resolution No. 1876, regarding Dr. Helena M. Ruhl, Poplar Bluff, which was adopted.

Senator Engler offered Senate Resolution No. 1877, regarding Michael J. Wehner, Ste. Genevieve, which was adopted.

Senator Lamping offered Senate Resolution No. 1878, regarding the Fifty-seventh Birthday of Xenia R. Naert, University City, which was adopted.

Senator Purgason offered Senate Resolution No. 1879, regarding College of the Ozarks, Point Lookout, which was adopted.

Senator Lamping offered Senate Resolution No. 1880, regarding Lukas F. Sloan, St. Louis, which was adopted.

Senator Lamping offered Senate Resolution No. 1881, regarding Halpin Robert "Hap" Burke, St. Louis,

which was adopted.

Senator Wasson offered Senate Resolution No. 1882, regarding the 2011-2012 Class 4 state champion Republic High School girls basketball program, which was adopted.

Senator Schmitt offered Senate Resolution No. 1883, regarding Captain Gary Woepke, which was adopted.

Senator Pearce offered Senate Resolution No. 1884, regarding Dr. James B. "Jim" Staab, which was adopted.

Senator Pearce offered Senate Resolution No. 1885, regarding Alan G. Stachowiak, Knob Noster, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1886, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Don Perrine, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1887, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Marvin Bringer, Maywood, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1888, regarding the Missouri Association of Osteopathic Physicians and Surgeons, which was adopted.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 12, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Don W. Cook, Democrat, 677 Dougherty Terrace Drive, Manchester, St. Louis County, Missouri 63021, as a member of the Lincoln University Board of Curators, for a term ending January 1, 2018, and until his successor is duly appointed and qualified; vice, Iris Ferguson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 12, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Michael Pfander, Republican, 1763 Mount Sinai Road, Clever, Christian County, Missouri 65631, as a member of the Missouri Veterinary Medical Board, for a term ending August 29, 2012, and until his successor is duly appointed and qualified; vice, Charles Barry, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 12, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Robert Shotts, 14390 Skyline Drive, Lebanon, Laclede County, Missouri 65536, as a member of the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, for a term ending September 30, 2014, and until his successor is duly appointed and qualified; vice, Robert Shotts, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
April 12, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mark W. Smith, 3849 Holly Hills, Saint Louis City, Missouri 63116, as a member of the Midwestern Higher Education Compact, for a term ending January 1, 2014, and until his successor is duly appointed and qualified; vice, Gerald T. Brouder, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above appointments to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

Senator Dempsey moved that **SB 682**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 682**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 682

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to interventional pain management.

Was taken up.

Senator Dempsey moved that **SCS** for **SB 682** be adopted.

Senator Dempsey offered **SS** for **SCS** for **SB 682**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 682

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to interventional pain management.

Senator Dempsey moved that **SS** for **SCS** for **SB 682** be adopted.

Senator Kraus assumed the Chair.

At the request of Senator Dempsey, **SB 682**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

HOUSE BILLS ON THIRD READING

Senator Pearce moved that **HCS** for **HB 1174**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Schmitt, **SA 1** was withdrawn.

Senator Pearce offered **SS** for **SCS** for **HCS** for **HB 1174**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1174

An Act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof two new sections relating to school accreditation, with an emergency clause.

Senator Pearce moved that **SS** for **SCS** for **HCS** for **HB 1174** be adopted.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1174, Page 9, Section 162.083, Line 25 of said page, by inserting immediately after all of said line the following:

"167.131. 1. The board of education of each district in this state that does not maintain an accredited school **for specific grade levels** pursuant to the authority of the state board of education to classify schools as established in section 161.092 shall pay **[**the**]** tuition **[**of**] as calculated by the receiving district under subsection 2 of this section** and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who attends an accredited **public** school in another district of the same or an adjoining county.

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. The term "debt service", as used in this section, means expenditures for the retirement

of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

167.133. 1. (1) The board of education of each district in this state that has been declared unaccredited pursuant to the authority of the state board of education as established in section 161.092 shall pay tuition and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who meets the criteria of this section.

(2) Unless a receiving district qualifies under subdivision (3) of this subsection, the rate of tuition to be charged by the district attended and paid by the sending district is the per-pupil cost of maintaining the district's grade-level grouping which includes the school attended. The cost of maintaining a grade-level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per-pupil cost of the grade-level grouping shall be determined by dividing the cost of maintaining the grade-level grouping by the average daily pupil attendance.

(3) When any metropolitan school district is unaccredited or any district located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants is unaccredited, the tuition amount for students residing in those districts shall be the same as the tuition payment in effect at the time for any voluntary interdistrict transfer program regardless of whether the receiving district was or is participating in the interdistrict transfer program. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final.

2. A pupil from an unaccredited district may attend a school in another district of the same or an adjoining county if the receiving district is accredited without provision and if the pupil has been enrolled in and attending a public school in the district during the school year when such declaration is made, or has enrolled and attended in the unaccredited district in school years subsequent to the year in which the declaration is made. Pupils who reside in the unaccredited district who become eligible for kindergarten or first grade in a school year after the effective date of this section are also eligible to transfer. A student who resides in an unaccredited district but who is attending a private school on or after the date the district is declared unaccredited shall become eligible to transfer to a public school in another district of the same or adjoining county under this section after the student has enrolled in and completed a full school year in a public school or charter school in the unaccredited district.

3. By June 30, 2012, each school district shall establish specific criteria through board policy for the admission of nonresident pupils from districts that have been classified as unaccredited by the state board of education who seek admission into a school district under this section. The primary criteria shall be the availability of highly qualified teachers in existing classroom space. Each district shall establish criteria for calculating available seats that take into account the district's resident student population growth or decrease, based on demographic projections provided by the office of

socioeconomic data analysis, such that the receiving district shall not be required to employ additional teachers or construct new classrooms to accommodate such transfer pupils. No resident pupil shall be displaced from a school to which he or she would otherwise be assigned to accommodate the admission of a nonresident pupil. The assignment of a student to a particular building shall be the decision of the receiving district. Once a student from an unaccredited district has been accepted under this section, the student may complete his or her educational program in the district even if the student's residence district has regained its accreditation.

4. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

167.425. 1. When the state board of education classifies a metropolitan school district as unaccredited or any school district located in a county with a charter form of government and with more than nine hundred thousand inhabitants as unaccredited, the department of elementary and secondary education shall establish a clearinghouse, as provided in this section, to assist students to transfer from an unaccredited district.

2. For purposes of this section, "clearinghouse" means a neutral third party appointed by the department of elementary and secondary education to coordinate student transfers from unaccredited school districts to accredited districts subject to the conditions of section 167.133.

3. The clearinghouse shall make information and assistance available to assist parents or guardians who intend to transfer their child from an unaccredited district to an accredited district under this section.

4. The parent or guardian of a pupil residing in an unaccredited district who intends to enroll the parent's or guardian's child in an accredited district under the provisions of this section shall send initial notification to the pupil's school district of residence and the clearinghouse. Each parent or guardian of a pupil who provides notice of intent to transfer from an unaccredited school district to another school under this section shall do so on forms prescribed by the department of elementary and secondary education. Initial notification shall be made by January fifteenth for enrollment in the subsequent school year.

5. (1) If a parent or guardian fails to file the initial notification forms by the deadline specified in subsection 4 of this section, and satisfies the definition of good cause as defined in subdivision (3) of this subsection, or if the request is to enroll a child in a school in an accredited district under this section for kindergarten or first grade or in any grade if a child is moving into Missouri or moving into the public school district for the first time, the parent or guardian shall be permitted, if accepted, to enroll the child in the other district in the same manner as if the deadline had been met.

(2) Until the last Friday in March of that calendar year, the parent or guardian requesting transfer shall send notification to the district of residence and the clearinghouse, on forms prescribed by the department of elementary and secondary education, that good cause, as defined in subdivision (3) of this subsection, exists for failure to meet the deadline. The clearinghouse shall take action to approve the request if good cause exists. A denial of a request by the clearinghouse is not subject to appeal.

(3) For purposes of this section, "good cause" means a change in a child's residence due to a change in family residence, a change in a child's parents' marital status, a guardianship or custody

change, placement in foster care, adoption, participation in a substance abuse or mental health treatment program, or student health or safety concerns; or a change in the status of a child's district of residence, such as removal of accreditation by the state board of education, permanent closure of a public or nonpublic school that the child attends, or revocation of a charter school's charter as provided in section 160.405. If the good cause relates to a change in status of a child's school district of residence, however, action by a parent or guardian must be taken to file the notification within forty-five days of the last official action relating to such status. Student health or safety concerns shall include, but not be limited to, ongoing bullying, supported by official school reports, sexual misconduct complaints, reports, or investigations, and drug or alcohol concerns with peers. If the district does not agree with the parent's or child's concerns, a written notice of need for relocation from a medical or mental health professional shall suffice to satisfy "good cause" under this subsection.

6. The clearinghouse may contract with a school district, any voluntary interdistrict council, or any private entity for transportation services.

7. The expenses associated with the administration of pupil transfers under this section shall be defrayed by the department of elementary and secondary education retaining funds to cover the cost of administration from the state school aid withheld from a transfer student's district of residence."; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

Senator Stouffer assumed the Chair.

Senator Lembke offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1174, Page 9, Section 162.083, Line 25, by inserting after all of said line the following:

"167.131. 1. **Subject to the provisions of subsection 3 of this section,** the board of education of each district in this state that does not maintain an accredited school pursuant to the authority of the state board of education to classify schools as established in section 161.092 shall pay the tuition of and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who attends an accredited school in another district of the same or an adjoining county.

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. **When any metropolitan school district is classified as unaccredited by the state board of education or any district located in a county with a charter form of government and**

with more than nine hundred fifty thousand inhabitants is classified as unaccredited by the state board of education, the rate of tuition for students residing in those districts shall be the same as the tuition payment in effect at the time for any voluntary interdistrict transfer program regardless of whether a receiving district was or is participating in the voluntary interdistrict transfer program. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

3. The provisions of this section shall not apply to any unaccredited school district during the first two full school years operating under the authority of a special administrative board appointed pursuant to sections 162.081, 162.621, or 162.1100, and for such additional time as the school district operating under the special administrative board's authority demonstrates improvement in its annual performance report under the Missouri school improvement program or its equivalent successor program. For the purposes of this subsection, the term "improvement" shall mean that the school district gained at least one additional annual performance report point during the initial two-year period under special administrative board authority, does not lose any annual performance report points in any year subsequent to the initial two-year period, and gains at least one additional annual performance report point within each subsequent two-year period after the initial two-year period. Failing such improvement, such special administrative board shall pay the tuition as calculated in subsection 2 of this section and provide transportation consistent with the provisions of section 167.241 for each resident pupil who meets the criteria of this section. This subsection shall apply to all districts operating under the authority of a special administrative board established under sections 162.081, 162.621, or 162.1100 on or after the effective date of this act. If the district fails to demonstrate improvement as provided in this subsection, the provisions of section 167.134 and section 167.425 shall become applicable.

4. A pupil residing in an unaccredited district operating under the authority of a special administrative board established pursuant to sections 162.081, 162.621, or 162.1100 shall have the right to transfer to a school site within the district of residence offering the pupil's grade level of enrollment that has met or exceeded state performance targets for the previous academic year, provided adequate space is available as determined by the special administrative board.

167.134. 1. If an unaccredited school district operating under the authority of a special administrative board fails to demonstrate improvement as provided in subsection 3 of section 167.131, such district's resident pupils may attend a school in another district of the same or an adjoining county if the receiving district is accredited without provision and if the pupil has been enrolled in and attending a public school in the district during the school year when such declaration is made, or has enrolled and attended in the unaccredited district in school years subsequent to the year in which the declaration is made. Pupils who reside in the unaccredited district who become eligible for kindergarten or first grade in a school year after the effective date of this section are also eligible to transfer. A student who resides in an unaccredited district but who is attending a private school on or after the date the district is declared unaccredited shall become eligible to transfer to a public school in another district of the same or an adjoining county under this section and section 167.131 after the student has enrolled in and completed a full school year in a public school or charter school in the unaccredited district.

2. By June 30, 2012, each school district shall establish specific criteria through board policy for

the admission of nonresident pupils from districts that have been classified as unaccredited by the state board of education who seek admission into a school district under this section and section 167.131. The primary criteria shall be the availability of highly qualified teachers in existing classroom space. Each district shall establish criteria for calculating available seats that take into account the district's resident student population growth or decrease, based on demographic projections provided by the office of socioeconomic data analysis, such that the receiving district shall not be required to employ additional teachers or construct new classrooms to accommodate such transfer pupils. No resident pupil shall be displaced from a school to which he or she would otherwise be assigned to accommodate the admission of a nonresident pupil. The assignment of a student to a particular building shall be the decision of the receiving district. Once a student from an unaccredited district has been accepted under this section, the student may complete his or her educational program in the district even if the student's residence district has regained its accreditation.

167.425. 1. When the state board of education classifies a metropolitan school district as unaccredited or any school district located in a county with a charter form of government and with more than nine hundred thousand inhabitants as unaccredited and such district operates under the authority of a special administrative board and fails to demonstrate improvement as provided in subsection 3 of section 167.131, the department of elementary and secondary education shall establish a clearinghouse, as provided in this section, to assist students to transfer from an unaccredited district.

2. For purposes of this section, "clearinghouse" means a neutral third party appointed by the department of elementary and secondary education to coordinate student transfers from unaccredited school districts to accredited districts subject to the conditions of sections 167.131 and 167.134.

3. The clearinghouse shall make information and assistance available to assist parents or guardians who intend to transfer their child from an unaccredited district to an accredited district under this section.

4. The parent or guardian of a pupil residing in an unaccredited district who intends to enroll the parent's or guardian's child in an accredited district under the provisions of this section shall send initial notification to the pupil's school district of residence and the clearinghouse. Each parent or guardian of a pupil who provides notice of intent to transfer from an unaccredited school district to another school under this section shall do so on forms prescribed by the department of elementary and secondary education. Initial notification shall be made by January fifteenth for enrollment in the subsequent school year.

5. (1) If a parent or guardian fails to file the initial notification forms by the deadline specified in subsection 4 of this section, and satisfies the definition of good cause as defined in subdivision (3) of this subsection, or if the request is to enroll a child in a school in an accredited district under this section for kindergarten or first grade or in any grade if a child is moving into Missouri or moving into the public school district for the first time, the parent or guardian shall be permitted, if accepted, to enroll the child in the other district in the same manner as if the deadline had been met.

(2) Until the last Friday in March of that calendar year, the parent or guardian requesting transfer shall send notification to the district of residence and the clearinghouse, on forms prescribed by the department of elementary and secondary education, that good cause, as defined in subdivision (3) of this subsection, exists for failure to meet the deadline. The clearinghouse shall take action to

approve the request if good cause exists. A denial of a request by the clearinghouse is not subject to appeal.

(3) For purposes of this section, "good cause" means a change in a child's residence due to a change in family residence, a change in a child's parents' marital status, a guardianship or custody change, placement in foster care, adoption, participation in a substance abuse or mental health treatment program, or student health or safety concerns; or a change in the status of a child's district of residence, such as removal of accreditation by the state board of education, permanent closure of a public or nonpublic school that the child attends, or revocation of a charter school's charter as provided in section 160.405. If the good cause relates to a change in status of a child's school district of residence, however, action by a parent or guardian must be taken to file the notification within forty-five days of the last official action relating to such status. Student health or safety concerns shall include, but not be limited to, ongoing bullying, supported by official school reports, sexual misconduct complaints, reports, or investigations, and drug or alcohol concerns with peers. If the district does not agree with the parent's or child's concerns, a written notice of need for relocation from a medical or mental health professional shall suffice to satisfy "good cause" under this subsection.

6. The clearinghouse may contract with a school district, any voluntary interdistrict council, or any public or private entity for transportation services.

7. The expenses associated with the administration of pupil transfers under this section shall be defrayed by the department of elementary and secondary education retaining funds to cover the cost of administration from the state school aid withheld from a transfer student's district of residence."; and

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above substitute amendment be adopted.

Senator Cunningham offered **SA 1** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1174, Page 2, Section 167.131, Line 25 of said amendment by striking the following: "gained at least" and inserting in lieu thereof the following: "**has met all MSIP standards for communication arts and mathematics on its annual performance report**"; and further amend line 26 on said page by striking the following: "one additional annual performance report point"; and further amend line 27 by striking the comma ","; and further amend lines 28-29 by striking all of said lines; and further amend page 3 of said amendment, line 1, by striking all of said line; and further amend line 2 by striking the following: "two-year period after the initial two-year period".

Senator Cunningham moved that the above amendment be adopted.

Senator Schaaf assumed the Chair.

At the request of Senator Pearce, **HCS** for **HB 1174**, with **SCS**, **SS** for **SCS**, **SA 1**, **SSA 1** for **SA 1** and **SA 1** to **SSA 1** for **SA 1** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Justus introduced to the Senate, Fritz Stein, Tom O'Connor, Nick Heisberger, Dylan Lanter, Ian Wilcox, James Murray and Charlie DeLong, members of Boy Scout Troop 150, St. Elizabeth School, Kansas City.

Senator Pearce introduced to the Senate, Dr. Shari Bax and students: Rachel Sciolaro, Jared Espey, Anthony Arnold, P.J. Hill, Richard Vise, Andrea Villasuso, Lamar Lewis, Justin Grandfield, Greg Towe, Trevor Cunningham, Justin Grandfield, Tamarra Booze, Amber Stevens-Hibdon, Andrew Cooksey, Doug Cowing, Amanda Holloway and Adam Karasiewicz from University of Central Missouri, Warrensburg.

On behalf of Senator Lamping and himself, Senator Rupp introduced to the Senate, his nephew, Andrew Westall and eighth grade students from St. Monica, St. Louis; and Andrew was made an honorary page.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FIFTY-FIFTH DAY–TUESDAY, APRIL 17, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1134
HCS for HB 1256
HCS for HB 1383
HCS for HB 1444
HCS for HB 1458
HCS for HB 1549
HCS for HJR 47
HJR 49-Brattin, et al
HJR 71-Elmer, et al

THIRD READING OF SENATE BILLS

SS for SCS for SB 576-Stouffer
(In Fiscal Oversight)
SCS for SB 510-Cunningham

SENATE BILLS FOR PERFECTION

1. SB 491-Munzlinger, with SCS
2. SB 448-Rupp, with SCS
3. SB 739-Keaveny
4. SB 758-Wasson, with SCS
5. SB 854-Mayer
6. SB 803-Rupp, with SCS

7. SBs 817 & 774-Parson, with SCS
8. SB 906-Kraus, with SCS
9. SB 893-Kraus
10. SB 816-Kraus, with SCS
11. SB 905-Mayer
12. SB 657-Rupp, with SCS
13. SJR 45-Nieves
14. SB 834-Mayer and Parson, with SCS
15. SB 865-Pearce, with SCS

HOUSE BILLS ON THIRD READING

HB 1104-Schoeller and Smith (150), with SCS (Engler) (In Fiscal Oversight)
HB 1188-Allen, et al, with SCA 1 (Schmitt)
HCS for HB 2014 (Schaefer)
HB 1179-Hampton, et al (Mayer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 677-Pearce
SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS & SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 625-Kehoe, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 659-Dempsey and Rupp

SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 682-Dempsey, with SCS & SS for SCS (pending)
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 818-Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 903-Lamping
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending) (Pearce)
HCS for HB 1193, with SCS (Engler)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-FIFTH DAY—TUESDAY, APRIL 17, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Whatever your hand finds to do, do it with your might." (Ecclesiastes 9:10a)

Holy and Gracious God, we know that You sanctify each day with Your blessing so that all our business is a holy business at all hours and in all places. We pray that what we are about this week will be uncommon and You will turn our efforts into spiritual adventures. Bless us and guide us so it may be so with us and You will honor our work. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 1889, regarding Lloyd S. Landrum, Centertown, which was adopted.

Senator Kehoe offered Senate Resolution No. 1890, regarding Nicholas J. "Nick" Schepers, Jefferson City, which was adopted.

Senator Keaveny offered Senate Resolution No. 1891, regarding Curteisha Jacobs, Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 1892, regarding Raven Brand, Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 1893, regarding Teman Sneed, Saint Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 1894, regarding Sharniece Dunn, Saint Louis, which was adopted.

Senator Stouffer offered Senate Resolution No. 1895, regarding the Two Hundredth Anniversary of the First Baptist Church of New Franklin, which was adopted.

Senator Crowell offered Senate Resolution No. 1896, regarding Carolyn Whitener, which was adopted.

Senator Crowell offered Senate Resolution No. 1897, regarding Darrick Smith, which was adopted.

Senator Crowell offered Senate Resolution No. 1898, regarding Linda Mowery, which was adopted.

Senator Crowell offered Senate Resolution No. 1899, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gerald Whitmore, Chaffee, which was adopted.

Senator Crowell offered Senate Resolution No. 1900, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Doyle Eakins, Whitewater, which was adopted.

Senator Crowell offered Senate Resolution No. 1901, regarding Dianna Petry, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 1902, regarding Elizabeth Gregory, which was adopted.

Senator Crowell offered Senate Resolution No. 1903, regarding Susan Ruth Bartlett, which was adopted.

Senator Curls offered Senate Resolution No. 1904, regarding Center High School, Kansas City, which was adopted.

Senator Engler offered Senate Resolution No. 1905, regarding Rebecca Anne Peden, Annapolis, which was adopted.

Senator Engler offered Senate Resolution No. 1906, regarding Thomas J. Schembra, Jr., Annapolis, which was adopted.

Senator Engler offered Senate Resolution No. 1907, regarding Karen D. Werner, Festus, which was adopted.

Senator Brown offered Senate Resolution No. 1908, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Jamison, Rolla, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Mayer moved that **SB 439**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Pearce assumed the Chair.

Senator Callahan offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 439, Page 2, Section 290.210, Line 20, by striking the opening bracket, and further amend line 43, by striking the closing bracket; and

Further amend said section, pages 2-3, lines 43-54, by striking all of the bold faced language on said lines; and

Further amend said bill, Page 5, Section 290.250, Line 73, by inserting immediately after said line the following:

"**290.257. 1. No contractor or subcontractor shall contract with or construct public works for the Missouri state highways and transportation commission unless such contractor or subcontractor has participated in the wage survey process utilized by the department pursuant to section 290.260 to determine the prevailing hourly rate of wages in Missouri localities for highway construction work by submitting reports to the department of all the hours worked by and all wage rates paid to its workers in each occupational title for highway construction work during the previous reporting period utilized by the department in determining the wage order issued pursuant to section 290.260; or such contractor or subcontractor has engaged in no construction work for the Missouri state highways and transportation commission during the previous reporting period utilized by the department in determining the general wage order, which the contractor may establish by providing an affidavit or other sworn statement so attesting to the department, or by other means satisfactory to the department.**

2. The prohibition established in subsection 1 of this section shall become effective on January 1, 2014.

290.259. 1. No contractor may contract with or construct public works with any public body, other than the Missouri state highways and transportation commission, unless such contractor participated in the wage survey process utilized by the department pursuant to section 290.262 to determine the prevailing hourly rate of wages in Missouri localities for construction work, other than highway construction work, by submitting reports to the department of all the hours worked by and all wage rates paid to its workers in each occupational title for construction work, other than residential construction, during the previous calendar year; or such contractor engaged in no construction work, with the exception of residential construction work during the previous calendar year, which the contractor may establish by providing an affidavit or other sworn statement so attesting to the department, or by other means satisfactory to the department.

2. The prohibition established in subsection 1 of this section shall become effective on January 1, 2014."; and

Further amend pages 5-7, section 290.262, by striking said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Callahan moved that the above substitute amendment be adopted.

At the request of Senator Mayer, **SB 439**, with **SCS**, **SA 1** and **SSA 1** for **SA 1** (pending), was placed on the Informal Calendar.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 454**, begs leave to report that it has considered the same and recommends that the bill do pass.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaaf.

SENATE BILLS FOR PERFECTION

Senator Dempsey moved that **SB 682**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 682** was again taken up.

Senator Stouffer offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 682, Section 334.153, Line 11 of said page, by inserting immediately before the word "spinal" the following: "**cervical**"; and further amend line 12 of said page, by inserting immediately before the word "spinal" the following: "**cervical**".

Senator Stouffer moved that the above amendment be adopted, which motion failed.

Senator Stouffer offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 682, Section 334.153, Line 11 of said page, by inserting immediately before the word "spinal" the following: "**cervical and thoracic**"; and further amend line 12 of said page, by inserting immediately before the word "spinal" the following: "**cervical and thoracic**".

Senator Stouffer moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Callahan, Justus, Mayer and McKenna.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Brown	Callahan	Curls	Engler	Goodman	Green	Justus	Mayer
McKenna	Munzlinger	Purgason	Schmitt	Stouffer—13			

NAYS—Senators

Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Keaveny	Kraus	Lager
Lamping	Lembke	Nieves	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Wasson	Wright-Jones—19					

Absent—Senator Kehoe—1

Absent with leave—Senator Parson—1

Vacancies—None

Senator Justus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 682, Page 2, Section 334.153, Line 18 of said page, by inserting immediately after said line the following:

"**4. The provisions of this section shall automatically expire four years after the effective date of this section unless reauthorized by an act of the general assembly.**".

Senator Justus moved that the above amendment be adopted, which motion prevailed on a standing division vote.

Senator Callahan offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 682, Page 1, Section 334.153, Line 5 of said page, by inserting immediately after the word "chapter" the following: "**who has completed an American Board of Medical Specialties member board pain medicine subspecialty certification or completed an Accreditation Council for Graduate Medical Education pain medicine fellowship**".

Senator Callahan moved that the above amendment be adopted, which motion failed.

Senator Green offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 682, Page 1, In the Title, Line 3 of said title, by striking "interventional pain management" and inserting in lieu thereof the following: "the practice of medicine"; and

Further amend said bill, page 1, section A, line 3 of said page, by inserting immediately after said line the following:

"334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon

protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in schedules III, IV, and V of section 195.017 for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence; **and**

(b) **[**Maintain geographic proximity; and

(c)**]** Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review every fourteen days; and

(10) The collaborating physician shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to **[**specifying geographic areas to be covered,**]** the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing

arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent advanced practice registered nurses. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician."; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted.

Senator Ridgeway raised the point of order that **SA 5** is not germane to the subject matter of the bill; and further that it goes beyond the scope of the title of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Purgason offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 682, Page 1, Section 334.153, Lines 4-17, by striking all of said lines from the bill; and

Further amend said section, page 2, lines 1-18 by striking all of said lines; and inserting in lieu thereof the following:

"**334.153.1. There is hereby established the "Joint Interim Committee on Interventional Pain Management" in order to evaluate the various levels of licensing for health care professionals in diagnosing and treating pain which is chronic and persistent.**

2. The committee shall consist of three members appointed by the president pro tempore of the senate, two members appointed by the minority floor leader of the senate, three members appointed by the speaker of the house of representatives, and two members appointed by the minority floor leader of the house of representatives.

3. The committee shall examine the proficiency of the various licensing levels of health care professionals to perform interventional pain management, including performing the following techniques:

(1) Ablation of targeted nerves;

(2) Percutaneous precision needle placement within the spinal column with placement of drugs, such as local anesthetics, steroids, and analgesics, in the spinal column under fluoroscopic guidance; and

(3) Laser or endoscopic discectomy, or the surgical placement of intrathecal infusion pumps, and or spinal cord stimulators.

4. The joint committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The committee may make reasonable requests for staff assistance from the research and appropriations staffs of the house and senate and the committee on legislative research. The joint committee shall prepare a final report, together with its recommendations, for any legislative action deemed necessary for submission to the general assembly by December 31, 2012.

5. Members of the joint committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.".

Senator Purgason moved that the above amendment be adopted, which motion failed.

Senator Dempsey moved that **SS** for **SCS** for **SB 682**, as amended, be adopted, which motion prevailed.

On motion of Senator Dempsey, **SS** for **SCS** for **SB 682**, as amended, was declared perfected and ordered printed.

On motion of Senator Dempsey, the Senate recessed until 7:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaaf.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 682**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SENATE BILLS FOR PERFECTION

Senator Mayer moved that **SB 439**, with **SCS**, **SA 1** and **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SSA 1 for **SA 1** was again taken up.

Senator Callahan offered **SA 1** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 439, Page 1, Line 1 of said amendment, by inserting after "439", the following: "Page 1, Section 290.210, Line 8, by striking the opening bracket "**[**" from said line; and further amend line 15, by striking the closing bracket "**]**" from said line; and

Further amend said bill,".

Senator Callahan moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

Senator Rupp assumed the Chair.

At the request of Senator Mayer, **SB 439**, with **SCS**, **SA 1**, **SSA 1** for **SA 1** and **SA 1** to **SSA 1** for **SA 1** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 1909, regarding Putting Families First and Jackson County Family Week, which was adopted.

Senator Kehoe offered Senate Resolution No. 1910, regarding the Eightieth Birthday of Marjorie Dampf, Jefferson City, which was adopted.

Senator Engler offered Senate Resolution No. 1911, regarding Karen Roop, which was adopted.

Senator Engler offered Senate Resolution No. 1912, regarding Sheila McCutcheon, which was adopted.

Senator Engler offered Senate Resolution No. 1913, regarding Connie Jo Gooch, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1914, regarding Gunnar Smith, Smithville, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1915, regarding Sam Fullmer, Smithville, which was adopted.

On behalf of Senator Parson, Senator Dempsey offered Senate Resolution No. 1916, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Richard Dale Brooks, Clinton, which was adopted.

Senator Goodman offered Senate Resolution No. 1917, regarding the Ninety-fifth Birthday of Nora Elise Krueger Lampe, Pierce City, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Hollis Hensley, Marie Payne-Bowman, Linda Messenger and Chris Stewart, representatives of Katy Trail Community Health.

Senator Schaaf introduced to the Senate, the Physician of the Day, Dr. Bob Batterson, Kansas City.

On behalf of Senator Parson and himself, Senator Pearce introduced to the Senate, Marc Bell, Clayson Lyons, Jim Kithcart, Don Overton, Brenda McCoun and Eric Phillips, representatives of Rich Hill Development Center.

Senator Schaefer introduced to the Senate, Tammy McLane, Justin Phelps, Ninette Querimit, T'Shon Northern, Christie Judd, Larry Bonds, Paulette Howard, Pam Robtoy, Lori Becker, Ashley Zimmer, John McNeely, Ron Walkenbach, Leanne Peace, Kitty Rice, Peter Nicastro, Lisa Britt, Deb Simitias, San Simitias, Joan Keiser, Phil Duncan, Sharon Elliott and Annie Kuhl, represenatives of Donate Life Missouri.

Senator Dempsey introduced to the Senate, former State Senator Chuck Gross, St. Charles.

Senator Munzlinger introduced to the Senate, Dennis Miller and Homeschoolers from Kirksville.

Senator Stouffer introduced to the Senate, teachers, parents and students from Tri-County Christian, Macon.

Senator Kehoe introduced to the Senate, Peggy Job, Cindy Wolken, parents and forty-eight fourth grade students from Immaculate Conception, Jefferson City.

Senator Goodman introduced to the Senate, Jonna Brottlund, Christine Stellwagen, Evan McDunner, Erin Randall and Andrew Younker, students from St. Mary's, Pierce City.

Senator Dixon introduced to the Senate, Jackie Jenkins and members of the Ozarks Technical Community College Career Center Leadership team, Springfield.

Senator Wasson introduced to the Senate, 1st Sergeant Terry Thompson and his wife, Brenda and members of the Ozark Junior ROTC rifle team: Tessa Howland, Makennon Doran, Shelby Brummett and Logan Hunt.

Senator Brown introduced to the Senate, Chelsea Kliethermes, College of the Ozarks, Point Lookout.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SIXTH DAY–WEDNESDAY, APRIL 18, 2012

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1134
HCS for HB 1256
HCS for HB 1383
HCS for HB 1444
HCS for HB 1458
HCS for HB 1549
HCS for HJR 47
HJR 49-Brattin, et al
HJR 71-Elmer, et al

THIRD READING OF SENATE BILLS

SS for SCS for SB 576-Stouffer (In Fiscal Oversight)
SCS for SB 510-Cunningham
SS for SCS for SB 682-Dempsey

SENATE BILLS FOR PERFECTION

1. SB 491-Munzlinger, with SCS
2. SB 448-Rupp, with SCS
3. SB 739-Keaveny
4. SB 758-Wasson, with SCS
5. SB 854-Mayer
6. SB 803-Rupp, with SCS
7. SBs 817 & 774-Parson, with SCS
8. SB 906-Kraus, with SCS
9. SB 893-Kraus
10. SB 816-Kraus, with SCS
11. SB 905-Mayer
12. SB 657-Rupp, with SCS
13. SJR 45-Nieves
14. SB 834-Mayer and Parson, with SCS
15. SB 865-Pearce, with SCS
16. SB 454-Pearce

HOUSE BILLS ON THIRD READING

HB 1104-Schoeller and Smith (150), with SCS (Engler) (In Fiscal Oversight)
HB 1188-Allen, et al, with SCA 1 (Schmitt)
HCS for HB 2014 (Schaefer)
HB 1179-Hampton, et al (Mayer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 677-Pearce
SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 625-Kehoe, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 818-Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 903-Lamping
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending) (Pearce)

HCS for HB 1193, with SCS (Engler)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 20-Rupp

SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-SIXTH DAY—WEDNESDAY, APRIL 18, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"But surely God is my helper; the Lord is the upholder of my life." (Psalm 54:4)

Gracious God, You have given us much to do and we are grateful for the work but time is diminishing as the calendar marks the end of this session in four short weeks. Grant us wisdom to work together, to ask for help and to be the Senate You have called together to serve our people. Help us to pass bills that are helpful and effective. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Goodman offered Senate Resolution No. 1918, regarding Shanna Jelinek, which was adopted.

Senator McKenna offered Senate Resolution No. 1919, regarding Antonia Middle School, Fox C-6 School District, Barnhart, which was adopted.

Senator McKenna offered Senate Resolution No. 1920, regarding Fox High School, Fox C-6 School District, Arnold, which was adopted.

Senator Curls offered Senate Resolution No. 1921, regarding Center High School, Kansas City, which was adopted.

Senator Engler offered Senate Resolution No. 1922, regarding Paula McKinney, Bellview, which was adopted.

Senator Engler offered Senate Resolution No. 1923, regarding James L. Klaus, DeSoto, which was adopted.

Senator Engler offered Senate Resolution No. 1924, regarding Sister Patricia Gunn, SSND, DeSoto, which was adopted.

Senator Engler offered Senate Resolution No. 1925, regarding Neila A. Crane, Ironton, which was adopted.

Senator Engler offered Senate Resolution No. 1926, regarding Mary G. Kennon, Park Hills, which was adopted.

Senator Engler offered Senate Resolution No. 1927, regarding Janet M. Layne, Park Hills, which was adopted.

SENATE BILLS FOR PERFECTION

At the request of Senator Munzlinger, **SB 491**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Rupp, **SB 448**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Keaveny, **SB 739** was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 758**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Mayer, **SB 854** was placed on the Informal Calendar.

At the request of Senator Rupp, **SB 803**, with **SCS**, was placed on the Informal Calendar.

SB 817 and **SB 774**, with **SCS**, were placed on the Informal Calendar.

At the request of Senator Kraus, **SB 906**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **SB 893** was placed on the Informal Calendar.

At the request of Senator Kraus, **SB 816**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Mayer, **SB 905** was placed on the Informal Calendar.

At the request of Senator Rupp, **SB 657**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Nieves, **SJR 45** was placed on the Informal Calendar.

At the request of Senator Mayer, **SB 834**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Pearce, **SB 865**, with **SCS**, was placed on the Informal Calendar.

Senator Pearce moved that **SB 454** be taken up for perfection, which motion prevailed.

Senator Engler offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 454, Page 8, Section 163.011, Line 252, by inserting immediately after all of said line the following:

"**163.024. All moneys received in the Iron County School Fund, Reynolds County School Fund, Jefferson County School Fund, and Washington County School Fund from the payment of a civil penalty pursuant to a consent decree filed in the United States district court for the eastern district of Missouri in December 2012 in the case of United States of America and State of Missouri v. the Doe Run Resources Corporation d/b/a "The Doe Run Company," and the Buick Resource Recycling Facility, LLC, because of environmental violations shall not be included in any district's "local effort" figure, as such term is defined in section 163.011. The provisions of this section shall terminate on July 1, 2016.**"; and

Further amend the title and enacting clause accordingly.

Senator Engler moved that the above amendment be adopted.

Senator Stouffer assumed the Chair.

At the request of Senator Pearce, **SB 454**, with **SA 1** (pending), was placed on the Informal Calendar.

Senator Keaveny moved that **SB 739** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Keaveny, **SB 739** was declared perfected and ordered printed.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 18, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Eric S. Latimer for the Missouri Fire Safety Education/Advisory Commission, submitted to you on February 9, 2012. Line 1 should be amended to read:

Eric S. Latimer, Independent, 625 East Loren, Springfield, Greene County, Missouri

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 18, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Robert Shotts for the Missouri Board of Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects submitted to you on April 12, 2012. Line 2 should be amended to read:

member of the Missouri Board for Architects, Professional Engineers, Professional Land

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above addendums to the Committee on Gubernatorial Appointments.

SENATE BILLS FOR PERFECTION

Senator Rupp moved that **SB 448**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 448**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 448

An Act to repeal sections 210.211 and 210.245, RSMo, and to enact in lieu thereof four new sections relating to child care, with penalty provisions.

Was taken up.

Senator Rupp moved that **SCS** for **SB 448** be adopted.

Senator Rupp offered **SS** for **SCS** for **SB 448**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 448

An Act to repeal sections 210.211 and 210.245, RSMo, and to enact in lieu thereof three new sections relating to child care providers, with penalty provisions.

Senator Rupp moved that **SS** for **SCS** for **SB 448** be adopted, which motion prevailed.

On motion of Senator Rupp, **SS** for **SCS** for **SB 448**, was declared perfected and ordered printed.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 739**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 706**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaefer, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2001**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2002**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2003**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2004**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2005**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2006**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2007**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2008**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2009**, begs leave

to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2010**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2011**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2012**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 2013**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce assumed the Chair.

SENATE BILLS FOR PERFECTION

Senator Kehoe moved that **SB 625**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 625**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 625

An Act to repeal sections 104.603, 104.1084, and 104.1091, RSMo, and to enact in lieu thereof three new sections relating to retirement.

Was taken up.

Senator Kehoe moved that **SCS** for **SB 625** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **SB 625** was declared perfected and ordered printed.

Senator Wasson moved that **SB 758**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 758**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 758

An Act to repeal sections 210.135 and 210.145, RSMo, and to enact in lieu thereof two new sections

relating to child abuse and neglect.

Was taken up.

Senator Wasson moved that **SCS** for **SB 758** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 758** was declared perfected and ordered printed.

Senator Mayer moved that **SB 854** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Mayer offered **SS** for **SB 854**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 854

An Act to repeal section 660.315, RSMo, and to enact in lieu thereof one new section relating to the employment disqualification list for home care employees.

Senator Mayer moved that **SS** for **SB 854** be adopted, which motion prevailed.

On motion of Senator Mayer, **SS** for **SB 854** was declared perfected and ordered printed.

Senator Rupp moved that **SB 803**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 803**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 803

An Act to repeal sections 337.300, 337.305, 337.310, 337.315, 337.325, and 337.345, RSMo, and to enact in lieu thereof six new sections relating to behavior analysis.

Was taken up.

Senator Rupp moved that **SCS** for **SB 803** be adopted.

Senator Rupp offered **SS** for **SCS** for **SB 803**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 803

An Act to repeal sections 337.300, 337.305, 337.310, 337.315, 337.325, and 337.345, RSMo, and to enact in lieu thereof six new sections relating to behavior analysis.

Senator Rupp moved that **SS** for **SCS** for **SB 803** be adopted, which motion prevailed.

On motion of Senator Rupp, **SS** for **SCS** for **SB 803** was declared perfected and ordered printed.

Senator Rupp moved that **SB 657**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 657**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 657

An Act to amend chapter 191, RSMo, by adding thereto seven new sections relating to the conscience

rights of all individuals who provide medical services.

Was taken up.

Senator Rupp moved that **SCS** for **SB 657** be adopted.

Senator Stouffer assumed the Chair.

At the request of Senator Rupp, **SB 657**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Kraus moved that **SB 893** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Kraus, **SB 893** was declared perfected and ordered printed.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 18, 2012

To the Senate of the 96th General Assembly of the State of Missouri:

The following addendum should be made to the appointment of Eric Latimer for the Missouri Fire Safety Education/Advisory Commission, submitted to you on February 9, 2012. Line 2 should be amended to read:

65807, as a member of the Missouri Fire Safety Education/Advisory Commission, for a

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer referred the above addendum to the Committee on Gubernatorial Appointments.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SB 758**; **SCS** for **SB 625**; and **SS** for **SCS** for **SB 448**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Mayer referred **SCS** for **SB 625** to the Committee on Ways and Means and Fiscal Oversight.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 1928, regarding Dr. Robert C. Scanlon, II, Springfield, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1929, regarding Elvis Thomas, St. Louis, which was adopted.

Senator Dixon offered Senate Resolution No. 1930, regarding Gary E. Metzger, Ozark, which was adopted.

Senator Dixon offered Senate Resolution No. 1931, regarding James P. Webb, MD, Springfield, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Munzlinger introduced to the Senate, Victoria Damba, D.O., Bruce Williams, D.O., H. Danny Weaver, D.O., Darin Haug, D.O., Jeff Suzewits, D.O., Jason Haxton, and osteopathic physicians, residents, students, faculty and staff, from around the state.

Senator Brown introduced to the Senate, Gary Young and Tim Belshe and thirty students from Waynesville High School.

Senator Kehoe introduced to the Senate, Adelaide "Lolli" Decker, Jefferson City.

Senator Nieves introduced to the Senate, his wife, Julie, and Sue Bailey, Washington.

Senator Richard introduced to the Senate, Jessica Johnson and Chase Tise, Newton and McDonald County FFA; and Zachary Aldrich, Jared Ball, Megan Jones and Maddie Garren, Neosho High School FFA.

Senator Dixon introduced to the Senate, Tammy Ames, chaperones and eleven eighth grade students from St. Joseph Catholic Academy, Springfield.

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Randy Mueller, Columbia.

Senator Dixon introduced to the Senate, Kim Bush, Stalena Snyder, Jonathan Hughes, Beth Brewer, Gaye Sands and Ella Stratton and sixty-seven fourth and fifth grade students from Holland Elementary, Springfield.

Senator Schmitt introduced to the Senate, Jeanne Marshall and her son, Logan, Wildwood; and Logan was made an honorary page.

Senator Green introduced to the Senate, his brother, John, his sons, Thomas and Johnny; his brother, Kevin, his wife, Michele and their children Katie and Michael; his brother, Mark; his brother, Tom, his wife, Sheila and their daughters, Christina and Sarah; his brother, Eddie, his wife, Amy and their children, Olivia and Ben; his sister Bernice Herweck, her husband, Tom and their children Jack, Patricia, Bridget and Anna; his daughter, Megan; and his father, John "Jack".

Senator Kehoe introduced to the Senate, Reverend Greg Morrow, First Baptist Church, California; and Yaroslav Pyzh and Vasil Tsiupko, Ukraine.

On behalf of Senator Pearce and Senator Parson, the President introduced to the Senate, Mayor Elaine Horn, Sedalia.

Senator Schmitt introduced to the Senate, eighty fifth grade students from Barretts Elementary, Manchester; and Sydny Welcher, Dawson Lackey, Jacob Backer, Reed Parrish, Ethan Wang, Mario Haro, Nick Holt and Paige Gifford were made honorary pages.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-SEVENTH DAY–THURSDAY, APRIL 19, 2012

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1134
HCS for HB 1256
HCS for HB 1383
HCS for HB 1444
HCS for HB 1458
HCS for HB 1549
HCS for HJR 47
HJR 49-Brattin, et al
HJR 71-Elmer, et al

THIRD READING OF SENATE BILLS

SS for SCS for SB 576-Stouffer
(In Fiscal Oversight)
SCS for SB 510-Cunningham
SS for SCS for SB 682-Dempsey
SB 739-Keaveny
SCS for SB 758-Wasson
SCS for SB 625-Kehoe
(In Fiscal Oversight)
SS for SCS for SB 448-Rupp

SENATE BILLS FOR PERFECTION

SB 706-Cunningham, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1104-Schoeller and Smith (150), with SCS (Engler) (In Fiscal Oversight)
2. HB 1188-Allen, et al, with SCA 1 (Schmitt)
3. HCS for HB 2014 (Schaefer)
4. HB 1179-Hampton, et al (Mayer)
5. HCS for HB 2001 (Schaefer)
6. HCS for HB 2002, with SCS (Schaefer)
7. HCS for HB 2003, with SCS (Schaefer)
8. HCS for HB 2004, with SCS (Schaefer)
9. HCS for HB 2005, with SCS (Schaefer)
10. HCS for HB 2006, with SCS (Schaefer)
11. HCS for HB 2007, with SCS (Schaefer)
12. HCS for HB 2008, with SCS (Schaefer)
13. HCS for HB 2009, with SCS (Schaefer)

14. HCS for HB 2010, with SCS (Schaefer)
15. HCS for HB 2011, with SCS (Schaefer)
16. HCS for HB 2012, with SCS (Schaefer)
17. HCS for HB 2013, with SCS (Schaefer)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SCS for SB 677-Pearce
SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS

SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending) (Pearce)
HCS for HB 1193, with SCS (Engler)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-SEVENTH DAY—THURSDAY, APRIL 19, 2012

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

"I have found it impossible to carry the burden of responsibility and to discharge my duties as King as I would wish to without the help and support of the woman I love." (Edward VIII, 1936)

Loving Father, we finish our week's work here knowing the love and support of those who love us and make it possible for us to accomplish what is truly needed. We give You thanks for them and pray that we will be mindful to pour out our joy for them to them so they may know our love and joy for them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 1932, regarding Nicholas Karakas, Saint Louis, which was adopted.

Senator Cunningham offered Senate Resolution No. 1933, regarding Missouri Baptist Medical Center, Saint Louis, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 893**; **SS** for **SB 854**; and **SS** for **SCS** for **SB 803**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Eric S. Latimer, Independent, as a member of the Missouri Fire Safety Education/Advisory Commission;

Also,

Kenneth Jones, Republican, as a member of the Board of Probation and Parole.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 576**, begs leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 576**, introduced by Senator Stouffer, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 576

An Act to repeal sections 29.205, 160.400, 160.405, 160.410, 160.415, and 160.420, RSMo, and to enact in lieu thereof nine new sections relating to charter schools.

Was taken up.

President Kinder assumed the Chair.

On motion of Senator Stouffer, **SS** for **SCS** for **SB 576** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer—31	

NAYS—Senators

Chappelle-Nadal Wright-Jones—2

Absent—Senator Wasson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 510**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 510

An Act to repeal section 137.076, RSMo, and to enact in lieu thereof one new section relating to assessment of real property for tax purposes.

Was taken up by Senator Cunningham.

On motion of Senator Cunningham, **SCS** for **SB 510** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Rupp—1

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 682**, introduced by Senator Dempsey, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 682

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to interventional pain management.

Was taken up.

On motion of Senator Dempsey, **SS** for **SCS** for **SB 682** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon	Green
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	McKenna
Munzlinger	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt
Wasson	Wright-Jones—26						

NAYS—Senators

Callahan	Engler	Goodman	Mayer	Nieves	Purgason	Stouffer—7

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

SB 739, introduced by Senator Keaveny, entitled:

An Act to repeal section 454.475, RSMo, and to enact in lieu thereof one new section relating to administrative child support decisions.

Was taken up.

On motion of Senator Keaveny, **SB 739** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SCS for **SB 758**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 758

An Act to repeal sections 210.135 and 210.145, RSMo, and to enact in lieu thereof two new sections relating to child abuse and neglect.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS** for **SB 758** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 448**, introduced by Senator Rupp, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 448

An Act to repeal sections 210.211 and 210.245, RSMo, and to enact in lieu thereof three new sections relating to child care providers, with penalty provisions.

Was taken up.

On motion of Senator Rupp, **SS** for **SCS** for **SB 448** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS No. 2 for **SCS** for **SB 806**, introduced by Senator Cunningham, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 806

An Act to repeal sections 168.104, 168.124, 168.221, and 168.291, RSMo, and to enact in lieu thereof three new sections relating to the employment of school personnel, with an effective date.

Was called from the Informal Calendar and taken up.

At the request of Senator Cunningham, **SS No. 2** for **SCS** for **SB 806** was placed on the Informal

Calendar.

SS for **SCS** for **SB 677**, introduced by Senator Pearce, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 677

An Act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof two new sections relating to school accreditation, with an emergency clause.

Was taken up.

On motion of Senator Pearce, **SS** for **SCS** for **SB 677** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators

Chappelle-Nadal Ridgeway—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Crowell, Chairman of the Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, submitted the following reports:

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **HB 1331**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **HB 1128**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **HB 1680**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1123**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1103**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SJR 51**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1525**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the

following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **SB 835**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 1495**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1112**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 1042**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1504**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1623**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which were referred **HB 1073** and **HCS** for **HB 1477**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HB 1104**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

HCS for **HB 1134**—Small Business, Insurance and Industry.

HCS for **HB 1256**—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for **HB 1383**—General Laws.

HCS for **HB 1444**—Agriculture, Food Production and Outdoor Resources.

HCS for **HB 1458**—Jobs, Economic Development and Local Government.

HCS for **HB 1549**—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HJR 47**—Financial and Governmental Organizations and Elections.

HJR 49—Judiciary and Civil and Criminal Jurisprudence.

HJR 71—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1534**, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the federal health care reform law, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1717**, entitled:

An Act to repeal sections 143.173 and 143.221, RSMo, and to enact in lieu thereof two new sections relating to withholding tax returns.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1934, regarding the Class 2 State Champion Harrisburg High School Girls Basketball Team, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Crowell introduced to the Senate, fourth grade students from Clippard Elementary, Cape

Girardeau.

Senator Parson introduced to the Senate, former State Representative Kenny Jones, California.

Senator Schmitt introduced to the Senate, fourth grade students from Avery Elementary, Webster Groves.

Senator Mayer introduced to the Senate, Kristina and Rodney Hoefer, Doniphan.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, April 23, 2012.

SENATE CALENDAR

———

FIFTY-EIGHTH DAY–MONDAY, APRIL 23, 2012

———

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1534-Bahr, et al

HCS for HB 1717

THIRD READING OF SENATE BILLS

SCS for SB 625-Kehoe (In Fiscal Oversight)

SB 893-Kraus

SS for SB 854-Mayer

SS for SCS for SB 803-Rupp

SENATE BILLS FOR PERFECTION

SB 706-Cunningham, with SCS

SJR 51-Lembke, with SCS

SB 835-Kehoe, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1104-Schoeller and Smith (150), with SCS (Engler)
2. HB 1188-Allen, et al, with SCA 1 (Schmitt)
3. HCS for HB 2014 (Schaefer)
4. HB 1179-Hampton, et al (Mayer)
5. HCS for HB 2001 (Schaefer)
6. HCS for HB 2002, with SCS (Schaefer)
7. HCS for HB 2003, with SCS (Schaefer)
8. HCS for HB 2004, with SCS (Schaefer)
9. HCS for HB 2005, with SCS (Schaefer)
10. HCS for HB 2006, with SCS (Schaefer)
11. HCS for HB 2007, with SCS (Schaefer)
12. HCS for HB 2008, with SCS (Schaefer)
13. HCS for HB 2009, with SCS (Schaefer)
14. HCS for HB 2010, with SCS (Schaefer)

15. HCS for HB 2011, with SCS (Schaefer)
16. HCS for HB 2012, with SCS (Schaefer)
17. HCS for HB 2013, with SCS (Schaefer)
18. HB 1331-Jones (117), et al, with SCS
19. HB 1128-Largent (Kraus)
20. HB 1680-Davis, et al (Pearce)
21. HCS for HB 1123 (Brown)
22. HB 1103-Crawford and Wyatt
23. HCS for HB 1525, with SCS (Goodman)
24. HCS for HB 1495, with SCS
25. HB 1112-Gosen, with SCS
26. HCS for HB 1042, with SCS (Pearce)
27. HB 1504-Richardson, with SCS (Lamping)
28. HCS for HB 1623, with SCS (Schmitt)
29. HB 1073 & HCS for HB 1477-Sater, with SCS

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham

SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)

SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending) (Pearce)
HCS for HB 1193, with SCS (Engler)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-EIGHTH DAY—MONDAY, APRIL 23, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"It is not what we do for God, but what HE does through us." (Judy Sexton)

Dear God, we are mindful that as we drove here we saw the beauty of Your work and saw our responsibilities to the earth to maintain it for future generations for productivity and recreation. It is only one of many areas to address and we have three weeks and much to do. And we know You have called each of us for this purpose, to open our minds and hearts to allow You to work through us so that what we do and how we do it is in keeping with what You will for us. So be with us this week and bless and guide our efforts. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 19, 2012 was read and approved.

Senator Dempsey announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Engler offered Senate Resolution No. 1935, regarding Hester J. Brand, Belleview, which was adopted.

Senator Engler offered Senate Resolution No. 1936, regarding Sheila Cowan, De Soto, which was adopted.

Senator Engler offered Senate Resolution No. 1937, regarding Jordan Villmer, Farmington, which was adopted.

Senator Engler offered Senate Resolution No. 1938, regarding Jonathan Bridges, Desloge, which was adopted.

Senator Ridgeway offered Senate Resolution No. 1939, regarding Ken Wilson, Smithville, which was adopted.

Senator Parson offered Senate Resolution No. 1940, regarding the Fifty-fifth Wedding Anniversary of Mr. and Mrs. John F. "Bill" Meloy, Osceola, which was adopted.

Senator Parson offered Senate Resolution No. 1941, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Jerry Whittaker, Fair Grove, which was adopted.

Senator Parson offered Senate Resolution No. 1942, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Ralph Gillette, Clinton, which was adopted.

Senator Richard offered Senate Resolution No. 1943, regarding Sunny Jim Park, Joplin, which was adopted.

Senator Engler offered Senate Resolution No. 1944, regarding Ellen Schunks, which was adopted.

Senator Engler offered Senate Resolution No. 1945, regarding Michaelle Clarke, which was adopted.

Senator Engler offered Senate Resolution No. 1946, regarding Claudia Weiss, Park Hills, which was adopted.

Senator Engler offered Senate Resolution No. 1947, regarding Phyllis Gibson, which was adopted.

Senator Wasson offered Senate Resolution No. 1948, regarding Lacey Boshe, Marshfield, which was adopted.

Senator Crowell offered Senate Resolution No. 1949, regarding Corrections Officer I Robert Shoemaker, Fredericktown, which was adopted.

Senator Schmitt offered Senate Resolution No. 1950, regarding Michael Gunn, Saint Louis, which was adopted.

Senator Crowell offered Senate Resolution No. 1951, regarding Nancy Hester, which was adopted.

Senator Crowell offered Senate Resolution No. 1952, regarding Cathy Bishop, which was adopted.

Senator Crowell offered Senate Resolution No. 1953, regarding Mark Cook, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1954, regarding Sherman George, Saint Louis, which was adopted.

Senator Brown offered Senate Resolution No. 1955, regarding Randy K. Barr, Rolla, which was

adopted.

Senator Brown offered Senate Resolution No. 1956, regarding Ron Reagan, which was adopted.

Senator Lager offered Senate Resolution No. 1957, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Leo E. Ginther, Stanberry, which was adopted.

Senator Lager offered Senate Resolution No. 1958, regarding Joe M. Lyle, Savannah, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1661**, entitled:

An Act to repeal section 143.173, RSMo, and to enact in lieu thereof one new section relating to tax deductions for job creation by small businesses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1211**, entitled:

An Act to repeal sections 66.010, 67.320, and 67.2010, RSMo, and to enact in lieu thereof four new sections relating to local courts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1826**, entitled:

An Act to repeal section 217.670, RSMo, and to enact in lieu thereof two new sections relating to videoconferencing of offenders.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1860**, entitled:

An Act to repeal sections 178.530, 276.401, 302.286, 537.345, 537.346, 569.140, 575.010, and 575.120, RSMo, and to enact in lieu thereof twelve new sections relating to agriculture, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1342**, entitled:

An Act to amend chapter 511, RSMo, by adding thereto six new sections relating to settlement offers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1359**, entitled:

An Act to repeal section 160.526 RSMo, and to enact in lieu thereof two new sections relating to state contracts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1476**, entitled:

An Act to amend chapter 135, RSMo, by adding thereto three new sections relating to the sole purpose of freight forwarding, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1364**, entitled:

An Act to amend chapter 262, RSMo, by adding thereto one new section relating to rodeos.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1367**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to state employee performance reviews.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1521**, entitled:

An Act to repeal sections 52.230 and 52.240, RSMo, and to enact in lieu thereof two new sections relating to property tax bills.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1637**, entitled:

An Act to repeal sections 143.111 and 408.010, RSMo, and to enact in lieu thereof three new sections relating to taxation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HB 1323**, entitled:

An Act to repeal sections 210.211, 210.245, and 544.455, RSMo, by adding thereto five new sections relating to the provision of child care services pending criminal charges with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1574** and **1097**, entitled:

An Act to repeal section 302.185, RSMo, and to enact in lieu thereof two new sections relating to driver's license veteran designations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1274**, entitled:

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to the abortion-inducing drugs safety act, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1934** and **1654**, entitled:

An Act to repeal section 273.327, RSMo, and to enact in lieu thereof one new section relating to animal shelter fees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2019**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2012 and ending June 30, 2013.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 85**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(b) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state lottery.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 736**.

With House Amendment 1.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 736, Page 1, Line 3 of the title by deleting said line and inserting in lieu thereof the following:

"to special county taxes, with an emergency clause for certain sections."; and

Further amend said bill, Page 1, Section A, Line 2 by inserting after said line the following:

"67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:

(1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(2) "County", any county or any city not within a county;

(3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;

(5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**

(6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;

[(6)**] (7)** "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;

[(7)**] (8)** "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

[(8)**] (9)** "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district**, including any areas under concurrent jurisdiction with an agency of the United States government**. Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. **1.** The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to

taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The **[**tax**]** **taxes** authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the **[**proposed**]** metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. **1. For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712,** the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of . . . . ., state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall . . . . . County join such other of . . . . . (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". . . . . Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to . . . . County for local park improvements, all as authorized by the . . . . . (insert name of governing body) of . . . . . County pursuant to (insert ordinance number), on the . . . . day of . . . . (insert month), ... (insert year)?

☐ YES ☐ NO

2. For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing expanded activities and improvements of such areas, shall ..... (insert county name) County join such other of ..... (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a ..... (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to ..... (insert county name) County for local and county park improvements as authorized by the ..... (insert governing body name) of ..... (insert county name) County under ..... (insert ordinance number), on the ..... (insert day) day of ..... (insert month), ... (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to

an independent annual public audit?".

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and **[**sections**] subsection 1 of section** 67.1715 and **in section** 67.1718.

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769**. No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754**;

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district**. Any contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712**;

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. **1.** The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization."; and

Further amend said bill, Page 2, Section 137.556, Line 19, by inserting after all of said line the following:

"Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, , 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

HCS for **HB 2014**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2012.

Was taken up by Senator Schaefer.

Senator Stouffer assumed the Chair.

Senator Dempsey assumed the Chair.

Senator Pearce assumed the Chair.

Senator Stouffer assumed the Chair.

At the request of Senator Schaefer, **HCS** for **HB 2014** was placed on the Informal Calendar.

RESOLUTIONS

Senator Dempsey offered Senate Resolution No. 1959, regarding Jill Skyles, Saint Charles, which was adopted.

Senator Kehoe offered Senate Resolution No. 1960, regarding Sandra E. Meyer, Eldon, which was adopted.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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FIFTY-NINTH DAY–TUESDAY, APRIL 24, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1534-Bahr, et al
HCS for HB 1717
HCS for HB 1661
HCS for HB 1211
HCS for HB 1826
HCS for HB 1860
HCS for HB 1342
HB 1359-Smith (150), et al
HCS for HB 1476
HCS for HB 1364
HCS for HB 1367
HCS for HB 1521
HCS for HB 1637
HCS#2 for HB 1323
HCS for HBs 1574 & 1097
HCS for HB 1274
HCS for HBs 1934 & 1654
HCS for HB 2019
HJR 85-Solon, et al

THIRD READING OF SENATE BILLS

SCS for SB 625-Kehoe (In Fiscal Oversight)
SB 893-Kraus
SS for SB 854-Mayer
SS for SCS for SB 803-Rupp

SENATE BILLS FOR PERFECTION

SB 706-Cunningham, with SCS
SJR 51-Lembke, with SCS
SB 835-Kehoe, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1104-Schoeller and Smith (150), with SCS (Engler)
2. HB 1188-Allen, et al, with SCA 1 (Schmitt)
3. HB 1179-Hampton, et al (Mayer)
4. HCS for HB 2001 (Schaefer)
5. HCS for HB 2002, with SCS (Schaefer)
6. HCS for HB 2003, with SCS (Schaefer)
7. HCS for HB 2004, with SCS (Schaefer)
8. HCS for HB 2005, with SCS (Schaefer)
9. HCS for HB 2006, with SCS (Schaefer)
10. HCS for HB 2007, with SCS (Schaefer)
11. HCS for HB 2008, with SCS (Schaefer)
12. HCS for HB 2009, with SCS (Schaefer)
13. HCS for HB 2010, with SCS (Schaefer)
14. HCS for HB 2011, with SCS (Schaefer)
15. HCS for HB 2012, with SCS (Schaefer)
16. HCS for HB 2013, with SCS (Schaefer)
17. HB 1331-Jones (117), et al, with SCS
18. HB 1128-Largent (Kraus)
19. HB 1680-Davis, et al (Pearce)
20. HCS for HB 1123 (Brown)
21. HB 1103-Crawford and Wyatt
22. HCS for HB 1525, with SCS (Goodman)
23. HCS for HB 1495, with SCS
24. HB 1112-Gosen, with SCS (Rupp)
25. HCS for HB 1042, with SCS (Pearce)
26. HB 1504-Richardson, with SCS (Lamping)
27. HCS for HB 1623, with SCS (Schmitt)
28. HB 1073 & HCS for HB 1477-Sater, with SCS (Munzlinger)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke

SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending) (Pearce)
HCS for HB 1193, with SCS (Engler)
HCS for HB 2014 (Schaefer)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 736-Engler, with HA 1
SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

FIFTY-NINTH DAY—TUESDAY, APRIL 24, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Of all the tasks of government, the most basic is to protect its citizens against violence." (John Foster Dulles)

Merciful Father, we live in a violent and sinful world and we once again look at what we can do to protect our citizens. We know that there will be yet darker days for You have taught us that the "human heart is deceitful above all things." Yet we also know that You will be ultimately victorious and will comfort Your people. So walk with us these days and let us look and find and celebrate those who do what is righteous and walk that road with them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KOMU-TV and ABC-17 News were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schmitt offered Senate Resolution No. 1961, regarding Valley Park Senior High School, which was adopted.

Senator McKenna offered Senate Resolution No. 1962, regarding Robert Randall, Arnold, which was adopted.

Senator McKenna offered Senate Resolution No. 1963, regarding Kenneth "Ken" Baker, Arnold, which was adopted.

Senator McKenna offered Senate Resolution No. 1964, regarding Jules C. Zimmermann, Arnold, which was adopted.

Senator McKenna offered Senate Resolution No. 1965, regarding Matthew J. Mayer, Arnold, which was adopted.

Senator McKenna offered Senate Resolution No. 1966, regarding Glen McClain, Arnold, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCR 33**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 33

Relating to the Joint Interim Committee on State Employee Wages, with an emergency clause.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, the Joint Interim Committee on State Employee Wages was established under HCR 32 in the Ninety-Sixth General Assembly, First Regular Session, and was charged with studying and developing strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages; and

WHEREAS, Missouri state employees are ranked 50th out of 50 states for the wages paid to state employees; and

WHEREAS, Missouri state employees provide excellent service to Missourians; and

WHEREAS, Missouri state employees have had to do more with less resources for the past several years; and

WHEREAS, Missouri state employees have not had a pay raise since 2008; and

WHEREAS, while state employee wages have remained the same since 2008, Missouri state employee insurance costs have steadily increased; and

WHEREAS, the Missouri state employees deferred compensation state match of state employee contributions made up to $35 has not been funded for several years; and

WHEREAS, new Missouri state employees who are first employed by the state after January 1, 2011, are required to contribute 4% of their pay to their retirement plan; and

WHEREAS, the State of Missouri does not have comprehensive data on state employee compensation or total compensation; and

WHEREAS, the State of Missouri does not have a long-term or strategic plan for increasing the wages of state employees; and

WHEREAS, the State of Kansas undertook a similar initiative and has many lessons learned that could benefit the State of Missouri; and

WHEREAS, the three poorest states in the nation - West Virginia, Mississippi, and Arkansas - all rank ahead of Missouri in state employee annual compensation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby re-authorize the "Joint Interim Committee on State Employee Wages" to function in the legislative interims through December 31, 2014, upon passage and approval of this resolution, for the purpose of further studying and developing of strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages; and

BE IT FURTHER RESOLVED that upon re-establishment, the Joint Interim Committee shall:

(1) Devise a focused and concise mission statement to guide actions of the Joint Interim Committee;

(2) Request the State Office of Administration to use moneys in the State Employee Wage Study Fund, created in this resolution, to invest in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures, similar to what other states have done;

(3) Request the State Office of Administration, with the advice and consent of the Joint Interim Committee, to use the data from the comprehensive study to produce a long-term strategic plan for increasing state employee wages and to present such plan to the Governor, the House Budget Committee, and the Senate Appropriations Committee by January 31, 2015;

(4) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED that the Joint Interim Committee be composed of the following members:

(1) Two majority party members and one minority party member of the House of Representatives, to be appointed by the Speaker and Minority Leader of the House;

(2) Two majority party members and one minority party member of the Senate, to be appointed by the President Pro Tem and Minority Leader of the Senate;

(3) One representative from the Governor's Office;

(4) One representative from the State Personnel Advisory Board; and

(5) Two members of the public, with one to be appointed by the Speaker of the House and one to be appointed by the President Pro Tem of the Senate; and

BE IT FURTHER RESOLVED that there is hereby created in the state treasury the "State Employee Wage Study Fund". The State Treasurer shall deposit to the credit of such fund all moneys which may be appropriated to it by the General Assembly and any gifts, contributions, grants, bequests, or other aid received from federal, private, or other sources. The general assembly may appropriate moneys into the fund to be used by the State Office of Administration for the purpose of investing in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund shall not revert to the credit of the general revenue fund at the end of the biennium; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including but not limited to soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, and the general public; and

BE IT FURTHER RESOLVED that the staff of House Appropriations, Senate Appropriations, House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Senate's Joint Contingent Expenses appropriation; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution; and

BE IT FURTHER RESOLVED that because immediate action is necessary to help attract and maintain a talented and dedicated workforce in order to best serve the needs of Missouri citizens, this resolution is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this resolution shall be in full force and effect upon its passage and approval.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 6**.

HOUSE CONCURRENT RESOLUTION NO. 6

WHEREAS, last year, the average price of gasoline rose to nearly $4.00 a gallon and is projected to remain high for the forseeable future; and

WHEREAS, numerous components make up the price of gasoline, including the cost of crude oil (45%), federal and state taxes (23%), refining costs (22%), and marketing and distribution costs (10%). These components are affected by many factors; and

WHEREAS, the three main factors that contribute to changes in the price of gasoline are changes in crude oil prices, the transparency of energy markets, and regulations that affect the price of gasoline; and

WHEREAS, there is very little government can do about crude oil prices and transparency. Crude oil prices are affected by world supply and demand, which continues to grow and most rapidly in Asia. Transparency produces highly efficient markets, but it also increases volatility. Any reduction in transparency would offset efficiency; and

WHEREAS, while states have limited authority and options available to attempt to reverse the soaring fuel prices and alleviate the growing financial burden on its citizenry, the federal government is able to ease the pressure on prices and reduce volatility by reducing its own interference in the market - most directly by the way of taxes and regulation; and

WHEREAS, federal regulations have contributed significantly to the high price, high volatility environment facing consumers today. These regulations have led to the proliferation of numerous fuel blends - known as “boutique fuels” - which in turn have increased refining and distribution costs; and

WHEREAS, in addition to addressing the boutique fuel problem, Congress and the Administration should reform other Clean Air Act regulations that have resulted in the halt of construction of new refinery capacity and offshore drilling. More production and refinery capacity is needed to ease the pressure on the production system; and

WHEREAS, federal regulations are also affecting gasoline imports because foreign suppliers are unable to keep up with the increasing complexity of federal gasoline requirements. Volatility in the Middle East also threatens our second largest supplier of oil - OPEC; and

WHEREAS, while changes in federal regulations and policies are needed as a long-term solution, the federal government is able to impact gasoline prices in the short-term as well; and

WHEREAS, in the short-term, the Environmental Protection Agency should temporarily suspend clean-fuel requirements and reduce the number of fuel specifications across the country by offering a limited menu of fuel choices that states and localities can choose from; and

WHEREAS, with crude oil costs being the single largest component in the cost of gasoline, the only real impact on crude oil prices is the threat of competition; and

WHEREAS, the leading supplier of oil to the United States market is Canada, with Mexico as the third leading supplier. There are enough oil and gas resources under the ground of those two reliable neighbors to supply the United States at current consumption levels for the next 100 years; and

WHEREAS, by lowering any remaining cross-border barriers to energy imports and by increasing the capacity of cross-border distribution systems, Congress can lower the cost to both Canada and Mexico of shipping oil to the United States, thereby inducing them to bring more supply on line; and

WHEREAS, in order to reduce our dependence on foreign oil, Congress and the Administration should find ways to facilitate the building of new refineries, and an increase in production by permitting the uncapping of existing wells and the drilling of new wells; and

WHEREAS, Congress and the Administration should strive to maintain a well-functioning gasoline market for the good of the economy, without interfering in the marketplace. Changes in federal regulation, introduction of fuel flexibility, removing impediments to importation

of fuel from Canada and Mexico, increasing refinery capacity and pipeline construction, as well as greater domestic oil exploration and opening additional areas of production would begin to ease the rising cost of fuels and reduce our dependence on foreign sources of oil:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress and the Obama Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs to ease the financial burden on its citizens and prevent a second recession; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama; Lisa P. Jackson, Administrator of the Environmental Protection Agency; the Majority and Minority Leaders of the United States Congress; and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 46**.

HOUSE CONCURRENT RESOLUTION NO. 46

WHEREAS, Ameren Missouri owns and manages the Lake of the Ozarks, Bagnell Dam, and Osage hydroelectric plant under its license from the Federal Energy Regulatory Commission (FERC); and

WHEREAS, under its license agreement, Ameren Missouri was required to develop a shoreline management plan, which was submitted to FERC in 2008; and

WHEREAS, FERC regulations require that only land needed for the dam's operation, recreation, shoreline control, and environmental protection be included in the boundary; and

WHEREAS, Lake area residents and visitors enjoy a wide range of recreational activities and opportunities on lakefront property, including a 17,441 acre playground just south of Osage Beach; and

WHEREAS, Lake of the Ozarks State Park is Missouri's largest park with over 85 miles of shoreline and two public beaches, plus boat launching areas; and

WHEREAS, with the significant role that recreational activities play in the economic well-being of the Lake region, the current lakefront access enjoyed by residents, businesses, and visitors is vital to the financial viability and growth of the Lake of the Ozarks; and

WHEREAS, on July 26, 2011, FERC issued its order modifying and approving the shoreline management plan. In its order, FERC required Ameren Missouri to file for FERC approval a detailed report to each nonconforming structure and encroachment and Ameren Missouri's proposed course of action; and

WHEREAS, FERC did not demand or otherwise require any of the nonconforming structures be removed. On August 25, 2011, Ameren Missouri requested that FERC allow them to revise the project boundary to exclude those properties that were not needed to serve the purpose of the project; and

WHEREAS, Ameren Missouri requested that for those properties located within the current project boundary, where Ameren Missouri owns property in fee, upon which a residential dwelling has been built either in whole or in part, Ameren Missouri would redraw the project boundary to exclude the property, subject to certain conditions, such as environmental assessments, one-time fees, and legal surveys; and

WHEREAS, FERC clarified its position and specifically stated that "Nothing in the SMP, the July 26 Order or in this order has any impact on property rights. Whatever rights entities have in lands within the boundaries of the Osage Project - whether conferred by deed, lease, easement, or other conveyance - have not been and will not be altered by action in these proceedings. This Commission has no jurisdiction to rule on property rights, which are matters of state law."; and

WHEREAS, FERC did not approve the request to make homeowner's pay for legal surveys or the request for the payment of a one-time fee from the homeowners; and

WHEREAS, as part of the creation of the project boundary, Union Electric Land and Development Company reserved an easement to all of the lands that became the Lake of the Ozarks. For approximately 60 years thereafter, Union Electric allowed unrestricted access with little or no permits required; and

WHEREAS, developers and property owners acted in relation to that easement without question, with the common understanding that if land adjoining the lake was purchased, access to the water came with such property; and

WHEREAS, on January 31, 2012, Ameren Missouri filed its amended shoreline management plan with FERC which included a new project boundary for approval. Ameren Missouri says the new plan will ensure that most, but not all, of the 1,600 homes along the Lake of the Ozarks shoreline are not threatened with removal; and

WHEREAS, Ameren Missouri's new shoreline management plan revises the shoreline boundary so that most of the homes are no longer encroaching onto land that is part of the Bagnell Dam hydroelectric project; and

WHEREAS, banks and real estate companies in the Lake area warned that removal of homes and other structures would damage an already fragile real estate market; and

WHEREAS, the Missouri General Assembly is sensitive to the important nature of these issues for the property owners, citizens, and businesses; and

WHEREAS, hoping to end months of anxiety and confusion, to provide certainty, and to facilitate a swift resolution between FERC, Ameren Missouri, and the affected property owners, the Missouri General Assembly urges FERC and Ameren Missouri to cooperate and coordinate the proposed shoreline management plan with local government and the affected property owners; and

WHEREAS, coordination works because most federal agencies are specifically directed by Congress to work with local governments through this process before implementing policies or plans that will impact the local community; and

WHEREAS, given the impact of these important property questions on real estate transactions within the Lake of the Ozarks region, these property issues must be resolved with the utmost diligence; and

WHEREAS, since there is sufficient time prior to FERC's deadline for submission of a revised shoreline management plan in June 2012, Ameren Missouri should work with local government and the affected property owners to ensure that under the amended shoreline management plan no property owners in the affected areas will lose their homes or businesses:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urges Ameren Missouri, the Federal Energy Regulatory Commission, and the affected property owners to cooperate in coordinating a swift resolution to the shoreline management plan project at the Lake of the Ozarks that respects the rights of property owners under Missouri law; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Ameren Missouri and the Federal Energy Regulatory Commission.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 49**.

HOUSE CONCURRENT RESOLUTION NO. 49

WHEREAS, on February 16, 2012, the United States Environmental Protection Agency (EPA) promulgated its Mercury and Air Toxics Standards regulation for coal-fueled and oil-fueled electric generating plants; and

WHEREAS, EPA's own analyses show that the Mercury and Air Toxics Standards regulation is the single most expensive rule ever imposed by EPA on the electric power sector at a cost of $9.6 billion per year by 2016 and a total cost of $90 billion; and

WHEREAS, billions of dollars in compliance and other costs, including the construction of new power plants to replace plants forced to retire prematurely, resulting from the Mercury and Air Toxics Standards regulation will be passed on to residential, commercial, and industrial electricity consumers; and

WHEREAS, these unprecedented costs will increase the price of electricity and other types of energy at a time when families and businesses are struggling to cope with higher energy prices and job losses; and

WHEREAS, federal government data show that the average family in Missouri has already been forced to double its spending on energy over the past decade and that lower-income, fixed-income, and minority families in Missouri are harmed the most by higher energy prices; and

WHEREAS, the manufacturing sector nationwide has lost 5.5 million jobs since 2000, or 32% of its workforce, the sector's global

competitiveness depends on affordable and reliable energy; and

WHEREAS, EPA has not provided an estimate of job losses that will be caused by the regulation, even though many analyses project that EPA regulations will cause higher energy prices and premature retirement of coal-fired power plants, resulting in financial hardship to consumers and further erosion of United States manufacturing jobs; and

WHEREAS, federal, state, and regional officials, public utility commissioners, regional electric reliability organizations, electricity generators, and manufacturing companies have expressed concerns that EPA regulations threaten the reliability of our nation's electric power grid; and

WHEREAS, coal-fueled power plants have already invested nearly $100 billion to meet clean air requirements and these investments have reduced emissions of major air pollutants by nearly 90% per kilowatt-hour of electricity generated; and

WHEREAS, the Missouri General Assembly supports improvements in air quality to protect the health of our citizens and the quality of our environment, and believes that such improvements can be made within a sensible time frame and at a reasonable cost; and

WHEREAS, the highest economic priority by federal, state, and local governments at the present time should be to support policies that stimulate economic growth and create jobs and to avoid policies that unnecessarily increase energy prices, hurt families, and cause job losses:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby calls on the United States Congress to adopt S.J.Res. 37, disapproving the Mercury and Air Toxics Standards regulation because of the unprecedented economic impacts of such regulation, and to ensure that EPA replaces it with a sensible regulation that achieves reductions in mercury emissions without unnecessary increases in energy prices, job losses, and threats to electric reliability; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1890**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto four new sections relating to health insurance coverage.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Kehoe assumed the Chair.

RESOLUTIONS

Senator Mayer offered Senate Resolution No. 1967, regarding Ripley County Public Water Supply District #1, which was adopted.

Senator Mayer offered Senate Resolution No. 1968, regarding the Fiftieth Anniversary of Temple Baptist Church, Poplar Bluff, which was adopted.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 18**.

HOUSE CONCURRENT RESOLUTION NO. 18

WHEREAS, there are currently more than 105,000 people waiting for an organ donation, with the largest waiting group being persons 18 to 49 years of age; and

WHEREAS, more than 7,000 people die each year due to the lack of organs, with an average of 18 people dying each day while on the waiting list for an organ donation; and

WHEREAS, approximately 30,000 people a year have begun new lives thanks to an organ transplant; and

WHEREAS, organs and tissue from a single nonliving donor can be used to benefit more than 50 people. Living donors can donate a kidney and parts of their liver, lung, pancreas, or intestine, and can be evaluated to help a friend, family member, or even donate anonymously to patients of the wait list; and

WHEREAS, raising and promoting awareness and information about the need for organ and tissue donors and encouraging people to become an organ donor and tissue donor is vitally important to increase the number of lives saved and changed for the better through organ donation; and

WHEREAS, every person must be advised of their option to donate an organ. By focusing on education and donor awareness, every person can be informed on the need for organ donors; and

WHEREAS, the following excerpt is from "To Remember Me - I Will Live Forever", written by American Poet Robert Noel Test (1926 - 1994):

"...And don't call this my deathbed. Let it be called the bed of life, and let my body be taken from it to help others lead fuller lives.

Give my sight to the man who has never seen a sunrise, a baby's face or love in the eyes of a woman.

Give my heart to a person whose own heart has caused nothing but endless days of pain.

Give my blood to the teenager who was pulled from the wreckage of his car, so that he might live to see his grandchildren play.

Give my kidneys to the one who depends on a machine to exist from week to week.

Take my bones, every muscle, every fiber and nerve in my body and find a way to make a crippled child walk. Explore every corner of my brain.

Take my cells, if necessary, and let them grow so that, someday a speechless boy will shout at the crack of a bat and a deaf girl will hear the sound of rain against her window..."; and

WHEREAS, public awareness of the great need for organ donation is the key to increasing the number of organ donors and thereby saving lives and improving the quality of life for recipients of organ donation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby designate April 2012 as "Donate Life Month" in Missouri.

BE IT FURTHER RESOLVED that the General Assembly encourages and recommends that people of the State of Missouri observe Organ Donor Life Month through activities which will increase awareness of organ donation and the need for organ donors.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 43**.

HOUSE CONCURRENT RESOLUTION NO. 43

WHEREAS, the sport of trapshooting is one of the three major forms of competitive clay pigeon shooting and is growing in popularity throughout the United States and Missouri; and

WHEREAS, the trapshooting games were originally meant for the hunters to develop their skills, but these shooting games have obtained international recognition and are encouraged by sports associations; and

WHEREAS, trapshooting is a sport where flying clay targets are fired at with a shot gun. Trapshooting is considered to be an exciting and challenging sport with several million participants; and

WHEREAS, trapshooting has been a sport since at least 1793; and

WHEREAS, Olympic trap is one of the International Shooting Sport Federation (ISSF) shooting events, introduced to the Olympic program in 1900; and

WHEREAS, the Amateur Trapshooting Association (ATA) is the primary governing body of American trapshooting and has launched a major initiative to attract more youth shooters; and

WHEREAS, a great deal of coordination and discipline is needed for trapshooting. Trapshooting sports test a player's skill in marksmanship and improve confidence of youth, both male and female, who may not possess the physical attributes to compete in other competitive sports offered at their schools; and

WHEREAS, the goal of any program of youth trapshooting should be to provide instruction and promote firearm safety, personal responsibility, and sportsmanship among primary and secondary students; and

WHEREAS, trap shooting competitions promote tourism in the State of Missouri by bringing in participants and their families from around the country who stay in motels, eat in restaurants, and shop in retail stores, and purchase products from vendors at events; and

WHEREAS, the ATA, the Missouri Trapshooters Association, and other state shooting organizations also award scholarships to college-bound trapshooters based on citizenship, scholarship, and need. Many youth trapshooters are now attending college with the help of those scholarships; and

WHEREAS, our youth should have the opportunity and be encouraged to participate in this extracurricular activity in the same manner as other youth extracurricular activities, such as football, baseball, softball, basketball, track, or band; and

WHEREAS, the boards of education of every Missouri school district and school is encouraged to promote and include trapshooting as a high school sport:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby encourage the school boards of every school district and school in the State of Missouri, in conjunction with the Missouri Youth Sport Shooting Alliance, to voluntarily promote and include trapshooting as a high school sport for the youth of our state; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Missouri Commissioner of Education, the Missouri School Activities Association, the Missouri Trapshooters Association, the Missouri Youth Sport Shooting Alliance, and each school district and school in Missouri.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 47**.

HOUSE CONCURRENT RESOLUTION NO. 47

WHEREAS, United States Secretary of Defense Leon E. Panetta recently announced that the Pentagon will seek new rounds of base closures, mission realignments, and procurement decreases as part of the federal budget cutting process; and

WHEREAS, Secretary Panetta states that, in an effort to cut $487 billion over the next decade, the number of soldiers in the United States Army will drop over the next five years from 562,000 to 490,000, and the number of marines in the United States Marine Corps will drop over the next five years from 202,000 to 182,000; and

WHEREAS, the President's FY 2013 Budget adjusts Air Force military end strength to 501,000, with net reductions of 3,900 active duty, 5,100 Air National Guard, and 900 Air Force Reserve billets, reflecting an especially severe impact on the Guard and Reserves; and

WHEREAS, the Pentagon planners intend to reduce procurement of weapons systems by more than 10% in FY2012 to $108.5 billion, down from $120.6 billion in FY2011; and

WHEREAS, Missouri is currently home to a number of major military bases and agencies, including Whiteman Air Force Base near Knob Noster and its 509th Bomb Wing, the only Air Force Unit that operates the B-2 Spirit Stealth Bomber; the United States Army Maneuver

Support Center at Fort Leonard Wood and its Chemical, Biological, Nuclear and Radiological School (CBRN), Military Police, and Army Engineer Schools; the National Geospatial-Intelligence Agency (NGA) in Arnold; the Missouri National Guard's Ike Skelton Training Center (ISTS) in Jefferson City; the Theater Aviation Sustainment Maintenance Group (TASMG) in Springfield; and the 139th Airlift Wing in St. Joseph, among numerous other facilities and locations; and

WHEREAS, according to the latest available data, the Department of Defense employs approximately 26,000 civilian and active duty military personnel in Missouri at more than 11 major locations across the state, and provides additional funding for approximately 26,000 members of the Reserves and National Guard; and

WHEREAS, civilian and active duty military personnel and members of the Reserves and National Guard are paid $1.9 billion in wages and salary and contribute $3.4 billion to the gross state product; and

WHEREAS, Missouri's defense industry plays a vital role in the state's economy, employing 160,000 Missourians working to support, either directly or indirectly, over $12 billion in Department of Defense procurement contracts awarded to Missouri companies, ranking 5th among the states in total dollars; and

WHEREAS, Missouri's defense procurement contracts are heavily oriented toward research and operational systems and manufacturing companies, particularly aerospace manufacturing at the Boeing Company, Missouri's 3rd largest employer, and its supply chain; and

WHEREAS, Missouri is home to several outstanding universities, including the University of Missouri, Washington University, and St. Louis University, that conduct cutting edge defense research for the government, providing the innovation needed to keep our military the finest in the world and creating the academic environment necessary to produce critical talent for government and industry workforce; and

WHEREAS, the nation's primary concern must always be national defense and the security of the United States, including Missouri; and

WHEREAS, Missouri is heavily committed to providing for our national defense and security as an accommodating partner and a proud home to major military installations and agencies, 52,000 military personnel, and 160,000 citizens who work at companies that manufacture defense systems, provide valuable services, and perform critical research; and

WHEREAS, Missouri has a vital economic interest in maintaining its military installations and agencies, and in presenting to national leaders evidence of Missouri's capacity to provide additional, cost effective, and flexible support to defense missions during the federal government's efforts to re-establish its basing, costing, and capabilities:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Department of Defense and Missouri's Congressional delegation to protect, promote, and leverage Missouri's military bases and agencies, keep the number of military personnel in the state intact, and preserve defense industry procurement so that Missouri may continue to support the defense and protection of the state and the United States and keep its economy in sound condition; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for United States Secretary of Defense Leon E. Panetta and each member of the Missouri Congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 52**.

HOUSE CONCURRENT RESOLUTION NO. 52

WHEREAS, in 1959, Senate Resolution No. 33 and House Resolution No. 19, recognizing the importance of the extraordinary manifestations of nature and recreational attributes of the Current and Eleven Point Riverways, requested Congress to enact legislation to preserve the natural resources and provide recreational development and other improvements for the public use; and

WHEREAS, in 1964, Congress answered Missouri's request by enacting legislation to establish the Ozark National Scenic Riverways; and

WHEREAS, the riverways within the Ozark National Scenic Riverways are, and remain, public highways of the State of Missouri, subject to concurrent jurisdiction between the State of Missouri and the United States under Missouri Senate Bill No. 362 enacted in 1971; and

WHEREAS, in 2005, the National Park Service began researching for the purpose of drafting a new general management plan for the

Ozark National Scenic Riverways; and

WHEREAS, the general management plan for the Ozark National Scenic Riverways will ensure that the National Park Service managers and stakeholders share a clearly defined understanding of the resource conditions, opportunities for recreational use, and managerial methodology for access, and development designed to successfully achieve the national riverways' purpose; and

WHEREAS, in keeping with the National Parks and Recreation Act of 1978, the general management plan will serve as a guideline which will be relied upon as a basis for decisions affecting the riverways and for decisions which serve to preserve resources for the enjoyment of future generations; and

WHEREAS, every national park system unit has been asked to prepare this kind of document since 1976 when Congress passed a law to that effect. The general management plan will guide decisions related to the Ozark National Scenic Riverways for the next 15 to 20 years; and

WHEREAS, the Missouri Conservation Commission is charged with the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and all wildlife resources of the state, including hatcheries, sanctuaries, refuges, reservations and all other property owned, acquired or used for such purposes; and

WHEREAS, in September of 2009, the Missouri Department of Conservation recommended that "hunting, fishing and trapping continue to be allowed throughout the ONSR except in highly developed areas where a reasonable safety zone for public protection may be required" and supported the "No-Action Alternative" released in 2009 by the National Park Service as an appropriate balance between preservation of resource conditions and opportunities for recreational use; and

WHEREAS, the recreational resources afforded by the riverways are an economic staple to the citizens of the surrounding communities with the State of Missouri; and

WHEREAS, the State of Missouri and a majority of the citizens of Missouri agree that the citizens of Missouri and those Missouri citizens most impacted in their daily lives are in the best position to formulate policy and regulations to manage and protect Missouri's natural resources as opposed to a federal agency headquartered in Washington, D.C.:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the National Park Service to draft its final General Management Plan to recognize the importance the riverways provides to the State of Missouri not only for the preservation of those extraordinary manifestations of nature, but also recreational use and enjoyment; and

BE IT FURTHER RESOLVED that the Missouri General Assembly finds that the previously announced "No Action Alternative" provides the best balance to maintain the riverways' purposes; and

BE IT FURTHER RESOLVED that the Missouri General Assembly stand prepared to utilize its concurrent jurisdiction to assure this balance is properly maintained; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Jonathan B. Jarvis, Director of the National Park Service, and Bill Black, Interim Superintendent of Ozark National Scenic Riverways.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 568**, entitled:

An Act to repeal sections 301.140, 301.147, and 304.022, RSMo, and to enact in lieu thereof three new sections relating to motor vehicle operation, with penalty provisions.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 2 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment No. 1 to House

Amendment No. 5, House Amendment No. 5, as amended, House Amendment Nos. 6 and 7.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 568, Page 1, In the Title, Line 3, by deleting the phrase "motor vehicle operation" and inserting in lieu thereof the phrase "transportation"; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line, the following:

"94.700. The following words, as used in sections 94.700 to 94.755, shall have the following meaning unless a different meaning clearly appears from the context:

(1) "City" shall mean any incorporated city, town, or village in the state of Missouri with a population of one hundred or more, but the term "city" does not include any city not within a county or any city of over four hundred thousand inhabitants wholly or partially within a first class county;

(2) "City transit authority" shall mean a commission or board created by city charter provision or by ordinance of a city, and which operates a public mass transportation system;

(3) "City utilities board" shall mean a board or commission created by city charter provision or by ordinance of a city, which controls and operates city-owned utilities including a public mass transportation system;

(4) "Director of revenue" shall mean the director of revenue of the state of Missouri;

(5) "Interstate transportation authority" shall mean any political subdivision created by compact between this state and another state, which is a body corporate and politic and a political subdivision of both contracting states, and which operates a public mass transportation system;

(6) "Interstate transportation district" shall mean that geographical area set forth and defined in the particular compact between this state and another state;

(7) "Person" shall mean an individual, corporation, partnership, or other entity;

(8) "Public mass transportation system" shall mean a transportation system or systems owned and operated by an interstate transportation authority, a municipality, a city transit authority, or a city utilities board, employing motor buses, rails or any other means of conveyance, by whatsoever type or power, operated for public use in the conveyance of persons, mainly providing local transportation service within an interstate transportation district or municipality;

(9) "Transportation purposes" shall mean financial support of a "public mass transportation system"; the construction, reconstruction, repair and maintenance of streets, roads**, sidewalks, trails, community-owned parking lots,** and bridges within a municipality; the construction, reconstruction, repair and maintenance of airports owned and operated by municipalities; the acquisition of lands and rights-of-way for streets, roads, **sidewalks, trails, community-owned parking lots,** bridges**,** and airports; and planning and feasibility studies for streets, roads, **sidewalks, trails, community-owned parking lots,** bridges, and airports. "Bridges" shall include bridges connecting a municipality with another municipality either within or without the state, with an unincorporated area of the state, or with another state or an unincorporated area thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 568, Page 2, Line 5, by inserting after the closing bracket "**]**." the following:

"**The commercial zone shall continue east along state route 10 from the intersection of state route 10 and state route 210 to the eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer than six hundred twenty-five inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said section and line, the following:

"304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.

2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The "commercial zone" of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however**[**,**] :**

(1) The commercial zone surrounding a city not within a county shall extend twenty-five miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any county with a charter form of government which adjoins that city and throughout any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county adjoining such city; **[**further, provided, however,**]**

(2) The commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; except that this zone shall extend from the southern border of such city's limits, beginning with the western-most freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants, and shall extend east from the city limits of a special charter city with more than two hundred seventy-five but fewer than three hundred seventy-five inhabitants along state route 210 and northwest from the intersection of state route 210 and state route 10 to include the boundaries of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county**[**; further

provided, however,**]. The commercial zone described in this subdivision shall be extended to also include the stretch of state route 45 from its intersection with Interstate 29 extending northwest to the city limits of any village with more than forty but fewer than fifty inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat;**

(3) The commercial zone of a city of the third classification with more than nine thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend south from the city limits along U.S. Highway 61 to the intersection of state route OO in a county of the third classification without a township form of government and with more than seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants.

4. In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

[4.**] 5.** Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated.

[5.**] 6.** No motor vehicle engaged in interstate commerce, whether unladen or with load, whose operations in the state of Missouri are limited exclusively to the commercial zone of a first class home rule municipality located in a county with a population between eighty thousand and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Bill No. 568 Page 5 Line 26, by inserting after all of said line the following:

"Further amend said bill, Page 5, Section 301.147, Line 29, by inserting after all of said line the following:

"302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the

date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record **if the individual was not operating a commercial motor vehicle or a commercial driver's license holder at the time of the offense**. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for traffic violations occurring on state highways, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

302.700. 1. Sections 302.700 to 302.780 may be cited as the "Uniform Commercial Driver's License Act".

2. When used in sections 302.700 to 302.780, the following words and phrases mean:

(1) "Alcohol", any substance containing any form of alcohol, including, but not limited to, ethanol, methanol, propanol and isopropanol;

(2) "Alcohol concentration", the number of grams of alcohol per one hundred milliliters of blood or the number of grams of alcohol per two hundred ten liters of breath or the number of grams of alcohol per sixty-seven milliliters of urine;

(3) **"CDLIS driver record", the electronic record of the individual commercial driver's status and**

history stored by the state of record as part of the Commercial Driver's License Information System (CDLIS) established under 49 U.S.C. Section 31309, et seq.;

(4) "CDLIS motor vehicle record (CDLIS MVR)", a report generated from the CDLIS driver record which meets the requirements for access to CDLIS information and is provided by states to users authorized in 49 CFR Part 384, subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, et seq.;

(5) "Commercial driver's instruction permit", a permit issued pursuant to section 302.720;

[(4)**] (6)** "Commercial driver's license", a license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle;

[(5)**] (7) "Commercial driver's license downgrade", occurs when:**

(a) A driver changes the self-certification to interstate, but operates exclusively in transportation or operation excepted from 49 CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or 398.3;

(b) A driver changes the self-certification to intrastate only, if the driver qualifies under the state's physical qualification requirements for intrastate only;

(c) A driver changes the self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or

(d) The state removes the commercial driver's license privilege from the driver's license;

(8) "Commercial driver's license information system **(CDLIS)**", the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;

[(6)**] (9)** "Commercial motor vehicle", a motor vehicle designed or used to transport passengers or property:

(a) If the vehicle has a gross combination weight rating of twenty-six thousand one or more pounds inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds or more;

(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand one or more pounds or such lesser rating as determined by federal regulation;

(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or

(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801, et seq.);

[(7)**] (10)** "Controlled substance", any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes all substances listed in schedules I through V of 21 CFR part 1308, as they may be revised from time to time;

[(8)**] (11)** "Conviction", an unvacated adjudication of guilt, including pleas of guilt and nolo contendre, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative proceeding, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a

condition of release without bail, regardless of whether the penalty is rebated, suspended or prorated, including an offense for failure to appear or pay;

[(9)**] (12)** "Director", the director of revenue or his authorized representative;

[(10)**] (13)** "Disqualification", any of the following three actions:

(a) The suspension, revocation, or cancellation of a commercial driver's license;

(b) Any withdrawal of a person's privileges to drive a commercial motor vehicle by a state**, Canada, or Mexico** as the result of a violation of federal, state, county, municipal, or local law relating to motor vehicle traffic control or violations committed through the operation of motor vehicles, other than parking, vehicle weight, or vehicle defect violations;

(c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

[(11)**] (14)** "Drive", to drive, operate or be in physical control of a commercial motor vehicle;

[(12)**] (15)** "Driver", any person who drives, operates, or is in physical control of a motor vehicle, or who is required to hold a commercial driver's license;

(16) "Driver applicant", an individual who applies to obtain, transfer, upgrade, or renew a commercial driver's license in this state;

[(13)**] (17)** "Driving under the influence of alcohol", the commission of any one or more of the following acts:

(a) Driving a commercial motor vehicle with the alcohol concentration of four one-hundredths of a percent or more as prescribed by the secretary or such other alcohol concentration as may be later determined by the secretary by regulation;

(b) Driving a commercial or noncommercial motor vehicle while intoxicated in violation of any federal or state law, or in violation of a county or municipal ordinance;

(c) Driving a commercial or noncommercial motor vehicle with excessive blood alcohol content in violation of any federal or state law, or in violation of a county or municipal ordinance;

(d) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance; or

(e) Having any state, county or municipal alcohol-related enforcement contact, as defined in subsection 3 of section 302.525; provided that any suspension or revocation pursuant to section 302.505, committed in a noncommercial motor vehicle by an individual twenty-one years of age or older shall have been committed by the person with an alcohol concentration of at least eight-hundredths of one percent or more, or in the case of an individual who is less than twenty-one years of age, shall have been committed by the person with an alcohol concentration of at least two-hundredths of one percent or more, and if committed in a commercial motor vehicle, a concentration of four-hundredths of one percent or more;

[(14)**] (18)** "Driving under the influence of a controlled substance", the commission of any one or more of the following acts in a commercial or noncommercial motor vehicle:

(a) Driving a commercial or noncommercial motor vehicle while under the influence of any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), including any

substance listed in schedules I through V of 21 CFR Part 1308, as they may be revised from time to time;

(b) Driving a commercial or noncommercial motor vehicle while in a drugged condition in violation of any federal or state law or in violation of a county or municipal ordinance; or

(c) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance;

[(15)**] (19)** "Employer", any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a driver to operate such a vehicle;

(20) "Endorsement", an authorization on an individual's commercial driver's license permitting the individual to operate certain types of commercial motor vehicles;

[(16)**] (21)** "Farm vehicle", a commercial motor vehicle controlled and operated by a farmer used exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty miles of the farm, other than one which requires placarding for hazardous materials as defined in this section, or used in the operation of a common or contract motor carrier, except that a farm vehicle shall not be a commercial motor vehicle when the total combined gross weight rating does not exceed twenty-six thousand one pounds when transporting fertilizers as defined in subdivision **[**(21)**] (27)** of this subsection;

[(17)**] (22)** "Fatality", the death of a person as a result of a motor vehicle accident;

[(18)**] (23)** "Felony", any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year;

(24) "Foreign", outside the fifty states of the United States and the District of Columbia;

[(19)**] (25)** "Gross combination weight rating" or "GCWR", the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon;

[(20)**] (26)** "Gross vehicle weight rating" or "GVWR", the value specified by the manufacturer as the loaded weight of a single vehicle;

[(21)**] (27)** "Hazardous materials", any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of CFR Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel, shall not be considered hazardous materials when transported by a farm vehicle provided all other provisions of this definition are followed;

[(22)**] (28)** "Imminent hazard", the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begins to lessen the risk of that death, illness, injury, or endangerment;

[(23)**] (29)** "Issuance", the initial licensure, license transfers, license renewals, and license upgrades;

(30) "Medical examiner", a person who is licensed, certified, or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes, but is not

limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic;

(31) "Medical variance", when a driver has received one of the following that allows the driver to be issued a medical certificate:

(a) An exemption letter permitting operation of a commercial motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;

(b) A skill performance evaluation certificate permitting operation of a commercial motor vehicle under 49 CFR Part 391.49;

[(24)**] (32)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks;

[(25)**] (33)** "Noncommercial motor vehicle", a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" in this section;

[(26)**] (34)** "Out of service", a temporary prohibition against the operation of a commercial motor vehicle by a particular driver, or the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier;

[(27)**] (35)** "Out-of-service order", a declaration by **[**the Federal Highway Administration, or any**] an** authorized enforcement officer of a federal, state, **[**Commonwealth of Puerto Rico,**]** Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service **under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or comparable laws, or the North American Standard Out-of-Service Criteria**;

[(28)**] (36)** "School bus", a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary;

[(29)**] (37)** "Secretary", the Secretary of Transportation of the United States;

[(30)**] (38)** "Serious traffic violation", driving a commercial motor vehicle in such a manner that the driver receives a conviction for the following offenses or driving a noncommercial motor vehicle when the driver receives a conviction for the following offenses and the conviction results in the suspension or revocation of the driver's license or noncommercial motor vehicle driving privilege:

(a) Excessive speeding, as defined by the Secretary by regulation;

(b) Careless, reckless or imprudent driving which includes, but shall not be limited to, any violation of section 304.016, any violation of section 304.010, or any other violation of federal or state law, or any county or municipal ordinance while driving a commercial motor vehicle in a willful or wanton disregard for the safety of persons or property, or improper or erratic traffic lane changes, or following the vehicle ahead too closely, but shall not include careless and imprudent driving by excessive speed;

(c) A violation of any federal or state law or county or municipal ordinance regulating the operation of motor vehicles arising out of an accident or collision which resulted in death to any person, other than a parking violation;

(d) Driving a commercial motor vehicle without obtaining a commercial driver's license in violation of any federal or state or county or municipal ordinance;

(e) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession in violation of any federal or state or county or municipal ordinance. Any individual who provides proof to the court which has jurisdiction over the issued citation that the individual held a valid commercial driver's license on the date that the citation was issued shall not be guilty of this offense;

(f) Driving a commercial motor vehicle without the proper commercial driver's license class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported in violation of any federal or state law or county or municipal ordinance; or

(g) Any other violation of a federal or state law or county or municipal ordinance regulating the operation of motor vehicles, other than a parking violation, as prescribed by the secretary by regulation;

[(31)**] (39)** "State", a state**[**, territory or possession**]** of the United States**[**, the District of Columbia, the Commonwealth of Puerto Rico, Mexico, and any province of Canada**]**;

[(32)**] (40)** "United States", the fifty states and the District of Columbia.

302.768. 1. Any applicant for a commercial driver's license or commercial driver's instruction permit shall comply with the Federal Motor Carrier Safety Administration application requirements of 49 CFR Part 383.71 by certifying to one of the following applicable statements relating to federal and state driver qualification rules:

(1) Nonexcepted interstate: Certifies the applicant is a driver operating or expecting to operate in interstate or foreign commerce, or is otherwise subject to and meets requirements of 49 CFR Part 391 and is required to obtain a medical examiner's certificate as defined in 49 CFR Part 391.45;

(2) Excepted interstate: Certifies the applicant is a driver operating or expecting to operate entirely in interstate commerce that is not subject to Part 391 and is subject to Missouri driver qualifications and not required to obtain a medical examiner's certificate;

(3) Nonexcepted intrastate: Certifies the applicant is a driver operating only in intrastate commerce and is subject to Missouri driver qualifications;

(4) Excepted intrastate: Certifies the applicant operates or expects to operate only in intrastate commerce, and engaging only in operations excepted from all parts of the Missouri driver qualification requirements.

2. Any applicant who cannot meet certification requirements under one of the categories defined in subsection 1 of this section shall be denied issuance of a commercial driver's license or commercial driver's instruction permit.

3. An applicant certifying to operation in nonexcepted interstate or nonexcepted intrastate commerce shall provide the state with an original or copy of a current medical examiners certificate or a medical examiners certificate accompanied by a medical variance or waiver. The state shall retain the original or copy of the documentation of physical qualification for a minimum of three years beyond the date the certificate was issued.

4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce shall provide an updated medical certificate or variance documents to maintain a certified status during the term of the commercial driver's license or commercial driver's instruction permit in order to retain commercial privileges.

5. The director shall post the medical examiners certificate of information, medical variance if applicable, the applicant's self-certification and certification status to the Missouri driver record within ten calendar days and such information will become part of the CDLIS driver record.

6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce who fail to provide or maintain a current medical examiners certificate, or if the state has received notice of a medical variance or waiver expiring or being rescinded, the state shall, within ten calendar days, update the driver's medical certification status to "not certified". The state shall notify the driver of the change in certification status and require the driver to annually comply with requirements for a commercial driver's license downgrade within sixty days of the expiration of the applicant certification.

7. The department of revenue may, by rule, establish the cost and criteria for submission of updated medical certification status information as required under this section.

8. Any person who falsifies any information in an application for or update of medical certification status information for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled for a period of one year after the director discovers such falsification.

9. The director may promulgate rules and regulations necessary to administer and enforce this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

Section B. The repeal and reenactment of section 302.700 and the enactment of section 302.768 of this act shall become effective on the date the director of the department of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768, or on May 1, 2013, whichever occurs first. If the director of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768 prior to May 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to House Committee Substitute for Senate Bill No. 568 Page 5, Line 26, by deleting all of said line and inserting in lieu there of the following:

"to obtain a vehicle examination certificate issued by the Missouri state highway patrol.

301.193. 1. Any person who purchases or is the owner of real property on which vehicles, as defined in section **[**301.011**]** **301.010**, vessels or watercraft, as defined in section 306.010, or outboard motors, as that term is used in section 306.530, have been abandoned, without the consent of said purchaser or owner of the real property, may apply to the department of revenue for a certificate of title. **[**Any insurer which

purchases a vehicle through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make an application to the department of revenue for a salvage certificate of title pursuant to this section.**]** Prior to making application for a certificate of title on a vehicle under this section, the **[**insurer or**]** owner of the real estate shall have the vehicle inspected by law enforcement pursuant to subsection 9 of section 301.190, and shall have law enforcement perform a check in the national crime information center and any appropriate statewide law enforcement computer to determine if the vehicle has been reported stolen and the name and address of the person to whom the vehicle was last titled and any lienholders of record. The **[**insurer or**]** owner or purchaser of the real estate shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle by certified mail that the owner intends to apply for a certificate of title from the director for the abandoned vehicle. The application for title shall be accompanied by:

(1) A statement explaining the circumstances by which the property came into the **[**insurer,**]** owner or purchaser's possession; a description of the property including the year, make, model, vehicle identification number and any decal or license plate that may be affixed to the vehicle; the current location of the property; and the retail value of the property;

(2) An inspection report of the property, if it is a vehicle, by a law enforcement agency pursuant to subsection 9 of section 301.190; and

(3) A copy of the thirty-day notice and certified mail receipt mailed to any owner and any person holding a valid security interest of record.

2. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue, or initiate an inquiry with another state, if the evidence presented indicated the property described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. If the latest owner or lienholder was not notified the director shall inform the **[**insurer,**]** owner**[**,**]** or purchaser of the real estate of the latest owner and lienholder information so that notice may be given as required by subsection 1 of this section. Any owner or lienholder receiving notification may protest the issuance of title by, within the thirty-day notice period and may file a petition to recover the vehicle, naming the **[**insurer or**]** owner of the real estate and serving a copy of the petition on the director of revenue. The director shall not be a party to such petition but shall, upon receipt of the petition, suspend the processing of any further certificate of title until the rights of all parties to the vehicle are determined by the court. Once all requirements are satisfied the director shall issue one of the following:

(1) An original certificate of title if the vehicle examination certificate, as provided in section 301.190, indicates that the vehicle was not previously in a salvaged condition or rebuilt;

(2) An original certificate of title designated as prior salvage if the vehicle examination certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged condition or rebuilt;

(3) A salvage certificate of title designated with the words "salvage/abandoned property" or junking certificate based on the condition of the property as stated in the inspection report. **[**An insurer purchasing a vehicle through the claims adjustment process under this section shall only be eligible to obtain a salvage certificate of title or junking certificate.**]**

3. Any insurer which purchases a vehicle, other than a vehicle described in subsection 1 of this section, through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make application to the department of revenue for a salvage certificate of title or junking

certificate. Such application may be made by the insurer or its designated salvage pool on a form provided by the department and signed under penalty of perjury. The application shall include a declaration that the insurer has made at least two written attempts to obtain the certificate of ownership, transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims payment from the insurer, evidence that letters were delivered to the vehicle owner, a statement explaining the circumstances by which the property came into the insurer's possession, a description of the property including the year, make, model, vehicle identification number, and current location of the property, and the fee prescribed in subsection 5 of section 301.190. The insurer shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle that the owner intends to apply for a certificate of title from the director for the vehicle. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue, or initiate an inquiry with another state, if the evidence presented indicated the vehicle described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. After thirty days from receipt of the application, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the insurer."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said section and line, the following:

"301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate therefor, shall be issued by the director of revenue unless the applicant therefor shall make application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall present satisfactory evidence that such certificate has been previously issued to the applicant for such motor vehicle or trailer. Application shall be made within thirty days after the applicant acquires the motor vehicle or trailer upon a blank form furnished by the director of revenue and shall contain the applicant's identification number, a full description of the motor vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer at the time of transfer of ownership, as required by section 407.536, together with a statement of the applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause shown the director of revenue may extend the period of time for making such application. When an owner wants to add or delete a name or names on an application for certificate of ownership of a motor vehicle or trailer that would cause it to be inconsistent with the name or names listed on the notice of lien, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete a name or names on an application for certificate of ownership.

2. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true and shall, to the extent possible without substantially delaying processing of the application, review any odometer information pertaining to such motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of his office, procured and used for such purpose. The certificate shall contain on its face a complete description, vehicle identification number, and other evidence

of identification of the motor vehicle or trailer, as the director of revenue may deem necessary, together with the odometer information required to be put on the face of the certificate pursuant to section 407.536, a statement of any liens or encumbrances which the application may show to be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the transferor's title and whether the transferor's odometer mileage statement executed pursuant to section 407.536 indicated that the true mileage is materially different from the number of miles shown on the odometer, or is unknown.

3. The director of revenue shall appropriately designate on the current and all subsequent issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face thereof the following designation: "Annual odometer updates may be available from the department of revenue.". On any duplicate certificate, the director of revenue shall reprint on the face thereof the most recent of either:

(1) The mileage information included on the face of the immediately prior certificate and the date of purchase or issuance of the immediately prior certificate; or

(2) Any other mileage information provided to the director of revenue, and the date the director obtained or recorded that information.

4. The certificate of ownership issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection. In order to carry out the requirements of this subsection, the director of revenue may contract with a nonprofit scientific or educational institution specializing in the analysis of secure documents to determine the most effective methods of rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is not made within thirty days after the vehicle is acquired by the applicant, a delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of two hundred dollars, but such penalty may be waived by the director for a good cause shown. If the director of revenue learns that any person has failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer or has sold a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee provided in this section, together with all fees, charges and payments which the person should have paid in connection with the certificate of ownership and registration of the vehicle. The certificate shall be good for the life of the motor vehicle or trailer so long as the same is owned or held by the original holder of the certificate and shall not have to be renewed annually.

6. Any applicant for a certificate of ownership requesting the department of revenue to process an application for a certificate of ownership in an expeditious manner requiring special handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee.

7. It is unlawful for any person to operate in this state a motor vehicle or trailer required to be registered under the provisions of the law unless a certificate of ownership has been applied for as provided in this section.

8. Before an original Missouri certificate of ownership is issued, an inspection of the vehicle and a verification of vehicle identification numbers shall be made by the Missouri state highway patrol on vehicles for which there is a current title issued by another state if a Missouri salvage certificate of title has been issued for the same vehicle but no prior inspection and verification has been made in this state, except that if such vehicle has been inspected in another state by a law enforcement officer in a manner comparable to the inspection process in this state and the vehicle identification numbers have been so verified, the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant submits proof of inspection and vehicle identification number verification to the director of revenue at the time of the application. The applicant, who has such a title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable to the director of revenue at the time of the request for the application, which shall be deposited in the state treasury to the credit of the state highways and transportation department fund.

9. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The vehicle examination shall include a verification of vehicle identification numbers and a determination of the classification of the vehicle. The owner of a vehicle which requires a vehicle examination certificate shall present the vehicle for examination and obtain a completed vehicle examination certificate prior to submitting an application for a certificate of ownership to the director of revenue. **Notwithstanding any provision of the law to the contrary, an owner presenting a motor vehicle which has been issued a salvage title and which is ten years of age or older to a vehicle examination described in this subsection in order to obtain a certificate of ownership with the designation prior salvage motor vehicle, shall not be required to repair or restore the vehicle to its original appearance in order to pass or complete the vehicle examination.** The fee for the vehicle examination application shall be twenty-five dollars and shall be collected by the director of revenue at the time of the request for the application and shall be deposited in the state treasury to the credit of the state highways and transportation department fund. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and the fees required by section 307.365 and section 643.315 shall be charged to the owner.

10. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri or as required by section 301.020, it shall be accompanied by a current inspection form certified by a duly authorized official inspection station as described in chapter 307. The completed form shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection station shall collect the same fee as authorized in section 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided in section 307.365. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and only the fees required by section 307.365 and section 643.315 shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

11. Motor vehicles brought into this state in a wrecked or damaged condition or after being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle procedures shall, in lieu of the

inspection required by subsection 10 of this section, be inspected by the Missouri state highway patrol in accordance with subsection 9 of this section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director shall so indicate on any Missouri certificate of ownership issued for such vehicle. Any salvage designation shall be carried forward on all subsequently issued certificates of title for the motor vehicle.

12. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the name of the issuing state and such prior designation. The absence of any prior designation shall not relieve a transferor of the duty to exercise due diligence with regard to such certificate of ownership prior to the transfer of a certificate. If a transferor exercises any due diligence with regard to a certificate of ownership, the legal transfer of a certificate of ownership without any designation that is subsequently discovered to have or should have had a designation shall be a transfer free and clear of any liabilities of the transferor associated with the missing designation.

13. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as non-USA-std motor vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the words "Non-USA-Std Motor Vehicle".

14. The director of revenue and the superintendent of the Missouri state highway patrol shall make and enforce rules for the administration of the inspections required by this section.

15. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, manufactured forty or more years prior to the current model year, and which has a value of three thousand dollars or less shall be accompanied by:

(1) A proper affidavit submitted by the owner explaining how the motor vehicle or trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be furnished;

(2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source of all major component parts used to rebuild the vehicle;

(3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways and transportation department fund; and

(4) An inspection certificate, other than a motor vehicle examination certificate required under subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles. The department of revenue shall issue the owner a certificate of ownership designated with the words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the

Missouri state highway patrol."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Bill No. 568 Page 3, Line 10, by inserting after all of said line the following:

"Further amend said bill, Page 7, Section 304.022, Line 67, by inserting after all of said line the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise	Maximum load in pounds
feet	2 axles 3 axles 4 axles 5 axles 6 axles
4	34,000
5	34,000
6	34,000
7	34,000

8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000

39	60,000	68,000	72,500	77,500
40	60,000	68,500	73,000	78,000
41	60,000	69,500	73,500	78,500
42	60,000	70,000	74,000	79,000
43	60,000	70,500	75,000	80,000
44	60,000	71,500	75,500	80,000
45	60,000	72,000	76,000	80,000
46	60,000	72,500	76,500	80,000
47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in **[**subsection 9**]** **subsections 9 and 10**

of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway **[**65**] 63**, **[**and**]** on U.S. Highway 65 from the Iowa state line to U.S. Highway 36**, and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36**.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said section and line the following:

"304.158. 1. Notice as to the removal of any abandoned property pursuant to section 304.155 or 304.157 shall be made in writing within five working days to the registered owner and any lienholder of the fact of the removal, the grounds for the removal, and the place to which the property has been removed by either:

(1) The public agency authorizing the removal; or

(2) The towing company, where authorization was made by an owner or lessee of real property. If the abandoned property is stored in any storage facility, a copy of the notice shall be given to the operator of the facility. The notice provided for in this section shall include the amount of mileage, if available, shown on the abandoned property at the time of removal.

2. Any owner of any private real property causing the removal of abandoned property from that real property shall state the grounds for the removal of the abandoned property if requested by the registered owner of that abandoned property. Any towing company that lawfully removes abandoned property from private property with the written authorization of the property owner or the property owner's agent who is

present at the time of removal shall not be held responsible in any situation relating to the validity of the removal. Any towing company that removes abandoned property at the direction of the landowner shall be responsible for:

(1) Any damage caused by the towing company to the property in the transit and subsequent storage of the property; and

(2) The removal of property other than the property specified by the owner of the private property from which the abandoned property was removed.

3. The owner of abandoned property removed from private property may recover for any damage to the property resulting from any act of any person causing the removal of, or removing, the abandoned property.

4. Any owner of any private property causing the removal of abandoned property parked on that property is liable to the owner of the abandoned property for double the storage or towing charges whenever there has been a failure to comply with the requirements of this section or section 304.157.

5. Any towing company which tows abandoned property for hire shall have the towing company's name, city and state clearly printed in letters at least three inches in height on the sides of the truck, wrecker or other vehicle used in the towing.

6. A towing company may impose a charge of not more than one-half of the regular towing charge for the towing of abandoned property at the request of the owner of private property or that owner's agent pursuant to this section if the owner of the abandoned property or the owner's agent returns to the abandoned property before it is removed from the private property. The regular towing charge may only be imposed after the abandoned property has been removed from the property and is in transit.

7. Persons operating or in charge of any storage facility where the abandoned property is stored pursuant to this section shall accept cash for payment of towing and storage by a registered owner or the owner's agent claiming the abandoned property. In addition, persons operating or in charge of the storage facility shall have sufficient moneys on the premises to accommodate, and make change in, a reasonable monetary transaction.

8. Except for the removal of abandoned property authorized by a law enforcement agency pursuant to section 304.157, a towing company shall not remove or commence the removal of abandoned property from private property without first obtaining written authorization from the property owner. All written authorizations shall be maintained for at least one year by the towing company. General authorization to remove or commence removal of abandoned property at the towing company's discretion shall not be delegated to a towing company or its affiliates except in the case of abandoned property unlawfully parked within fifteen feet of a fire hydrant or in a fire lane designated by a fire department or the state fire marshal.

9. Any towing company, or any affiliate of a towing company, which removes, or commences removal of, abandoned property from private property without first obtaining written authorization from the property owner or lessee, or an employee or agent thereof, who is present at the time of removal or commencement of the removal, except as permitted in subsection 8 of this section, is liable to the owner of the property for four times the amount of the towing and storage charges, in addition to any applicable criminal penalty, for a violation of this section.

10. Any county, city, town or village may enact ordinances or orders which are consistent with sections 304.155 to 304.158 and which may specify maximum reasonable towing, storage and other charges which

can be imposed by towing and storage companies operating within the governmental entity's jurisdiction.

11. **For any vehicle towed at the request of law enforcement officials under section 304.157, any title loan company holding a title loan on such vehicle shall be notified of the location of the vehicle within forty-eight hours and be required to either pay the towing and storage charges for such vehicle or provide to the towing company a title release for the vehicle. If no action is taken by the title loan company within ten days of receiving notification by the towing company that the vehicle has been towed pursuant to law enforcement request, the title loan company shall be responsible for all towing costs and additional storage charges.**

12. Any person who knowingly violates any provision of sections 304.155 to 304.158 shall be guilty of a class A misdemeanor. Any violation of the provisions of this section shall constitute a violation of the provisions of section 407.020. In any proceeding brought by the attorney general for a violation of the provisions of this section, the court may, in addition to imposing the penalties provided for in this section order the revocation or suspension of the registration or license of the towing company."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 568 Page 1, Line 22, by deleting all of said line and inserting in lieu thereof the following:

"**year licensed in the event of the death of the qualified person.**

301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee

shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 568, Page 5, Section 301.147, Line 29, by inserting after all of said section and line the following:

"**301.4038. Any person who has received a Navy Cross awarded under Section 6242 of Title 20 of the United States Code may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Navy Cross as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the advisory committee established in section 301.129, with the words "NAVY CROSS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the Navy Cross. There shall be an additional fee charged for each set of Navy Cross license plates issued under this section equal to the fee charged for personalized license plates. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section**

is issued for vehicles owned solely or jointly by such person. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said line the following:

"306.532. Effective **[**January 1, 2011**] August 28, 2012**, the certificate of title for a new outboard motor shall designate the year **[**the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year**]** the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW" **and the "Year Manufactured" shall reflect such date as purchased from manufacturer by dealer. Any new outboard motor purchased by a dealer from the manufacturer on or after July first of any year shall be labeled with the "Year Manufactured" of the immediately following calendar year unless the manufacturer indicates a specific model or program year**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said line the following:

"306.127. 1. Beginning January 1, 2005, every person born after January 1, 1984, or as required pursuant to section 306.128, who operates a vessel on the lakes of this state shall possess, on the vessel, a boating safety identification card issued by the Missouri state water patrol or its agent which shows that he or she has:

(1) Successfully completed a boating safety course approved by the National Association of State Boating Law Administrators and certified by the Missouri state water patrol. The boating safety course may include a course sponsored by the United States Coast Guard Auxiliary or the United States Power Squadron. The Missouri state water patrol may appoint agents to administer a boater education course or course equivalency examination and issue boater identification cards under guidelines established by the water patrol. The Missouri state water patrol shall maintain a list of approved courses; or

(2) Successfully passed an equivalency examination prepared by the Missouri state water patrol and administered by the Missouri state water patrol or its agent. The equivalency examination shall have a degree of difficulty equal to, or greater than, that of the examinations given at the conclusion of an approved boating safety course; or

(3) A valid master's, mate's, or operator's license issued by the United States Coast Guard.

2. The Missouri state water patrol or its agent shall issue a permanent boating safety identification card to each person who complies with the requirements of this section which is valid for life unless invalidated pursuant to law.

3. The Missouri state water patrol may charge a fee for such card or any replacement card that does not substantially exceed the costs of administrating this section. The Missouri state water patrol or its designated

agent shall collect such fees. These funds shall be forwarded to general revenue.

4. The provisions of this section shall not apply to any person who:

(1) Is licensed by the United States Coast Guard to serve as master of a vessel;

(2) Operates a vessel only on a private lake or pond that is not classified as waters of the state;

(3) Until January 1, 2006, is a nonresident who is visiting the state for sixty days or less;

(4) Is participating in an event or regatta approved by the water patrol;

(5) Is a nonresident who has proof of a valid boating certificate or license issued by another state if the boating course is approved by the National Association of State Boating Law Administrators (NASBLA);

(6) Is exempted by rule of the water patrol;

(7) Is currently serving in any branch of the United States armed forces, reserves, or Missouri national guard, or any spouse of a person currently in such service; or

(8) Has previously successfully completed a boating safety education course approved by the National Association of State Boating Law Administrators (NASBLA).

5. The Missouri state water patrol shall inform other states of the requirements of this section.

6. No individual shall be detained or stopped strictly for the purpose of checking whether the individual possesses a boating safety identification card or a temporary boater education permit.

7. **[**Beginning January 1, 2006, any nonresident born after January 1, 1984, desiring to operate a rental vessel on the lakes of this state, may obtain a temporary boater education permit by completing and passing a written examination developed by the Missouri state water patrol, provided the person meets the minimum age requirements for operating a vessel in this state. The Missouri state water patrol is authorized to promulgate rules for developing the examination and any requirements necessary for issuance of the temporary boater education permit. The temporary boater education permit shall expire when the nonresident obtains a permanent identification card pursuant to subsection 2 of this section or thirty days after issuance, whichever occurs first. The Missouri state water patrol may charge a fee not to exceed ten dollars for such temporary permit. Upon successful completion of an examination and prior to renting a vessel, the business entity responsible for giving the examination shall collect such fee and forward all collected fees to the Missouri state water patrol on a monthly basis for deposit in the state general revenue fund. Such business entity shall incur no additional liability in accepting the responsibility for administering the examination. This subsection shall terminate on December 31, 2010.**] Any person or company that rents or sells vessels may issue a temporary boating safety identification card to a nonresident of the state to operate a rented vessel or a vessel being considered for sale, for a period of up to seven days, provided that the individual meets the minimum age requirements for operating a vessel in this state. In order to qualify for the temporary boating safety identification card, the applicant shall provide a valid driver's license establishing that the applicant is a nonresident and shall sign an affidavit that he or she has reviewed the Missouri State Highway Patrol Handbook of Missouri Boating Laws and Responsibilities. Any nonresident holding a valid temporary boating safety identification card shall be deemed in compliance with the requirements of this section. The Missouri state highway patrol shall charge a fee of nine dollars for such temporary boating safety identification card. Nonresidents shall not be eligible for more than one temporary boating safety identification card. No person or company may issue a temporary boating safety identification card to a nonresident under the**

provisions of this subsection unless such person or company is capable of submitting the applicant's temporary boating safety identification card information and payment in an electronic format as prescribed by the Missouri state highway patrol. The business entity issuing a temporary boating safety identification card to a nonresident under the provisions of this subsection shall transmit the applicant's temporary boating safety identification card information electronically to the Missouri state highway patrol, in a manner and format prescribed by the superintendent, using an electronic online registration process developed and provided by the Missouri state highway patrol. The electronic online process developed and provided by the Missouri state highway patrol shall allow the applicant to pay the temporary boating safety identification card fee by credit card or debit card. Notwithstanding any provision in section 306.185 to the contrary, all fees collected under the authority of this subsection shall be deposited in the water patrol division fund. The Missouri state highway patrol shall promulgate rules for developing the temporary boating safety identification card and any requirements necessary to the issuance, processing, and payment of the temporary boating safety identification card. The Missouri state highway patrol shall, by rule, develop a boating safety checklist for each applicant seeking a temporary boating safety identification card. The provisions of this subsection shall expire on December 31, 2022.

Section B. Because of the need to ensure that out-of-state residents are knowledgeable in the safe operation of vessels, the repeal and reenactment of section 306.127 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 306.127 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

REFERRALS

President Pro Tem Mayer referred **HCS** for **HB 1525**, with **SCS**; **HCS** for **HB 1042**, with **SCS**; and **HB 1504**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

RESOLUTIONS

Senator Schaefer offered Senate Resolution No. 1969, regarding Director Bradley Snow and the members of the University of Missouri Marching Mizzou, which was adopted.

Senator Justus offered Senate Resolution No. 1970, regarding the Missouri Alliance for Drug Endangered Children, which was adopted.

Senator Justus offered Senate Resolution No. 1971, regarding the Composting and Organics Association of Missouri, which was adopted.

Senator Schaaf offered Senate Resolution No. 1972, regarding Park Hill South High School, Kansas City, which was adopted.

Senator Stouffer offered Senate Resolution No. 1973, regarding Bob James, which was adopted.

Senator Schaaf offered Senate Resolution No. 1974, regarding the Fiftieth Wedding Anniversary of Mr.

and Mrs. Richard V. Stubbs, Platte City, which was adopted.

Senator Schaaf offered Senate Resolution No. 1975, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lawrence Means, St. Joseph, which was adopted.

Senator Kraus offered Senate Resolution No. 1976, regarding Gabrial Henks, Lee's Summit, which was adopted.

Senator Green offered Senate Resolution No. 1977, regarding Curtis E. Chick, Jr., Jefferson City, which was adopted.

Senator Engler offered Senate Resolution No. 1978, regarding Devin Michele Fitzgerald, Belleview, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1979, regarding the death of Louis G. Berra, Crestwood, which was adopted.

Senator Kraus offered Senate Resolution No. 1980, regarding Sara Taylor, which was adopted.

Senator Kraus offered Senate Resolution No. 1981, regarding Suzanne Wiley, which was adopted.

Senator Kraus offered Senate Resolution No. 1982, regarding Pam Wining, which was adopted.

Senator Kraus offered Senate Resolution No. 1983, regarding Kathe Redel, which was adopted.

Senator Kraus offered Senate Resolution No. 1984, regarding Cathy Nalivaiko, which was adopted.

Senator Kraus offered Senate Resolution No. 1985, regarding Laura Tacke, which was adopted.

Senator Kraus offered Senate Resolution No. 1986, regarding Janie Taylor, which was adopted.

Senator Kraus offered Senate Resolution No. 1987, regarding Susie Johnson, which was adopted.

Senator Kraus offered Senate Resolution No. 1988, regarding Jeanie Cook, which was adopted.

Senator Kraus offered Senate Resolution No. 1989, regarding Rebecca Earley, which was adopted.

Senator Kraus offered Senate Resolution No. 1990, regarding Cheryl L. Anderson, which was adopted.

Senator Kraus offered Senate Resolution No. 1991, regarding Kelly R. Gillespie, which was adopted.

On motion of Senator Dempsey, the Senate recessed until 7:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

HOUSE BILLS ON THIRD READING

Senator Schaefer moved that **HCS** for **HB 2014** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Schaefer, **HCS** for **HB 2014** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway

Rupp Schaefer Schmitt Stouffer Wasson Wright-Jones—30

NAYS—Senators

Crowell Lembke Purgason Schaaf—4

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President Pro Tem declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2001**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds of these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

Senator Schaefer offered **SS** for **HCS** for **HB 2001**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2001

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds of these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **HCS** for **HB 2001** be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

On motion of Senator Schaefer, **SS** for **HCS** for **HB 2001** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2002**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2002**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2002** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2002**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2002** be adopted.

Senator Dempsey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, Page 1, Section 2.005, Line 3, by striking the number "$1,774,731" and inserting in lieu thereof the number "$1,762,963" and further amend line 6 by striking the number "1,571,905" and inserting in lieu thereof the number "1,556,628" and

Further amend said bill, page 2, section 2.015, line 23 by striking the number "40,264,228" and inserting in lieu thereof the number "39,931,750" and further amend line 24 by striking the number "8,691,183" and inserting in lieu thereof the number "8,686,676" and

Further amend said bill, page 4, section 2.050, line 6 by striking the number "$3,191,783" and inserting in lieu thereof the number "$3,157,643" and further amend line 9 by striking the number "6,723,468" and inserting in lieu thereof the number "6,651,890" and further amend line 12 by striking the number "253,181" and inserting in lieu thereof the number "250,556" and further amend line 16 by striking the number "27,179,103" and inserting in lieu thereof the number "26,792,965" and

Further amend said bill, page 10, section 2.225, line 3 by striking the number "$216,310" and inserting in lieu thereof the number "$214,088" and further amend line 6 by striking the number "33,734" and inserting in lieu thereof the number "33,100" and

Further amend said bill, page 11, section 2.230, line 3 by striking the number "$227,305" and inserting in lieu thereof the number "$226,265" and further amend line 6 by striking the number "216,304" and inserting in lieu thereof the number "215,735" and

Further amend all totals accordingly.

Senator Dempsey moved that the above amendment be adopted.

Senator Green requested a roll call vote be taken on the adoption of **SA 1** and was joined in his request

by Senators Curls, Engler, Keaveny and Kehoe.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Crowell	Cunningham	Dempsey	Kraus	Lager	Lamping	Lembke	Mayer
Nieves	Parson	Purgason	Ridgeway	Schaaf	Schmitt	Stouffer—15	

NAYS—Senators

Brown	Callahan	Curls	Dixon	Engler	Goodman	Green	Justus
Keaveny	Kehoe	McKenna	Pearce	Richard	Rupp	Schaefer	Wasson
Wright-Jones—17							

Absent—Senators

Chappelle-Nadal	Munzlinger—2

Absent with leave—Senators—None

Vacancies—None

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2002** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2002** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Crowell	Purgason	Schaaf—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2003**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to

be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2003**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2003

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2003** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2003**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2003

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2003** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2003** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Chappelle-Nadal	Crowell	Lembke	Purgason	Schaaf—5

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2004**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2004**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2004

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2004** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2004**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2004

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only

as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2004** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2004** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell	Kraus	Lembke	Purgason	Schaaf—5

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2005**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2005**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2005

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of

Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2005** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2005**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2005

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2005** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, Page 8, Section 5.150, Line 3, by striking the number "$1,533,561" and inserting in lieu thereof the number "$1,558,561", and

Further amend totals accordingly.

Senator Kraus moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Crowell, Cunningham, Lembke and Schaaf.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Crowell	Cunningham	Kraus	Lager	Lembke	Nieves	Purgason	Ridgeway
Rupp	Schaaf	Stouffer—11					

NAYS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Lamping	Mayer	McKenna	Munzlinger
Parson	Pearce	Richard	Schaefer	Schmitt	Wasson	Wright-Jones—23	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2005** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2005** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

NAYS—Senators

Crowell	Cunningham	Kraus	Lembke	Nieves	Purgason	Schaaf—7

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2006**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2006**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2006

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of

Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2006** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2006**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2006

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2006** be adopted.

Senator Ridgeway offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, Page 14, Section 6.285, Line 4, by striking the number "$21,205,230" and inserting in lieu thereof the number "$20,905,230"; and

Further amend said section, page 15, line 38 by striking the number "660.71" and inserting in lieu thereof of the following number "659.71"; and

Further amend all totals accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2006**, as amended, be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2006**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Chappelle-Nadal	Crowell	Lembke	Purgason	Schaaf—5

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2007**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2007**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2007

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2007** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2007**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2007

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2007** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2007** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson—27					

NAYS—Senators

Crowell	Lager	Lembke	Nieves	Purgason	Schaaf	Wright-Jones—7

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2008**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2008**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2008

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2008** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2008**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2008

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2008** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2008** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell	Lembke	Schaaf—3

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2009**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2009**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2009

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2009** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2009**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2009

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2009** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2009** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp

Schaefer Schmitt Stouffer Wasson Wright-Jones—29

NAYS—Senators

Crowell Justus Lembke Schaaf—4

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2010**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2010**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2010

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2010** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2010**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2010

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2010** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2010** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Justus	Kraus	Lembke	Schaaf—5

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2011**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2011**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2011

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2011** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2011**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2011

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2011** be adopted.

Senator Crowell offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 26, Section 11.495, Lines 12-20, by striking all of said lines and inserting in lieu thereof the following: "with Section 191.710, RSMo";

Senator Crowell moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Cunningham, Engler, Lembke and Rupp.

SA 1 was adopted by the following vote:

YEAS—Senators

Callahan	Crowell	Cunningham	Curls	Dempsey	Engler	Goodman	Green
Keaveny	Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Purgason
Ridgeway	Rupp	Schmitt	Stouffer	Wright-Jones—21			

NAYS—Senators

Brown	Dixon	Justus	Kehoe	Munzlinger	Parson	Pearce	Richard

Schaaf Schaefer Wasson—11

Absent—Senators
Chappelle-Nadal Nieves—2

Absent with leave—Senators—None

Vacancies—None

Senator Lembke offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 8, Section 11.128, Lines 3-10, by striking all of said lines and inserting in lieu thereof the following:

"For the purpose of funding healthcare benefits for non-Medicaid eligible blind individuals who receive the Missouri Blind Pension cash grant"; and

Further amend said page, section 11.128, line 14 by inserting immediately after said line the following new section:

"Section 11.129. To the Department of Social Services

There is hereby transferred out of the State Treasury, chargeable to the General Revenue Fund, to the Blind Pension Premium Fund

From General Revenue . . . . . $8,632,576";

and

Further amend all totals accordingly.

Senator Lembke moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Callahan, Crowell, Kraus and Schaaf.

SA 2 was adopted by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dixon	Justus	Keaveny
Kraus	Lembke	McKenna	Pearce	Purgason	Ridgeway	Rupp	Schaaf
Stouffer	Wright-Jones—18						

NAYS—Senators

Brown	Dempsey	Engler	Goodman	Green	Kehoe	Lager	Lamping
Mayer	Munzlinger	Nieves	Parson	Richard	Schaefer	Schmitt	Wasson—16

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2011**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2011**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Schmitt
Stouffer	Wasson—26						

NAYS—Senators

Crowell	Justus	Kraus	Lembke	Nieves	Purgason	Schaaf	Wright-Jones—8

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2012**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2012**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2012

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief

Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2012** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2012**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2012

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2012** be adopted.

Under the provisions of Senate Rule 91, Senator Goodman was excused from voting on the adoption and 3rd reading of **SS** for **SCS** for **HCS** for **HB 2012**.

Under the provisions of Senate Rule 91, Senator Mayer was excused from voting on the adoption and 3rd reading of **SS** for **SCS** for **HCS** for **HB 2012**.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2012** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2012** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer

Schmitt Stouffer Wasson Wright-Jones—28

NAYS—Senators

Crowell Lembke Purgason Schaaf—4

Absent—Senators—None

Absent with leave—Senators—None

Excused from voting—Senators

Goodman Mayer—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 2013**, with **SCS**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 2013**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2013

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 2013** be adopted.

Senator Schaefer offered **SS** for **SCS** for **HCS** for **HB 2013**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2013

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Senator Schaefer moved that **SS** for **SCS** for **HCS** for **HB 2013** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SS** for **SCS** for **HCS** for **HB 2013** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell	Lembke	Purgason	Schaaf—4

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Lora Boessen, parents and nineteen fourth grade students from St. Francis Xavier, Taos.

Senator Curls introduced to the Senate, D'Nira Boston, Kansas City; Adrienne and Ashlynn Clark and

Zavian Herring, Belton; and D'Nira, Adrienne, Ashlynn and Zavian were made honorary pages.

Senator Chappelle-Nadal introduced to the Senate, Mayor Monica M. Huddleston, Greendale; Mayor Viola J. Murphy, Cool Valley; Mayor Mary Louise Carter, Pagedale; Mayor James McGee, Vinita Park; Mayor Patrick Green, Normandy; Henry Iwenofu, Uplands Park; and Brian Krueger, Pine Lawn.

Senator Stouffer introduced to the Senate, fourth grade students from Atlanta Elementary.

Senator Pearce introduced to the Senate, Annette Leathers and students: Tyler Sorrell, Michael Collins, Cherokee Engleman and Cheyanne Crawford from Training Center Christian, Garden City.

On behalf of Senator Green, Senator Goodman introduced to the Senate, Rose Sigears, teachers, adults and twenty-nine eighth grade students from St. Rose Philippine Duchesne, Florissant; and Jacob Theisman, Gabrielle Biberdorf and Steven Gibbons were made honorary pages.

On behalf of Senator Purgason and himself, Senator Pearce introduced to the Senate, Eric Judd, Barry Slayton and Todd Willbanks, West Plains Bank and Trust Co.

Senator Rupp introduced to the Senate, the Physician of the Day, Dr. Charles "Rick" Bowen, St. Louis.

Senator Rupp introduced to the Senate, his wife, Carissa, and Jennifer Bartel, Wentzville.

On motion of Senator Dempsey, the Senate adjourned until 11:30 a.m., Wednesday, April 25, 2012.

SENATE CALENDAR

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SIXTIETH DAY–WEDNESDAY, APRIL 25, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1534-Bahr, et al
HCS for HB 1717
HCS for HB 1661
HCS for HB 1211
HCS for HB 1826
HCS for HB 1860
HCS for HB 1342
HB 1359-Smith (150), et al
HCS for HB 1476
HCS for HB 1364
HCS for HB 1367
HCS for HB 1521
HCS for HB 1637
HCS#2 for HB 1323
HCS for HBs 1574 & 1097
HCS for HB 1274
HCS for HBs 1934 & 1654
HCS for HB 2019
HJR 85-Solon, et al
HCS for HB 1890

THIRD READING OF SENATE BILLS

SCS for SB 625-Kehoe (In Fiscal Oversight)
SB 893-Kraus
SS for SB 854-Mayer
SS for SCS for SB 803-Rupp

SENATE BILLS FOR PERFECTION

SB 706-Cunningham, with SCS
SJR 51-Lembke, with SCS
SB 835-Kehoe, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1104-Schoeller and Smith (150), with SCS (Engler)
2. HB 1188-Allen, et al, with SCA 1 (Schmitt)
3. HB 1179-Hampton, et al (Mayer)
4. HB 1331-Jones (117), et al, with SCS (Kehoe)
5. HB 1128-Largent (Kraus)
6. HB 1680-Davis, et al (Pearce)
7. HCS for HB 1123 (Brown)
8. HB 1103-Crawford and Wyatt
9. HCS for HB 1525, with SCS (Goodman) (In Fiscal Oversight)
10. HCS for HB 1495, with SCS
11. HB 1112-Gosen, with SCS (Rupp)
12. HCS for HB 1042, with SCS (Pearce) (In Fiscal Oversight)
13. HB 1504-Richardson, with SCS (Lamping) (In Fiscal Oversight)
14. HCS for HB 1623, with SCS (Schmitt)
15. HB 1073 & HCS for HB 1477-Sater, with SCS (Munzlinger)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf

SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending) (Pearce)
HCS for HB 1193, with SCS (Engler)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 568-Parson, with HCS, as amended
SB 736-Engler, with HA 1
SCS for SB 773-Parson, with HA 2 & HA 3

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al

To be Referred

HCR 6-Rowland, et al
HCR 18-Walton Gray, et al
HCS for HCR 33
HCR 43-Franklin
HCR 46-Franklin, et al
HCR 47-Allen, et al
HCR 49-Fallert, et al
HCR 52-Cookson, et al

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Journal of the Senate

SECOND REGULAR SESSION

SIXTIETH DAY—WEDNESDAY, APRIL 25, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"People grow old only by deserting their ideals. Years may wrinkle the skin but to give up interest wrinkles the soul." (General Douglas MacArthur)

Loving Lord, we know that whatever our physical age we realize that we "are as old as our doubts" so help us continue as a people of faith and help us stay young in our hopefulness and what is ahead of us this week. Let us never desert the ideals that brought us into public service and help us stay youthful in our optimism for the future You are leading us into. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KOMU-TV and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator McKenna offered Senate Resolution No. 1992, regarding Steve Markus, Pevely, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 1993, regarding the American Heart Association, which was adopted.

Senator Brown offered Senate Resolution No. 1994, regarding Melvyn "Smitty" Smith, Jefferson City, which was adopted.

REFERRALS

President Pro Tem Mayer referred **HCR 6**; **HCR 18**; **HCR 43**; **HCR 46**; **HCR 47**; **HCR 49**; and **HCR 52** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

HCS for **HCR 33**—Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Stouffer.

RESOLUTIONS

Senator Goodman offered Senate Resolution No. 1995, regarding Ethan T. Spencer, which was adopted.

Senator Goodman offered Senate Resolution No. 1996, regarding Crane High School, which was adopted.

Senator Goodman offered Senate Resolution No. 1997, regarding Bradleyville High School, which was adopted.

Senator Dempsey offered Senate Resolution No. 1998, regarding Jim Thro's Auto Repair, which was adopted.

Senator Dempsey offered Senate Resolution No. 1999, regarding Wamhoff Financial Planning and Accounting Services, Inc., which was adopted.

Senator Dempsey offered Senate Resolution No. 2000, regarding Sherry Gibson, which was adopted.

Senator Dempsey offered Senate Resolution No. 2001, regarding Glazer's Distributors of Missouri, which was adopted.

Senator Dempsey offered Senate Resolution No. 2002, regarding Jake's on Main, which was adopted.

Senator Dixon offered Senate Resolution No. 2003, regarding Coach Brian Reynolds, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 2004, regarding the 2011-2012 national champion Drury University Panthers men's swimming and diving team, Springfield, which was adopted.

Senator Schaaf offered Senate Resolution No. 2005, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Alfred J. Strube, St. Joseph, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2006, regarding Azelie Simmons-Pitts, Saint Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2007, regarding Ollie M. Stewart, which was adopted.

PRIVILEGED MOTIONS

Senator Parson moved that the Senate refuse to concur in **HCS** for **SB 568**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **HB 2014**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Stouffer assumed the Chair.

HOUSE BILLS ON THIRD READING

Senator Pearce moved that **HCS** for **HB 1174**, with **SCS**, **SS** for **SCS**, **SA 1**, **SSA 1** for **SA 1** and **SA 1** to **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 to **SSA 1** for **SA 1** was again taken up.

Senator Cunningham moved that the above amendment be adopted, which motion failed.

SSA 1 for **SA 1** was again taken up.

Senator Schmitt offered **SA 2** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 2 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1174, Page 1, Section 167.131, Lines 3-4 of said page by striking the following: "Subject to the provisions of subsection 3 of this section,"; and further amend line 5 by inserting immediately after the word "school" the following: "**for specific grade levels**"; and further amend line 7 by striking the word "the"; and further amend said line by striking the word "of" and inserting in lieu thereof the following: "**as calculated by the receiving district under subsection 2 of this section**"; and further amend line 9 by inserting immediately after the word "accredited" the following: "**public**"; and further amend page 2 of said amendment, line 1, by striking the following: "When any"; and further amend lines 2-10 by striking all of said lines; and further amend line 11 by striking the following: "program."; and further amend lines 16-29 by striking all of said lines; and further amend

page 3, lines 1-20, by striking all of said lines; and further amend pages 3-5 of said amendment, section 167.134, by striking all of said section from the amendment and inserting in lieu thereof the following:

"**167.133. 1. (1) The board of education of each district in this state that has been declared unaccredited pursuant to the authority of the state board of education as established in section 161.092 shall pay tuition and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein who meets the criteria of this section.**

(2) Unless a receiving district qualifies under subdivision (3) of this subsection, the rate of tuition to be charged by the district attended and paid by the sending district is the per-pupil cost of maintaining the district's grade-level grouping which includes the school attended. The cost of maintaining a grade-level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per-pupil cost of the grade-level grouping shall be determined by dividing the cost of maintaining the grade-level grouping by the average daily pupil attendance.

(3) When any metropolitan school district is unaccredited or any district located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants is unaccredited, the tuition amount for students residing in those districts shall be the same as the tuition payment in effect at the time for any voluntary interdistrict transfer program regardless of whether the receiving district was or is participating in the interdistrict transfer program. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final.

2. A pupil from an unaccredited district may attend a school in another district of the same or an adjoining county if the receiving district is accredited without provision and if the pupil has been enrolled in and attending a public school in the district during the school year when such declaration is made, or has enrolled and attended in the unaccredited district in school years subsequent to the year in which the declaration is made. Pupils who reside in the unaccredited district who become eligible for kindergarten or first grade in a school year after the effective date of this section are also eligible to transfer. A student who resides in an unaccredited district but who is attending a private school on or after the date the district is declared unaccredited shall become eligible to transfer to a public school in another district of the same or adjoining county under this section after the student has enrolled in and completed a full school year in a public school or charter school in the unaccredited district.

3. By August 30, 2012, each school district shall establish specific criteria through board policy for the admission of nonresident pupils from districts that have been classified as unaccredited by the state board of education who seek admission into a school district under this section. The primary criteria shall be the availability of highly qualified teachers in existing classroom space. The criteria for the admission of nonresident pupils shall also be based on one of the following three options, as determined by the local board of education: the average of the district's student enrollment figure for the previous three school years; the "desirable standard" for class sizes as established in the Missouri school improvement program; or any previous criteria established by the school board for the admission of nonresident students not entitled to free instruction. Each district shall establish criteria

for calculating available seats that take into account the district's resident student population growth or decrease, based on demographic projections provided by the office of socioeconomic data analysis, such that the receiving district shall not be required to employ additional teachers or construct new classrooms to accommodate such transfer pupils. No resident pupil shall be displaced from a school to which he or she would otherwise be assigned to accommodate the admission of a nonresident pupil. The assignment of a student to a particular building shall be the decision of the receiving district. Once a student from an unaccredited district has been accepted under this section, the student may complete his or her educational program in the district even if the student's residence district has regained its accreditation. For any school district that fails to establish criteria for the admission of nonresident students under this section, or incorrectly calculates the number of nonresident students it may admit, the department of elementary and secondary education shall withhold one percent of the district's state school aid. If the district takes corrective action, and such corrective action is approved by the department of elementary and secondary education, the department shall restore such state aid to the district.

4. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.".

Senator Schmitt moved that the above amendment be adopted.

At the request of Senator Pearce, **HCS** for **HB 1174**, with **SCS**, **SS** for **SCS**, **SA 1**, **SSA 1** for **SA 1** and **SA 2** to **SSA 1** for **SA 1** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Dempsey introduced to the Senate, Pastor Kevin Kolb, his wife, Heidi, and their children, Emma, Ellie, Evie and Ezekiel, St. Peters; and Pastor Bill Kolb and his wife, Doris, O'Fallon; and Emma, Ellie and Evie were made honorary pages.

Senator Crowell introduced to the Senate, Robyn Koenig, parents and seventh and eighth grade students from United in Christ, Frohna.

Senator Pearce introduced to the Senate, Steve Del Vecchio, Mark Mersmann, Jeanne Dee, Mike Sommer, Isaac Francisco, Dale Sheff, Bob Letterman and Nick Myers, representatives of Missouri Society of Certified Public Accountants.

Senator Justus introduced to the Senate, Shannon Stokes, Vicky Scott, Alicia Ozenberger, Chuck Daugherty, Jennifer Lowry, Beth Dessem, George Knowles and Kelly Schultz, representatives of Missouri Alliance for Drug Endangered Children.

Senator Kehoe introduced to the Senate, the Physician of the Day, Dr. Karl Haake, Jefferson City.

On behalf of Senator McKenna and himself, Senator Engler introduced to the Senate, Braden and Jason Eisenbeis, Crystal City.

Senator Cunningham introduced to the Senate, Brendyn Crancer, Florida.

Senator Dempsey introduced to the Senate, Joann Hynes, Jean Hitt and Claire Boevingloh and fourth grade students from Academy of the Sacred Heart, St. Charles.

Senator Keaveny introduced to the Senate, Sara Howe, St. Louis.

Senator Chappelle-Nadal introduced to the Senate, students from Kratz Elementary, St. Louis; and Kyra

Ddungu, Dominic House, Miguel Lopez and Esthefani Cruz-Ramon were made honorary pages.

Senator Chappelle-Nadal introduced to the Senate, Tom Peters, University City.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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SIXTY-FIRST DAY–THURSDAY, APRIL 26, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1534-Bahr, et al
HCS for HB 1717
HCS for HB 1661
HCS for HB 1211
HCS for HB 1826
HCS for HB 1860
HCS for HB 1342
HB 1359-Smith (150), et al
HCS for HB 1476
HCS for HB 1364
HCS for HB 1367
HCS for HB 1521
HCS for HB 1637
HCS#2 for HB 1323
HCS for HBs 1574 & 1097
HCS for HB 1274
HCS for HBs 1934 & 1654
HCS for HB 2019
HJR 85-Solon, et al
HCS for HB 1890

THIRD READING OF SENATE BILLS

SCS for SB 625-Kehoe (In Fiscal Oversight)
SB 893-Kraus
SS for SB 854-Mayer
SS for SCS for SB 803-Rupp

SENATE BILLS FOR PERFECTION

SB 706-Cunningham, with SCS
SJR 51-Lembke, with SCS
SB 835-Kehoe, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1104-Schoeller and Smith (150), with SCS (Engler)
2. HB 1188-Allen, et al, with SCA 1 (Schmitt)
3. HB 1179-Hampton, et al (Mayer)
4. HB 1331-Jones (117), et al, with SCS (Kehoe)
5. HB 1128-Largent (Kraus)

6. HB 1680-Davis, et al (Pearce)
7. HCS for HB 1123 (Brown)
8. HB 1103-Crawford and Wyatt (Parson)
9. HCS for HB 1525, with SCS (Goodman) (In Fiscal Oversight)
10. HCS for HB 1495, with SCS (Wasson)
11. HB 1112-Gosen, with SCS (Rupp)
12. HCS for HB 1042, with SCS (Pearce) (In Fiscal Oversight)
13. HB 1504-Richardson, with SCS (Lamping) (In Fiscal Oversight)
14. HCS for HB 1623, with SCS (Schmitt)
15. HB 1073 & HCS for HB 1477-Sater, with SCS (Munzlinger)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham

SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey

SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 2 to SSA 1 for SA 1 (pending) (Pearce)
HCS for HB 1193, with SCS (Engler)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 736-Engler, with HA 1
SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

SB 568-Parson, with HCS, as amended (Senate requests House recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-FIRST DAY—THURSDAY, APRIL 26, 2012

The Senate met pursuant to adjournment.

Senator Stouffer in the Chair.

Reverend Carl Gauck offered the following prayer:

"For the Lord is righteous; he loves righteous deeds; the upright shall behold his face." (Psalm 11:7)

We know, O Lord, that we are tired and that opens us up to say and do things we regret later; so help us do that which is righteous in Your sight and may our actions, deeds and words proclaim our faithfulness to Your teachings as we complete our work before us and return home to those we love. May we never give up on those You have given us to love, so help us do that which is right with them and for them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

President Kinder assumed the Chair.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 2008, regarding Candace L. Connell, Saint James, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 564**.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment Nos. 3, 4, 6 and 8.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 564, Page 1, In the title, Lines 3 through 5, by deleting all said lines and inserting in lieu thereof the words, "to motor vehicles"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"302.130. 1. Any person at least fifteen years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary instruction permit entitling the applicant, while having such permit in the applicant's immediate possession, to drive a motor vehicle of the appropriate class upon the highways for a period of twelve months, but any such person, except when operating a motorcycle or motortricycle, must be accompanied by a licensed operator for the type of motor vehicle being operated who is actually occupying a seat beside the driver for the purpose of giving instruction in driving the motor vehicle, who is at least twenty-one years of age, and in the case of any driver under sixteen years of age, the licensed operator occupying the seat beside the driver shall be a grandparent, parent, guardian, a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or a qualified instructor of a private drivers' education program who has a valid driver's license. An applicant for a temporary instruction permit shall successfully complete a vision test and a test of the applicant's ability to understand highway signs which regulate, warn or direct traffic and practical knowledge of the traffic laws of this state, pursuant to section 302.173. In addition, beginning January 1, 2007, no permit shall be granted pursuant to this subsection unless a parent or legal guardian gives written permission by signing the application and in so signing, state they, or their designee as set forth in subsection 2 of this section, will provide a minimum of forty hours of behind-the-wheel driving instruction, including a minimum of ten hours of behind-the-wheel driving instruction that occurs during the nighttime hours falling between sunset and sunrise. The forty hours of behind-the-wheel driving instruction that is completed pursuant to this subsection may include any time that the holder of an instruction permit has spent operating a motor vehicle in a driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or by a qualified instructor of a private drivers' education program. If the applicant for a permit is enrolled in a federal residential job training program, the instructor, as defined in subsection 5 of this section, is authorized to sign the application stating that the applicant will receive the behind-the-wheel driving instruction required by this section.

2. In the event the parent, grandparent or guardian of the person under sixteen years of age has a

physical disability which prohibits or disqualifies said parent, grandparent or guardian from being a qualified licensed operator pursuant to this section, said parent, grandparent or guardian may designate a maximum of two individuals authorized to accompany the applicant for the purpose of giving instruction in driving the motor vehicle. An authorized designee must be a licensed operator for the type of motor vehicle being operated and have attained twenty-one years of age. At least one of the designees must occupy the seat beside the applicant while giving instruction in driving the motor vehicle. The name of the authorized designees must be provided to the department of revenue by the parent, grandparent or guardian at the time of application for the temporary instruction permit. The name of each authorized designee shall be printed on the temporary instruction permit, however, the director may delay the time at which permits are printed bearing such names until the inventories of blank permits and related forms existing on August 28, 1998, are exhausted.

3. The director, upon proper application on a form prescribed by the director, in his or her discretion, may issue a restricted instruction permit effective for a school year or more restricted period to an applicant who is enrolled in a high school driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education even though the applicant has not reached the age of sixteen years but has passed the age of fifteen years. Such instruction permit shall entitle the applicant, when the applicant has such permit in his or her immediate possession, to operate a motor vehicle on the highways, but only when a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education is occupying a seat beside the driver.

4. The director, in his or her discretion, may issue a temporary driver's permit to an applicant who is otherwise qualified for a license permitting the applicant to operate a motor vehicle while the director is completing the director's investigation and determination of all facts relative to such applicant's rights to receive a license. Such permit must be in the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's license has been issued or for good cause has been refused.

5. In the event that the applicant for a temporary instruction permit described in subsection 1 of this section is a participant in a federal residential job training program, the permittee may operate a motor vehicle accompanied by a driver training instructor who holds a valid driver education endorsement issued by the department of elementary and secondary education and a valid driver's license.

6. A person at least fifteen years of age may operate a motor vehicle as part of a driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or a qualified instructor of a private drivers' education program.

7. Beginning January 1, 2003, the director shall issue with every temporary instruction permit issued pursuant to subsection 1 of this section a sticker or sign bearing the words "PERMIT DRIVER". The design and size of such sticker or sign shall be determined by the director by regulation. Every applicant issued a temporary instruction permit and sticker on or after January 1, 2003, may display or affix the sticker or sign on the rear window of the motor vehicle. Such sticker or sign may be displayed on the rear window of the motor vehicle whenever the holder of the instruction permit operates a motor vehicle during his or her temporary permit licensure period.

8. Beginning July 1, 2005, the director shall verify that an applicant for an instruction permit issued under this section is lawfully present in the United States before accepting the application. The director shall not issue an instruction permit for a period that exceeds an applicant's lawful presence in the United States. The director may establish procedures to verify the lawful presence of the applicant and establish the duration of any permit issued under this section.

9. **Notwithstanding subsection 1 of this section, if an applicant is issued a temporary instruction permit under the provisions of this section that includes a motorcycle endorsement, then such temporary instruction permit shall only entitle the applicant to operate a motor vehicle, motorcycle, or motortricycle for a period of six months and such applicant may only renew such permit two additional times, for a total maximum cumulative permit period of eighteen months pursuant to section 302.132.**

10. The director may adopt rules and regulations necessary to carry out the provisions of this section.

302.132. 1. Any person at least fifteen and one-half years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340 may apply, with the written consent of the parent or guardian of such person, for a temporary motorcycle instruction permit to operate a motorcycle or motortricycle.

2. The director shall issue a temporary motorcycle instruction permit under this section if the applicant has completed a motorcycle rider training course approved under sections 302.133 to 302.138 and is otherwise eligible for the temporary permit.

3. A person receiving a temporary motorcycle permit and having it in his **or her** immediate possession shall be entitled to operate a motorcycle or motortricycle for a period of six months upon the highways of the state, and **[**persons under the age of sixteen**] such person** shall be subject to the following restrictions:

(1) **[**The motorcycle or motortricycle may not have an engine with a displacement of greater than two hundred fifty cubic centimeters;

(2)**]** The operator shall not travel at any time from a half-hour after sunset to a half-hour before sunrise; **and**

[(3)**] (2)** The operator shall not carry any passengers**[**; and

(4) The operator shall not travel over fifty miles from the operator's home address**]**.

4. An applicant issued a temporary motorcycle instruction permit under this section may renew such permit two additional times, for a total maximum permit period of eighteen months. After such period the applicant shall complete the required written examinations to obtain a temporary motorcycle instruction permit or a temporary instruction permit with a motorcycle endorsement."; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

"Section B. The repeal and reenactment of sections 302.130 and 302.132 shall become effective May 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to Senate Bill No. 564, Page 1, Line 7, by inserting after all of said line the following:

"Further amend said section and line by inserting after all of said section and line the following:

"Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 564, Page 4, Section 302.173, Line 100, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 564, Page 1, In the Title, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the following:

"to motor vehicle operation."; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said section and line the following:

"302.341. 1. If a Missouri resident charged with a moving **[**traffic**]** violation**, as defined in section 302.010,** of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last

address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village **meets the criteria established in subsection 6 of this section and** receives more than thirty-five percent of its annual general operating revenue from fines and court costs for **[**traffic**] cited moving** violations occurring on state highways, **whether the violation is adjudicated finally as a moving or nonmoving violation,** all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. **[**The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue.**]**

3. The governing body of each city, town, or village that meets the criteria established in subsection 6 of this section shall cause to be prepared an annual report of the fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation occurring on state highways, along with the entity's annual general revenue for the year, in such summary form as the department of revenue shall prescribe by rule. In the event the fines and court costs exceed thirty-five percent of the entity's general operating revenue for the year, the entity shall include with the annual report payment of the excess revenues to the director of the department of revenue. The payment of excess revenues shall be disbursed as provided in subsection 2 of this section. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. **[**Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.**]**

4. The department of revenue may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536

to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. In the event a city, town, or village that meets the criteria established in subsection 6 of this section fails to comply with subsections 2 and 3 of this section, such entity shall be subject to a civil penalty in an amount up to one thousand dollars. The department of revenue shall determine the amount of the penalty by taking into account the size of the entity, the seriousness of the offense, and whether the city, town, or village has violated the provisions of subsections 2 and 3 of this section previously. The director of revenue or his or her designated representative shall administer and enforce the provisions of this section and may develop, prescribe, and issue any forms, notices, or other written documents to enforce such authority and to ensure that every city, town, or village is in compliance with the provisions of subsections 2 and 3 of this section.

6. The provisions of subsections 2, 3, 4, and 5 of this section shall only apply to any city, town, or village with:

(1) Less than two million dollars in general revenue, excluding fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation; and

(2) Fines and court costs from cited moving violations, whether finally adjudicated as a moving or nonmoving violation, in excess of seventy thousand dollars."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 564, Page 1, In the Title, Lines 3 to 5, by deleting all of said lines and inserting in lieu thereof the words, "to motor vehicles."; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500

27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four

thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in **[**subsection 9**]** **subsections 9 and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway **[**65**]** **63**, **[**and**]** on U.S. Highway 65 from the Iowa state line to U.S. Highway 36**, and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36**.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Bill No. 564, Page 1, In the Title, Lines 3 through 5, by deleting all of said lines and inserting in lieu thereof the words, "to motor vehicles."; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

"302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record **if the individual was not operating a commercial motor vehicle or a commercial driver's license holder at the time of the offense**. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for traffic violations occurring on state highways, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are

nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

302.700. 1. Sections 302.700 to 302.780 may be cited as the "Uniform Commercial Driver's License Act".

2. When used in sections 302.700 to 302.780, the following words and phrases mean:

(1) "Alcohol", any substance containing any form of alcohol, including, but not limited to, ethanol, methanol, propanol and isopropanol;

(2) "Alcohol concentration", the number of grams of alcohol per one hundred milliliters of blood or the number of grams of alcohol per two hundred ten liters of breath or the number of grams of alcohol per sixty-seven milliliters of urine;

(3) **"CDLIS driver record", the electronic record of the individual commercial driver's status and history stored by the state of record as part of the Commercial Driver's License Information System (CDLIS) established under 49 U.S.C. Section 31309, et seq.;**

(4) "CDLIS motor vehicle record (CDLIS MVR)", a report generated from the CDLIS driver record which meets the requirements for access to CDLIS information and is provided by states to users authorized in 49 CFR Part 384, subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, et seq.;

(5) "Commercial driver's instruction permit", a permit issued pursuant to section 302.720;

[(4)**] (6)** "Commercial driver's license", a license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle;

[(5)**] (7) "Commercial driver's license downgrade", occurs when:**

(a) A driver changes the self-certification to interstate, but operates exclusively in transportation or operation excepted from 49 CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or 398.3;

(b) A driver changes the self-certification to intrastate only, if the driver qualifies under the state's physical qualification requirements for intrastate only;

(c) A driver changes the self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or

(d) The state removes the commercial driver's license privilege from the driver's license;

(8) "Commercial driver's license information system **(CDLIS)**", the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;

[(6)**] (9)** "Commercial motor vehicle", a motor vehicle designed or used to transport passengers or property:

(a) If the vehicle has a gross combination weight rating of twenty-six thousand one or more pounds

inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds or more;

(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand one or more pounds or such lesser rating as determined by federal regulation;

(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or

(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801, et seq.);

[(7)**] (10)** "Controlled substance", any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes all substances listed in schedules I through V of 21 CFR part 1308, as they may be revised from time to time;

[(8)**] (11)** "Conviction", an unvacated adjudication of guilt, including pleas of guilt and nolo contendre, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative proceeding, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended or prorated, including an offense for failure to appear or pay;

[(9)**] (12)** "Director", the director of revenue or his authorized representative;

[(10)**] (13)** "Disqualification", any of the following three actions:

(a) The suspension, revocation, or cancellation of a commercial driver's license;

(b) Any withdrawal of a person's privileges to drive a commercial motor vehicle by a state**, Canada, or Mexico** as the result of a violation of federal, state, county, municipal, or local law relating to motor vehicle traffic control or violations committed through the operation of motor vehicles, other than parking, vehicle weight, or vehicle defect violations;

(c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

[(11)**] (14)** "Drive", to drive, operate or be in physical control of a commercial motor vehicle;

[(12)**] (15)** "Driver", any person who drives, operates, or is in physical control of a motor vehicle, or who is required to hold a commercial driver's license;

(16) "Driver applicant", an individual who applies to obtain, transfer, upgrade, or renew a commercial driver's license in this state;

[(13)**] (17)** "Driving under the influence of alcohol", the commission of any one or more of the following acts:

(a) Driving a commercial motor vehicle with the alcohol concentration of four one-hundredths of a percent or more as prescribed by the secretary or such other alcohol concentration as may be later determined by the secretary by regulation;

(b) Driving a commercial or noncommercial motor vehicle while intoxicated in violation of any federal or state law, or in violation of a county or municipal ordinance;

(c) Driving a commercial or noncommercial motor vehicle with excessive blood alcohol content in violation of any federal or state law, or in violation of a county or municipal ordinance;

(d) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance; or

(e) Having any state, county or municipal alcohol-related enforcement contact, as defined in subsection 3 of section 302.525; provided that any suspension or revocation pursuant to section 302.505, committed in a noncommercial motor vehicle by an individual twenty-one years of age or older shall have been committed by the person with an alcohol concentration of at least eight-hundredths of one percent or more, or in the case of an individual who is less than twenty-one years of age, shall have been committed by the person with an alcohol concentration of at least two-hundredths of one percent or more, and if committed in a commercial motor vehicle, a concentration of four-hundredths of one percent or more;

[(14)**] (18)** "Driving under the influence of a controlled substance", the commission of any one or more of the following acts in a commercial or noncommercial motor vehicle:

(a) Driving a commercial or noncommercial motor vehicle while under the influence of any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), including any substance listed in schedules I through V of 21 CFR Part 1308, as they may be revised from time to time;

(b) Driving a commercial or noncommercial motor vehicle while in a drugged condition in violation of any federal or state law or in violation of a county or municipal ordinance; or

(c) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance;

[(15)**] (19)** "Employer", any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a driver to operate such a vehicle;

(20) "Endorsement", an authorization on an individual's commercial driver's license permitting the individual to operate certain types of commercial motor vehicles;

[(16)**] (21)** "Farm vehicle", a commercial motor vehicle controlled and operated by a farmer used exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty miles of the farm, other than one which requires placarding for hazardous materials as defined in this section, or used in the operation of a common or contract motor carrier, except that a farm vehicle shall not be a commercial motor vehicle when the total combined gross weight rating does not exceed twenty-six thousand one pounds when transporting fertilizers as defined in subdivision **[**(21)**] (27)** of this subsection;

[(17)**] (22)** "Fatality", the death of a person as a result of a motor vehicle accident;

[(18)**] (23)** "Felony", any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year;

(24) "Foreign", outside the fifty states of the United States and the District of Columbia;

[(19)**] (25)** "Gross combination weight rating" or "GCWR", the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon;

[(20)**] (26)** "Gross vehicle weight rating" or "GVWR", the value specified by the manufacturer as the loaded weight of a single vehicle;

[(21)**] (27)** "Hazardous materials", any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of CFR Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel, shall not be considered hazardous materials when transported by a farm vehicle provided all other provisions of this definition are followed;

[(22)**] (28)** "Imminent hazard", the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begins to lessen the risk of that death, illness, injury, or endangerment;

[(23)**] (29)** "Issuance", the initial licensure, license transfers, license renewals, and license upgrades;

(30) "Medical examiner", a person who is licensed, certified, or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic;

(31) "Medical variance", when a driver has received one of the following that allows the driver to be issued a medical certificate:

(a) An exemption letter permitting operation of a commercial motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;

(b) A skill performance evaluation certificate permitting operation of a commercial motor vehicle under 49 CFR Part 391.49;

[(24)**] (32)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks;

[(25)**] (33)** "Noncommercial motor vehicle", a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" in this section;

[(26)**] (34)** "Out of service", a temporary prohibition against the operation of a commercial motor vehicle by a particular driver, or the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier;

[(27)**] (35)** "Out-of-service order", a declaration by **[**the Federal Highway Administration, or any**] an** authorized enforcement officer of a federal, state, **[**Commonwealth of Puerto Rico,**]** Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service **under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or comparable laws, or the North American Standard Out-of-Service Criteria**;

[(28)**] (36)** "School bus", a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary;

[(29)**] (37)** "Secretary", the Secretary of Transportation of the United States;

[(30)**] (38)** "Serious traffic violation", driving a commercial motor vehicle in such a manner that the driver receives a conviction for the following offenses or driving a noncommercial motor vehicle when the driver receives a conviction for the following offenses and the conviction results in the suspension or

revocation of the driver's license or noncommercial motor vehicle driving privilege:

(a) Excessive speeding, as defined by the Secretary by regulation;

(b) Careless, reckless or imprudent driving which includes, but shall not be limited to, any violation of section 304.016, any violation of section 304.010, or any other violation of federal or state law, or any county or municipal ordinance while driving a commercial motor vehicle in a willful or wanton disregard for the safety of persons or property, or improper or erratic traffic lane changes, or following the vehicle ahead too closely, but shall not include careless and imprudent driving by excessive speed;

(c) A violation of any federal or state law or county or municipal ordinance regulating the operation of motor vehicles arising out of an accident or collision which resulted in death to any person, other than a parking violation;

(d) Driving a commercial motor vehicle without obtaining a commercial driver's license in violation of any federal or state or county or municipal ordinance;

(e) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession in violation of any federal or state or county or municipal ordinance. Any individual who provides proof to the court which has jurisdiction over the issued citation that the individual held a valid commercial driver's license on the date that the citation was issued shall not be guilty of this offense;

(f) Driving a commercial motor vehicle without the proper commercial driver's license class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported in violation of any federal or state law or county or municipal ordinance; or

(g) Any other violation of a federal or state law or county or municipal ordinance regulating the operation of motor vehicles, other than a parking violation, as prescribed by the secretary by regulation;

[(31)**] (39)** "State", a state**[**, territory or possession**]** of the United States**[**, the District of Columbia, the Commonwealth of Puerto Rico, Mexico, and any province of Canada**]**;

[(32)**] (40)** "United States", the fifty states and the District of Columbia.

302.768. 1. Any applicant for a commercial driver's license or commercial driver's instruction permit shall comply with the Federal Motor Carrier Safety Administration application requirements of 49 CFR Part 383.71 by certifying to one of the following applicable statements relating to federal and state driver qualification rules:

(1) Nonexcepted interstate: Certifies the applicant is a driver operating or expecting to operate in interstate or foreign commerce, or is otherwise subject to and meets requirements of 49 CFR Part 391 and is required to obtain a medical examiner's certificate as defined in 49 CFR Part 391.45;

(2) Excepted interstate: Certifies the applicant is a driver operating or expecting to operate entirely in interstate commerce that is not subject to Part 391 and is subject to Missouri driver qualifications and not required to obtain a medical examiner's certificate;

(3) Nonexcepted intrastate: Certifies the applicant is a driver operating only in intrastate commerce and is subject to Missouri driver qualifications;

(4) Excepted intrastate: Certifies the applicant operates or expects to operate only in intrastate commerce, and engaging only in operations excepted from all parts of the Missouri driver qualification requirements.

2. Any applicant who cannot meet certification requirements under one of the categories defined in subsection 1 of this section shall be denied issuance of a commercial driver's license or commercial driver's instruction permit.

3. An applicant certifying to operation in nonexcepted interstate or nonexcepted intrastate commerce shall provide the state with an original or copy of a current medical examiners certificate or a medical examiners certificate accompanied by a medical variance or waiver. The state shall retain the original or copy of the documentation of physical qualification for a minimum of three years beyond the date the certificate was issued.

4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce shall provide an updated medical certificate or variance documents to maintain a certified status during the term of the commercial driver's license or commercial driver's instruction permit in order to retain commercial privileges.

5. The director shall post the medical examiners certificate of information, medical variance if applicable, the applicant's self-certification and certification status to the Missouri driver record within ten calendar days and such information will become part of the CDLIS driver record.

6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce who fail to provide or maintain a current medical examiners certificate, or if the state has received notice of a medical variance or waiver expiring or being rescinded, the state shall, within ten calendar days, update the driver's medical certification status to "not certified". The state shall notify the driver of the change in certification status and require the driver to annually comply with requirements for a commercial driver's license downgrade within sixty days of the expiration of the applicant certification.

7. The department of revenue may, by rule, establish the cost and criteria for submission of updated medical certification status information as required under this section.

8. Any person who falsifies any information in an application for or update of medical certification status information for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled for a period of one year after the director discovers such falsification.

9. The director may promulgate rules and regulations necessary to administer and enforce this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

Section B. The repeal and reenactment of section 302.700 and the enactment of section 302.768 of this act shall become effective on the date the director of the department of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768, or on May 1, 2013, whichever occurs first. If the director of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768 prior to May 1, 2013, the director of the department of

revenue shall notify the revisor of statutes of such fact."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend Senate Bill No. 564, Page 1, In the Title, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the words, "to transportation."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

"142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subdivision (1) of this subsection, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate vender to a farm location for agricultural purposes only. As used in this section, the term "farmer" shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010. At the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the ultimate vender unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer provides an exemption certificate to the ultimate vender, in which case the ultimate vender may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to

loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor; The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and (c) of this subdivision shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

(5) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;

(6) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

(7) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this

subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

(8) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars.

3. Motor fuel used in any watercraft, as such term is defined in section 306.010, is exempt from the fuel tax imposed by this chapter, and no such tax shall be imposed or levied on any motor fuel delivered to any marina or other retailer within this state who sells such fuel solely for use in any watercraft in this state. Any distributor who delivers motor fuel to any marina located in this state for use only in a watercraft may also claim the exemption provided in this subsection.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when

harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and

augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules

pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased

by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event**[.];**

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010."; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SCS** for **SB 625**, begs leave to report that it has considered the same and recommends that the bill do pass.

THIRD READING OF SENATE BILLS

SCS for **SB 625**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 625

An Act to repeal sections 104.603, 104.1084, and 104.1091, RSMo, and to enact in lieu thereof three new sections relating to retirement.

Was taken up by Senator Kehoe.

On motion of Senator Kehoe, **SCS** for **SB 625** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SB 893, introduced by Senator Kraus, entitled:

An Act to repeal sections 302.010, 302.060, and 302.309, RSMo, and to enact in lieu thereof three new sections relating to completing a criminal history check as part of the process for issuing or reinstating driving privileges.

Was taken up.

On motion of Senator Kraus, **SB 893** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SB 854**, introduced by Senator Mayer, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 854

An Act to repeal section 660.315, RSMo, and to enact in lieu thereof one new section relating to the employment disqualification list for home care employees.

Was taken up.

On motion of Senator Mayer, **SS** for **SB 854** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SS for **SCS** for **SB 803**, introduced by Senator Rupp, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 803

An Act to repeal sections 337.300, 337.305, 337.310, 337.315, 337.325, and 337.345, RSMo, and to enact in lieu thereof six new sections relating to behavior analysis.

Was taken up.

On motion of Senator Rupp, **SS** for **SCS** for **SB 803** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

At the request of Senator Cunningham, **SB 706**, with **SCS**, was placed on the Informal Calendar.

Senator Lembke moved that **SJR 51**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SJR 51**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 51

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 25(a) and 25(d) of article V of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to nonpartisan selection of judges.

Was taken up.

Senator Lembke moved that **SCS** for **SJR 51** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Joint Resolution No. 51, Page 2, Section 25 (d), Line 21, by inserting after the word "appoint" the following: "**, with the advice and consent of the Senate,**".

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Kehoe assumed the Chair.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Joint Resolution No. 51, Page 1, In the Title, Line 4, by striking the following: "nonpartisan selection of judges" and inserting in lieu thereof the following: "judges"; and

Further amend said bill and page, section A, line 3, by inserting immediately after all of said line the following:

"Section 1. The judicial power of the state shall be vested in a supreme court, a court of appeals **[**consisting of districts as prescribed by law**]**, and circuit courts.

Section 6. **1. The number of associate circuit, circuit, and court of appeals judicial positions authorized in this state shall be established by law. Any supreme court order resulting in a total number of judicial positions greater than the number authorized by law shall be null and void. Until otherwise provided by supreme court order, each court of appeals district and each circuit shall have the number of judges as provided by law on the effective date of this section.**

2. The supreme court may make permanent transfers of judicial positions from one circuit to another as the administration of justice requires, and shall establish rules and standards with respect thereto. When a vacancy occurs in a judicial position in a circuit, the supreme court may make a determination to transfer the vacant position to another circuit and such position shall be filled as provided by law. The position vacated shall cease to exist at the time the new position is filled.

3. The supreme court **[**may**] shall** make temporary transfers of judicial personnel from one court or district to another as the administration of justice requires, and **[**may**] shall** establish rules **and standards** with respect thereto. Any judge shall be eligible to sit temporarily on any court upon assignment by the supreme court or pursuant to supreme court rule.

4. As used in this section, the term "vacancy" shall mean the death, retirement, resignation, removal, impeachment or failure to be retained of a circuit or associate circuit judge.

Section 13. The court of appeals shall be organized into separate districts, the number, not less than three, geographical boundaries, and territorial jurisdiction of which shall be prescribed by law. Each district of the court of appeals shall be composed of such number of judges, not less than three, as may be provided by **[**law**] supreme court order**.

Section 15. 1. The state shall be divided into convenient circuits of contiguous counties. In each circuit there shall be at least one circuit judge. The circuits may be changed or abolished by law as public convenience and the administration of justice may require, but no judge shall be removed from office during his term by reason of alteration of the geographical boundaries of a circuit. Any circuit or associate circuit judge may temporarily sit in any other circuit at the request of a judge thereof. In circuits having more than one judge, the court may sit in general term or in divisions. The circuit judges of the circuit may make rules for the circuit not inconsistent with the rules of the supreme court.

2. Each circuit shall have such number of circuit judges as provided by **[**law**] supreme court order, but not less than one**.

3. The circuit and associate circuit judges in each circuit shall select by secret ballot a circuit judge from their number to serve as presiding judge. The presiding judge shall have general administrative authority over the court and its divisions.

4. Personnel to aid in the business of the circuit court shall be selected as provided by law or in accordance with a governmental charter of a political subdivision of this state. Where there is a separate probate division of the circuit court, the judge of the probate division shall, until otherwise provided by law, appoint a clerk and other nonjudicial personnel for the probate division.

Section 16. Each **[**county**] circuit** shall have such number of associate circuit judges as provided by **[**law**] supreme court order**. There shall be at least one **[**resident**]** associate circuit judge in each **[**county**] circuit**. **[**Associate circuit judges shall be selected or elected in each county**].** In those circuits where the circuit judge is selected under section 25 of article 5 of the constitution the associate circuit judge shall be selected in the same manner. All other associate circuit judges shall be elected in the **[**county**] circuit** in which they are to serve.

Section 21. Judges of the supreme court and of the court of appeals shall have been citizens of the United States for at least fifteen years, and qualified voters of the state for nine years next preceding their selection. Such judges shall be at least thirty years of age. Except as provided by section 6, judges of the court of appeals shall be residents of the court of appeals district in which they serve. Circuit judges shall have been citizens of the United States for at least ten years, and qualified voters of this state three years next preceding their selection, and be not less than thirty years of age and residents of the circuit for at least one year. Associate circuit judges shall be qualified voters of this state **[**and**],** residents of the **[**county**] circuit for at least one year**, at least twenty-five years old, and have such other qualifications as may be provided by law. Every supreme, appellate, circuit, and associate circuit court judge shall be licensed to practice law in this state."; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion failed.

Senator Stouffer assumed the Chair.

Senator Crowell offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Joint Resolution No. 51, Page 2, Section 25 (d), Line 27, by striking the word "2015" and inserting in lieu thereof the following: "**2016**"; and further amend line 28 by striking the word "2017" and inserting in lieu thereof the following: "**2019**"; and further amend line 29 by striking the word "four" and inserting in lieu thereof the word "**six**".

Senator Crowell moved that the above amendment be adopted.

A quorum was established by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Goodman	Justus
Keaveny	Kehoe	Kraus	Lager	Lembke	Mayer	McKenna	Munzlinger
Nieves	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaefer	Schmitt
Stouffer	Wasson—26						

NAYS—Senators—None

Absent—Senators

Curls	Dixon	Engler	Green	Lamping	Parson	Wright-Jones—7

Absent with leave—Senator Schaaf—1

Vacancies—None

SA 3 failed of adoption on a standing division vote.

Senator Justus offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for Senate Joint Resolution No. 51, Page 2, Section 25(d), Line 12, by striking the word "seven" and inserting in lieu thereof "**six**"; and further amend line 21, by striking the word "four" and inserting in lieu thereof "**three**"; and further amend lines 22-23, by striking the following: "and one from the state at-large"; and further amend line 26, by striking the words "two members" and inserting in lieu thereof "**one member**"; and further amend line 27 by striking the word "terms" and inserting in lieu thereof "**a term**".

Senator Justus moved that the above amendment be adopted, which motion failed.

Senator Keaveny offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for Senate Joint Resolution No. 51, Page 3, Section 25(d), Line 33, by inserting immediately after the word "chairman." the following: "**Each voting member of the appellate judicial commission shall keep a record of all oral, written and electronic communications relating to the official business of the commission received while a member of such commission from any person not a member of the commission. Such records shall include the name, address, employer and date of such communication. All such records shall be a public record.**".

Senator Keaveny moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Lembke moved that **SCS** for **SJR 51** be adopted, which motion prevailed.

On motion of Senator Lembke, **SCS** for **SJR 51** was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1117**, entitled:

An Act to amend chapter 226, RSMo, by adding thereto eight new sections relating to the Missouri and Midwest Rail Integration and Improvement Commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1758**, entitled:

An Act to amend chapter 452, RSMo, by adding thereto one new section relating to rights of persons with parental relationships.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1592**, entitled:

An Act to repeal sections 67.463, 67.469, and 67.548, RSMo, and to enact in lieu thereof seven new sections relating to sales tax and revenue bonds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1280**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1741** and **1543**, entitled:

An Act to repeal sections 50.1130, 50.1140, 104.1205, and 104.1215, RSMo, and to enact in lieu thereof four new sections relating to retirement benefits.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1137**, entitled:

An Act to repeal sections 211.444, 453.065, and 453.080, RSMo, and to enact in lieu thereof six new sections relating to adoption.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 2099**, entitled:

An Act to amend chapter 213, RSMo, by adding thereto one new section relating to the whistleblower's protection act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1818**, entitled:

An Act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to residential property.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1540**, entitled:

An Act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1869**, entitled:

An Act to repeal sections 116.010, 116.080, 116.090, 116.120, 116.160, 116.170, 116.175, 116.180, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof thirteen new sections relating to initiative and referendum petitions, with penalty provisions and an emergency clause for a certain section.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1865**, entitled:

An Act to repeal sections 67.463, 67.469, and 67.1305, RSMo, and to enact in lieu thereof eight new sections relating solely to due diligence given in consideration of economic development incentives.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1254**, entitled:

An Act to repeal sections 135.305, 142.031, 178.530, 276.401, 302.286, 304.180, 537.345, 537.346, 569.140, 575.010, and 575.120, RSMo, and to enact in lieu thereof twenty-seven new sections relating to agriculture, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 568**, as amended, and grants the senate a conference thereon.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **HCS** for **HB 1042**, with **SCS**; **HB 1504**, with **SCS**; and **HCS** for **HB 1525**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Crowell, Chairman of the Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **HB 1039**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1400**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1308**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1250**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1051**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **HB 1807**, **HB 1093**, **HB 1107**, **HB 1156**, **HB 1221**, **HB 1261**, **HB 1269**, **HB 1641**, **HB 1668**, **HB 1737**, **HB 1782**, **HB 1868** and **HB 1878**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1527**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1403**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1108**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 1094**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 1140**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Pearce, Chairman of the Committee on Education, Senator Dempsey submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 1192**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1135**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS No. 2** for **HB 1462**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer assumed the Chair.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 26**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 31**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 36**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

HOUSE BILLS ON SECOND READING

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

HB 1534—General Laws.

HCS for **HB 1717**—Ways and Means and Fiscal Oversight.

HCS for **HB 1661**—Ways and Means and Fiscal Oversight.

HCS for **HB 1211**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 1826**—Judiciary and Civil and Criminal Jurisprudence.

HCS for **HB 1860**—Agriculture, Food Production and Outdoor Resources.

HCS for **HB 1342**—Judiciary and Civil and Criminal Jurisprudence.

HB 1359—Education.

HCS for **HB 1476**—Jobs, Economic Development and Local Government.

HCS for **HB 1364**—Agriculture, Food Production and Outdoor Resources.

HCS for **HB 1367**—General Laws.

HCS for **HB 1521**—Jobs, Economic Development and Local Government.

HCS for **HB 1637**—Ways and Means and Fiscal Oversight.

HCS No. 2 for **HB 1323**—Health, Mental Health, Seniors and Families.

HCS for **HBs 1574** and **1097**—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for **HB 1274**—General Laws.

HCS for **HBs 1934** and **1654**—General Laws.

HCS for **HB 2019**—Appropriations.

HJR 85—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for **HB 1890**—Small Business, Insurance and Industry.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 568**, as amended: Senators Parson, Stouffer, Richard, McKenna and Wright-Jones.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SJR 51**, begs leave to report that it has examined the same and finds that the joint resolution has been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Goodman offered Senate Resolution No. 2009, regarding Thomas Edwin Willis, III, which was adopted.

Senator Stouffer offered Senate Resolution No. 2010, regarding Joshua Luke Porterfield, Boonville, which was adopted.

Senator Dixon offered Senate Resolution No. 2011, regarding PURE EARTH SOAPS, LLC, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 2012, regarding JMARK Business Solutions, Inc., Springfield, which was adopted.

Senators Dixon, Parson and Richard offered Senate Resolution No. 2013, regarding Superior Rents & Sales, Inc., Springfield, which was adopted.

Senator Pearce offered Senate Resolution No. 2014, regarding Ryan James Duffendack, Warrensburg, which was adopted.

Senator Pearce offered Senate Resolution No. 2015, regarding Luevina Wallace, Holden, which was adopted.

Senator Engler offered Senate Resolution No. 2016, regarding Tarrole Milfeld, which was adopted.

INTRODUCTIONS OF GUESTS

On behalf of Senator Keaveny and himself, Senator Pearce introduced to the Senate, Annie Seal, St. Louis.

Senator Kraus introduced to the Senate, the Physician of the Day, Dr. Michael Silvers, his wife, Bonnie, their granddaughter, Jessica, and Ashley Reynolds and Collin Olsen, Lee's Summit.

Senator Kehoe introduced to the Senate, Jenny Flatt, University Extension, and members of the Missouri 4-H Judging Team: Will Moore, Tara Fountain, Shannon Yokley, University of Missouri, and Zach Moore, Maries County R-II High School.

Senator Stouffer introduced to the Senate, fourth grade students from St. Joseph, Salisbury.

Senator Stouffer introduced to the Senate, third and fourth grade students from Immaculate Conception, Macon.

Senator Mayer introduced to the Senate, Cassie Wood, Lebanon.

Senator Kehoe introduced to the Senate, Blair Michael, Elle Severance and Kendall Prasad, Jefferson City.

Senator Brown introduced to the Senate, Olivia Howard, Westphalia.

Senator Dempsey introduced to the Senate, Mary Detjen and Jen Wilson and fourth grade students from St. Cletus Elementary, St. Charles.

Senator Goodman introduced to the Senate, fourth grade gifted students from Mt. Vernon Intermediate.

Senator Lamping introduced to the Senate, fourth grade students from Drummond Elementary, St. Ann.

Senator Engler introduced to the Senate, Mayor Mit Landrum and Greg Beavers, Farmington.

Senator Lager introduced to the Senate, students from Rock Port School District.

Senator Schaaf introduced to the Senate, adults and sixty-five students from St. Therese, Kansas City; and Kaityn Pittala, Morgan Storm and Savanna Ott were made honorary pages.

Senator Parson introduced to the Senate, Sheriff Kevin Bond and his children, Corey and Kellie and Cara Chappelle, Pettis County.

Senator Dempsey introduced to the Senate, Kimberly Poppitz, Patty Stewart and seventh grade students from Zion Lutheran, St. Charles.

Senator Pearce introduced to the Senate, fourth grade students from Miami R-1 Elementary, Amoret.

Senator Munzlinger introduced to the Senate, Chase Wilson, Lewistown.

Senator Munzlinger introduced to the Senate, Judge Karl DeMarce, Memphis.

Senator Pearce introduced to the Senate, Ashley Pierce and fourth grade students from Martin Warren

Elementary, Warrensburg.

Senator Kraus introduced to the Senate, Mrs. Rausch and fourth grade students from Plaza Heights Christian Academy, Blue Springs.

Senator Goodman introduced to the Senate, Judge John LePage, McDonald County.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, April 30, 2012.

SENATE CALENDAR

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SIXTY-SECOND DAY–MONDAY, APRIL 30, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1117
HCS for HB 1758
HB 1592-Jones (89), et al
HCS for HB 1280
HCS for HBs 1741 & 1543
HCS for HB 1137
HB 2099-Elmer
HCS for HB 1818
HB 1540-Jones (89), et al
HCS for HB 1869
HCS for HB 1865
HCS for HB 1254

THIRD READING OF SENATE BILLS

SCS for SJR 51-Lembke

SENATE BILLS FOR PERFECTION

SB 835-Kehoe, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1104-Schoeller and Smith (150), with SCS (Engler)
2. HB 1188-Allen, et al, with SCA 1 (Schmitt)
3. HB 1179-Hampton, et al (Mayer)
4. HB 1331-Jones (117), et al, with SCS (Kehoe)
5. HB 1128-Largent (Kraus)
6. HB 1680-Davis, et al (Pearce)
7. HCS for HB 1123 (Brown)

8. HB 1103-Crawford and Wyatt (Parson)
9. HCS for HB 1525, with SCS (Goodman)
10. HCS for HB 1495, with SCS (Wasson)
11. HB 1112-Gosen, with SCS (Rupp)
12. HCS for HB 1042, with SCS (Pearce)
13. HB 1504-Richardson, with SCS (Lamping)
14. HCS for HB 1623, with SCS (Schmitt)
15. HB 1073 & HCS for HB 1477-Sater, with SCS (Munzlinger)
16. HB 1039-Leara (Crowell)
17. HCS for HB 1400, with SCS
18. HCS for HB 1308
19. HB 1250-Ruzicka, et al
20. HB 1051-Allen, et al, with SCS
21. HBs 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 & 1878-Marshall, et al, with SCS (Schaaf)
22. HCS for HB 1527
23. HB 1403-Schatz, et al (Dempsey)
24. HCS for HB 1108
25. HCS for HB 1094, with SCS (Munzlinger)
26. HCS for HB 1140, with SCS
27. HB 1192-Koenig, et al
28. HB 1135-Smith (150), et al, with SCS (Dixon)
29. HCS#2 for HB 1462 (Munzlinger)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham

SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager

SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 2 to SSA 1 for SA 1 (pending) (Pearce)
HCS for HB 1193, with SCS (Engler)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8
SB 736-Engler, with HA 1
SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 568-Parson, with HCS, as amended

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al
SCR 26-Stouffer

HCR 31-Schieffer, et al (Dempsey)
HCR 36-Asbury, et al (Stouffer)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-SECOND DAY—MONDAY, APRIL 30, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Be glad and rejoice forever in what I am creating." (Isaiah 65:18)

Gracious God, we are grateful for this time of year. For the rain and sun that allows Your creation to come forth in beauty and bounty. We give thanks for this time to help one another in what we must accomplish that is most helpful and in keeping with what You have created us to do. We give thanks for friends and colleagues who help us deal with what must be faced and completed each day. So help us to be glad that we are here and rejoice in all that comes our way. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 26, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 2017, regarding the Fiftieth Anniversary of Calvary

Bible Church, Nixa, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2018, regarding Janice Muldrew, St. Louis, which was adopted.

Senator Keaveny offered Senate Resolution No. 2019, regarding Austin Joseph Danback, which was adopted.

Senator Lembke offered Senate Resolution No. 2020, regarding Mary Forst, Waterloo, Illinois, which was adopted.

Senator Lembke offered Senate Resolution No. 2021, regarding Tyler Uebel, St. Louis, which was adopted.

Senator Engler offered Senate Resolution No. 2022, regarding Patricia E. Walker, Potosi, which was adopted.

Senator Engler offered Senate Resolution No. 2023, regarding Julie Huff, Potosi, which was adopted.

Senator Engler offered Senate Resolution No. 2024, regarding Mike Nickelson, Potosi, which was adopted.

Senators Rupp, Dempsey and Nieves offered Senate Resolution No. 2025, regarding Dr. Karl Wilson, St. Louis, which was adopted.

REFERRALS

President Pro Tem Mayer referred **SCS** for **SJR 51**; **HB 1051**, with **SCS**; **HB 1403**; **HCS** for **HB 1094**, with **SCS**; and **HB 1135**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Kehoe moved that **SB 835**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 835**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 835

An Act to repeal sections 320.106, 320.131, and 320.136, RSMo, and to enact in lieu thereof three new sections relating to fireworks, with an emergency clause.

Was taken up.

Senator Kehoe moved that **SCS** for **SB 835** be adopted, which motion prevailed.

On motion of Senator Kehoe, **SCS** for **SB 835** was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

At the request of Senator Engler, **HB 1104**, with **SCS**, was placed on the Informal Calendar.

HB 1188, introduced by Representative Allen, et al, with **SCA 1**, entitled:

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the administration of asthma related rescue medication by school nurses.

Was taken up by Senator Schmitt.

SCA 1 was taken up.

Senator Schmitt moved that the above committee amendment be adopted, which motion prevailed.

On motion of Senator Schmitt, **HB 1188**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Kehoe	Kraus	Lager	Lembke	Mayer
McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Schaaf
Schaefer	Schmitt	Wasson	Wright-Jones—28				

NAYS—Senator Chappelle-Nadal—1

Absent—Senators

Keaveny	Lamping	Nieves	Rupp	Stouffer—5

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1179, introduced by Representative Hampton, et al, entitled:

An Act to repeal section 256.400, RSMo, and to enact in lieu thereof two new sections relating to major water users.

Was taken up by Senator Mayer.

On motion of Senator Mayer, **HB 1179** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Schaaf	Schaefer	Schmitt	Wasson	Wright-Jones—29			

NAYS—Senators—None

Absent—Senators

Green	Keaveny	Nieves	Rupp	Stouffer—5

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Mayer, title to the bill was agreed to.

Senator Mayer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1331, introduced by Representatives Jones (117), et al, with **SCS**, entitled:

An Act to repeal section 104.603, RSMo, and to enact in lieu thereof one new section relating to reciprocal transfer of creditable service for state retirement systems.

Was taken up by Senator Kehoe.

SCS for **HB 1331**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1331

An Act to repeal sections 104.603, 104.1084, and 104.1091, RSMo, and to enact in lieu thereof three new sections relating to retirement.

Was taken up.

Senator Kehoe moved that **SCS** for **HB 1331** be adopted, which motion prevailed.

Senator Kehoe moved that **SCS** for **HB 1331** be read the 3rd time and passed and was recognized to close.

President Pro Tem Mayer referred **SCS** for **HB 1331** to the Committee on Ways and Means and Fiscal Oversight.

HB 1128, introduced by Representative Largent, entitled:

An Act to amend chapter 41, RSMo, by adding thereto three new sections relating to military honors.

Was taken up by Senator Kraus.

Senator Kraus offered **SS** for **HB 1128**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 1128

An Act to amend chapters 9 and 41, RSMo, by adding thereto five new sections relating to military honors.

Senator Kraus moved that **SS** for **HB 1128** be adopted.

Senator Ridgeway assumed the Chair.

At the request of Senator Kraus, **HB 1128**, with **SS** (pending), was placed on the Informal Calendar.

HB 1680, introduced by Representative Davis, et al, entitled:

An Act to repeal section 620.515, RSMo, and to enact in lieu thereof one new section relating to the Show-Me heroes program.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **HB 1680** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Kehoe Stouffer—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Brown, **HCS** for **HB 1123** was placed on the Informal Calendar.

At the request of Senator Parson, **HB 1103** was placed on the Informal Calendar.

HCS for **HB 1525**, with **SCS**, entitled:

An Act to repeal sections 221.105, 559.016, 559.036, 559.100, and 559.115, RSMo, and to enact in lieu thereof eight new sections relating to criminal offenders under the supervision of the department of corrections, with penalty provisions.

Was taken up by Senator Goodman.

SCS for **HCS** for **HB 1525**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1525

An Act to repeal sections 221.105, 559.016, 559.036, 559.100, and 559.115, RSMo, and to enact in lieu thereof eight new sections relating to criminal offenders under the supervision of the department of corrections, with penalty provisions.

Was taken up.

Senator Goodman moved that **SCS** for **HCS** for **HB 1525** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **HCS** for **HB 1525** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Ridgeway	Rupp
Schaaf	Schaefer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell Cunningham—2

Absent—Senators

Kehoe Richard Schmitt Stouffer—4

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1495**, with **SCS**, entitled:

An Act to repeal section 375.993, RSMo, and to enact in lieu thereof one new section relating to the reporting of insurance fraud.

Was taken up by Senator Wasson.

SCS for **HCS** for **HB 1495**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1495

An Act to repeal section 375.993, RSMo, and to enact in lieu thereof one new section relating to fraudulent insurance acts.

Was taken up.

Senator Wasson moved that **SCS** for **HCS** for **HB 1495** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **HCS** for **HB 1495** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Kehoe Stouffer—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1112, introduced by Representative Gosen, with **SCS**, entitled:

An Act to repeal sections 376.010, 376.015, and 376.307, RSMo, and to enact in lieu thereof three new sections relating to life insurance companies.

Was taken up by Senator Rupp.

SCS for **HB 1112**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1112

An Act to repeal sections 376.010, 376.015, and 376.307, RSMo, and to enact in lieu thereof three new sections relating to life, health, and accident insurance.

Was taken up.

Senator Rupp moved that **SCS** for **HB 1112** be adopted, which motion prevailed.

On motion of Senator Rupp, **SCS** for **HB 1112** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Wasson—30		

NAYS—Senators

Chappelle-Nadal Wright-Jones—2

Absent—Senators

Kehoe Stouffer—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1042**, with **SCS**, entitled:

An Act to repeal sections 173.005 and 173.040, RSMo, and to enact in lieu thereof two new sections relating to duties prescribed to the coordinating board for higher education, with a penalty provision.

Was taken up by Senator Pearce.

SCS for **HCS** for **HB 1042**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1042

An Act to repeal sections 173.005, 173.040, 173.606, 173.608, 173.612, 173.614, 173.616, and 173.618, RSMo, and to enact in lieu thereof eight new sections relating to duties prescribed to the coordinating board for higher education, with a penalty provision.

Was taken up.

Senator Pearce moved that **SCS** for **HCS** for **HB 1042** be adopted.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1042, Page 3, Section 173.005, Line 52, by inserting immediately after the word "missions" the following: "**and total funding per student**".

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1042, Page 1, In the Title, Line 4, by striking the following: "duties prescribed to the coordinating board for"; and

Further amend said bill, page 14, section 173.618, line 11, by inserting immediately after said line the following:

"174.332. 1. Notwithstanding the provisions of section 174.050 to the contrary, the board of regents of Northwest Missouri State University shall be composed of nine members, eight of whom shall be voting members and one who shall be a nonvoting member. Not more than four voting members shall belong to any one political party. **Not more than two voting members shall be residents of the same county.** The appointed members of the board serving on August 28, 2008, shall continue to serve until the expiration of the terms for which the appointed members were appointed and until such time a successor is duly appointed.

2. The board of regents shall be appointed as follows:

(1) Six voting members shall be residents of the university's historic statutory service region, as described in section 174.010 and modified by section 174.250, provided at least one member shall be a resident of Nodaway County;

(2) Two voting members shall be residents of a county in the state that is outside the university's historic statutory service region, as described in section 174.010 and modified by section 174.250, provided these two members shall not be appointed from the same congressional district; and

(3) One nonvoting member shall be a full-time student of the university, a United States citizen, and a resident of Missouri.

3. A majority of the voting members of the board shall constitute a quorum for the transaction of business; however, no appropriation of money nor any contract that shall require any appropriation or disbursement of money shall be made, nor teacher employed or dismissed, unless a majority of the voting members of the board vote for the same.

4. Except as specifically provided in this section, the appointments and terms of office for the voting and nonvoting members of the board, and all other duties and responsibilities of the board, shall comply with the provisions of state law regarding boards of regents.

174.450. 1. Except as provided in subsection 2 and subsection 6 of this section, the governing board of **the University of** Central Missouri **[**State University**]**, Missouri State University, Missouri Southern State University, Missouri Western State University, and of each other public institution of higher education which, through the procedures established in subdivision (7) or (8) of section 173.030, is charged with a statewide mission shall be a board of governors consisting of eight members, composed of seven voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party. The appointed members of the board of regents serving on the date of the statutory mission change shall become members of the board of governors on the effective date of the statutory mission change and serve until the expiration of the terms for which they were appointed. The board of regents of any such institution shall be abolished on the effective date of the statutory mission change, as prescribed in subdivision (7) or (8) of section 173.030.

2. The governing board of Missouri State University, a public institution of higher education charged with a statewide mission in public affairs, shall be a board of governors of ten members, composed of nine voting members and one nonvoting member, who shall be appointed by the governor, by and with the advice and consent of the senate. The nonvoting member shall be a student selected in the same manner as prescribed in section 174.055. At least one but no more than two voting members shall be appointed to the board from each congressional district, and every member of the board shall be a citizen of the United States, and a resident of this state for at least two years prior to his or her appointment. No more than five voting members shall belong to any one political party. The term of office of the governors shall be six years**, except as provided in this subsection**. **[**The voting members of the board of governors serving on August 28, 2005, shall serve until the expiration of the terms for which they were appointed. For those voting members appointed after August 28, 2005, the term of office will be established in a manner where no more than three terms shall expire in a given year.**]** The term of office for those appointed hereafter shall end January first in years ending in an odd number. **For the six voting members' terms that expired in**

2011, the successors shall be appointed in the following manner:

(1) Of the five voting members' terms that expired on August 28, 2011, one successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2013;

(2) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to terms that shall expire on January 1, 2015;

(3) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to a term that shall expire on January 1, 2017; and

(4) For the voting member's term that expired on January 1, 2011, the successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2017.

Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.

3. If a voting member of the board of governors of Missouri State University is found by unanimous vote of the other governors to have moved such governor's residence from the district from which such governor was appointed, then the office of such governor shall be forfeited and considered vacant.

4. Should the total number of Missouri congressional districts be altered, all members of the board of governors of Missouri State University shall be allowed to serve the remainder of the term for which they were appointed.

5. Should the boundaries of any congressional districts be altered in a manner that displaces a member of the board of governors of Missouri State University from the congressional district from which the member was appointed, the member shall be allowed to serve the remainder of the term for which the member was appointed.

6. The governing board of Missouri Southern State University shall be a board of governors consisting of nine members, composed of eight voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party."; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Pearce moved that **SCS** for **HCS** for **HB 1042**, as amended, be adopted, which motion prevailed.

On motion of Senator Pearce, **SCS** for **HCS** for **HB 1042**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Kehoe	Rupp	Stouffer—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1504, introduced by Representative Richardson, with **SCS**, entitled:

An Act to repeal sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 144.805, and 182.802, RSMo, and to enact in lieu thereof nine new sections relating to sales taxes, with an emergency clause for certain sections.

Was taken up by Senator Lamping.

SCS for **HB 1504**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1504

An Act to repeal sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 144.805, and 182.802, RSMo, and to enact in lieu thereof twenty-nine new sections relating to sales taxes, with an emergency clause for certain sections.

Was taken up.

Senator Lamping moved that **SCS** for **HB 1504** be adopted.

Senator Pearce assumed the Chair.

Senator Justus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1504, Page 18, Section 67.5038, Line 8, by inserting after all of said line the following:

"92.338. 1. All applicable provisions contained in sections 144.010 to 144.510 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed

by sections 92.325 to 92.340, except as modified in sections 92.325 to 92.340.

2. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.510 are hereby made applicable to the imposition and collection of the tax imposed by sections 92.325 to 92.340. **Notwithstanding the provisions of this subsection, the governing body of any city that imposes a convention and tourism tax pursuant to sections 92.325 to 92.340 may pass an ordinance and seek voter approval to collect the tax from certain transient guests who are otherwise exempt under this subsection. Such proposition shall be submitted to the voters at a citywide general or primary election or at a special election called for that purpose. It shall be submitted in a form set by the governing body.**

3. **Except as provided in subsection 2 of this section,** the same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.510 for the administration and collection of the state sales tax shall satisfy the requirements of sections 92.325 to 92.340, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by sections 92.325 to 92.340.

4. The person, firm or corporation subject to any tax imposed pursuant to sections 92.325 to 92.340 shall collect the tax from the transient guests and patrons of the food establishment and each such transient guest and patron of the food establishment shall pay the amount of the tax due to the person, firm or corporation required to collect the tax. The city shall permit the person required to remit the tax to deduct and retain an amount equal to two percent of the taxes collected. The city governing body may either require the license collector of the city to collect the tax imposed by sections 92.325 to 92.340 or may enter into an agreement with the director of revenue to have the director collect such tax on behalf of the city. In the event such an agreement is entered into, the director of revenue shall perform all functions incident to the collection, enforcement and operation of such tax, and the director shall collect the tax on behalf of the city and shall transfer the funds collected to the city license collector, except for an amount not less than one percent nor more than three percent, which shall be retained by the director for costs of collection. If the director of revenue is to collect such tax, the tax shall be collected and reported upon such forms and under such administrative rules and regulations as the director may prescribe. All refunds and penalties as provided in sections 144.010 to 144.525 are hereby made applicable to violations of sections 92.325 to 92.340.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator McKenna offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 1504, Page 2, Section 67.750, Line 29, by inserting at the end of said line the following:

“67.1360. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) A city with a population of more than seven thousand and less than seven thousand five hundred;

(2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the

voters of such county prior to January 1, 2003;

(3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;

(4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;

(5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;

(8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;

(9) Any county of the second classification without a township form of government and a population of less than thirty thousand;

(10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;

(11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;

(14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;

(15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(16) Any third class city with a population of more than three thousand eight hundred but less than four

thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the

portion of the school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants;

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(34) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants; **[**or**]**

(35) Any city of the fourth classification with more than three thousand eight hundred but fewer than four thousand inhabitants and located in more than one county; provided, however, that motels owned by not-for-profit organizations are exempt**; or**

(36) Any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes."; and

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

Senator Richard offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Bill No. 1504, Page 18, Section 67.5038, Line 8, by inserting after all of said line the following:

"144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment.

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was

reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing

jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**] 8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**] 9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**] 10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend the title and enacting clause accordingly.

Senator Richard moved that the above amendment be adopted, which motion prevailed.

Senator Wasson offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Bill No. 1504, Page 18, Section 67.5038, Line 8, by inserting after all of said line the following:

"71.625. **1.** The timely payment of a license tax due to any municipal corporation in this state, or any county pursuant to section 66.300, which is delivered by United States mail to the municipality or county office designated by such municipality or county office to receive such payments, shall be deemed paid as of the postmark date stamped on the envelope or other cover in which such payment is mailed. In the event any payment of tax due is sent by registered or certified mail, the date of the registration or certification shall be deemed the postmark date. No additional tax, penalty or interest shall be imposed by any

municipality or county on any taxpayer whose payment is delivered by United States mail, if the postmark date stamped on the envelope or other cover containing such payment falls within the prescribed period on or before the prescribed date, including any extension granted, for making the payment. When the last day for making any license tax payment, including extensions, falls on a Saturday, a Sunday, or a legal holiday in this state, the payment shall be considered timely if the payment is made on the next succeeding day which is not a Saturday, Sunday or legal holiday.

2. Except as otherwise provided by law, the interest provisions of section 144.170 and penalty provisions of section 144.250 relating to delinquent sales taxes shall apply to delinquent taxes due as a result of the imposition of a license tax by any municipal corporation. The limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.510."; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Bill No. 1504, Page 11, Section 67.5012, Line 10, by inserting at the end of said line the following:

"**The question of whether to continue to impose the one-tenth of one cent local sales tax authorized under this section shall be submitted to the voters of the county every six years after the voters of that county approved the initial imposition of the tax.**"

Senator Kraus moved that the above amendment be adopted.

Senator Lamping offered **SA 1** to **SA 5**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 5

Amend Senate Amendment No. 5 to Senate Committee Substitute for House Bill No. 1504, Page 1, Line 5, by striking the word "six" and inserting in lieu thereof the following: "**twenty-three**".

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

SA 5, as amended, was again taken up.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Under the provisions of Senate Rule 91, Senator Lager was excused from voting on the adoption, 3rd reading and the emergency clause on **SCS** for **HCS** for **HB 1504**, as amended.

Senator Schaaf offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Bill No. 1504, Page 8, Section 67.1754, Line 81of said page, by inserting after all of said line the following:

"67.2500. 1. A theater, cultural arts, and entertainment district may be established in the manner provided in section 67.2505 by the governing body of any county, city, town, or village that has adopted

transect-based zoning under chapter 89, any county described in this subsection, or any city, town, or village that is within such counties:

(1) Any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants;

(2) Any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants;

(3) Any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants;

(4) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(5) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(6) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants**;**

(7) Any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat.

2. Sections 67.2500 to 67.2530 shall be known as the "Theater, Cultural Arts, and Entertainment District Act".

3. As used in sections 67.2500 to 67.2530, the following terms mean:

(1) "District", a theater, cultural arts, and entertainment district organized under this section;

(2) "Qualified electors", "qualified voters", or "voters", registered voters residing within the district or subdistrict, or proposed district or subdistrict, who have registered to vote pursuant to chapter 115 or, if there are no persons eligible to be registered voters residing in the district or subdistrict, proposed district or subdistrict, property owners, including corporations and other entities, that are owners of real property;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115; and

(4) "Subdistrict", a subdivision of a district, but not a separate political subdivision, created for the purposes specified in subsection 5 of section 67.2505.

67.2510. As a complete alternative to the procedure establishing a district set forth in section 67.2505, a theater, cultural arts, and entertainment district may be established in the manner provided in section 67.2515 by a circuit court with jurisdiction over any county, city, town, or village that has adopted transect-based zoning under chapter 89, any county described in this section, or any city, town, or village that is within such counties:

(1) Any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants;

(2) Any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants;

(3) Any county of the first classification with more than one hundred eighty-four thousand but fewer

than one hundred eighty-eight thousand inhabitants;

(4) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(5) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(6) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants**;**

(7) Any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat."; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Lamping moved that **SCS** for **HCS** for **HB 1504**, as amended, be adopted, which motion prevailed.

On motion of Senator Lamping, **SCS** for **HCS** for **HB 1504**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman	Justus
Keaveny	Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Richard
Schaaf	Schmitt	Wasson	Wright-Jones—20				

NAYS—Senators

Brown	Crowell	Cunningham	Kraus	Lembke	Nieves	Purgason	Ridgeway—8

Absent—Senators

Green	Kehoe	Rupp	Schaefer	Stouffer—5

Absent with leave—Senators—None

Excused from voting—Senator Lager—1

Vacancies—None

The President declared the bill passed.

The emergency clause failed to received the necessary two-thirds majority by the following vote:

YEAS—Senators

Callahan	Curls	Dempsey	Dixon	Goodman	Justus	Keaveny	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Schaaf	Schmitt
Wasson	Wright-Jones—18						

NAYS—Senators

Brown	Chappelle-Nadal	Crowell	Cunningham	Engler	Kraus	Lembke	Nieves
Purgason	Ridgeway—10						

Absent—Senators

Green	Kehoe	Rupp	Schaefer	Stouffer—5

Absent with leave—Senators—None

Excused from voting—Senator Lager—1

Vacancies—None

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 835**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTIONS OF GUESTS

Senator Nieves introduced to the Senate, former State Senator John Griesheimer, Washington; and Mark Vincent, Union.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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SIXTY-THIRD DAY–TUESDAY, MAY 1, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1117
HCS for HB 1758
HB 1592-Jones (89), et al
HCS for HB 1280
HCS for HBs 1741 & 1543
HCS for HB 1137
HB 2099-Elmer
HCS for HB 1818

HB 1540-Jones (89), et al
HCS for HB 1869
HCS for HB 1865
HCS for HB 1254

THIRD READING OF SENATE BILLS

SCS for SJR 51-Lembke (In Fiscal Oversight)
SCS for SB 835-Kehoe

HOUSE BILLS ON THIRD READING

1. HCS for HB 1623, with SCS (Schmitt)
2. HB 1073 & HCS for HB 1477-Sater, with SCS (Munzlinger)
3. HB 1039-Leara (Crowell)
4. HCS for HB 1400, with SCS
5. HCS for HB 1308 (Pearce)
6. HB 1250-Ruzicka, et al (Purgason)
7. HB 1051-Allen, et al, with SCS (Lager) (In Fiscal Oversight)
8. HBs 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 & 1878-Marshall, et al, with SCS (Schaaf)
9. HCS for HB 1527 (Crowell)
10. HB 1403-Schatz, et al (Dempsey) (In Fiscal Oversight)
11. HCS for HB 1108 (Parson)
12. HCS for HB 1094, with SCS (Munzlinger) (In Fiscal Oversight)
13. HCS for HB 1140, with SCS (Cunningham)
14. HB 1192-Koenig, et al
15. HB 1135-Smith (150), et al, with SCS (Dixon) (In Fiscal Oversight)
16. HCS#2 for HB 1462 (Munzlinger)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping

SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 788-Keaveny, with SCS (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HB 1103-Crawford and Wyatt (Parson)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HCS for HB 1123 (Brown)
HB 1128-Largent (Kraus), with SS (pending)
HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 2 to SSA 1 for SA 1 (pending) (Pearce)
HCS for HB 1193, with SCS (Engler)
SCS for HB 1331-Jones (117), et al (Kehoe) (In Fiscal Oversight)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8

SB 736-Engler, with HA 1

SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 568-Parson, with HCS, as amended

RESOLUTIONS

Reported from Committee

SCR 20-Rupp

SCR 21-Pearce, et al

SCR 26-Stouffer

HCR 31-Schieffer, et al (Dempsey)

HCR 36-Asbury, et al (Stouffer)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-THIRD DAY—TUESDAY, MAY 1, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"So let us not grow weary in doing what is right, for we will reap at harvest time, if we don't give up." (Galatians 6:9)

Gracious God, we have begun having those long days with several yet to come. Give us the strength to persist in spite of the obstacles that cross our path and do what is needful and right. May we face frustrations with steady calm minds that are open to what is possible and deal with each other with respect and courtesy for we know each is Your child and of worth. Keep us mindful of the service we each have been called to perform. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 2026, regarding Jack Schnieders, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 2027, regarding Don Schnieders, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 2028, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. John Fred Loman, Versailles, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **HCS** for **SB 568**, as amended. Representatives: Franz, Silvey, Brown (116), Webber and Meadows.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **HCS** for **HB 2001** and has taken up and passed **SS** for **HCS** for **HB 2001**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2002** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2003** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2004** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2005** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2006**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2007** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2008** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2009** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2010** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2011**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2012** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS** for **HCS** for **HB 2013** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HB 1475**, entitled:

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to tanning facilities, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 569**, entitled:

An Act to repeal sections 52.010, 54.033, 54.040, 54.330, 78.090, 115.123, 115.241, 115.342, 115.637, and 115.761, RSMo, and to enact in lieu thereof ten new sections relating to elections, with a penalty provision.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 3, Section 78.090, Line 23, by inserting after all of said line the following:

"79.070. No person shall be an alderman unless he or she is at least **[**twenty-one**] eighteen** years of age, a citizen of the United States, and an inhabitant and resident of the city for one year next preceding his or her election, and a resident, at the time he or she files and during the time he or she serves, of the ward from which he or she is elected."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 569, Page 3, Section 78.090, Line 23 by inserting after said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest

where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after

August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's

adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the

redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the

development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved

for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 569, Page 1, Section A, Line 4, by inserting after all of said line the following:

"**26.016. In the case of any vacancy for any cause in the office of lieutenant governor, the governor shall appoint an acting lieutenant governor to fill such vacancy for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the**

lieutenant governor under section 105.031. In cases of impeachment as provided in chapter 106, the lieutenant governor shall be suspended until the impeachment is determined. If the lieutenant governor is acquitted, the lieutenant governor shall be reinstated to office and the acting lieutenant governor shall be relieved of the duties of the office. If the lieutenant governor is convicted, the vacancy shall be filled in the same manner as provided in this section.

27.015. In the case of any vacancy for any cause in the office of attorney general, the governor shall appoint an acting attorney general to fill such vacancy for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the attorney general under section 105.031. The acting attorney general shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the attorney general shall be suspended until the impeachment is determined. If the attorney general is acquitted, the attorney general shall be reinstated to office and the acting attorney general shall be relieved of the duties of the office. If the attorney general is convicted, the vacancy shall be filled in the same manner as provided in this section.

28.190. In case of death, resignation, removal from office, impeachment**,** or vacancy from any cause in the office of secretary of state, the governor shall immediately appoint **[**a qualified person**] an acting secretary of state** to fill such vacancy for the remainder of the term in which such vacancy occurred **[**and**]** until **[**his**] a** successor is elected **[**or appointed, commissioned**]** and qualified**[**; and the governor shall take charge of the office and superintend its business until such person is appointed, commissioned and qualified; except that in case of impeachment the governor shall appoint a qualified person to serve only until such impeachment is determined, when the suspended officer, if acquitted, shall be reinstated in office, or if the suspended officer is convicted, a new appointment shall be made by the governor as in the case of other vacancies**] at the next election scheduled for the secretary of state under section 105.031. In cases of impeachment as provided in chapter 106, the secretary of state shall be suspended until the impeachment is determined. If the secretary of state is acquitted, the secretary of state shall be reinstated to office and the acting secretary of state shall be relieved of the duties of the office. If the secretary of state is convicted, the vacancy shall be filled in the same manner as provided in this section**.

29.280. When a vacancy occurs in the office of state auditor**,** the governor shall immediately appoint an **acting** auditor to fill such vacancy for the residue of the term in which the vacancy occurred**[**, and**]** until **[**his**] a** successor is elected **[**or appointed, commissioned**]** and qualified **at the next election scheduled for the state auditor under section 105.031. The acting auditor shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the auditor shall be suspended until the impeachment is determined. If the auditor is acquitted, the auditor shall be reinstated to office and the acting auditor shall be relieved of the duties of the office. If the auditor is convicted, the vacancy shall be filled in the same manner as provided in this section**.

30.060. In case of death, resignation, removal from office, impeachment**,** or vacancy from any cause**[**,**]** in the office of the state treasurer, the governor shall **appoint an acting state treasurer to fill such vacancy for the remainder of the term in which such vacancy occurred until a successor is elected and qualified at the next election scheduled for the state treasurer under section 105.031. The acting state treasurer shall** take charge of such office and superintend the business thereof until a successor is

[appointed, commissioned**] elected** and qualified **[**except**].** In case of impeachment, **[**when no appointment shall be made until a determination of the matter is had, when, in the event of an acquittal, the suspended officer shall be reinstated in office**] the state treasurer shall be suspended until the impeachment is determined. If the state treasurer is acquitted, the state treasurer shall be reinstated to office and the acting state treasurer shall be relieved of the duties of the office. If the treasurer is convicted, the vacancy shall be filled in the same manner as provided in this section**.

30.080. Immediately after the appointment **or election** and qualification of a state treasurer, made to fill any vacancy occurring in said office, or the resumption of **[**his**]** duties by said officer, after the removal of any disability or temporary suspension therefrom the general assembly if in session, or, if such assembly be not in session, then the governor, shall cause a settlement to be made of the accounts of the former state treasurer, or any such office ad interim, remaining unsettled, and ascertain what balance, if any, is due the state or such officer, as the case may be."; and

Further amend said bill, Page 3, Section 78.090, Line 23, by inserting after all of said line the following:

"105.030. **1.** Whenever any vacancy, caused in any manner or by any means whatsoever, occurs or exists in any state or county office originally filled by election of the people, other than in the offices of lieutenant governor, **attorney general, secretary of state, state auditor, state treasurer,** state senator or representative, sheriff, or recorder of deeds in the city of St. Louis, the vacancy shall **only** be filled by appointment by the governor except that when a vacancy occurs in the office of county assessor after a general election at which a person other than the incumbent has been elected, the person so elected shall be appointed to fill the remainder of the unexpired term; and the person appointed after duly qualifying and entering upon the discharge of **[**his**] the** duties under the appointment shall continue in office until the first Monday in January next following the first ensuing general election, at which general election a person shall be elected to fill the unexpired portion of the term, or for the ensuing regular term, as the case may be, and the person so elected shall enter upon the discharge of the duties of the office the first Monday in January next following his election, except that when the term to be filled begins on any day other than the first Monday in January, the appointee of the governor shall be entitled to hold the office until such other date. This section shall not apply to vacancies in county offices in any county which has adopted a charter for its own government under section 18, article VI of the constitution. Any vacancy in the office of recorder of deeds in the city of St. Louis shall be filled by appointment by the mayor of that city.

2. Any vacancy occurring in the offices of lieutenant governor, attorney general, secretary of state, state auditor, or state treasurer shall be filled by the appointment of an acting lieutenant governor, acting attorney general, acting secretary of state, acting state auditor, or acting state treasurer by the governor, or by a special election called for such purpose under section 105.031. No person appointed by the governor under this subsection shall be eligible to be a candidate for such office to which such person was appointed under this subsection at the election to fill such office immediately following such person's appointment, but may be a candidate for such office after one intervening election has been held.

105.031. In the case of a vacancy for cause in the offices of senator of the United States from this state, lieutenant governor, attorney general, secretary of state, state auditor, or state treasurer, such vacancy shall be filled by a special election called by the governor at the same time as the general election when there is a general election scheduled before the expiration of the term of such offices as required by section 17, article IV, Constitution of Missouri, or Amendment XVII of the

Constitution of the United States. If there is no general election scheduled prior to the expiration of the term of such offices, then the acting official appointed by the governor shall serve out the remainder of the full term in office. The candidate elected and qualified at a special election held on the general election day shall take office on January first immediately following such election, and shall relieve any acting official filling such vacancy of the duties of the office.

105.040. Whenever a vacancy in the office of senator of the United States from this state exists, the governor **[**, unless otherwise provided by law,**]** shall appoint **[**a person to fill such vacancy, who shall continue in office until a successor shall have been duly elected and qualified according to law**] an acting senator of the United States to fill the vacancy for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election under section 105.031**.

105.050. If any vacancy shall happen from any cause in the office of the **[**attorney general,**]** circuit attorney, prosecuting attorney or assistant prosecuting attorney, the governor, upon being satisfied that such vacancy exists, shall appoint some competent person to fill the same until the next regular election for **[**attorney general,**]** prosecuting attorney or assistant prosecuting attorney, as the case may be; provided, in the case of a vacancy in the office of prosecuting attorney, if there is no qualified person in the county who can or will accept such appointment, then the governor may appoint any person who possesses all the qualifications set forth in section 56.010, RSMo, except the qualification as to residence."; and

Further amend said bill, Page 8, Section 115.761, Line 31, by inserting after all of said line the following:

"**[**30.070. When a vacancy occurs in the office of state treasurer, the governor shall immediately appoint a state treasurer to fill such vacancy for the residue of the term in which the vacancy occurred, and until his successor is elected or appointed, commissioned and qualified.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 0569, Section 54.330, Page 2, Line 16, by inserting the following after all of said Line:

"**67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:**

(1) Later establishment or cessation of any park or recreation system provided by law; or

(2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". . . . . Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

(1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;

(2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;

(3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;

(4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;

(5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

(6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;

(7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;

(8) Establish and collect reasonable charges for the use of the facilities of the district;

(9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and

(10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of . . . . ., state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". . . . . Parks, Trails, and Greenways

District", and further shall a local sales tax of one tenth of one cent be levied and collected in ..... County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to . . . . County and the cities within the County for local park improvements?

☐ YES ☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of

revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint

two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county

or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall

any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 4, Section 115.123, Line 24, by inserting after all of said section and line the following:

"115.315. 1. Sections 115.315 to 115.327 shall be known and may be cited as the "Fair Ballot Access

Act".

2. Any group of persons desiring to form a new political party throughout the state, or for any congressional district, state senate district, state representative district or circuit judge district, shall file a petition with the secretary of state. Any group of persons desiring to form a new party for any county shall file a petition with the election authority of the county.

3. Each page or a sheet attached to each page of each petition for the formation of a new political party shall:

(1) Declare concisely the intention to form a new political party in the state, district or county;

(2) State in not more than five words the name of the proposed party;

(3) **[**If presidential electors are to be nominated by petition, at least one qualified resident of each congressional district shall be named as a nominee for presidential elector. The number of candidates to be nominated shall equal the number of electors to which the state is entitled, and the name of their candidate for president and the name of their candidate for vice president shall be printed on each page or a sheet attached to each page of the petition. The names of the candidates for president and vice president may be added to the party name, but the names of the candidates for president and vice president shall not be printed on the official ballot without the written consent of such persons. Their written consent shall accompany and be deemed part of the petition;

(4)**]** Give a complete list of the names and addresses, including the street and number, of the chairman and treasurer of the party.

4. When submitted for filing, each petition shall contain the names and addresses of two people, not candidates, to serve as provisional chairman and treasurer for the party in the event the party becomes a new political party.

5. If the new party is to be formed for the entire state, which shall include being formed for all districts and counties in which the party has nominations so listed on its certified list of candidates required pursuant to section 115.327, then this statewide petition shall be signed by at least ten thousand registered voters of the state obtained at large.

6. If the new party is to be formed for any district or county, but not by the statewide method set out in subsection 5 of this section, then the petition shall be signed by the number of registered voters in the district or county which is equal to at least two percent of the total number of voters who voted at the last election for candidates for the office being sought or is equal to ten thousand voters, whichever is less.

115.327. When submitted for filing, each petition for the nomination of an independent candidate or for the formation of a new political party shall be accompanied by a declaration of candidacy for each candidate to be nominated by the petition or by the party, respectively. The party's duly authorized chairman and treasurer shall also submit a certified complete list of the names and addresses of all their candidates and the office for which each seeks. The party shall nominate its candidates in the manner prescribed in the party's bylaws. **If presidential electors are to be nominated, at least one qualified resident of each congressional district shall be named as a nominee for presidential elector. The number of candidates to be nominated shall equal the number of electors to which the state is entitled.** Each declaration of candidacy for the office of presidential elector shall be in the form provided in section 115.399. Each declaration of candidacy for an office other than presidential elector shall state the candidate's full name,

residence address, office for which he proposes to be a candidate, the party, if any, upon whose ticket he is to be a candidate and that if nominated and elected he will qualify. Each such declaration shall be in substantially the following form:

I, ..., a resident and registered voter of the ..... precinct of the town of ..... or the ..... precinct of the ..... ward of the city of ....., or the ..... precinct of ..... township of the county of ..... and the state of Missouri, do announce myself a candidate for the office of ..... on the ..... ticket, to be voted for at the general (special) election to be held on the ..... day of ....., 20...., and I further declare that if nominated and elected I will qualify.

.....	Subscribed and sworn to
Signature of candidate	before me this .....
	day of ....., 20....
.....	.....
Residence address	Signature of election
	official or officer
	authorized to administer
	oaths

Each such declaration shall be subscribed and sworn to by the candidate before the election official accepting the candidate's petition, a notary public or other officer authorized by law to administer oaths."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 2, Section 54.330 , Line 16, by inserting after all of said section and line:

"67.1860. Sections 67.1860 to **[**67.1898**] 67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to **[**67.1898**] 67.1894**, the following terms mean:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;

(2) "Board", the board of directors of a district;

(3) "District", a law enforcement district organized **[**pursuant to**] under** sections 67.1860 to **[**67.1898**] 67.1894;**

(4) "Registered voter", any voter registered within the boundaries of the district or proposed district.

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification **[**without a charter form of government and a population of fifty thousand inhabitants or less**]**.

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district **[**or who is a**] and each** registered voter **[**resident**]** within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed **[**pursuant to**] under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required **[**pursuant to**] under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required **[**pursuant to**] under** section 67.1870.

5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

67.1868. 1. Any owner of real property within the proposed district and any **[**legal**] registered** voter **[**who is a resident**]** within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall **[**determine and declare**] order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized **[**pursuant to**] under** sections 67.1860 to **[**67.1898**] 67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created **[**pursuant to**] under** sections 67.1860 to **[**67.1898**] 67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters **[**resident**]** within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of **[**residents**] registered voters** of the district.

2. The attendees, when assembled, shall organize by **[**the election of**] electing** a chairman and secretary of the meeting **[**who**]. The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section,** each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the **[**residents**] registered voters** called by the board. **[**Each successor director shall serve a three-year term.**]** The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to **[**67.1898**] 67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the **[**qualified**] registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the ..... Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than ..... (insert amount) cents per hundred dollars

assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

[ ] YES [ ] NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to **[**67.1898**] 67.1894** the district shall have the following general powers:

(1) To contract with the **[**local**] county** sheriff's department for the provision of services;

(2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(3) To fix compensation of its employees and contractors;

(4) To purchase any personal property necessary or convenient for its activities;

(5) To collect and disburse funds for its activities; and

(6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. **[**The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.**]**

67.1894. **[**1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section

may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board**] Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question**."; and

Further amend said bill, Section 115.761, Page 8, Line 31 by inserting after all of said line the following:

"**[**67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to

hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.**]**

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the ..... Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

[ ] YES [ ] NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or

retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.**]**

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the ..... Law Enforcement District to adopt property taxes be terminated?

[ ] YES [ ] NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.**]**

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall ..... (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

[ ] YES [ ] NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and

liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 4, Section 115.123, Line 24, by inserting after all of said section and line, the following:

"115.305. **Except as provided in sections 115.348 and 115.350,** this subchapter shall not apply to candidates for special district offices, township offices in township organization counties, or city, town and village offices; provided that, cities of the fourth class, except those in a county of the first class with a charter form of government and which adjoins a city not within a county, may elect, only by ordinance, to hold primary elections in accordance with the provisions of sections 115.305 to 115.405 or in accordance with the provisions of sections 78.470, 78.480 and 78.510, and the ordinance shall state which of these provisions of law are being adopted."; and

Further amend said bill, Page 5, Section 115.342, Line 30, by inserting after all of said section and line, the following:

"115.348. No person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony or misdemeanor under the federal laws of the United States of America. **Notwithstanding the provisions of subdivision (22) of section 115.013 to the contrary, this section shall apply to any person seeking to qualify as a candidate for an elected office in cities of the fourth classification.**

115.350. No person shall qualify as a candidate for elective public office in the state of Missouri who has been convicted of or found guilty of or pled guilty to a felony under the laws of this state. **Notwithstanding the provisions of subdivision (22) of section 115.013 to the contrary, this section shall apply to any person seeking to qualify as a candidate for an elected office in cities of the fourth classification.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 3,

Section 78.090, Line 23, by inserting after all of said section and line the following:

"115.091. On commissioning or before entering upon his duties, each election judge shall take and subscribe the following oath:

I solemnly swear that I will **support and defend the Constitution of the United States and of this state, that I will** impartially discharge the duties of judge according to law**[,]** to the best of my ability**,** and that I will not disclose how any voter has voted unless I am required to do so as a witness in a proper judicial proceeding. I also affirm that I will not allow any person to vote who is not entitled to vote and that I will make no statement nor give any information of any kind tending in any way to show the state of the count prior to the close of the polls on election day.

Sworn and subscribed to before
me this .....day of ....., 20...

.....
Judge of Election

.....
Election Authority (Judge of Election)
witnessing oath"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Brown moved that the Senate refuse to concur in **HA 1**, **HA 2**, as amended, **HA 3**, **HA 4**, **HA 6** and **HA 8** to **SB 564** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Keaveny moved that **SB 788**, with **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SCS for **SB 788** was again taken up.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 788, Page 2, Section 483.015, Line 33, by inserting after "circuit" as it appears the second time on said line the following: "**and the nineteenth judicial circuit**"; and further amend line 35, by striking "circuit" and inserting in lieu thereof the following: "**circuits**"; and further amend line 37, by striking "circuit" and inserting in lieu thereof the following: "**circuits**".

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny moved that **SCS** for **SB 788**, as amended, be adopted, which motion prevailed.

On motion of Senator Keaveny, **SCS** for **SB 788**, as amended, was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

At the request of Senator Schmitt, **HCS** for **HB 1623**, with **SCS**, was placed on the Informal Calendar.

HB 1073, introduced by Representative Sater and **HCS** for **HB 1477**, with **SCS**, entitled respectively:

An Act to repeal section 276.401, RSMo, and to enact in lieu thereof one new section relating to the Missouri grain dealer law.

An Act to repeal section 276.401, RSMo, and to enact in lieu thereof one new section relating to the Missouri grain dealer law.

Was taken up by Senator Munzlinger.

SCS for **HB 1073** and **HCS** for **HB 1477**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1073 and
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1477

An Act to repeal sections 142.031, 178.530, 256.400, 270.270, 270.400, 276.401, and 414.255, RSMo, and to enact in lieu thereof nine new sections relating to agriculture, with an existing penalty provision.

Was taken up.

Senator Munzlinger moved that **SCS** for **HB 1073** and **HCS** for **HB 1477** be adopted.

Senator Stouffer assumed the Chair.

Senator Munzlinger offered **SS** for **SCS** for **HB 1073** and **HCS** for **HB 1477**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1073 and
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1477

An Act to repeal sections 142.031, 178.530, 256.400, 270.270, 270.400, and 276.401, RSMo, and to enact in lieu thereof eight new sections relating to agriculture, with an existing penalty provision.

Senator Munzlinger moved that **SS** for **SCS** for **HB 1073** and **HCS** for **HB 1477** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Page 18, Section 276.401, Line 16, by inserting after all of said line the following:

"350.015. After September 28, **[**1975**] 2007**, no corporation not already engaged in farming shall engage in farming; nor shall any corporation, directly or indirectly, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to agricultural land in this state; provided, however, that the restrictions set forth in this section shall not apply to the following:

(1) A bona fide encumbrance taken for purposes of security;

(2) A family farm corporation or an authorized farm corporation as defined in section 350.010;

(3) Agricultural land and land capable of being used for farming owned by a corporation as of

September 28, **[**1975**] 2007**, including the normal expansion of such ownership at a rate not to exceed twenty percent, measured in acres, in any five-year period, or agricultural land and land capable of being used for farming which is leased by a corporation in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of September 28, **[**1975**] 2007**, and the additional acreage for normal expansion at a rate not to exceed twenty percent in any five-year period, and the additional acreage reasonably necessary, whether to be owned or leased by a corporation, to meet the requirements of pollution control regulations;

(4) A farm operated wholly for research or experimental purposes, including seed research and experimentation and seed stock production for genetic improvements, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation;

(5) Agricultural land operated by a corporation for the purposes of growing nursery plants, vegetables, grain or fruit used exclusively for brewing or winemaking or distilling purposes and not for resale, for forest cropland or for the production of poultry, poultry products, fish or mushroom farming, production of registered breeding stock for sale to farmers to improve their breeding herds, for the production of raw materials for pharmaceutical manufacture, chemical processing, food additives and related products, and not for resale;

(6) Agricultural land operated by a corporation for the purposes of alfalfa dehydration exclusively and only as to said lands lying within fifteen miles of a dehydrating plant, and provided further said crops raised thereon shall be used only for further processing and not for resale in its original form;

(7) Any interest, when acquired by an educational, religious, or charitable not-for-profit or pro forma corporation or association;

(8) Agricultural land or any interest therein acquired by a corporation other than a family farm corporation or authorized farm corporation, as defined in section 350.010, for immediate or potential use in nonfarming purposes. A corporation may hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit, a family farm corporation or an authorized farm corporation, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901-3914), as amended, or a subsidiary or assign of such a corporation;

(9) Agricultural lands acquired by a corporation by process of law or voluntary conveyance in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that any corporation may hold for ten years real estate acquired in payment of a debt, by foreclosure or otherwise, and for such longer period as may be provided by law;

(10) The provisions of sections 350.010 to 350.030 shall not apply to the raising of hybrid hogs in connection with operations designed to improve the quality, characteristics, profitability, or marketability of hybrid hogs through selective breeding and genetic improvement where the primary purpose of such livestock raising is to produce hybrid hogs to be used by farmers and livestock raisers for the improvement of the quality of their herds;

(11) A bank or trust company acting as administrator or executor under the terms of a will or trustee under the terms of a testamentary or inter vivos trust created by the owner of a family farm, or an inter vivos

or testamentary trust, the principal of which is shares of a family farm corporation or authorized farm corporation and which trust is created by a shareholder of the family farm corporation or authorized farm corporation. However, a bank or trust company acting in the administration of an investment trust or a management trust formed with the primary purpose of making or managing investments or income-producing property and purchasing agricultural real estate with trust funds with the primary benefits accruing to investors or shareholders in the trust is not exempt from the provisions of sections 350.010 to 350.030;

(12) Agricultural land that on June 1, 1998, was in compliance with section 350.016."; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Green offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Pages 1-6, Section 142.031, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion failed.

Senator Pearce offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Page 9, Section 256.433, Line 16 of said page, by inserting immediately after all of said line the following:

"**262.598. 1. As used in this section, the following terms shall mean:**

(1) "Consolidated district", a district formed jointly by two or more councils;

(2) "Council", a University of Missouri extension council authorized under section 262.563;

(3) "District" or "extension district", a political subdivision formed by one or more councils;

(4) "Single-council district", a district formed by one council;

(5) "Governing body", the group of individuals who govern a district.

2. University of Missouri extension councils are hereby authorized to form extension districts made up of cooperating counties for the purpose of funding extension programming. An extension district may be a single-council district or a consolidated district. A single-council district shall be formed upon a majority vote of the full council. A consolidated district shall be formed upon a majority vote of each participating council.

3. In a single-council district, the council shall serve as the district's governing body. In addition to any other powers and duties granted to the council under sections 262.550 to 262.620, the council shall also have the powers and duties provided under subsection 5 of this section.

4. In a consolidated district, the governing body of the district shall consist of at least three, but no more than five, representatives appointed by each participating council. The term of office shall be two years. Representatives may be reappointed. This governing body shall elect officers, who shall serve as officers for two years, and establish a regular meeting schedule which shall be not less than once every three months.

5. The governing body of a district shall have the following powers and duties:

(1) Review the activities and annual budgets of each participating council;

(2) Determine, by September first of each year, the tax rate necessary to generate sufficient revenue to fund the extension programming in the district, which includes annual funding for each participating council for the costs of personnel and the acquisition, supply, and maintenance of each council's property, work, and equipment;

(3) Oversee the collection of any tax authorized under this section by ensuring the revenue is deposited into a special fund and monitoring the use of the funds to ensure they are used solely for extension programming in the district;

(4) Approve payments from the special fund in which the tax revenue is deposited; and

(5) Work cooperatively with each participating council to plan and facilitate the programs, equipment, and activities in the district.

6. The governing body of a district may submit a question to the voters of the district to institute a property tax levy in the county or counties that compose the district. Questions may be submitted to the voters of the district at any general municipal election. Any such proposed tax shall not exceed thirty cents per one hundred dollars of assessed valuation. Such question shall be submitted in substantially the following form:

"Shall the Extension District in ..... County (insert name of county) be authorized to levy an annual tax of ..... (insert amount not to exceed thirty) cents per one hundred dollars of assessed valuation for the purpose of funding the University of Missouri Extension District programs, equipment, and services in the district?"

In a single-council district, if a majority of the voters in the county approve the question, then the district shall impose the tax. In a consolidated district, if a majority of voters in each county in the district approve the tax, then the district shall impose the tax. In a consolidated district, if a majority of voters in a county do not approve the tax, the council in the county that did not approve the tax may withdraw from the district. Upon such withdrawal, the district shall be made up of the remaining counties and the tax shall be imposed in those counties. However, if the county that did not approve the tax does not withdraw from the district, the tax shall not be imposed. Revenues collected from the imposition of a tax authorized under this section shall be deposited into a special fund dedicated only for use by the local district for programming purposes. If a majority of the voters in a single-council district do not approve the question, then no tax shall be imposed. If a majority of the voters in a consolidated district do not approve the question, then no tax shall be imposed in any county of the district.

7. The county commission of any county in which the tax authorized under this section is levied and collected:

(1) Shall be exempt from the funding requirements under section 262.597 if revenue derived from the tax authorized under this section is in excess of an amount equal to two hundred percent of the average funding received under section 262.597 for the immediately preceding three years; or

(2) May reduce the current year's funding amount under section 262.597 by thirty-three percent of the amount of tax revenues derived from the tax authorized under this section which exceed the average amount of funding received under section 262.597 for the immediately preceding three years.

8. Any county that collects tax revenues authorized under this section shall transfer all attributable revenue plus monthly interest for deposit into the district's special fund. The governing body of the district shall comply with the prudent investor standard for investment fiduciaries as provided in section 105.688.

9. In any county in which a single-council district is established, and for which a tax has not been levied, the district may be dissolved in the same manner in which it was formed.

10. A county may withdraw from a consolidated district at any time by the filing of a petition with the circuit court having jurisdiction over the district. The petition shall be signed by not fewer than ten percent of those who voted in the most recent presidential election in the county seeking to withdraw that is part of a consolidated district stating that further operation of the district is contrary to the best interests of the inhabitants of the county in which the district is located and that the county seeks to withdraw from the district. The circuit court shall hear evidence on the petition. If the court finds that it is in the best interest of the inhabitants of the county in which the district is located for the county to withdraw from the district, the court shall make an order reciting the same and submit the question to the voters. The question shall be submitted in substantially the following format:

"Shall the County of ..... (insert name of county) being part of ..... (insert name of district) Extension District withdraw from the district?"

The question shall be submitted at the next general municipal election date. The election returns shall be certified to the court. If the court finds that two-thirds of the voters voting on the question voted in favor of withdrawing from the district, the court shall issue an order withdrawing the county from the district, which shall contain a proviso that the district shall remain intact for the sole purposes of paying all outstanding and lawful obligations and disposing of the district's property. No additional costs or obligations for the withdrawing county shall be created except as necessary. The withdrawal shall occur on the first day of the following January after the vote. If the court finds that two-thirds of the voters voting on the question shall not have voted favorably on the question to withdraw from the district, the court shall issue an order dismissing the petition and the district shall continue to operate.

11. The governing body of any district may seek voter approval to increase its current tax rate authorized under this section, provided such increase shall not cause the total tax to exceed thirty cents per one hundred dollars of assessed valuation. To propose such an increase, the governing body shall submit the question to the voters at the general municipal election in the county in which the district is located. The question shall be submitted in substantially the following form:

"Shall the Extension District in ..... (insert name of county or counties) be authorized to increase the tax rate from ..... (insert current amount of tax) cents to ..... (insert proposed amount of tax not to exceed thirty) cents per one hundred dollars of assessed valuation for the purpose of funding the

University of Missouri Extension District programs, equipment, and services in the district?"

In a single-council district, if a majority of the voters in the county approve the question, then the district shall impose the tax. In a consolidated district, if a majority of voters in the district approve the tax rate, then the district shall impose the new tax rate. Revenues collected from the imposition of the tax authorized under this section shall be deposited into the special fund dedicated only for use by the district. If a majority of the voters in a single-council district do not approve the question, then the tax shall not be imposed. If a majority of the voters in a consolidated district do not approve the question, then the tax shall not be imposed in any county of the district."; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

At the request of Senator Munzlinger, **HB 1073** and **HCS** for **HB 1477**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 788**, begs leave to report that it has considered the same and recommends that the bill do pass.

PRIVILEGED MOTIONS

Senator Schaefer requested unanimous consent of the Senate to be allowed to make one motion to send **SS** for **SCS** for **HCS** for **HB 2002**; **SS** for **SCS** for **HCS** for **HB 2003**; **SS** for **SCS** for **HCS** for **HB 2004**; **SS** for **SCS** for **HCS** for **HB 2005**; **SS** for **SCS** for **HCS** for **HB 2006**, as amended; **SS** for **SCS** for **HCS** for **HB 2007**; **SS** for **SCS** for **HCS** for **HB 2008**; **SS** for **SCS** for **HCS** for **HB 2009**; **SS** for **SCS** for **HCS** for **HB 2010**; **SS** for **SCS** for **HCS** for **HB 2011**, as amended; **SS** for **SCS** for **HCS** for **HB 2012**; and **SS** for **SCS** for **HCS** for **HB 2013** to conference in one motion, which request was denied.

Senator Schaefer requested unanimous consent of the Senate to be allowed to make one motion to send **SS** for **SCS** for **HCS** for **HB 2004**; **SS** for **SCS** for **HCS** for **HB 2005**; **SS** for **SCS** for **HCS** for **HB 2006**, as amended; **SS** for **SCS** for **HCS** for **HB 2007**; **SS** for **SCS** for **HCS** for **HB 2008**; **SS** for **SCS** for **HCS** for **HB 2009**; **SS** for **SCS** for **HCS** for **HB 2010**; **SS** for **SCS** for **HCS** for **HB 2011**, as amended; and **SS** for **SCS** for **HCS** for **HB 2013** to conference in one motion, which request was granted.

Senator Schaefer moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HB 2004**; **SS** for **SCS** for **HCS** for **HB 2005**; **SS** for **SCS** for **HCS** for **HB 2006**, as amended; **SS** for **SCS** for **HCS** for **HB 2007**; **SS** for **SCS** for **HCS** for **HB 2008**; **SS** for **SCS** for **HCS** for **HB 2009**; **SS** for **SCS** for **HCS** for **HB 2010**; **SS** for **SCS** for **HCS** for **HB 2011**, as amended; and **SS** for **SCS** for **HCS** for **HB 2013** and grant the House a conference thereon, which motion prevailed.

Senator Schaefer moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HB 2002** and grant the House a conference thereon, which motion prevailed.

Senator Schaefer moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HB 2003** and grant the House a conference thereon, which motion prevailed.

Senator Schaefer moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HB 2012** and grant the House a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 611**.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 611, Page 1, Section A, Line 2, by inserting after all of said line the following:

"304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, **or a stationary vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation displaying lighted amber or amber and white lights,** the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An "emergency vehicle" is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550**;**

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

(2) The driver of an emergency vehicle may:

(a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

7. Violation of this section shall be deemed a class A misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 611, Page 1, In the Title, Line 2, by deleting the word "the" on said line; and

Further amend said bill, page, and title, Lines 3-4 by deleting all of said lines and inserting in lieu thereof the following:

"motor vehicle operation."; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			

10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500

42	60,000	70,000	74,000	79,000
43	60,000	70,500	75,000	80,000
44	60,000	71,500	75,500	80,000
45	60,000	72,000	76,000	80,000
46	60,000	72,500	76,500	80,000
47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in **[**subsection**]** **subsections** 9 **and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an

annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. **(1)** Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log trucks as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds **[**while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36**]**. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**

(2) Any vehicle hauling greater than eighty thousand pounds under the provisions of this subsection, shall apply yearly to the department of transportation for a permit and upon payment of a twenty-five dollar fee, the department shall grant the applicant a permit. Upon renewal of the permit, an applicant shall submit to the department a list of roads traveled and the number of miles traveled on each road during the year.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 611, Page 1, Section A, Line 2, by inserting after all of said line the following:

"304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles**, except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality**;

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality.

Further amend page, Section 304.289, Line 8, by inserting after all of said line the following:

"**537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.

3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 611, Page 1, Section A, Line 2, by inserting after all of said section the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. **[**Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation

of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5.**]** **The director of revenue shall have authority to produce or allow others to produce a new temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase.** The temporary permit **[**shall be made available by the director of revenue and**]** **authorized under this section** may be purchased **by the purchaser of a motor vehicle or trailer** from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer**, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates**. The director **[**shall**]** **or a producer authorized by the director may** make temporary permits available to registered dealers in this state or authorized agents of the department of revenue **[**in sets of ten permits**]**. The **[**fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued**]** **price paid by a registered dealer or an authorized agent of the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director shall direct dealers and authorized agents to obtain temporary permits from the authorized producer. Amounts received by the director for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director shall not constitute state revenue and any amounts received by dealers or authorized agents for temporary permits purchased from a producer other than the director shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director under section 301.190**. No dealer or authorized agent shall charge more than **[**seven dollars and fifty cents**]** **five dollars** for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

[6.**]** **5.** The permit shall be issued on a form prescribed by the director and issued only for the applicant's **[**use in the**]** **temporary** operation of the motor vehicle or trailer purchased to enable the applicant to **[**legally**]** **temporarily** operate the vehicle while proper title and registration **[**plate**]** **plates** are being obtained**, or while awaiting receipt of registration plates**, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size **[**and**]**, **material, design, reporting and tracking method to the Missouri uniform law enforcement system,** numbering configuration, construction, and color of the permit. **The director, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.**

[7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit.**]**

6. Every dealer that issues **[**a**]** temporary **[**permit**]** **permits** shall keep, for inspection **[**of**]** **by** proper

officers, **[**a correct**] an accurate** record of each permit issued by recording the permit **[**or plate**]** number, **the dealer's number,** buyer's name and address, **the vehicle's** year, make, **and** manufacturer's vehicle identification number **[**on which the permit is to be used**]**, and the **permit's** date of issuance **and expiration date**.

[8.**] 7.** Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of **[**twelve**] fifty-four** thousand pounds gross weight, the option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application and proof of insurance as required by section 303.026.

2. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

3. The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration must be maintained

for the full twenty-four month period.

301.559. 1. It shall be unlawful for any person to engage in business as or act as a motor vehicle dealer, boat dealer, manufacturer , boat manufacturer, public motor vehicle auction, wholesale motor vehicle auction or wholesale motor vehicle dealer without first obtaining a license from the department as required in sections 301.550 to 301.573. Any person who maintains or operates any business wherein a license is required pursuant to the provisions of sections 301.550 to 301.573, without such license, is guilty of a class A misdemeanor. Any person committing a second violation of sections 301.550 to 301.573 shall be guilty of a class D felony.

2. All dealer licenses shall expire on December thirty-first of **[**each year**] the designated license period**. The department shall notify each person licensed under sections 301.550 to 301.573 of the date of license expiration and the amount of the fee required for renewal. The notice shall be mailed at least ninety days before the date of license expiration to the licensee's last known business address. **The director shall have the authority to issue licenses valid for a period of up to two years and to stagger the license periods for administrative efficiency and equalization of workload, at the sole discretion of the director.**

3. Every manufacturer, boat manufacturer, motor vehicle dealer, wholesale motor vehicle dealer, wholesale motor vehicle auction, boat dealer or public motor vehicle auction shall make application to the department for issuance of a license. The application shall be on forms prescribed by the department and shall be issued under the terms and provisions of sections 301.550 to 301.573 and require all applicants, as a condition precedent to the issuance of a license, to provide such information as the department may deem necessary to determine that the applicant is bona fide and of good moral character, except that every application for a license shall contain, in addition to such information as the department may require, a statement to the following facts:

(1) The name and business address, not a post office box, of the applicant and the fictitious name, if any, under which he intends to conduct his business; and if the applicant be a partnership, the name and residence address of each partner, an indication of whether the partner is a limited or general partner and the name under which the partnership business is to be conducted. In the event that the applicant is a corporation, the application shall list the names of the principal officers of the corporation and the state in which it is incorporated. Each application shall be verified by the oath or affirmation of the applicant, if an individual, or in the event an applicant is a partnership or corporation, then by a partner or officer;

(2) Whether the application is being made for registration as a manufacturer, boat manufacturer, new motor vehicle franchise dealer, used motor vehicle dealer, wholesale motor vehicle dealer, boat dealer, wholesale motor vehicle auction or a public motor vehicle auction;

(3) When the application is for a new motor vehicle franchise dealer, the application shall be accompanied by a copy of the franchise agreement in the registered name of the dealership setting out the appointment of the applicant as a franchise holder and it shall be signed by the manufacturer, or his authorized agent, or the distributor, or his authorized agent, and shall include a description of the make of all motor vehicles covered by the franchise. The department shall not require a copy of the franchise agreement to be submitted with each renewal application unless the applicant is now the holder of a franchise from a different manufacturer or distributor from that previously filed, or unless a new term of agreement has been entered into;

(4) When the application is for a public motor vehicle auction, that the public motor vehicle auction has met the requirements of section 301.561.

4. No insurance company, finance company, credit union, savings and loan association, bank or trust company shall be required to obtain a license from the department in order to sell any motor vehicle, trailer or vessel repossessed or purchased by the company on the basis of total destruction or theft thereof when the sale of the motor vehicle, trailer or vessel is in conformance with applicable title and registration laws of this state.

5. No person shall be issued a license to conduct a public motor vehicle auction or wholesale motor vehicle auction if such person has a violation of sections 301.550 to 301.573 or other violations of chapter 301, sections 407.511 to 407.556, or section 578.120 which resulted in a felony conviction or finding of guilt or a violation of any federal motor vehicle laws which resulted in a felony conviction or finding of guilt.

6. Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after the effective date, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 611, Page 1, In the Title, Line 2, by deleting the word, "the"; and

Further amend said bill, page, In the Title, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the words, "state agencies that regulate motor vehicles."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

"32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are

transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections

144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of **[**his**] the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one

hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering **[**himself**]** **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on **[**his**]** **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. **[**He**]** **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by **[**him**]** **such person** under the local sales tax law or in the event a determination has been made against **[**him**]** **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to

a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all

of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise,

and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt

becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied

proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department."

105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense

fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.

140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order

has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the

new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the

transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile

Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**] 8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**] 9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**] 10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend said bill, page, Section 304.289, Line 8, by inserting after all of said section, the following:

"Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Bill No. 611, Page 1, Section 304.289, Line 8, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend Senate Bill No. 611, Page 1, Section A , Line 2, by inserting after all of said section and line the following:

"302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record **if the individual was not**

operating a commercial motor vehicle or a commercial driver's license holder at the time of the offense. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for traffic violations occurring on state highways, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

302.700. 1. Sections 302.700 to 302.780 may be cited as the "Uniform Commercial Driver's License Act".

2. When used in sections 302.700 to 302.780, the following words and phrases mean:

(1) "Alcohol", any substance containing any form of alcohol, including, but not limited to, ethanol, methanol, propanol and isopropanol;

(2) "Alcohol concentration", the number of grams of alcohol per one hundred milliliters of blood or the number of grams of alcohol per two hundred ten liters of breath or the number of grams of alcohol per sixty-seven milliliters of urine;

(3) **"CDLIS driver record", the electronic record of the individual commercial driver's status and history stored by the state of record as part of the Commercial Driver's License Information System (CDLIS) established under 49 U.S.C. Section 31309, et seq.;**

(4) "CDLIS motor vehicle record (CDLIS MVR)", a report generated from the CDLIS driver record which meets the requirements for access to CDLIS information and is provided by states to users authorized in 49 CFR Part 384, subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, et seq.;

(5) "Commercial driver's instruction permit", a permit issued pursuant to section 302.720;

[(4)**] (6)** "Commercial driver's license", a license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle;

[(5)**] (7) "Commercial driver's license downgrade", occurs when:**

(a) A driver changes the self-certification to interstate, but operates exclusively in transportation or operation excepted from 49 CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or 398.3;

(b) A driver changes the self-certification to intrastate only, if the driver qualifies under the state's physical qualification requirements for intrastate only;

(c) A driver changes the self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or

(d) The state removes the commercial driver's license privilege from the driver's license;

(8) "Commercial driver's license information system **(CDLIS)**", the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;

[(6)**] (9)** "Commercial motor vehicle", a motor vehicle designed or used to transport passengers or property:

(a) If the vehicle has a gross combination weight rating of twenty-six thousand one or more pounds inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds or more;

(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand one or more pounds or such lesser rating as determined by federal regulation;

(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or

(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801, et seq.);

[(7)**] (10)** "Controlled substance", any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes all substances listed in schedules I through V of 21 CFR part 1308, as they may be revised from time to time;

[(8)**] (11)** "Conviction", an unvacated adjudication of guilt, including pleas of guilt and nolo contendre, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative proceeding, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended or prorated, including an offense for failure to appear or pay;

[(9)**] (12)** "Director", the director of revenue or his authorized representative;

[(10)**] (13)** "Disqualification", any of the following three actions:

(a) The suspension, revocation, or cancellation of a commercial driver's license;

(b) Any withdrawal of a person's privileges to drive a commercial motor vehicle by a state**, Canada, or Mexico** as the result of a violation of federal, state, county, municipal, or local law relating to motor vehicle traffic control or violations committed through the operation of motor vehicles, other than parking, vehicle weight, or vehicle defect violations;

(c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

[(11)**] (14)** "Drive", to drive, operate or be in physical control of a commercial motor vehicle;

[(12)**] (15)** "Driver", any person who drives, operates, or is in physical control of a motor vehicle, or who is required to hold a commercial driver's license;

(16) "Driver applicant", an individual who applies to obtain, transfer, upgrade, or renew a commercial driver's license in this state;

[(13)**] (17)** "Driving under the influence of alcohol", the commission of any one or more of the following acts:

(a) Driving a commercial motor vehicle with the alcohol concentration of four one-hundredths of a percent or more as prescribed by the secretary or such other alcohol concentration as may be later determined by the secretary by regulation;

(b) Driving a commercial or noncommercial motor vehicle while intoxicated in violation of any federal or state law, or in violation of a county or municipal ordinance;

(c) Driving a commercial or noncommercial motor vehicle with excessive blood alcohol content in violation of any federal or state law, or in violation of a county or municipal ordinance;

(d) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance; or

(e) Having any state, county or municipal alcohol-related enforcement contact, as defined in subsection 3 of section 302.525; provided that any suspension or revocation pursuant to section 302.505, committed in a noncommercial motor vehicle by an individual twenty-one years of age or older shall have been committed by the person with an alcohol concentration of at least eight-hundredths of one percent or more, or in the case of an individual who is less than twenty-one years of age, shall have been committed by the person with an alcohol concentration of at least two-hundredths of one percent or more, and if committed in a commercial motor vehicle, a concentration of four-hundredths of one percent or more;

[(14)**] (18)** "Driving under the influence of a controlled substance", the commission of any one or more of the following acts in a commercial or noncommercial motor vehicle:

(a) Driving a commercial or noncommercial motor vehicle while under the influence of any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), including any substance listed in schedules I through V of 21 CFR Part 1308, as they may be revised from time to time;

(b) Driving a commercial or noncommercial motor vehicle while in a drugged condition in violation of any federal or state law or in violation of a county or municipal ordinance; or

(c) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance;

[(15)**] (19)** "Employer", any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a driver to operate such a vehicle;

(20) "Endorsement", an authorization on an individual's commercial driver's license permitting the individual to operate certain types of commercial motor vehicles;

[(16)**] (21)** "Farm vehicle", a commercial motor vehicle controlled and operated by a farmer used exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty miles of the farm, other than one which requires placarding for hazardous materials as defined in this section, or used in the operation of a common or contract motor carrier, except that a farm vehicle shall not be a commercial motor vehicle when the total combined gross weight rating does not exceed twenty-six thousand one pounds when transporting fertilizers as defined in subdivision **[**(21)**] (27)** of this subsection;

[(17)**] (22)** "Fatality", the death of a person as a result of a motor vehicle accident;

[(18)**] (23)** "Felony", any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year;

(24) "Foreign", outside the fifty states of the United States and the District of Columbia;

[(19)**] (25)** "Gross combination weight rating" or "GCWR", the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon;

[(20)**] (26)** "Gross vehicle weight rating" or "GVWR", the value specified by the manufacturer as the loaded weight of a single vehicle;

[(21)**] (27)** "Hazardous materials", any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of CFR Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel, shall not be considered hazardous materials when transported by a farm vehicle provided all other provisions of this definition are followed;

[(22)**] (28)** "Imminent hazard", the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begins to lessen the risk of that death, illness, injury, or endangerment;

[(23)**] (29)** "Issuance", the initial licensure, license transfers, license renewals, and license upgrades;

(30) "Medical examiner", a person who is licensed, certified, or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic;

(31) "Medical variance", when a driver has received one of the following that allows the driver to be issued a medical certificate:

(a) An exemption letter permitting operation of a commercial motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;

(b) A skill performance evaluation certificate permitting operation of a commercial motor vehicle under 49 CFR Part 391.49;

[(24)**] (32)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks;

[(25)**] (33)** "Noncommercial motor vehicle", a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" in this section;

[(26)**] (34)** "Out of service", a temporary prohibition against the operation of a commercial motor vehicle by a particular driver, or the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier;

[(27)**] (35)** "Out-of-service order", a declaration by **[**the Federal Highway Administration, or any**] an** authorized enforcement officer of a federal, state, **[**Commonwealth of Puerto Rico,**]** Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service **under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or comparable laws, or the North American Standard Out-of-Service Criteria**;

[(28)**] (36)** "School bus", a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary;

[(29)**] (37)** "Secretary", the Secretary of Transportation of the United States;

[(30)**] (38)** "Serious traffic violation", driving a commercial motor vehicle in such a manner that the driver receives a conviction for the following offenses or driving a noncommercial motor vehicle when the driver receives a conviction for the following offenses and the conviction results in the suspension or revocation of the driver's license or noncommercial motor vehicle driving privilege:

(a) Excessive speeding, as defined by the Secretary by regulation;

(b) Careless, reckless or imprudent driving which includes, but shall not be limited to, any violation of section 304.016, any violation of section 304.010, or any other violation of federal or state law, or any county or municipal ordinance while driving a commercial motor vehicle in a willful or wanton disregard for the safety of persons or property, or improper or erratic traffic lane changes, or following the vehicle ahead too closely, but shall not include careless and imprudent driving by excessive speed;

(c) A violation of any federal or state law or county or municipal ordinance regulating the operation of motor vehicles arising out of an accident or collision which resulted in death to any person, other than a parking violation;

(d) Driving a commercial motor vehicle without obtaining a commercial driver's license in violation of any federal or state or county or municipal ordinance;

(e) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession in violation of any federal or state or county or municipal ordinance. Any individual who provides proof to the court which has jurisdiction over the issued citation that the individual held a valid commercial driver's license on the date that the citation was issued shall not be guilty of this offense;

(f) Driving a commercial motor vehicle without the proper commercial driver's license class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported in violation of any federal or state law or county or municipal ordinance; or

(g) Any other violation of a federal or state law or county or municipal ordinance regulating the operation of motor vehicles, other than a parking violation, as prescribed by the secretary by regulation;

[(31)**] (39)** "State", a state**[**, territory or possession**]** of the United States**[**, the District of Columbia, the

Commonwealth of Puerto Rico, Mexico, and any province of Canada**]**;

[(32)**] (40)** "United States", the fifty states and the District of Columbia.

302.768. 1. Any applicant for a commercial driver's license or commercial driver's instruction permit shall comply with the Federal Motor Carrier Safety Administration application requirements of 49 CFR Part 383.71 by certifying to one of the following applicable statements relating to federal and state driver qualification rules:

(1) Nonexcepted interstate: Certifies the applicant is a driver operating or expecting to operate in interstate or foreign commerce, or is otherwise subject to and meets requirements of 49 CFR Part 391 and is required to obtain a medical examiner's certificate as defined in 49 CFR Part 391.45;

(2) Excepted interstate: Certifies the applicant is a driver operating or expecting to operate entirely in interstate commerce that is not subject to Part 391 and is subject to Missouri driver qualifications and not required to obtain a medical examiner's certificate;

(3) Nonexcepted intrastate: Certifies the applicant is a driver operating only in intrastate commerce and is subject to Missouri driver qualifications;

(4) Excepted intrastate: Certifies the applicant operates or expects to operate only in intrastate commerce, and engaging only in operations excepted from all parts of the Missouri driver qualification requirements.

2. Any applicant who cannot meet certification requirements under one of the categories defined in subsection 1 of this section shall be denied issuance of a commercial driver's license or commercial driver's instruction permit.

3. An applicant certifying to operation in nonexcepted interstate or nonexcepted intrastate commerce shall provide the state with an original or copy of a current medical examiners certificate or a medical examiners certificate accompanied by a medical variance or waiver. The state shall retain the original or copy of the documentation of physical qualification for a minimum of three years beyond the date the certificate was issued.

4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce shall provide an updated medical certificate or variance documents to maintain a certified status during the term of the commercial driver's license or commercial driver's instruction permit in order to retain commercial privileges.

5. The director shall post the medical examiners certificate of information, medical variance if applicable, the applicant's self-certification and certification status to the Missouri driver record within ten calendar days and such information will become part of the CDLIS driver record.

6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce who fail to provide or maintain a current medical examiners certificate, or if the state has received notice of a medical variance or waiver expiring or being rescinded, the state shall, within ten calendar days, update the driver's medical certification status to "not certified". The state shall notify the driver of the change in certification status and require the driver to annually comply with requirements for a commercial driver's license downgrade within sixty days of the expiration of the applicant certification.

7. The department of revenue may, by rule, establish the cost and criteria for submission of

updated medical certification status information as required under this section.

8. Any person who falsifies any information in an application for or update of medical certification status information for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled for a period of one year after the director discovers such falsification.

9. The director may promulgate rules and regulations necessary to administer and enforce this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill, Section 304.289, Page 1, Line 8 by inserting after all of said section and line the following:

"Section B. The repeal and reenactment of section 302.700 and the enactment of section 302.768 of this act shall become effective on the date the director of the department of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768, or on May 1, 2013, whichever occurs first. If the director of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768 prior to May 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend Senate Bill No. 611, Page 1, In the Title, Lines 2-4, by deleting the words, "the establishment of minimal yellow light change interval times for traffic control devices" and inserting in lieu thereof the word, "transportation"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

"142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subdivision (1) of this subsection, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate vender to a farm location for agricultural purposes only. As used in this section, the term "farmer" shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010. At the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the ultimate vender unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer

provides an exemption certificate to the ultimate vender, in which case the ultimate vender may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor; The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and (c) of this subdivision shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the

consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

(5) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;

(6) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

(7) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

(8) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars.

3. Motor fuel used in any watercraft, as such term is defined in section 306.010, is exempt from the fuel tax imposed by this chapter, and no such tax shall be imposed or levied on any motor fuel delivered to any marina or other retailer within this state who sells such fuel solely for use in any

watercraft in this state. Any distributor who delivers motor fuel to any marina located in this state for use only in a watercraft may also claim the exemption provided in this subsection.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the

recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose

of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and

entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and

vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance

of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event**;**

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2002**: Senators Schaefer, Brown, Kraus, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2003**: Senators Schaefer, Brown, Kraus, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2004**: Senators Schaefer, Brown, Kraus, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2005**: Senators Schaefer, Brown, Kraus, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2006**, as amended: Senators Schaefer, Brown, Kraus, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2007**: Senators Schaefer, Brown, Kraus, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2008**: Senators Schaefer, Brown, Kraus, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2009**: Senators Schaefer, Brown, Kraus, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2010**: Senators Schaefer, Brown, Kraus, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2011**, as amended: Senators Schaefer, Brown, Kraus, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2012**: Senators Schaefer, Brown, Kraus, Green and Curls.

President Pro Tem Mayer appointed the following conference committee to act with a like committee

from the House on **SS** for **SCS** for **HCS** for **HB 2013**: Senators Schaefer, Brown, Kraus, Green and Curls.

RESOLUTIONS

Senator Engler offered Senate Resolution No. 2029, regarding Wayne Short, Irondale, which was adopted.

Senator Engler offered Senate Resolution No. 2030, regarding Amy Watkins, Park Hills, which was adopted.

Senator Engler offered Senate Resolution No. 2031, regarding Jayne Clark, Park Hills, which was adopted.

Senator Engler offered Senate Resolution No. 2032, regarding Vicki Patterson, Farmington, which was adopted.

Senator Engler offered Senate Resolution No. 2033, regarding Tyman Barbey, Bonne Terre, which was adopted.

Senator Kehoe offered Senate Resolution No. 2034, regarding Belinda Couty, which was adopted.

Senator Kehoe offered Senate Resolution No. 2035, regarding Jeanelle Mooney, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 2036, regarding Cathy Wyss, which was adopted.

Senator Lager offered Senate Resolution No. 2037, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Jenkins, Wheeling, which was adopted.

Senator Lager offered Senate Resolution No. 2038, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Everett Powell, Savannah, which was adopted.

Senator Lager offered Senate Resolution No. 2039, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Raymond Hamilton, Chillicothe, which was adopted.

Senator Lager offered Senate Resolution No. 2040, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Frank Ockenfels, Jr., Chillicothe, which was adopted.

Senator Curls offered Senate Resolution No. 2041, regarding Bruce L. Bruch, Raytown, which was adopted.

Senator Richard offered Senate Resolution No. 2042, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Charles Teeter, Joplin, which was adopted.

Senator Green offered Senate Resolution No. 2043, regarding Mary Gant, Jefferson City, which was adopted.

Senator Dempsey offered Senate Resolution No. 2044, regarding Matilda Gray, McLean, Virginia, which was adopted.

Senator Engler offered Senate Resolution No. 2045, regarding Teresa Stephens, which was adopted.

Senator Engler offered Senate Resolution No. 2046, regarding Peggy Murphy, which was adopted.

Senator Engler offered Senate Resolution No. 2047, regarding Janet McDowell, which was adopted.

Senator Engler offered Senate Resolution No. 2048, regarding Janet Carr, Park Hills, which was

adopted.

Senator Engler offered Senate Resolution No. 2049, regarding Cindy Martin, which was adopted.

On motion of Senator Dempsey, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2002**. Representatives: Silvey, Stream, Hough, Lampe and Montecillo.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2003**. Representatives: Silvey, Stream, Hough, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2004**. Representatives: Silvey, Stream, Hough, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2005**. Representatives: Silvey, Stream, Hough, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2006**, as amended. Representatives: Silvey, Stream, Hough, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2007**. Representatives: Silvey, Stream, Hough, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2008**. Representatives: Silvey, Stream, Hough, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker

has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2009**. Representatives: Silvey, Stream, Hough, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2010**. Representatives: Silvey, Stream, Flanigan, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2011**, as amended. Representatives: Silvey, Stream, Flanigan, Montecillo and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2012**. Representatives: Silvey, Stream, Hough, Lampe and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 2013**. Representatives: Silvey, Stream, Hough, Lampe and Kelly (24).

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SCS** for **SJR 51**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

THIRD READING OF SENATE BILLS

SCS for **SJR 51**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 51

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 25(a) and 25(d) of article V of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to nonpartisan selection of judges.

Was taken up by Senator Lembke.

Senator Pearce assumed the Chair.

On motion of Senator Lembke, **SCS** for **SJR 51** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe	Kraus

Lager	Lamping	Lembke	Mayer	Munzlinger	Nieves	Purgason	Richard
Ridgeway	Stouffer	Wasson—19					

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Green	Justus	Keaveny	McKenna	Pearce
Schaaf	Schaefer	Schmitt	Wright-Jones—12				

Absent—Senator Parson—1

Absent with leave—Senators

Crowell Rupp—2

Vacancies—None

The President declared the joint resolution passed.

On motion of Senator Lembke, title to the joint resolution was agreed to.

Senator Lembke moved that the vote by which the joint resolution passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 1117**—Transportation.

HCS for **HB 1758**—Judiciary and Civil and Criminal Jurisprudence.

HB 1592—Jobs, Economic Development and Local Government.

HCS for **HB 1280**—Financial and Governmental Organizations and Elections.

HCS for **HBs 1741** and **1543**—Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs.

HCS for **HB 1137**—Health, Mental Health, Seniors and Families.

HB 2099—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 1818**—Ways and Means and Fiscal Oversight.

HB 1540—Small Business, Insurance and Industry.

HCS for **HB 1869**—Financial and Governmental Organizations and Elections.

HCS for **HB 1865**—Ways and Means and Fiscal Oversight.

HCS for **HB 1254**—Agriculture, Food Production and Outdoor Resources.

Senator Ridgeway assumed the Chair.

HOUSE BILLS ON THIRD READING

Senator Munzlinger moved that **HB 1073** and **HCS** for **HB 1477**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 3 was again taken up.

Senator Purgason raised the point of order that **SA 3** is out of order as it goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Green raised the point of order that **SS** for **SCS** for **HB 1073** and **HCS** for **HB 1477** is out of order as it goes beyond the scope of the original titles of both **HB 1073** and **HCS** for **HB 1477**.

The point of order was referred to the President Pro Tem who ruled it not well taken.

SS for **SCS** for **HB 1073** and **HCS** for **HB 1477**, as amended, was again taken up.

Senator Brown offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Page 18, Section 276.401, Line 16 of said page, by inserting immediately after all of said line the following:

"516.105. All actions against physicians, hospitals, dentists, registered or licensed practical nurses, optometrists, podiatrists, pharmacists, chiropractors, professional physical therapists, **veterinarians treating animals,** and any other entity providing health care services **or veterinary services for animals** and all employees of any of the foregoing acting in the course and scope of their employment, for damages for malpractice, negligence, error or mistake related to health care **or veterinary care of animals** shall be brought within two years from the date of occurrence of the act of neglect complained of, except that:

(1) In cases in which the act of neglect complained of is introducing and negligently permitting any foreign object to remain within the body of a living person **or living animal**, the action shall be brought within two years from the date of the discovery of such alleged negligence, or from the date on which the patient **or owner of an animal** in the exercise of ordinary care should have discovered such alleged negligence, whichever date first occurs; and

(2) In cases in which the act of neglect complained of is the negligent failure to inform the patient **or owner of the animal** of the results of medical tests, the action for failure to inform shall be brought within two years from the date of the discovery of such alleged negligent failure to inform, or from the date on which the patient **or owner of the animal** in the exercise of ordinary care should have discovered such alleged negligent failure to inform, whichever date first occurs; except that, no such action shall be brought for any negligent failure to inform about the results of medical tests performed more than two years before August 28, 1999. For purposes of this subdivision, the act of neglect based on the negligent failure to inform the patient **or owner of the animal** of the results of medical tests shall not include the act of informing the patient **or owner of the animal** of the results of negligently performed medical tests or the act of informing the patient **or owner of the animal** of erroneous test results; and

(3) In cases in which the person bringing the action is a minor less than eighteen years of age, such minor shall have until his or her twentieth birthday to bring such action. In no event shall any action for damages for malpractice, error, or mistake be commenced after the expiration of ten years from the date of the act of neglect complained of or for two years from a minor's eighteenth birthday, whichever is later."; and

Further amend the title and enacting clause accordingly.

Senator Brown moved that the above amendment be adopted.

Senator Stouffer assumed the Chair.

Senator Justus offered **SA 1** to **SA 4**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Page 2, Section 516.105, Line 24, by inserting after the word "later." the following:

"**The provisions of this subdivision shall not apply when the person is bringing the action as the owner of the animal against a veterinarian.**".

Senator Justus moved that the above amendment be adopted, which motion prevailed.

SA 4, as amended, was again taken up.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Page 8, Section 178.530, Lines 10-12, by striking all of said lines and inserting in lieu thereof the following: "**department of elementary and secondary education. The provisions of this subsection shall not be construed to create eligibility for a private school to receive state or federal funding for agricultural vocational education, but shall not prohibit a private school from receiving state or federal funds for which such private school would otherwise be eligible for agricultural vocational education. Any such private school shall reimburse**".

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SS** for **SCS** for **HB 1073** and **HCS** for **HB 1477**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SCS** for **HB 1073** and **HCS** for **HB 1477**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Purgason	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer
Wasson—25							

NAYS—Senators

Chappelle-Nadal	Curls	Green	Justus	Keaveny	Wright-Jones—6

Absent—Senator Richard—1

Absent with leave—Senators

Crowell Rupp—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1623**, with **SCS**, entitled:

An Act to repeal section 67.1305, RSMo, and to enact in lieu thereof one new section relating to members of economic development tax boards.

Was called from the Informal Calendar and taken up by Senator Schmitt.

SCS for **HCS** for **HB 1623**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1623

An Act to repeal sections 49.272, 50.332, 50.622, 52.320, 64.930, 66.010, 67.320, 67.750, 67.1305, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 67.1360, 67.2010, 82.485, 82.487, 82.515, 82.516, 99.825, 99.845, 137.016, 144.805, 182.802, 184.503, 184.509, 190.335, 320.106, 320.131, 320.136, 320.202, 321.460, 321.711, 479.011, and 577.029, RSMo, and to enact in lieu thereof fifty-nine new sections relating to political subdivisions, with penalty provisions and an emergency clause for certain sections.

Was taken up.

Senator Schmitt moved that **SCS** for **HCS** for **HB 1623** be adopted.

Senator Schmitt offered **SS** for **SCS** for **HCS** for **HB 1623**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1623

An Act to repeal sections 49.272, 50.332, 50.622, 52.320, 55.160, 64.930, 66.010, 67.320, 67.750, 67.1305, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 67.1360, 82.485, 82.487, 82.515, 82.516, 99.825, 99.845, 137.016, 144.805, 182.802, 190.335, 320.106, 320.131, 320.136, 320.202, 321.460, 321.711, 479.011, and 577.029, RSMo, and to enact in lieu thereof fifty-six new sections relating to political subdivisions, with penalty provisions and an emergency clause for certain sections.

Senator Schmitt moved that **SS** for **SCS** for **HCS** for **HB 1623** be adopted.

Senator Engler offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 56, Section 67.5038, Line 11 of said page, by inserting immediately after all of said line the following:

"77.080. The style of the ordinances of the city shall be: "Be it ordained by the council of the city of ....., as follows:"**. Except as provided in section 77.085,** no ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the council shall vote therefor, and the ayes and nays shall be entered on the journal. Every **[**proposed ordinance**] bill** shall be introduced to the council in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the council. If the **[**proposed ordinance**] bill** is read by title only, copies of the **[**proposed ordinance**] bill** shall be made available for public inspection prior to the time the bill is under consideration by the council. No bill shall become an ordinance until it shall have been signed by the officer presiding at the meeting of the council at which it shall have been passed. When so signed, it shall be delivered to the mayor for his approval and signature, or his veto.

77.085. 1. In any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the second classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants, voters in the city may propose an ordinance to prohibit smoking, as the term "smoking" is defined in subdivision (6) of section 191.765, in certain areas and establishments within such city by submitting a petition signed by at least the same number of voters that equals twenty-five percent of the votes cast for all candidates for mayor at the last preceding election. The petition shall contain, in addition to the requisite number of valid signatures, the full text of the ordinance sought to be passed and a request that the ordinance be submitted to a vote of the people if not passed by the council.

2. The signatures to the petition need not all be appended to one paper, but each signer shall provide with such person's signature the street and number of his or her place of residence. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

3. Within ten days from the date of filing such petition, the city clerk shall examine and ascertain whether the petition contains signatures by the requisite number of voters. The council shall allow the clerk extra help for that purpose. The clerk shall attach a certificate of examination to the petition. If, by the clerk's certificate, the petition is shown to be insufficient, the petition may be amended within ten days from the date the clerk issued the certificate. The clerk shall, within ten days after such amendment is filed, examine the amended petition and issue another certificate. If the second certificate shows the petition to be insufficient, the petition shall be returned to the person filing it, without prejudice to the filing of a new petition to the same effect. If the petition is deemed to be sufficient, the clerk shall submit it to the city council without delay.

4. Upon receipt of the petition and certificate from the clerk, the city council shall either:

(1) Pass said ordinance without alteration within twenty days; or

(2) Submit the question without alteration at the next municipal election.

5. The question shall be submitted in substantially the following form:

Shall the following ordinance be (adopted) (repealed)? (Set out ordinance).

☐ **YES** ☐ **NO**

6. If a majority of the voters voting on the proposed ordinance vote in favor, such ordinance shall become a valid and binding ordinance of the city. Any ordinance regulating smoking that is proposed by petition and adopted by a vote of the people cannot be repealed or amended except by a vote of the people. The council may submit a proposition for the repeal or amendment of any such ordinance to be voted upon at any municipal election. If the proposition so submitted receives a majority of the votes cast thereon, such ordinance shall be repealed or amended accordingly."; and

Further amend the title and enacting clause accordingly.

Senator Engler moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Stouffer offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 105, Section 479.011, Line 16 of said page, by inserting after all of said line the following:

"537.635. The association may, on the seventh day thereafter, commence to do business. The association shall be a body corporate, and shall do business as a corporation. **The association shall be deemed to constitute a quasi-public governmental body subject to the provisions of chapter 610. The association shall be entitled to close meetings, records, and votes as authorized in chapter 610 to the extent that such meetings, records, and votes pertain to actuarial analysis, loss history, claims, data, reports, and similar information relating to the determination of member rates and contributions.** No member of the association shall be liable for any amounts because of his or her membership in the association other than his or her assessments as provided in the articles of association and the bylaws of the association. The business of the association shall be conducted so as to preclude any distribution of income, profit or property of the association to the individual members thereof except in payment of claims or indemnities or upon the final dissolution of the association, but the association may pay dividends to its members as long as the association has a positive surplus both before and after any such dividend is declared."; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 58, Section 82.485, Line 14, by inserting after all of said line the following:

"92.338. 1. All applicable provisions contained in sections 144.010 to 144.510 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by sections 92.325 to 92.340, except as modified in sections 92.325 to 92.340.

2. All exemptions granted to agencies of government, organizations, persons and to the sale of certain

articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.510 are hereby made applicable to the imposition and collection of the tax imposed by sections 92.325 to 92.340. **Notwithstanding the provisions of this subsection, the governing body of any city that imposes a convention and tourism tax pursuant to sections 92.325 to 92.340 may pass an ordinance and seek voter approval to collect the tax from certain transient guests who are otherwise exempt under this subsection. Such proposition shall be submitted to the voters at a citywide general or primary election or at a special election called for that purpose. It shall be submitted in a form set by the governing body.**

3. **Except as provided in subsection 2 of this section,** the same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.510 for the administration and collection of the state sales tax shall satisfy the requirements of sections 92.325 to 92.340, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by sections 92.325 to 92.340.

4. The person, firm or corporation subject to any tax imposed pursuant to sections 92.325 to 92.340 shall collect the tax from the transient guests and patrons of the food establishment and each such transient guest and patron of the food establishment shall pay the amount of the tax due to the person, firm or corporation required to collect the tax. The city shall permit the person required to remit the tax to deduct and retain an amount equal to two percent of the taxes collected. The city governing body may either require the license collector of the city to collect the tax imposed by sections 92.325 to 92.340 or may enter into an agreement with the director of revenue to have the director collect such tax on behalf of the city. In the event such an agreement is entered into, the director of revenue shall perform all functions incident to the collection, enforcement and operation of such tax, and the director shall collect the tax on behalf of the city and shall transfer the funds collected to the city license collector, except for an amount not less than one percent nor more than three percent, which shall be retained by the director for costs of collection. If the director of revenue is to collect such tax, the tax shall be collected and reported upon such forms and under such administrative rules and regulations as the director may prescribe. All refunds and penalties as provided in sections 144.010 to 144.525 are hereby made applicable to violations of sections 92.325 to 92.340.”; and

Further amend the title and enacting clause accordingly.

Senator Justus moved that the above amendment be adopted, which motion prevailed.

Senator Wasson offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 32, Section 67.1360, Line 17, by inserting after all of said line the following:

“71.625. **1.** The timely payment of a license tax due to any municipal corporation in this state, or any county pursuant to section 66.300, which is delivered by United States mail to the municipality or county office designated by such municipality or county office to receive such payments, shall be deemed paid as of the postmark date stamped on the envelope or other cover in which such payment is mailed. In the event any payment of tax due is sent by registered or certified mail, the date of the registration or certification shall be deemed the postmark date. No additional tax, penalty or interest shall be imposed by any municipality or county on any taxpayer whose payment is delivered by United States mail, if the postmark date stamped on the envelope or other cover containing such payment falls within the prescribed period on

or before the prescribed date, including any extension granted, for making the payment. When the last day for making any license tax payment, including extensions, falls on a Saturday, a Sunday, or a legal holiday in this state, the payment shall be considered timely if the payment is made on the next succeeding day which is not a Saturday, Sunday or legal holiday.

2. Except as otherwise provided by law, the interest provisions of section 144.170 and penalty provisions of section 144.250 relating to delinquent sales taxes shall apply to delinquent taxes due as a result of the imposition of a license tax by any municipal corporation. The limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.510."; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 76, Section 99.845, Line 8 of said page, by inserting after all of said line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date,

and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer assumed the Chair.

Senator Schaaf offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 84, Section 182.802, Line 28 of said page, by inserting immediately after said line the following:

"184.503. 1. The governing body of any eligible county may, by resolution, authorize the creation of or participation in a district, and may impose a sales tax on all retail sales made within the eligible county which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-fourth of one percent, and shall be imposed solely for the purpose of funding the support of zoological activities within the district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. Such creation of or participation in such district and the levy of the sales tax may be accomplished individually or on a

cooperative basis with another eligible county or other eligible counties for financial support of the district. A petition requesting such creation of or participation in such district and the levy of the sales tax for the purpose of funding the support of zoological activities within the district may also be filed with the governing body, and shall be signed by not less than the number of qualified electors of an eligible county equal to five percent of the number of ballots cast and counted at the last preceding gubernatorial election held in such county. **The governing body of the county may, at their discretion, have the proposition placed on the ballot upon certification that the petition contains the signatures of the required number of qualified electors.** No such resolution adopted or petition presented under this section shall become effective unless the governing body of the eligible county submits to the voters residing within the eligible county at a state general, primary, or special election a proposal to authorize the governing body of the eligible county to create or participate in a district and to impose a tax under this section. The county election official shall give legal notice at least sixty days prior to such general or primary election or special election in at least two newspapers that such proposition or propositions shall be submitted at the next general or primary election or special election held for submission of this proposition. The resolution or proposition shall be printed on the ballot and in the notice of election. Provisions of this section to the contrary notwithstanding, no tax authorized under the provisions of this section shall be effective in any eligible noncharter county unless the tax authorized under the provisions of this section is also collected by an eligible charter county.

2. The ballot for the proposition in any county shall be in substantially the following form:

Shall a retail sales tax of ..... (insert amount, not to exceed one-quarter of one percent) be levied and collected for the benefit of the Kansas City Zoological District, which shall be created and consist of the county(s) of ..... (insert name of counties), for the support of zoological activities with the district?

☐ YES ☐ NO

The governing body of the county may place additional language on the ballot to describe the use or allocation of the funds.

3. In the event that a majority of the voters voting on such proposition in such county at said election cast votes for the proposition, then the district shall be deemed established and the tax rate for such subdistrict shall be deemed in full force and effect as of the first day of the year following the year of said election and the governing body of such county may proceed with the performance of all things necessary and incidental to participation in the district. The results of the aforesaid election shall be certified by the election officials of such county to the governing body of such county not less than thirty days after the day of election. In the event the proposition shall fail to receive a majority of the votes "FOR", then such proposition shall not be resubmitted at any election held within one year of the date of the election the proposition was rejected. Any such resubmissions of such proposition shall substantially comply with the provisions of sections 184.500 to 184.515.

4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

5. All sales taxes collected by the director of revenue from the tax authorized by this section on behalf of the district, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds, as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Kansas City Zoological District Sales Tax Trust Fund". The moneys in the Kansas City zoological district sales tax trust fund shall not be deemed to

be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money collected and deposited in the trust fund and the records shall be open to the inspection of officers of the district, the counties composing the district, and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the Kansas City zoological district sales tax trust fund during the preceding month to the district.

6. The director of revenue may make refunds from the amounts in the Kansas City zoological district sales tax trust fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of the district. If the district abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the Kansas City zoological district sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such account. After one year has elapsed after the effective date of abolition of the tax in the district, the director of revenue shall remit the balance in the account to the district and close the account of the district. The director of revenue shall notify the district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. Any of the eligible counties composing the Kansas City zoological district may withdraw from the district by adoption of a resolution and approval of the resolution by a majority of the qualified electors of the county, in the same manner provided in this section for creating or becoming a part of the district. The governing body of a withdrawing county shall provide for the sending of formal written notice of withdrawal from the district to the governing body of the other county or each of the other counties comprising the district. Actual withdrawal shall not take effect until ninety days after notice has been sent. A withdrawing county shall not be relieved from any obligation that such county may have assumed or incurred by reason of being a part of the district, including, but not limited to, the retirement of any outstanding bonded indebtedness of the district.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Schaaf offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 41, Section 67.1754, Line 25 of said page, by inserting after all of said line the following:

“67.2500. 1. A theater, cultural arts, and entertainment district may be established in the manner provided in section 67.2505 by the governing body of any county, city, town, or village that has adopted transect-based zoning under chapter 89, any county described in this subsection, or any city, town, or village that is within such counties:

(1) Any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants;

(2) Any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants;

(3) Any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants;

(4) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(5) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(6) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants**;**

(7) Any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat.

2. Sections 67.2500 to 67.2530 shall be known as the "Theater, Cultural Arts, and Entertainment District Act".

3. As used in sections 67.2500 to 67.2530, the following terms mean:

(1) "District", a theater, cultural arts, and entertainment district organized under this section;

(2) "Qualified electors", "qualified voters", or "voters", registered voters residing within the district or subdistrict, or proposed district or subdistrict, who have registered to vote pursuant to chapter 115 or, if there are no persons eligible to be registered voters residing in the district or subdistrict, proposed district or subdistrict, property owners, including corporations and other entities, that are owners of real property;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115; and

(4) "Subdistrict", a subdivision of a district, but not a separate political subdivision, created for the purposes specified in subsection 5 of section 67.2505.

67.2510. As a complete alternative to the procedure establishing a district set forth in section 67.2505, a theater, cultural arts, and entertainment district may be established in the manner provided in section 67.2515 by a circuit court with jurisdiction over any county, city, town, or village that has adopted transect-based zoning under chapter 89, any county described in this section, or any city, town, or village that is within such counties:

(1) Any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants;

(2) Any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants;

(3) Any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants;

(4) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(5) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(6) Any county of the first classification with more than one hundred four thousand six hundred but

fewer than one hundred four thousand seven hundred inhabitants**;**

(7) Any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat."; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 89, Section 190.335, Line 27, by inserting after all of said line the following:

"**262.598. 1. As used in this section, the following terms shall mean:**

(1) "Consolidated district", a district formed jointly by two or more councils;

(2) "Council", a University of Missouri extension council authorized under section 262.563;

(3) "District" or "extension district", a political subdivision formed by one or more councils;

(4) "Single-council district", a district formed by one council;

(5) "Governing body", the group of individuals who govern a district.

2. University of Missouri extension councils are hereby authorized to form extension districts made up of cooperating counties for the purpose of funding extension programming. An extension district may be a single-council district or a consolidated district. A single-council district shall be formed upon a majority vote of the full council. A consolidated district shall be formed upon a majority vote of each participating council.

3. In a single-council district, the council shall serve as the district's governing body. In addition to any other powers and duties granted to the council under sections 262.550 to 262.620, the council shall also have the powers and duties provided under subsection 5 of this section.

4. In a consolidated district, the governing body of the district shall consist of at least three, but no more than five, representatives appointed by each participating council. The term of office shall be two years. Representatives may be reappointed. This governing body shall elect officers, who shall serve as officers for two years, and establish a regular meeting schedule which shall be not less than once every three months.

5. The governing body of a district shall have the following powers and duties:

(1) Review the activities and annual budgets of each participating council;

(2) Determine, by September first of each year, the tax rate necessary to generate sufficient revenue to fund the extension programming in the district, which includes annual funding for each participating council for the costs of personnel and the acquisition, supply, and maintenance of each council's property, work, and equipment;

(3) Oversee the collection of any tax authorized under this section by ensuring the revenue is deposited into a special fund and monitoring the use of the funds to ensure they are used solely for

extension programming in the district;

(4) Approve payments from the special fund in which the tax revenue is deposited; and

(5) Work cooperatively with each participating council to plan and facilitate the programs, equipment, and activities in the district.

6. The governing body of a district may submit a question to the voters of the district to institute a property tax levy in the county or counties that compose the district. Questions may be submitted to the voters of the district at any general municipal election. Any such proposed tax shall not exceed thirty cents per one hundred dollars of assessed valuation. Such question shall be submitted in substantially the following form:

"Shall the Extension District in ..... County (insert name of county) be authorized to levy an annual tax of ..... (insert amount not to exceed thirty) cents per one hundred dollars of assessed valuation for the purpose of funding the University of Missouri Extension District programs, equipment, and services in the district?"

In a single-council district, if a majority of the voters in the county approve the question, then the district shall impose the tax. In a consolidated district, if a majority of voters in each county in the district approve the tax, then the district shall impose the tax. In a consolidated district, if a majority of voters in a county do not approve the tax, the council in the county that did not approve the tax may withdraw from the district. Upon such withdrawal, the district shall be made up of the remaining counties and the tax shall be imposed in those counties. However, if the county that did not approve the tax does not withdraw from the district, the tax shall not be imposed. Revenues collected from the imposition of a tax authorized under this section shall be deposited into a special fund dedicated only for use by the local district for programming purposes. If a majority of the voters in a single-council district do not approve the question, then no tax shall be imposed. If a majority of the voters in a consolidated district do not approve the question, then no tax shall be imposed in any county of the district.

7. The county commission of any county in which the tax authorized under this section is levied and collected:

(1) Shall be exempt from the funding requirements under section 262.597 if revenue derived from the tax authorized under this section is in excess of an amount equal to two hundred percent of the average funding received under section 262.597 for the immediately preceding three years; or

(2) May reduce the current year's funding amount under section 262.597 by thirty-three percent of the amount of tax revenues derived from the tax authorized under this section which exceed the average amount of funding received under section 262.597 for the immediately preceding three years.

8. Any county that collects tax revenues authorized under this section shall transfer all attributable revenue plus monthly interest for deposit into the district's special fund. The governing body of the district shall comply with the prudent investor standard for investment fiduciaries as provided in section 105.688.

9. In any county in which a single-council district is established, and for which a tax has not been levied, the district may be dissolved in the same manner in which it was formed.

10. A county may withdraw from a consolidated district at any time by the filing of a petition with

the circuit court having jurisdiction over the district. The petition shall be signed by not fewer than ten percent of those who voted in the most recent presidential election in the county seeking to withdraw that is part of a consolidated district stating that further operation of the district is contrary to the best interests of the inhabitants of the county in which the district is located and that the county seeks to withdraw from the district. The circuit court shall hear evidence on the petition. If the court finds that it is in the best interest of the inhabitants of the county in which the district is located for the county to withdraw from the district, the court shall make an order reciting the same and submit the question to the voters. The question shall be submitted in substantially the following format:

"Shall the County of ..... (insert name of county) being part of ..... (insert name of district) Extension District withdraw from the district?"

The question shall be submitted at the next general municipal election date. The election returns shall be certified to the court. If the court finds that two-thirds of the voters voting on the question voted in favor of withdrawing from the district, the court shall issue an order withdrawing the county from the district, which shall contain a proviso that the district shall remain intact for the sole purposes of paying all outstanding and lawful obligations and disposing of the district's property. No additional costs or obligations for the withdrawing county shall be created except as necessary. The withdrawal shall occur on the first day of the following January after the vote. If the court finds that two-thirds of the voters voting on the question shall not have voted favorably on the question to withdraw from the district, the court shall issue an order dismissing the petition and the district shall continue to operate.

11. The governing body of any district may seek voter approval to increase its current tax rate authorized under this section, provided such increase shall not cause the total tax to exceed thirty cents per one hundred dollars of assessed valuation. To propose such an increase, the governing body shall submit the question to the voters at the general municipal election in the county in which the district is located. The question shall be submitted in substantially the following form:

"Shall the Extension District in ..... (insert name of county or counties) be authorized to increase the tax rate from ..... (insert current amount of tax) cents to ..... (insert proposed amount of tax not to exceed thirty) cents per one hundred dollars of assessed valuation for the purpose of funding the University of Missouri Extension District programs, equipment, and services in the district?"

In a single-council district, if a majority of the voters in the county approve the question, then the district shall impose the tax. In a consolidated district, if a majority of voters in the district approve the tax rate, then the district shall impose the new tax rate. Revenues collected from the imposition of the tax authorized under this section shall be deposited into the special fund dedicated only for use by the district. If a majority of the voters in a single-council district do not approve the question, then the tax shall not be imposed. If a majority of the voters in a consolidated district do not approve the question, then the tax shall not be imposed in any county of the district."; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

Senator Green offered **SA 1** to **SA 8**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 8

Amend Senate Amendment No. 8 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 7, Section 262.598, Line 5, by inserting after all of said line the following:

"**12. Any district that has levied a tax under the provisions of this section shall not receive any state funds.**".

Senator Green moved that the above amendment be adopted.

At the request of Senator Green, **SA 1** to **SA 8** was withdrawn.

Senator Green offered **SA 2** to **SA 8**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 8

Amend Senate Amendment No. 8 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 7, Section 262.598, Line 5, by inserting after all of said line the following:

"**12. No district shall receive any state funds.**".

Senator Green moved that the above amendment be adopted, which motion failed.

SA 8 was again taken up.

Senator Pearce moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Keaveny offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 105, Section 479.011, Line 16, by inserting after all of said line the following:

"483.015. 1. At the general election in the year 1982, and every four years thereafter, except as herein provided and except as otherwise provided by law, circuit clerks shall be elected by the qualified voters of each county **[**and of the city of St. Louis**]**, who shall be commissioned by the governor, and shall enter upon the discharge of their duties on the first day in January next ensuing their election, and shall hold their offices for the term of four years, and until their successors shall be duly elected and qualified, unless sooner removed from office.

2. The court administrator for Jackson County provided by the charter of Jackson County shall be selected as provided in the county charter and shall exercise all of the powers and duties of the circuit clerk of Jackson County. The director of judicial administration and the circuit clerk of St. Louis County shall be selected as provided in the charter of St. Louis County.

3. When provision is made in a county charter for the appointment of a court administrator to perform the duties of a circuit clerk or for the appointment of a circuit clerk, such provisions shall prevail over the provisions of this chapter providing for a circuit clerk to be elected. The persons appointed to fill any such appointive positions shall be paid by the counties as provided by the county charter or ordinance; provided,

however, that if provision is now or hereafter made by law for the salaries of circuit clerks to be paid by the state, the state shall pay over to the county a sum which is equivalent to the salary that would be payable by law by the state to an elected circuit clerk in such county if such charter provision was not in effect. The sum shall be paid in semimonthly or monthly installments, as designated by the commissioner of administration.

4. The circuit clerk in the sixth judicial circuit and in the seventh judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in those circuits shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. This subsection shall become effective on January 1, 2004, and the elected circuit clerks in those circuits in office at that time shall continue to hold such office for the remainder of their elected terms as if they had been appointed pursuant to the terms of this subsection.

5. The circuit clerk in the twenty-second judicial circuit and the nineteenth judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in such circuits shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuits, en banc, in accordance with supreme court administrative rules governing court personnel. The elected circuit clerk in such circuits in office on the effective date of this section shall continue to hold such office for the remainder of his or her elected term."; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 10**:

SENATE AMENDMENT NO. 10

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 89, Section 190.335, Line 27, by inserting immediately after said line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described

in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is **[**sixty**] sixty-four** inches or less in width, with an unladen dry weight of **[**one**] two** thousand **[**eight hundred fifty**]** pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a

semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow

truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain.

304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover."; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

At the request of Senator Schmitt, **HCS** for **HB 1623**, with **SCS**, **SS** for **SCS** and **SA 10** (pending), was placed on the Informal Calendar.

THIRD READING OF SENATE BILLS

SCS for **SB 835**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 835

An Act to repeal sections 320.106, 320.131, and 320.136, RSMo, and to enact in lieu thereof three new sections relating to fireworks, with an emergency clause.

Was taken up by Senator Kehoe.

On motion of Senator Kehoe, **SCS** for **SB 835** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Engler—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Chappelle-Nadal—1

Absent—Senators

Engler	Ridgeway—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 569**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 719**.

With House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment Nos. 4, 5 and 6.

HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 1, In the Title, Lines 2-3, by deleting all of said lines and inserting in lieu thereof the word, "transportation"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

"142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subdivision (1) of this subsection, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate vender to a farm location for agricultural purposes only. As used in this section, the term "farmer" shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010. At the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the ultimate vender unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer provides an exemption certificate to the ultimate vender, in which case the ultimate vender may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another

provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor; The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and (c) of this subdivision shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water

services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

(5) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;

(6) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

(7) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

(8) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars.

3. Motor fuel used in any watercraft, as such term is defined in section 306.010, is exempt from the fuel tax imposed by this chapter, and no such tax shall be imposed or levied on any motor fuel delivered to any marina or other retailer within this state who sells such fuel solely for use in any watercraft in this state. Any distributor who delivers motor fuel to any marina located in this state for use only in a watercraft may also claim the exemption provided in this subsection.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of

tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges

to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary

manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax

on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event**;**

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010."; and

Further amend said bill, Page 4, Section B, Lines 2 and 5, by inserting before the words, "section A" the following words, "the provisions relating to temporary boating safety identification cards to nonresidents in"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 1, Section A, Line 2, by inserting after all of said line the following:

"304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles**, except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality**;

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition

of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality."; and

Further amend said bill, Page 4, Section 306.127, Line 105, by inserting after all of said line the following:

"**537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.

3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being."; and

Further amend said bill, Page 4, Section B, Line 2, by inserting after the word, "vessels," the words, "the repeal and reenactment of section 306.127 of"; and

Further amend said page and section, Line 5, by inserting after the first occurrence of the word, "and" the words, "the repeal and reenactment of section 306.127 of"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 2, Line 22 by inserting after all of said line the following:

"Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"302.173. 1. Any applicant for a license, who does not possess a valid license issued pursuant to the laws of this state, another state, or a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 shall be examined as herein provided. Any person who has failed to renew such person's license on or before the date of its expiration or within six months thereafter must take the complete examination. Any active member of the armed forces, their adult dependents or any active member of the peace corps may apply for a renewal license without examination of any kind, unless otherwise required by sections 302.700 to 302.780, provided the renewal application shows that the previous license had not been suspended or revoked. Any person honorably discharged from the armed forces of the United States who held a valid license prior to being inducted may apply for a

renewal license within sixty days after such person's honorable discharge without submitting to any examination of such person's ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780, other than the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. No applicant for a renewal license shall be required to submit to any examination of his or her ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder, other than a test of the applicant's ability to understand highway signs regulating, warning or directing traffic and the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. The examination shall be made available in each county. Reasonable notice of the time and place of the examination shall be given the applicant by the person or officer designated to conduct it. The complete examination shall include a test of the applicant's natural or corrected vision as prescribed in section 302.175, the applicant's ability to understand highway signs regulating, warning or directing traffic, the applicant's practical knowledge of the traffic laws of this state, and an actual demonstration of ability to exercise due care in the operation of a motor vehicle of the classification for which the license is sought. When an applicant for a license has a license from a state which has requirements for issuance of a license comparable to the Missouri requirements or a license from a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 and such license has not expired more than six months prior to the date of application for the Missouri license, the director may waive the test of the applicant's practical knowledge of the traffic laws of this state, and the requirement of actual demonstration of ability to exercise due care in the operation of a motor vehicle. If the director has reasonable grounds to believe that an applicant is suffering from some known physical or mental ailment which ordinarily would interfere with the applicant's fitness to operate a motor vehicle safely upon the highways, the director may require that the examination include a physical or mental examination by a licensed physician of the applicant's choice, at the applicant's expense, to determine the fact. The director shall prescribe regulations to ensure uniformity in the examinations and in the grading thereof and shall prescribe and furnish all forms to the members of the highway patrol and to other persons authorized to conduct examinations as may be necessary to enable the officer or person to properly conduct the examination. The records of the examination shall be forwarded to the director who shall not issue any license hereunder if in the director's opinion the applicant is not qualified to operate a motor vehicle safely upon the highways of this state.

2. Beginning July 1, 2005, when the examiner has reasonable grounds to believe that an individual has committed fraud or deception during the examination process, the license examiner shall immediately forward to the director all information relevant to any fraud or deception, including, but not limited to, a statement of the examiner's grounds for belief that the person committed or attempted to commit fraud or deception in the written, skills, or vision examination.

3. The director of revenue shall delegate the power to conduct the examinations required for a license or permit to any member of the highway patrol or any person employed by the highway patrol. The powers delegated to any examiner may be revoked at any time by the director of revenue upon notice.

4. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful completion of a motorcycle rider training course approved pursuant to sections 302.133 to 302.137 shall constitute an

actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further driving test shall be required to obtain a motorcycle or motortricycle license or endorsement.

5. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful completion of a military motorcycle rider training course that meets or exceeds the Motorcycle Safety Foundation curriculum standards by an applicant who is an active member of the U.S. armed forces, shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further driving test shall be required to obtain a motorcycle or motortricycle license or endorsement. The director of revenue is authorized to promulgate rules and regulations for the administration and implementation of this subsection including rules governing the presentment of motorcycle training course completion cards from a military motorcycle rider training course or other documentation showing that the applicant has successfully completed a course in basic motorcycle safety instruction that meets or exceeds curriculum standards established by the Motorcycle Safety Foundation or other national organization whose purpose is to improve the safety of motorcyclists on the nation's streets and highways. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 1, In the Title, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the following:

"to transportation."; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line, the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an

instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. **Except as provided in subsection 3 of this section,** every person operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

3. **Notwithstanding subsection 2 of this section, any person twenty-one years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear when such person has obtained a helmet-free endorsement from the department of revenue. The department of revenue shall issue a helmet-free endorsement on the driver's license of any applicant who provides satisfactory proof of at least twenty-five thousand dollars in medical coverage payments insurance that is in effect for a minimum of two years. The cost of the new driver's license issued with the helmet-free endorsement shall be paid by the motorcycle licensee.**

4. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by a fine not to exceed three hundred dollars. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by imprisonment in the county jail for a term not to exceed one year and/or a fine not to exceed one thousand dollars. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable by a fine not to exceed three hundred dollars, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 4, Section 306.127, Line 105, by inserting after all of said line the following:

"306.532. Effective **[**January 1, 2011**] August 28, 2012**, the certificate of title for a new outboard motor shall designate the year the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW". **Any outboard motor manufactured on or after July 1 of any year shall be labeled "Year Manufactured" with the calender year immediately following the year manufactured, unless the manufacturer indicates a specific model or program year.**"; and

Further amend said bill, Page 4, Section B, Line 2, by inserting after the comma "," on said line the phrase "the repeal and reenactment of section 306.127 of"; and

Further amend said bill, page, and section, Line 5, by inserting after the first occurrence of the word

"and" on said line the phrase "the repeal and reenactment of section 306.127 of"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 3, Section 306.127, Line 75, by inserting after the word "**shall**" the following:

"**provide a valid driver's license establishing that the applicant is a nonresident and shall**";and

Further amend said bill and section, Page 4, Line 101, by inserting after the word "**temporary**" the word "**boating**"; and

Further amend said bill, page, and section, Line 104, by inserting after the word "**card.**"the following:

"**The Missouri State Highway Patrol shall, by rule, develop a boating safety checklist for each applicant seeking a temporary boating safety identification card.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 4, Section 306.127, Line 105, by inserting after all of said section and line the following:

"577.073. 1. It is unlawful for any person to throw waste paper, tin cans, bottles, rubbish of any kind, or contaminate in any manner, any spring, pool or stream within a state park, nor shall any person other than authorized personnel of the department of natural resources cut, prune, pick or deface or injure in any manner the flowers, trees, shrub or any other flora growing on the land or in the water of any state park.

2. No person shall be permitted to offer or advertise merchandise or other goods for sale or hire, or to maintain any concession, or use any park facilities, buildings, trails, roads or other state park property for commercial use except by written permission or concession contract with the department of natural resources**; except that, the provisions of this subsection shall not apply to the normal and customary use of trails and roads by commercial and noncommercial organizations for the purpose of transporting persons, bicycles, or watercraft, as defined in section 537.327**.

3. No object of archaeological or historical value or interest within a state park may be removed, injured, disfigured, defaced or destroyed except by authorized personnel.

4. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor."; and

Further amend said bill, Page 4, Section B, Lines 1-6, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because of the immediate need to protect tourism in this state and ensure that out-of-state residents are knowledgeable in the safe operation of vessels, the repeal and reenactment of sections 306.127 and 577.073 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 306.127 and 577.073 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 562**, entitled:

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing boards of certain state universities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following reports:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HB 1318**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 809**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **SB 745**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 1644**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Crowell, Chairman of the Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **HB 1105**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1340**, begs leave to report that it has considered the same and recommends that

the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1236**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **HCS** for **HB 1640**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HCS** for **HB 1402**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 765**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS No. 2** for **HB 1317**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 1460**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1170**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HCS** for **HB 1498**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **SB 860**, begs leave to report that it has considered the same and recommends that the Senate

Committee Substitute, hereto attached, do pass.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 2050, regarding Peggy Prewett, which was adopted.

Senator Engler offered Senate Resolution No. 2051, regarding Deb Whitener, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Engler introduced to the Senate, Casey Burns, Springfield.

Senator Stouffer introduced to the Senate, Nora Faris, Concordia High School.

Senator Stouffer introduced to the Senate, students from Trinity Lutheran, Alma.

Senator Richard introduced to the Senate, Superintendent Phil Cook and his daughter, Kenley, Carl Junction; and Kenley was made an honorary page.

Senator Schaefer introduced to the Senate, Head Coach Daniel Bachmeier, Assistant Coaches Johnny Spry and Kelly Colley and members of the Class 2 State Champion Harrisburg High School girls basketball team.

Senator Mayer introduced to the Senate, Donna Davis, Poplar Bluff; and Teresa Lape, Cape Girardeau.

Senator Ridgeway introduced to the Senate, Raymond R. Brock, his wife, Linnea, and their daughters, Carol Brock and her husband, Rob Wegley; Amy Clements and her husband, Conn; Ellen Todd and her husband, Chris; and Lisa Lowe, Clay County.

Senator Munzlinger introduced to the Senate, teachers, parents and forty-six fourth grade students from Ray Miller Elementary, Kirksville.

Senator Lembke introduced to the Senate, Mary Ellen and Molly Murphy, St. Louis.

Senator Kehoe introduced to the Senate, Jared Rackers, Helias Catholic High School, Jefferson City.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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SIXTY-FOURTH DAY–WEDNESDAY, MAY 2, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS#2 for HB 1475

THIRD READING OF SENATE BILLS

SCS for SB 788-Keaveny

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS
SB 745-Lembke
SB 765-Schaefer
SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1039-Leara (Crowell)
2. HCS for HB 1400, with SCS (Wasson)
3. HCS for HB 1308 (Pearce)
4. HB 1250-Ruzicka, et al (Purgason)
5. HB 1051-Allen, et al, with SCS (Lager) (In Fiscal Oversight)
6. HBs 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 & 1878-Marshall, et al, with SCS (Schaaf)
7. HCS for HB 1527 (Crowell)
8. HB 1403-Schatz, et al (Dempsey) (In Fiscal Oversight)
9. HCS for HB 1108 (Parson)
10. HCS for HB 1094, with SCS (Munzlinger) (In Fiscal Oversight)
11. HCS for HB 1140, with SCS (Cunningham)
12. HB 1192-Koenig, et al (Cunningham)
13. HB 1135-Smith (150), et al, with SCS (Dixon) (In Fiscal Oversight)
14. HCS#2 for HB 1462 (Munzlinger)
15. HB 1318-Riddle, et al (Kehoe)
16. HCS for HB 1644 (Purgason)
17. HB 1105-Day (Kraus)
18. HCS for HB 1340 (Wasson)
19. HB 1236-Entlicher, et al (Parson)
20. HCS for HB 1640, with SCS
21. HCS for HB 1402, with SCS
22. HCS#2 for HB 1317, with SCS (Schaefer)
23. HB 1460-Jones (117), et al, with SCS (Goodman)
24. HB 1170-Franz, with SCS
25. HCS for HB 1498, with SCS (Schmitt)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)

SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HB 1103-Crawford and Wyatt (Parson)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HCS for HB 1123 (Brown)
HB 1128-Largent, with SS (pending) (Kraus)
HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 2 to SSA 1 for SA 1 (pending) (Pearce)
HCS for HB 1193, with SCS (Engler)
SCS for HB 1331-Jones (117), et al (Kehoe) (In Fiscal Oversight)

HCS for HB 1623, with SCS, SS for SCS & SA 10 (pending) (Schmitt)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 562-Dixon, et al, with HCS
SB 611-Lembke, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8
SS for SCS for SB 719-Kehoe, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6
SB 736-Engler, with HA 1
SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 568-Parson, with HCS, as amended
HCS for HB 2002, with SS for SCS (Schaefer)
HCS for HB 2003, with SS for SCS (Schaefer)
HCS for HB 2004, with SS for SCS (Schaefer)
HCS for HB 2005, with SS for SCS (Schaefer)
HCS for HB 2006, with SS for SCS, as amended (Schaefer)
HCS for HB 2007, with SS for SCS (Schaefer)
HCS for HB 2008, with SS for SCS (Schaefer)
HCS for HB 2009, with SS for SCS (Schaefer)
HCS for HB 2010, with SS for SCS (Schaefer)
HCS for HB 2011, with SS for SCS, as amended (Schaefer)
HCS for HB 2012, with SS for SCS (Schaefer)
HCS for HB 2013, with SS for SCS (Schaefer)

Requests to Recede or Grant Conference

SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 (Senate requests House recede or grant conference)
SCS for SB 569-Kraus, with HCS, as amended (Senate requests House recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al
SCR 26-Stouffer

HCR 31-Schieffer, et al (Dempsey)
HCR 36-Asbury, et al (Stouffer)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-FOURTH DAY—WEDNESDAY, MAY 2, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Government is not warfare of interests. We shall not gain our ends by heat and bitterness, which make it impossible to think either calmly or fairly..." (Woodrow Wilson)

Merciful God, it is already an interesting week with so much still to accomplish that heat is generated making things more difficult for us to think calmly and deal with each other fairly and rationally. Helps us this day to acquire Your spirit within us so that what is said is helpful and what is done is right in Your eyes. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Engler offered Senate Resolution No. 2052, regarding Harley Pyles, Ellington, which was

adopted.

Senator Engler offered Senate Resolution No. 2053, regarding Brooklyn Chitwood, Ellington, which was adopted.

Senator Crowell offered Senate Resolution No. 2054, regarding Dina Casey, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2055, regarding Neil Casey, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2056, regarding Bonnie Nations, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2057, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Dewey Lukefahr, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 2058, regarding the Sixtieth Wedding Anniversary of Mr. and Mrs. Arnold Wachter, Jackson, which was adopted.

Senator Crowell offered Senate Resolution No. 2059, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Bobby LeDure, Commerce, which was adopted.

THIRD READING OF SENATE BILLS

SCS for **SB 788**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 788

An Act to repeal section 483.015, RSMo, and to enact in lieu thereof one new section relating to the appointment of circuit clerks.

Was taken up by Senator Keaveny.

On motion of Senator Keaveny, **SCS** for **SB 788** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—30		

NAYS—Senators

Lembke	Nieves	Wasson—3

Absent—Senator Ridgeway—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

HOUSE BILLS ON THIRD READING

HB 1039, introduced by Representative Leara, entitled:

An Act to repeal section 70.695, RSMo, and to enact in lieu thereof one new section relating to the Missouri local government employees' retirement system.

Was taken up by Senator Crowell.

On motion of Senator Crowell, **HB 1039** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Ridgeway—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Crowell, title to the bill was agreed to.

Senator Crowell moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schmitt moved that **HCS** for **HB 1623**, with **SCS**, **SS** for **SCS** and **SA 10** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Schmitt, **SS** for **SCS** for **HCS** for **HB 1623** was withdrawn, rendering **SA 10** moot.

Senator Schmitt offered **SS No. 2** for **SCS** for **HCS** for **HB 1623**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1623

An Act to repeal sections 49.272, 50.332, 50.622, 52.230, 52.240, 52.320, 55.160, 64.930, 66.010,

67.320, 67.750, 67.1305, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 67.1360, 67.2500, 67.2510, 71.625, 72.401, 77.080, 82.485, 82.487, 82.515, 82.516, 92.338, 99.825, 99.845, 99.848, 135.215, 135.963, 137.016, 144.805, 182.802, 190.335, 231.444, 301.010, 301.260, 320.106, 320.131, 320.136, 320.202, 321.015, 321.460, 479.011, 483.015, 537.635, and 577.029, RSMo, and to enact in lieu thereof eighty-two new sections relating to political subdivisions, with penalty provisions and an emergency clause for certain sections.

Senator Schmitt moved that **SS No. 2** for **SCS** for **HCS** for **HB 1623** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 16, Section 67.320, Line 23, by inserting immediately after all of said line the following:

"67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the

ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county **[**of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants**]**, the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or **[**by judicial foreclosure proceeding**]**, **if applicable to that county, chapter 141, or** at the option of the governing body**, by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body."; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 161, Section 701.550, Line 3 of said page, by inserting immediately after said line the following:

"**Section 1. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a perpetual street right of way in property owned by Missouri State University to the city of Springfield. The property to be conveyed is located at National Avenue and Monroe Street and is more particularly described as follows:**

TRACT A

BEING A PART OF LOT 60 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2339, PAGE 519 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE NORTH 1.05 FEET OF THE EAST 15.78 FEET OF LOT 60, BIGGS AND GRAY'S ADDITION.

CONTAINING 17 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

TRACT B

BEING A PART OF LOTS 54 AND 55 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2276, PAGE 383 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 54, AND BEING ON THE SOUTH RIGHT-OF-WAY LINE OF MONROE STREET; THENCE S88°54'15"E, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 174.58 FEET TO THE SOUTHEAST CORNER OF SAID LOT 53, AND THE EXISTING WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE S01°46'06"W, A DISTANCE OF 96.51 FEET; THENCE N04°37'20"W, A DISTANCE OF 48.84 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 64°00'22", WITH A RADIUS OF 34.00 FEET, AN ARC DISTANCE OF 37.98 FEET; THENCE N68°37'42"W, A DISTANCE OF 12.98 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 14°33'47", WITH A RADIUS OF 204.00 FEET, AN ARC DISTANCE OF 51.85 FEET; THENCE N83°11'29"W, A DISTANCE OF 22.38 FEET; THENCE N88°54'15"W, A DISTANCE OF 61.71 FEET TO THE WEST LINE OF SAID LOT 54; THENCE N01°51'49"E, ALONG SAID WEST LINE, A DISTANCE OF 1.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,745 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

TRACT C

BEING A PART OF LOTS 52 AND 53 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2066, PAGE 1451 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 53, AND BEING ON THE NORTH RIGHT-OF-WAY LINE OF MONROE STREET; THENCE S88°54'15"E, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 113.19 FEET TO THE POINT OF BEGINNING; THENCE N85°24'56"E, A DISTANCE OF 37.53 FEET; THENCE N38°05'58"E, A DISTANCE OF 28.41 FEET; THENCE N01°48'27"E, A DISTANCE OF 60.76 FEET; THENCE N06°10'00"E, A DISTANCE OF 18.99 FEET TO THE NORTH LINE OF SAID LOT 52; THENCE S88°07'56"E, A DISTANCE OF 6.25 FEET TO THE EXISTING WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE S01°48'26"W, A DISTANCE OF 106.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 53, AND THE NORTH RIGHT-OF-WAY LINE OF EXISTING MONROE STREET; THENCE N88°54'15"W, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 61.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,131 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

TRACT D

BEING A PART OF LOTS 50 AND 51 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2858, PAGE 1698 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 51, AND BEING ON THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE N88°07'56"W, ALONG THE SOUTH LINE OF SAID LOT 50, A DISTANCE OF 6.25 FEET; THENCE N06°10'00"E, A DISTANCE OF 82.23 FEET TO THE WEST RIGHT-OF-WAY NATIONAL AVENUE; THENCE S01°48'26"W, A DISTANCE OF 82.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 256 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 2. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a perpetual street right of way in property owned by Missouri State University to the City of Springfield. The property is located at National Avenue and Grand Street and is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE NORTH 47°19'44" EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 200.02 FEET; THENCE NORTH 10°09'58" EAST, A DISTANCE OF 101.26 FEET; THENCE NORTH 03°55'23" EAST, A DISTANCE OF 198.90 FEET; THENCE SOUTH 88°11'49" EAST, A DISTANCE OF 4.08 FEET TO THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE AS IT NOW EXISTS; THENCE SOUTH 01°49'53" WEST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 520.78 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET; THENCE NORTH 88°54'53" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 50.61 FEET TO THE POINT OF BEGINNING.

ALSO COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE NORTH 88°54'53" WEST ALONG SAID NORTH

RIGHT-OF-WAY LINE, A DISTANCE OF 71.13 FEET; THENCE ON A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,215.58 FEET, AN ARC LENGTH OF 103.01 FEET, A CENTRAL ANGLE OF 04°51'19" AND A LONG CHORD OF 102.98 FEET WHICH BEARS NORTH 84°45'54" WEST FOR A POINT OF BEGINNING; THENCE CONTINUING ON A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,525.50 FEET, AN ARC LENGTH OF 93.30 FEET, A CENTRAL ANGLE OF 03°30'15" AND A LONG CHORD OF 93.29 FEET WHICH BEARS NORTH 84°24'43" WEST; THENCE SOUTH 79°53'22" WEST, A DISTANCE OF 76.10 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET; THENCE SOUTH 88°54'53" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 12.10 FEET; THENCE NORTH 87°16'17" EAST, A DISTANCE OF 120.27 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,215.58 FEET, AN ARC LENGTH OF 35.55 FEET, A CENTRAL ANGLE OF 01°40'32" AND A LONG CHORD OF 35.55 FEET WHICH BEARS SOUTH 88°01 '50" EAST TO THE POINT OF BEGINNING, CONTAINING 10,515 SQUARE FEET, (0.24 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

ALSO, A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 525.86 FEET; THENCE SOUTH 01°05'07" WEST, A DISTANCE OF 29.94 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID GRAND STREET THE FOLLOWING FIVE (5) COURSES: SOUTH 88°53'44" EAST, A DISTANCE OF 195.52 FEET; THENCE SOUTH 01°44'15" WEST, A DISTANCE OF 7.99 FEET; THENCE SOUTH 88°54'53" EAST, A DISTANCE OF 70.00 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,139.58 FEET, AN ARC LENGTH OF 237.05, A CENTRAL ANGLE OF 11°55'06" AND A LONG CHORD OF 236.62 FEET WHICH BEARS SOUTH 82°56'51" EAST; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 28.47 FEET, A CENTRAL ANGLE OF 54°22'10" AND A LONG CHORD OF 27.41 FEET WHICH BEARS SOUTH 49°30'54" EAST TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE AS IT NOW EXISTS; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 13.85 FEET, A CENTRAL ANGLE OF 26°26'42" AND A LONG CHORD OF 13.72 FEET WHICH BEARS SOUTH 10°53'17" EAST; THENCE CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE SOUTH 01°44'15" WEST, A DISTANCE OF 364.11 FEET; THENCE NORTH 02°04'10" WEST, A DISTANCE OF 243.50 FEET; THENCE NORTH 01°53'46" EAST, A DISTANCE OF 34.34 FEET; THENCE NORTH 07°33'58" WEST, A DISTANCE OF 43.48 FEET; THENCE NORTH 44°34'02" WEST, A DISTANCE OF 67.88 FEET; THENCE NORTH 81°34'05" WEST, A DISTANCE OF 233.60 FEET; THENCE NORTH 71°13'31" WEST, A DISTANCE OF 69.94 FEET; THENCE ON A NON-TANGENT

TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,490.50 FEET, AN ARC LENGTH OF 154.62 FEET, A CENTRAL ANGLE OF 05°56'37" AND A LONG CHORD OF 154.55 FEET WHICH BEARS NORTH 85°56'09" WEST; THENCE NORTH 01°05'32" EAST, A DISTANCE OF 0.51 FEET TO THE POINT OF BEGINNING, CONTAINING 16,700 SQUARE FEET, (0.38 Acres). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 3. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a drainage easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. The easement to be conveyed is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET; THENCE NORTH 47°19'44" EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 189.10 FEET FOR A POINT OF BEGINNING; THENCE NORTH 87°40'16" WEST, A DISTANCE OF 19.36 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 87°40'16" EAST, A DISTANCE OF 20.61 FEET; THENCE SOUTH 10°09'58" WEST, A DISTANCE OF 9.17 FEET; THENCE SOUTH 02°19'44" WEST, A DISTANCE OF 10.92 FEET TO THE POINT OF BEGINNING, CONTAINING 393 SQUARE FEET, (0.01 Acres). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29, THENCE SOUTH 01°44'15" WEST ALONG THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 457.53 FEET FOR THE POINT OF BEGINNING, THENCE NORTH 88°06'14" WEST, A DISTANCE OF 15.25 FEET; THENCE NORTH 03°01'24" EAST, A DISTANCE OF 171.43 FEET; THENCE SOUTH 02°04'10" EAST, A DISTANCE OF 171.81 FEET TO THE POINT OF BEGINNING. ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29, THENCE NORTH 88°54'53" WEST ALONG THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 47.36 FEET; THENCE SOUTH 01°05'07" WEST, A

DISTANCE OF 11 4.87 FEET FOR A POINT OF BEGINNING, THENCE SOUTH 35°36'30" WEST, A DISTANCE OF 42.70 FEET; THENCE NORTH 67°27'15" WEST, A DISTANCE OF 27.08 FEET; THENCE NORTH 10°19'44" EAST, A DISTANCE OF 53.16 FEET; THENCE SOUTH 81°34'05" EAST, A DISTANCE OF 15.14 FEET; THENCE SOUTH 44°34'02" EAST, A DISTANCE OF 36.15 FEET TO THE POINT OF BEGINNING.

ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29, THENCE NORTH 88°54'53" WEST ALONG THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 241.90 FEET; THENCE SOUTH 01°05'07" WEST, A DISTANCE OF 67.85 FEET FOR A POINT OF BEGINNING, THENCE SOUTH 25°16'58" EAST, A DISTANCE OF 55.15 FEET; THENCE SOUTH 64°43'02" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 25°16'58" WEST, A DISTANCE OF 65.16 FEET; THENCE SOUTH 81°34'05" EAST, A DISTANCE OF 18.03 FEET TO THE POINT OF BEGINNING, CONTAINING 4,125 SQUARE FEET (0.09 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 4. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a sanitary sewer easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. The easement to be conveyed is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET; THENCE NORTH 47°19'44" EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 98.23 FEET FOR A POINT OF BEGINNING; THENCE NORTH 25°37'05" WEST, A DISTANCE OF 32.30 FEET; THENCE NORTH 05°29'44" EAST, A DISTANCE OF 120.31 FEET; THENCE SOUTH 88°11 ‘49" EAST, A DISTANCE OF 14.96 FEET; THENCE SOUTH 10°09'58" WEST, A DISTANCE OF 47.46 FEET; THENCE SOUTH 02°19'44" WEST, A DISTANCE OF 101.79 FEET TO THE POINT OF BEGINNING, CONTAINING 1,788 SQUARE FEET, (0.04 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and

terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 71, Section 82.485, Line 7 of said page, by inserting all of said line the following:

"85.015. No political subdivision shall restrict any paid member of a fire department or fire district from supporting or opposing any political party, candidate, or petition while off duty and not in uniform."; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 100, Section 137.016, Line 23, by inserting after all of said line the following:

"137.076. In establishing the value of a parcel of real property the county assessor shall consider **current market conditions and** previous decisions of the county board of equalization, the state tax commission or a court of competent jurisdiction that affected the value of such parcel. **For purposes of this section, the term "current market conditions", shall include the impact upon the housing market of foreclosures and bank sales.**"; and

Further amend the title and enacting clause accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 51, Section 67.5012, Line 14 of said page, by striking "twenty-three" and inserting in lieu thereof the following: "**ten**".

Senator Kraus moved that the above amendment be adopted.

Senator Justus offered **SSA 1** for **SA 5**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 50, Section 67.5008, Line 13 of said page, by inserting immediately after the

word "collected" the following: "**for ..... years, unless reauthorized by the voters,**"; and

Further amend said bill, page 51, section 67.5012, line 11 of said page, by striking the following: "The question of whether to"; and further amend lines 12-15 of said page, by striking all of said lines and inserting in lieu thereof the following: "**The order or ordinance shall require the sales tax to be submitted to the voters for reauthorization and shall specify the period of time before such reauthorization shall be required.**".

Senator Justus moved that the above substitute amendment be adopted, which motion prevailed.

Senator Engler offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 100, Section 137.016, Line 23 of said page, by inserting immediately after all of said line the following:

"144.032. The provisions of section 144.030 to the contrary notwithstanding, any city imposing a sales tax under the provisions of sections 94.500 to **[**94.570**] 94.550**, or any county imposing a sales tax under the provisions of sections 66.600 to **[**66.635**] 66.630**, or any county imposing a sales tax under the provisions of sections 67.500 to 67.729, or any **[**hospital district**] county** imposing a sales tax under the provisions of section 205.205**, or any hospital district imposing a sales tax under section 206.115** may by ordinance impose a sales tax upon all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only. Such tax shall be administered by the department of revenue and assessed by the retailer in the same manner as any other city, county, or hospital district sales tax. Domestic use shall be determined in the same manner as the determination of domestic use for exemption of such sales from the state sales tax under the provisions of section 144.030."; and

Further amend said bill, page 110, section 190.335, line 11 of said page, by inserting after all of said line the following:

"205.205. 1. The governing body of any **[**hospital district established under sections 205.160 to 205.379 in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants or any**]** county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants may, by resolution, abolish the property tax authorized in such **[**district**] county** under this chapter and impose a sales tax on all retail sales made within the **[**district**] county** which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the **county** hospital **[**district**] established under sections 205.160 to 205.379**. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the **[**hospital district**] county** submits to the voters residing within the **[**district**] county** at a state general, primary, or special election a proposal to authorize the governing body of the **[**district**] county** to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon

are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the **[**hospital district**] county**, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the **[**district**] county** for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any **[**hospital district**] county** that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the **[**district**] county**. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any **[**hospital district**] county** that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the **[**district**] county** equal to at least ten percent of the number of registered voters of the **[**district**] county** voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the **[**district**] county** a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the **[**hospital district**] county** shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the **[**district**] county** and close the account of that **[**district**] county**. The director shall notify each **[**district**] county** of each instance of any amount refunded or any check redeemed from receipts due the **[**district**]**

county.

206.115. 1. The governing body of any hospital district in any county of the third classification without a township form of government and with more than ten thousand but fewer than twelve thousand inhabitants and with a city of the fourth classification with more than one thousand three hundred fifty but fewer than one thousand five hundred inhabitants as the county seat may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at

least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district."; and

Further amend the title and enacting clause accordingly.

Senator Engler moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 2, Section A, Line 12 of said page, by inserting immediately after said line the following:

"37.850. 1. The commissioner of administration shall maintain the Missouri accountability portal established in executive order 07-24 as a free, Internet-based tool allowing citizens to demand fiscal discipline and responsibility.

2. The Missouri accountability portal shall consist of an easy-to-search database of financial transactions related to the purchase of goods and services and the distribution of funds for state programs**, and all bonds issued by any public institution of higher education, political subdivisions of the state or its designated authority, and any obligation issued pursuant to section 99.820, and the revenue stream pledged to repay the bond or obligation**.

3. The Missouri accountability portal shall be updated each state business day and maintained as the primary source of information about the activity of Missouri's government.

4. Whenever the governor withholds or releases any amount from the state's operating budget, the governor shall submit a report stating all amounts withheld or released from the state's operating budget for the current fiscal year, as authorized by article IV, section 27 of the Missouri Constitution which shall be:

(1) Conspicuously posted on the accountability portal website;

(2) Searchable by the amounts withheld or released from each individual fund; and

(3) Searchable by the total amount withheld or released from the operating budget.

5. Every public institution of higher education and political subdivision of the state shall supply information to the office of administration documenting any bond issuance or obligation incurred as described in subsection 2 of this section, within seven days of such issuance. For all such bonds or obligations issued or incurred prior to August 28, 2012, every public institution of higher education and political subdivision shall have ninety days to supply such information to the office of administration."; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Lembke offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 105, Section 182.802, Line 12 of said page, by inserting after all of said line the following:

"**188.125. 1. A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, controls, directs, interferes with, or otherwise adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech, including but not limited to counseling, referrals, or education of, advertising or information to, or other communications with, clients, patients, other persons, or the public.**

2. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, provided that such political subdivision treats an alternatives-to-abortion agency in the same manner as a similarly situated agency and that such authority is not used to circumvent the intent of this section.

3. In any action to enforce the provisions of this section, a court of competent jurisdiction may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney's fees, costs, and expenses. The remedies set forth shall not be deemed exclusive and shall be in addition to any other remedies permitted by law.

4. As used in this section, "alternatives-to-abortion agency" means:

(1) A maternity home as defined in section 135.600;

(2) A pregnancy resource center as defined in section 135.630; or

(3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist such women in carrying their unborn children to term instead of having abortions, and to assist such women in caring for their dependent children or placing their children for adoption, as described in section 188.325."; and

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted.

Senator Justus raised the point of order that **SA 8** is out of order in that it goes beyond the scope, title and original purpose of the bill.

The point of order was referred to the President Pro Tem who ruled it not well taken.

SA 8 was again taken up.

Senator Lembke moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 130, Section 304.033, Line 16, by inserting immediately after said line the following:

"304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles**, except that each municipality shall allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize a municipality to limit the use of all routes in the municipality**;

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial motor vehicles on all routes within the municipality. For purposes of this section, the term "route" shall mean any state road, county road, or public street, avenue, boulevard, or parkway."; and

Further amend said bill, page 158, section 483.015, line 12, by inserting immediately after said line the following:

"**537.292. 1. Notwithstanding any other provision of law to the contrary, the use of motor vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using motor vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.

3. Notwithstanding any other provision of law to the contrary, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being."; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

Senator Callahan offered **SA 1** to **SA 9**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 9

Amend Senate Amendment No. 9 to Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 3, Lines 13-29, by striking said lines;

And further amend same Section, Page 4, Lines 1-4, by striking said lines.

Senator Callahan moved that the above amendment be adopted, which motion prevailed.

SA 9, as amended, was again taken up.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Wright-Jones offered **SA 10**:

SENATE AMENDMENT NO. 10

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Pages 69-71, Section 82.485, by striking all of said section from the bill; and

Further amend said bill, pages 161-162, Section 82.487, by striking all of said section from the bill; and

Further amend said bill and page, section 82.515, by striking all of said section from the bill; and

Further amend said bill and page, section 82.516, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Wright-Jones moved that the above amendment be adopted, which motion prevailed.

Senator Ridgeway offered **SA 11**:

SENATE AMENDMENT NO. 11

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 16, Section 67.320, Line 23 of said page, by inserting immediately after all of said line the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if**

any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy."; and

Further amend said bill, Page 112, Section 231.444, Line 1, by inserting after all of said line the following:

"**238.415. 1. A road and bridge revitalization district may be established in the portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county that is located in a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, after voter approval pursuant to this section. A road and bridge revitalization district shall exist to revitalize, repair, and replace the roads, bridges, and related public infrastructure, including storm water control systems. The boundaries of the district may be of any dimensions within the portion of the city within such county that may be deemed necessary or advisable. The governing body of the municipality may establish such district by ordinance and authorize the imposition of a tax to support the district. The ordinance shall require the ad valorem tax to be submitted to the voters for reauthorization and shall specify the period of time before such reauthorization shall be required, which time period shall not be more than ten years. No such ordinance shall become effective unless the governing body of the municipality submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the creation of the district and the imposition of the tax. The municipality shall include in the ballot a provision for a tax to support the district in an amount not to exceed two and a half cents per one hundred dollars assessed valuation of all taxable property within the district pursuant to available statutory authority.**

2. The ballot for the proposition in the district shall be in substantially the following form:

Shall there be established a Road and Bridge Revitalization District with a tax rate of not more than .....(insert amount) cents per hundred dollars assessed valuation of all taxable property within the district for ..... years, unless reauthorized by the voters?

☐ YES ☐ NO

3. In the event that a majority of the voters voting on such proposition in the proposed district at such election cast votes for the proposition, then the district shall be established and the tax rate shall be in full force and effect as of the first day of the year following the year of the election. The results of the election shall be certified by the election officials of the city not less than thirty days after the day of election. In the event the proposition fails to receive a majority of the votes in the proposed district, then such proposition shall not be resubmitted at any election held within one year of the date of the election the proposition was rejected."; and

Further amend the title and enacting clause accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Crowell raised the point of order that **SS No. 2** for **SCS** for **HCS** for **HB 1623**, as amended; and **SCS** for **HCS** for **HB 1623** are out of order as they go beyond the scope of the underlying version of perfected **HCS** for **HB 1623**.

The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Crowell offered **SA 12**, which was read:

SENATE AMENDMENT NO. 12

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1623, Page 161, Section 701.550, Line 3, by inserting after all of said line the following:

"**Section 1. Notwithstanding any provision of law to the contrary, the provisions of sections 290.210 to 290.340 concerning prevailing wage shall not apply to any public works project undertaken in any political subdivision of this state.**"; and

Further amend the title and enacting clause accordingly.

Senator Crowell moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Cunningham, Lager, Lembke and Mayer.

Senator Callahan raised the point of order that **SA 12** is out of order as it goes beyond the scope of the subject, title and original purpose of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it not well taken.

At the request of Senator Schmitt, **HCS** for **HB 1623**, with **SCS**, **SS No. 2** for **SCS** and **SA 12** (pending), was placed on the Informal Calendar.

REFERRALS

President Pro Tem Mayer referred **HB 1318**; **HCS** for **HB 1640**, with **SCS**; and **HCS** for **HB 1498**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Schaaf.

RESOLUTIONS

Senator Richard offered Senate Resolution No. 2060, regarding the One Hundredth Anniversary of Stella Baptist Church, which was adopted.

Senator Justus offered Senate Resolution No. 2061, regarding Kristin Kenney, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 2062, regarding Mary Kay Martin, Ballwin, which was adopted.

Senator Schaaf offered Senate Resolution No. 2063, regarding Devan Collins, which was adopted.

Senator Schaaf offered Senate Resolution No. 2064, regarding Kealy Houlahan, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2065, regarding Molly C. Mees, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2066, regarding Kaylan D. Holloway, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2067, regarding Roshaunda McLean, which was adopted.

Senator Lamping offered Senate Resolution No. 2068, regarding the Honorable Harold Dielmann, Creve Coeur, which was adopted.

Senator Engler offered Senate Resolution No. 2069, regarding Lynne Yates, which was adopted.

Senator Brown offered Senate Resolution No. 2070, regarding Jamie Reza Tabrizi, which was adopted.

Senator Lembke offered Senate Resolution No. 2071, regarding the One Hundredth Anniversary of the Lemay Fire Protection District, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 1525** and has taken up and passed **SCS** for **HCS** for **HB 1525** as amended by **HPA 1**.

HOUSE PERFECTING AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1525, Page 6, Section 217.703, Line 98, by deleting the number "**4**" on said line and inserting in lieu thereof the number "**5**"; and

Further amend said bill, page, and section, Line 99, by deleting the number "**6**" on said line and inserting in lieu thereof the number "**7**"; and

Further amend said bill, Page 8, Section 221.105, Line 29, by deleting the first occurrence of the number "**7**" on said line and inserting in lieu thereof the number "**6**"; and

Further amend said bill, Page 10, Section 559.036, Line 23, by deleting the phrase "**subsection 3 of**" on said line; and

Further amend said bill, Page 11, Section 559.036, Line 66, by deleting the phrase "**subsection 2 of**" on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Goodman moved that **SCS** for **HCS** for **HB 1525**, with **HPA 1**, be taken up for 3rd reading and final passage, which motion prevailed.

HPA 1 was taken up.

Senator Goodman moved that the above perfecting amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Goodman	Green
Justus	Keaveny	Kraus	Lager	Lamping	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Purgason	Richard	Rupp	Schaaf	Stouffer
Wasson	Wright-Jones—26						

NAYS—Senators

Cunningham Lembke—2

Absent—Senators

Dixon Engler Kehoe Ridgeway Schaefer Schmitt—6

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Goodman, **SCS** for **HCS** for **HB 1525**, as amended by **HPA 1**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Curls	Dempsey	Goodman	Justus	Keaveny
Kraus	Lager	Lamping	Mayer	McKenna	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Rupp	Schaaf	Stouffer	Wasson	Wright-Jones—24

NAYS—Senators

Crowell Cunningham Lembke—3

Absent—Senators

Dixon Engler Green Kehoe Ridgeway Schaefer Schmitt—7

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred

HB 1135, with **SCS** and **HCS** for **HB 1094**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

PRIVILEGED MOTIONS

Senator Lembke moved that the Senate refuse to concur in **HA 1**, **HA 2**, **HA 3**, **HA 4**, **HA 5**, **HA 6**, **HA 7** and **HA 8** to **SB 611** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kehoe moved that the Senate refuse to concur in **HA 1**, **HA 2**, **HA 3**, as amended, **HA 4**, **HA 5** and **HA 6** to **SS** for **SCS** for **SB 719** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1400**, with **SCS**, entitled:

An Act to repeal sections 67.085, 400.9-311, 408.052, and 443.812, RSMo, and to enact in lieu thereof four new sections relating to financial transactions.

Was taken up by Senator Wasson.

SCS for **HCS** for **HB 1400**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1400

An Act to repeal sections 67.085, 361.070, 361.080, 400.9-311, 408.052, and 443.812, RSMo, and to enact in lieu thereof six new sections relating to financial transactions, with existing penalty provisions and an emergency clause.

Was taken up.

Senator Wasson moved that **SCS** for **HCS** for **HB 1400** be adopted.

Senator Wasson offered **SS** for **SCS** for **HCS** for **HB 1400**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1400

An Act to repeal sections 67.085, 361.070, 361.080, 400.9-311, and 408.052, RSMo, and to enact in lieu thereof five new sections relating to financial transactions, with existing penalty provisions and an emergency clause.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 1400** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **HCS** for **HB 1400** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping

Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Engler Schaefer—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson—31	

NAYS—Senator Wright-Jones—1

Absent—Senators

Engler Schaefer—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1308**, entitled:

An Act to repeal section 30.270, RSMo, and to enact in lieu thereof one new section relating to pledged securities for safekeeping.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **HCS** for **HB 1308** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators
Engler Schaefer—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1250, introduced by Representative Ruzicka, et al, entitled:

An Act to repeal section 78.090, RSMo, and to enact in lieu thereof one new section relating to primary elections.

Was taken up by Senator Purgason.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1250, Page 1, In the Title, Line 2, by striking the word "primary"; and

Further amend said bill, page 2, section 78.090, line 23, by inserting immediately after said line the following:

"115.123. 1. All public elections shall be held on Tuesday. Except as provided in subsections 2**[**,**]** **and** 3**[**, and 4**]** of this section, and section 247.180, all public elections shall be held on the general election day, the primary election day, the general municipal election day, the first Tuesday after the first Monday in **[**February or**]** November, or on another day expressly provided by city or county charter, **[**the first Tuesday after the first Monday in June**]** and in nonprimary years on the first Tuesday after the first Monday in August. **Bond elections may be held on the first Tuesday after the first Monday in February but no other issue shall be included on the ballot for such election.**

2. Notwithstanding the provisions of subsection 1 of this section, an election for a presidential primary held pursuant to sections 115.755 to 115.785 shall be held on the first Tuesday after the first Monday in **[**March**]** **February** of each presidential election year.

3. The following elections shall be exempt from the provisions of subsection 1 of this section:

(1) Bond elections necessitated by fire, vandalism or natural disaster;

(2) Elections for which ownership of real property is required by law for voting; **[**and**]**

(3) Special elections to fill vacancies and to decide tie votes or election contests**; and**

(4) Tax elections necessitated by a financial hardship due to a five percent or greater decline in per-pupil state revenue to a school district from the previous year.

[4. No city or county shall adopt a charter or charter amendment which calls for elections to be held on dates other than those established in subsection 1 of this section.**]**

[5.**] 4.** Nothing in this section prohibits a charter city or county from having its primary election in March if the charter provided for a March primary before August 28, 1999.

[6.**] 5.** Nothing in this section shall prohibit elections held pursuant to section 65.600, but no other issues shall be on the March ballot except pursuant to this chapter."; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator McKenna offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 1250, Page 1, In the Title, Line 2, by striking the word "primary"; and

Further amend said bill and page, section A, line 2, by inserting immediately after all of said line the following:

"77.080. The style of the ordinances of the city shall be: "Be it ordained by the council of the city of ....., as follows:"**. Except as provided in section 77.085,** no ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the council shall vote therefor, and the ayes and nays shall be entered on the journal. Every **[**proposed ordinance**] bill** shall be introduced to the council in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the council. If the **[**proposed ordinance**] bill** is read by title only, copies of the **[**proposed ordinance**] bill** shall be made available for public inspection prior to the time the bill is under consideration by the council. No bill shall become an ordinance until it shall have been signed by the officer presiding at the meeting of the council at which it shall have been passed. When so signed, it shall be delivered to the mayor for his approval and signature, or his veto.

77.085. 1. In any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the second classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants, voters in the city may propose an ordinance to prohibit smoking, as the term "smoking" is defined in subdivision (6) of section 191.765, in certain areas and establishments within such city by submitting a petition signed by at least the same number of voters that equals twenty-five percent of the votes cast for all candidates for mayor at the last preceding election. The petition shall contain, in addition to the requisite number of valid signatures, the full text of the ordinance sought to be passed and a request that the ordinance be submitted to a vote of the people if not passed by the council.

2. The signatures to the petition need not all be appended to one paper, but each signer shall provide with such person's signature the street and number of his or her place of residence. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

3. Within ten days from the date of filing such petition, the city clerk shall examine and ascertain

whether the petition contains signatures by the requisite number of voters. The council shall allow the clerk extra help for that purpose. The clerk shall attach a certificate of examination to the petition. If, by the clerk's certificate, the petition is shown to be insufficient, the petition may be amended within ten days from the date the clerk issued the certificate. The clerk shall, within ten days after such amendment is filed, examine the amended petition and issue another certificate. If the second certificate shows the petition to be insufficient, the petition shall be returned to the person filing it, without prejudice to the filing of a new petition to the same effect. If the petition is deemed to be sufficient, the clerk shall submit it to the city council without delay.

4. Upon receipt of the petition and certificate from the clerk, the city council shall either:

(1) Pass said ordinance without alteration within twenty days; or

(2) Submit the question without alteration at the next municipal election.

5. The question shall be submitted in substantially the following form:

Shall the following ordinance be (adopted) (repealed)? (Set out ordinance).

☐ YES ☐ NO

6. If a majority of the voters voting on the proposed ordinance vote in favor, such ordinance shall become a valid and binding ordinance of the city. Any ordinance regulating smoking that is proposed by petition and adopted by a vote of the people cannot be repealed or amended except by a vote of the people. The council may submit a proposition for the repeal or amendment of any such ordinance to be voted upon at any municipal election. If the proposition so submitted receives a majority of the votes cast thereon, such ordinance shall be repealed or amended accordingly."; and

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted, which motion prevailed.

Senator Pearce offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend House Bill No. 1250, Page 2, Section 78.090, Line 23, by inserting after all of said line the following:

"115.755. A statewide presidential preference primary shall be held on the first Tuesday after the first Monday in **[**February**]** **March** of each presidential election year."; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted, which motion failed.

On motion of Senator Purgason, **HB 1250**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Green Rupp Wasson—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Purgason, title to the bill was agreed to.

Senator Purgason moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1807, introduced by Representatives Marshall, et al, **HB 1093**, introduced by Representatives Elmer, et al, **HB 1107**, introduced by Representatives Dugger, et al, **HB 1156**, introduced by Representatives Rowland, et al, **HB 1221**, introduced by Representatives Black, et al, **HB 1261**, introduced by Representatives Swearingen, et al, **HB 1269**, introduced by Representatives Brattin, et al, **HB 1641**, introduced by Representatives Pollock, et al, **HB 1668**, introduced by Representatives Denison, et al, **HB 1737**, introduced by Representative Gatschenberger, **HB 1782**, introduced by Representatives Fitzwater, et al, **HB 1868**, introduced by Representative Cauthorn, and **HB 1878**, introduced by Representative Riddle, with **SCS**, entitled respectively:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to a special Navy Cross license plate.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bicycle and pedestrian bridge.

An Act to repeal section 301.3161, RSMo, and to enact in lieu thereof one new section relating to The Burnt District special license plate.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to an American Red Cross special license plate.

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to United States Olympic Committee special license plates.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of

a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

Were taken up by Senator Schaaf.

SCS for **HBs 1807**, **1093**, **1107**, **1156**, **1221**, **1261**, **1269**, **1641**, **1668**, **1737**, **1782**, **1868** and **1878**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1807, HOUSE BILL NO. 1093,
HOUSE BILL NO. 1107, HOUSE BILL NO. 1156,
HOUSE BILL NO. 1221, HOUSE BILL NO. 1261,
HOUSE BILL NO. 1269, HOUSE BILL NO. 1641,
HOUSE BILL NO. 1668, HOUSE BILL NO. 1737,
HOUSE BILL NO. 1782, HOUSE BILL NO. 1868,
AND HOUSE BILL NO. 1878

An Act to repeal sections 143.1009, 301.3084, and 301.3161, RSMo, and to enact in lieu thereof twenty-two new sections relating to transportation.

Was taken up.

Senator Schaaf moved that **SCS** for **HBs 1807**, **1093**, **1107**, **1156**, **1221**, **1261**, **1269**, **1641**, **1668**, **1737**, **1782**, **1868** and **1878**, be adopted.

Senator Schaaf offered **SS** for **SCS** for **HBs 1807**, **1093**, **1107**, **1156**, **1221**, **1261**, **1269**, **1641**, **1668**, **1737**, **1782**, **1868** and **1878**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1807, HOUSE BILL NO. 1093,
HOUSE BILL NO. 1107, HOUSE BILL NO. 1156,
HOUSE BILL NO. 1221, HOUSE BILL NO. 1261,
HOUSE BILL NO. 1269, HOUSE BILL NO. 1641,
HOUSE BILL NO. 1668, HOUSE BILL NO. 1737,
HOUSE BILL NO. 1782, HOUSE BILL NO. 1868,
AND HOUSE BILL NO. 1878

An Act to repeal sections 143.1009, 301.3084, and 301.3161, RSMo, and to enact in lieu thereof twenty-four new sections relating to transportation.

Senator Schaaf moved that **SS** for **SCS** for **HBs 1807**, **1093**, **1107**, **1156**, **1221**, **1261**, **1269**, **1641**, **1668**, **1737**,**1782**, **1868** and **1878** be adopted.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bills Nos. 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 and 1878, Page 6, Section 227.514, Line 11, by inserting immediately after said line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any

consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to

any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle

identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is **[**sixty**] sixty-four** inches or less in width, with an unladen dry weight of **[**one**] two** thousand **[**eight hundred fifty**]** pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or

corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty

pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain; and

further amend said bill, Page 31, Section 301.4045, Line 26, by inserting after said line the following:

304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover."; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Schaaf, **HB 1807**, **HB 1093**, **HB 1107**, **HB 1156**, **HB 1221**, **HB 1261**, **HB 1269**, **HB 1641**, **HB 1668**, **HB 1737**, **HB 1782**, **HB 1868** and **HB 1878**, with **SCS** and **SS** for **SCS**, as amended, were placed on the Informal Calendar.

HCS for **HB 1527**, entitled:

An Act to repeal sections 513.430 and 513.440, RSMo, and to enact in lieu thereof two new sections relating to property exempt from attachment.

Was taken up by Senator Crowell.

On motion of Senator Crowell, **HCS** for **HB 1527** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Crowell, title to the bill was agreed to.

Senator Crowell moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1108**, entitled:

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to caller location information.

Was taken up by Senator Parson.

On motion of Senator Parson, **HCS** for **HB 1108** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Schaaf—1

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1**, **HA 2**, as amended, **HA 3**, **HA 4**, **HA 6** and **HA 8** to **SB 564** and grants the senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 28**.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SB 564**, as amended: Senators Brown, Wasson, Richard, McKenna and Wright-Jones.

HOUSE BILLS ON THIRD READING

Senator Schaaf moved that **HB 1807**, **HB 1093**, **HB 1107**, **HB 1156**, **HB 1221**, **HB 1261**, **HB 1269**, **HB 1641**, **HB 1668**, **HB 1737**, **HB 1782**, **HB 1868** and **HB 1878**, with **SCS** and **SS** for **SCS**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HBs 1807**, **1093**, **1107**, **1156**, **1221**, **1261**, **1269**, **1641**, **1668**, **1737**, **1782**, **1868** and **1878**, as amended, was again taken up.

Senator Dempsey offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bills Nos. 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 and 1878, Page 6, Section 227.514, Line 11 of said page, by inserting after all of said line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number ....." (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be **[**displayed**] a plate, or,** on each side of such motor vehicle, **[**in**]** letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no. ....." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease

agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system."; and

Further amend the title and enacting clause accordingly.

Senator Dempsey move that the above amendment be adopted, which motion prevailed.

Senator Stouffer assumed the Chair.

Senator Nieves offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bills Nos. 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 and 1878, Page 16, Section 301.3161, Line 9, by inserting immediately after said line the following:

"301.3163. Any person may apply for **[**special**] specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**] specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**] director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**] centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsen Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend the title and enacting clause accordingly.

Senator Nieves moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf moved that **SS** for **SCS** for **HBs 1807**, **1093**, **1107**, **1156**, **1221**, **1261**, **1269**, **1641**, **1668**,

1737, **1782**, **1868** and **1878**, as amended, be adopted, which motion prevailed.

On motion of Senator Schaaf, **SS** for **SCS** for **HBs 1807**, **1093**, **1107**, **1156**, **1221**, **1261**, **1269**, **1641**, **1668**, **1737**, **1782**, **1868** and **1878**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—26						

NAYS—Senators

Crowell	Green	Keaveny	Kraus	Purgason—5

Absent—Senators

Justus	Kehoe	Rupp—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Kraus moved that **HB 1128**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HB 1128** was again taken up.

Senator Kraus moved that **SS** for **HB 1128** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **HB 1128** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Keaveny	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Justus	Kehoe	Rupp—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

RE-REFERRALS

President Pro Tem Mayer re-referred **HCS** for **HB 1758** to the Committee on Health, Mental Health, Seniors and Families.

HOUSE BILLS ON THIRD READING

HCS for **HB 1094**, with **SCS**, entitled:

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the acceptance of electronic payments by the office of administration.

Was taken up by Senator Munzlinger.

SCS for **HCS** for **HB 1094**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1094

An Act to repeal sections 205.042 and 488.5320, RSMo, and to enact in lieu thereof three new sections relating to financial transactions.

Was taken up.

Senator Munzlinger moved that **SCS** for **HCS** for **HB 1094** be adopted.

Senator Munzlinger offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1094, Page 1, In the Title String, Line 2 of the title string, by inserting after all of said line the following:

"HOUSE COMMITTEE SUBSTITUTE FOR".

Senator Munzlinger moved that the above amendment be adopted.

At the request of Senator Munzlinger, **HCS** for **HB 1094**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

HCS for **HB 1140**, with **SCS**, was placed on the Informal Calendar.

HB 1192 was placed on the Informal Calendar.

HB 1135, introduced by Representative Smith, et al, with **SCS**, entitled:

An Act to repeal section 536.041, RSMo, and to enact in lieu thereof three new sections relating to the review of state administrative rules.

Was taken up by Senator Dixon.

SCS for **HB 1135**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1135

An Act to repeal sections 536.041 and 536.325, RSMo, and to enact in lieu thereof four new sections relating to administrative procedures and review.

Was taken up.

Senator Dixon moved that **SCS** for **HB 1135** be adopted.

Senator Green offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Bill No. 1135, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"**37.920. 1. There is hereby created in the state treasury the "Missouri Revolving Information Technology Trust Fund" which shall contain moneys transferred or paid to the office of administration by any state agency in return for information technology expenses which may be incurred to ensure the proper use and operation of any information technology equipment, software, or systems.**

2. The state treasurer shall be custodian of the fund and may approve disbursement from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted.

At the request of Senator Dixon, **HB 1135**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Engler moved that the Senate refuse to concur in **HA 1** to **SB 736** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Dixon moved that **SCS** for **SB 562**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 562**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 562

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing boards of certain state universities, with an emergency clause.

Was taken up.

Senator Dixon moved that **HCS** for **SCS** for **SB 562** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Kehoe Rupp—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dixon, **HCS** for **SCS** for **SB 562** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Kehoe Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Nieves—1

Absent—Senators

Kehoe Rupp—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

RESOLUTIONS

Senator Green offered Senate Resolution No. 2072, regarding Mary Vandever, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Rupp introduced to the Senate, one hundred three eighth grade students from St. Joseph School, Cottleville; and Alexandra Licklider was made an honorary page.

Senator Rupp introduced to the Senate, his parents, Chester and Eleanor Rupp, St. Charles.

Senator Cunningham introduced to the Senate, the Physician of the Day, Dr. Stephen Slocum and Dr. Scott Sagett, St. Louis.

Senator Rupp introduced to the Senate, Daniel S. McConchie, Chicago, Illinois; and Charmaine Yoest, Washington, D.C.

Senator Stouffer introduced to the Senate, Billy Sellers, Lexington; and Billy was made an honorary page.

Senator Nieves introduced to the Senate, Mike Chartrau and Lisa, Samantha, Ollie and Emilie Gildehaus, Washington.

On behalf of Senator Kehoe, the President introduced to the Senate, Maggie Kehoe and Grace Verslues, St. Joseph Catholic School, Jefferson City.

Senator Purgason introduced to the Senate, fourth grade students from Willow Springs Elementary.

Senator Richard introduced to the Senate, fifth grade students from McKinley Elementary, Joplin.

Senator Schaaf introduced to the Senate, former State Representative Bob Behnen, Kirksville.

Senator McKenna introduced to the Senate, former State Senator Wes Shoemyer, Clarence.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-FIFTH DAY–THURSDAY, MAY 3, 2012

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS#2 for HB 1475

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS
SB 745-Lembke
SB 765-Schaefer
SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1051-Allen, et al, with SCS (Lager) (In Fiscal Oversight)
2. HB 1403-Schatz, et al (Dempsey) (In Fiscal Oversight)
3. HCS#2 for HB 1462 (Munzlinger)
4. HB 1318-Riddle, et al (Kehoe) (In Fiscal Oversight)
5. HCS for HB 1644 (Purgason)
6. HB 1105-Day (Kraus)
7. HCS for HB 1340 (Wasson)
8. HB 1236-Entlicher, et al (Parson)
9. HCS for HB 1640, with SCS (Stouffer) (In Fiscal Oversight)
10. HCS for HB 1402, with SCS (Dixon)
11. HCS#2 for HB 1317, with SCS (Schaefer)
12. HB 1460-Jones (117), et al, with SCS (Goodman)
13. HB 1170-Franz, with SCS
14. HCS for HB 1498, with SCS (Schmitt) (In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 710-Engler, et al, with SCS & SS#2 for SCS (pending)
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1094, with SCS & SA 1 (pending) (Munzlinger)
HB 1103-Crawford and Wyatt (Parson)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HCS for HB 1123 (Brown)
HB 1135-Smith (150), et al, with SCS & SA 1 (pending) (Dixon)
HCS for HB 1140, with SCS (Cunningham)
HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 2 to SSA 1 for SA 1 (pending) (Pearce)
HB 1192-Koenig, et al (Cunningham)
HCS for HB 1193, with SCS (Engler)
SCS for HB 1331-Jones (117), et al (Kehoe) (In Fiscal Oversight)
HCS for HB 1623, with SCS, SS#2 for SCS & SA 12 (pending) (Schmitt)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8
SB 568-Parson, with HCS, as amended
HCS for HB 2002, with SS for SCS (Schaefer)
HCS for HB 2003, with SS for SCS (Schaefer)
HCS for HB 2004, with SS for SCS (Schaefer)
HCS for HB 2005, with SS for SCS (Schaefer)
HCS for HB 2006, with SS for SCS, as amended (Schaefer)
HCS for HB 2007, with SS for SCS (Schaefer)
HCS for HB 2008, with SS for SCS (Schaefer)
HCS for HB 2009, with SS for SCS (Schaefer)
HCS for HB 2010, with SS for SCS (Schaefer)
HCS for HB 2011, with SS for SCS, as amended (Schaefer)
HCS for HB 2012, with SS for SCS (Schaefer)
HCS for HB 2013, with SS for SCS (Schaefer)

Requests to Recede or Grant Conference

SCS for SB 569-Kraus, with HCS as amended (Senate requests House recede or grant conference)
SB 611-Lembke, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 (Senate requests House recede or grant conference)
SS for SCS for SB 719-Kehoe, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 (Senate requests House recede or grant conference)
SB 736-Engler, with HA 1 (Senate requests House recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al
SCR 26-Stouffer

HCR 31-Schieffer, et al (Dempsey)
HCR 36-Asbury, et al (Stouffer)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-FIFTH DAY—THURSDAY, MAY 3, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"I arise today through the power of God: God's might to comfort me, God's wisdom to guide me, God's eye to look before me, God's ear to hear me, God's word to speak for me..." (The Lorica of St. Patrick)

Dear Lord, You are an awesome God who has created us so our minds, bodies and souls are interconnected and what affects one part touches the others. So we are thankful for even a quiet moment like this in conversation with You for it dissipates some of the stress we experience this time of year. Help us to take more such moments so we may be healthier and more effective in what is ahead of us. And Father we join our nation on this National Day of Prayer in asking Your blessings and guidance for our nation as we deal with conflict within and threats from without. Help us truly be "one nation under God" and follow You as we must. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 2073, regarding Dr. Marjorie Williams, which was adopted.

Senator Rupp offered Senate Resolution No. 2074, regarding J. Neal Ethridge, Springfield, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Mayer, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Mark W. Smith, as a member of the Midwestern Higher Education Compact;

Also,

Don W. Cook, Democrat, as a member of the Lincoln University Board of Curators;

Also,

Michael Pfander, Republican, as a member of the Missouri Veterinary Medical Board;

Also,

Robert Shotts, as a member of the Missouri Board for Architects, Professional Engineers,

Professional Land Surveyors and Landscape Architects;

Also,

John Munich, Democrat, as a member of the Missouri Ethics Commission.

Senator Mayer requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Mayer moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 12**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 22**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred

HCR 42, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

HOUSE BILLS ON THIRD READING

Senator Dixon moved that **HB 1135**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

Senator Pearce assumed the Chair.

At the request of Senator Green, **SA 1** was withdrawn.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Bill No. 1135, Page 1, Section A, Line 3, by inserting after all of said line the following:

"161.092. The state board of education shall:

(1) Adopt rules governing its own proceedings and formulate policies for the guidance of the commissioner of education and the department of elementary and secondary education;

(2) Carry out the educational policies of the state relating to public schools that are provided by law and supervise instruction in the public schools;

(3) Direct the investment of all moneys received by the state to be applied to the capital of any permanent fund established for the support of public education within the jurisdiction of the department of elementary and secondary education and see that the funds are applied to the branches of educational interest of the state that by grant, gift, devise or law they were originally intended, and if necessary institute suit for and collect the funds and return them to their legitimate channels;

(4) Cause to be assembled information which will reflect continuously the condition and management of the public schools of the state;

(5) Require of county clerks or treasurers, boards of education or other school officers, recorders and treasurers of cities, towns and villages, copies of all records required to be made by them and all other information in relation to the funds and condition of schools and the management thereof that is deemed necessary;

(6) Provide blanks suitable for use by officials in reporting the information required by the board;

(7) When conditions demand, cause the laws relating to schools to be published in a separate volume, with pertinent notes and comments, for the guidance of those charged with the execution of the laws;

(8) Grant, without fee except as provided in section 168.021, certificates of qualification and licenses to teach in any of the public schools of the state, establish requirements therefor, formulate regulations governing the issuance thereof, and cause the certificates to be revoked for the reasons and in the manner provided in section 168.071;

(9) Classify the public schools of the state, subject to limitations provided by law **and subdivision (14) of this section**, establish requirements for the schools of each class, and formulate rules governing the

inspection and accreditation of schools preparatory to classification, with such requirements taking effect not less than two years from the date of adoption of the proposed rule by the state board of education, provided that this condition shall not apply to any requirement for which a time line for adoption is mandated in either federal or state law;

(10) Make an annual report on or before the first Wednesday after the first day of January to the general assembly or, when it is not in session, to the governor for publication and transmission to the general assembly. The report shall be for the last preceding school year, and shall include:

(a) A statement of the number of public schools in the state, the number of pupils attending the schools, their sex, and the branches taught;

(b) A statement of the number of teachers employed, their sex, their professional training, and their average salary;

(c) A statement of the receipts and disbursements of public school funds of every description, their sources, and the purposes for which they were disbursed;

(d) Suggestions for the improvement of public schools; and

(e) Any other information relative to the educational interests of the state that the law requires or the board deems important;

(11) Make an annual report to the general assembly and the governor concerning coordination with other agencies and departments of government that support family literacy programs and other services which influence educational attainment of children of all ages;

(12) Require from the chief officer of each division of the department of elementary and secondary education, on or before the thirty-first day of August of each year, reports containing information the board deems important and desires for publication;

(13) Cause fifty copies of its annual report to be reserved for the use of each division of the state department of elementary and secondary education, and ten copies for preservation in the state library;

(14) **Promulgate rules under which the board shall classify the public schools of the state. Said rules shall include but not be limited to the standards, appropriate scoring guides, forms, instruments, and procedures used in determining the accreditation status of a district. The board shall make classification and accreditation determinations consistent with said rules, and shall not deviate from said rules without properly promulgating such rules pursuant to the provisions of chapter 536;**

(15) Have other powers and duties prescribed by law."; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Dixon moved that **SCS** for **HB 1135**, as amended, be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **HB 1135**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager

Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 467**, entitled:

An Act to repeal section 37.850, RSMo, and to enact in lieu thereof two new sections relating to the transparency and accountability of public funds, with an emergency clause.

With House Amendment Nos. 1, 2, 4, 5 and 6.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 37.850, Lines 15-20 by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 37.850, Line 20, by inserting after all of said section and line, the following:

"**620.007. The department of economic development shall require start-up companies that apply for economic development incentives, where the incentive is provided up-front, to provide verification of financial information when an application for such incentives is submitted to the department. In complying with this section, the department shall define "start-up company".**

620.009. 1. The department of economic development shall share either by electronic copy of the original source or as close as a reproduction as possible all adverse information it has about a company seeking state and local economic development incentives with all local governments, local not-for-profit economic development organizations, and economic development officials competing

for the company's business.

2. Local governments, local not-for-profit economic development organizations, and economic development officials working with a company seeking state or local economic development incentives shall also share with the department of economic development all adverse information received about a company.

3. In complying with the provisions of this section, all adverse information received about a company seeking state or local economic development incentives shall be subject to the provisions of section 620.014.

4. In working with local governments, local not-for-profit economic development organizations, and economic development officials on projects, the department of economic development shall designate one or more persons as the local contact for each project. The designated contacts shall be the persons through whom all information required in this section shall be provided. Such persons shall be required to sign a nondisclosure agreement agreeing not to divulge information, including company name, acquired about an applicant for economic development incentives to the general public.

5. In complying with the provisions of this section, no person or entity shall be required to violate terms of another nondisclosure agreement related to the project, except that the department of economic development shall not enter into a nondisclosure agreement that forbids sharing of adverse information under this section.

620.019. The department of economic development shall develop a rating system to apprise local governments of the department's opinion on proposals for discretionary economic development incentives that combine local and state resources.

Section 1. The department of economic development shall include a conflict of interest policy in all new consulting contracts for trade offices located in foreign countries."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 1, In the Title, Line 2, by inserting immediately after "RSMo," the following: "and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session,"; and

Further amend said bill and page, section A, Line 1, by inserting immediately after "RSMo," the following: "and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session,"; and

Further amend said bill, page 2, section 37.850, line 20, by inserting immediately after said section and line the following:

"141.210. Sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall be known by the short title of "Land Tax Collection Law".

141.220. The following words, terms and definitions, when used in sections 141.210 to 141.810 **and sections 141.980 to 141.1015**, shall have the meanings ascribed to them in this section, except where the text clearly indicates a different meaning:

(1) **"Ancillary parcel" shall mean a parcel of real estate acquired by a land bank agency other than:**

(a) Pursuant to a deemed sale under subsection 3 of section 141.560;

(b) By deed from a land trust under subsection 1 of section 141.984; or

(c) Pursuant to a sale under subdivision (2) of subsection 2 of section 141.550;

(2) "Appraiser" shall mean a state licensed or certified appraiser licensed or certified pursuant to chapter 339 who is not an employee of the collector or collection authority;

[(2)**] (3) "Board" or "board of commissioners" shall mean the board of commissioners of a land bank agency;**

(4) "Collector" shall mean the collector of the revenue in any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015**;

[(3)**] (5)** "County" shall mean any county **[**of the first class**]** in this state having a charter form of government, any county of the first class **[**not having a charter form of government**]** with a population of at least one hundred fifty thousand but less than one hundred sixty thousand and any county of the first class **[**not having a charter form of government**]** with a population of at least eighty-two thousand but less than eighty-five thousand;

[(4)**] (6)** "Court" shall mean the circuit court of any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015**;

[(5)**] (7)** "Delinquent land tax attorney" shall mean a licensed attorney-at-law, employed or designated by the collector as hereinafter provided;

[(6)**] (8) "Land bank agency", shall mean an agency created under section 141.980;**

(9) "Land taxes" shall mean taxes on real property or real estate and shall include the taxes both on land and the improvements thereon;

[(7)**] (10)** "Land trustees" and "land trust" shall mean the land trustees and land trust as the same are created by and described in section 141.700;

[(8)**] (11)** "Municipality" shall include any incorporated city or town, or a part thereof, located in whole or in part within a county of class one **or located in whole or in part within a county with a charter form of government**, which municipality now has or which may hereafter contain a population of two thousand five hundred inhabitants or more, according to the last preceding federal decennial census;

[(9)**] (12)** "Person" shall mean any individual, male or female, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver or trustee appointed by any state or federal court, trustee otherwise created, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

[(10)**] (13) "Political subdivision" shall mean any county, city, town, village, school district, library district, or any other public subdivision or public corporation having the power to tax;**

(14) "Reserve period taxes" shall mean land taxes assessed against any parcel of real estate sold or otherwise disposed of by a land bank agency for the first three tax years following such sale or disposition;

(15) "School district", "road district", "water district", "sewer district", "levee district", "drainage district", "special benefit district", "special assessment district", or "park district" shall include those located within a county as such county is described in **[**subdivision (3) of**]** this section;

[(11)**] (16)** "Sheriff" and "circuit clerk" shall mean the sheriff and circuit clerk, respectively, of any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015**;

[(12)**] (17)** "Tax bill" as used in sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall represent real estate taxes and the lien thereof, whether general or special, levied and assessed by any taxing authority;

[(13)**] (18)** "Tax district" shall mean the state of Missouri and any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, located in any municipality or county as herein described;

[(14)**] (19)** "Tax lien" shall mean the lien of any tax bill as defined in **[**subdivision (12) of**]** this section;

[(15)**] (20)** "Taxing authority" shall include any governmental, managing, administering or other lawful authority, now or hereafter empowered by law to issue tax bills, the state of Missouri or any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015**.

141.250. 1. The respective liens of the tax bills for general taxes of the state of Missouri, the county, any municipality and any school district, for the same tax year, shall be equal and first liens upon the real estate described in the respective tax bills thereof; provided, however, that the liens of such tax bills for the latest year for which tax bills are unpaid shall take priority over the liens of tax bills levied and assessed for less recent years, and the lien of such tax bills shall rate in priority in the order of the years for which they are delinquent, the lien of the tax bill longest delinquent being junior in priority to the lien of the tax bill for the next most recent tax year.

2. All tax bills for other than general taxes shall constitute liens junior to the liens for general taxes upon the real estate described therein; provided, however, that a tax bill for other than general taxes, of the more recent issue shall likewise be senior to any such tax bill of less recent date.

3. The proceeds derived from the sale of any lands encumbered with a tax lien or liens, or held by the land trustees, **or acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550** shall be distributed to the owners of such liens in the order of the seniority of the liens, or their respective interests as shown by the records of the land trust **or the land bank agency**. Those holding liens of equal rank shall share in direct proportion to the amounts of their respective liens.

141.290. 1. The collector shall compile lists of all state, county, school, and other tax bills collectible

by him which are delinquent according to his records and he shall combine such lists with the list filed by any taxing authority or tax bill owner.

2. The collector shall assign a serial number to each parcel of real estate in each list and if suit has been filed in the circuit court of the county on any delinquent tax bill included in any list, the collector shall give the court docket number of such suit and some appropriate designation of the place where such suit is pending, and such pending suit so listed in any petition filed pursuant to the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall, without further procedure or court order, be deemed to be consolidated with the suit brought under sections 141.210 to 141.810 **and sections 141.980 to 141.1015**, and such pending suit shall thereupon be abated.

3. The collector shall deliver such combined lists to the delinquent land tax attorney from time to time but not later than April the first of each year.

4. The delinquent land tax attorney shall incorporate such lists in petitions in the form prescribed in section 141.410, and shall file such petitions with the circuit clerk not later than June first of each year.

141.300. 1. The collector shall receipt for the aggregate amount of such delinquent tax bills appearing on the list or lists filed with him under the provisions of section 141.290, which receipt shall be held by the owner or holder of the tax bills or by the treasurer or other corresponding financial officer of the taxing authority so filing such list with the collector.

2. The collector shall, on or before the fifth day of each month, file with the owner or holder of any tax bill or with the treasurer or other corresponding financial officer of any taxing authority, a detailed statement, verified by affidavit, of all taxes collected by him during the preceding month which appear on the list or lists received by him, and shall, on or before the fifteenth day of the month, pay the same, less his commissions and costs payable to the county, to the tax bill owner or holder or to the treasurer or other corresponding financial officer of any taxing authority; provided, however, that the collector shall be given credit for the full amount of any tax bill which is bid in by the land trustees and where title to the real estate described in such tax bill is taken by the land trust**, or which is bid in by a land bank agency and where title to the real estate described in such tax bill is taken by such land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, or which is included in the bid of a land bank agency and where title to the real estate described in such tax bill is taken by such land bank agency pursuant to a sale under subdivision (2) of subsection 2 of section 141.550**.

141.320. 1. The collector shall at his option appoint a delinquent land tax attorney at a compensation of ten thousand dollars per year, or in counties having a county counselor, the collector shall at his option designate the county counselor and such of his assistants as shall appear necessary to act as the delinquent land tax attorney.

2. A delinquent land tax attorney who is not the county counselor, with the approval of the collector, may appoint one or more assistant delinquent land tax attorneys at salaries of not less than two hundred dollars and not more than four hundred dollars per month, and such clerical employees as may be necessary, at salaries to be fixed by the collector at not less than three hundred dollars and not more than four hundred dollars per month; and the appointed delinquent tax attorney may incur such reasonable expenses as are necessary for the performance of his duties.

3. The delinquent land tax attorney and his assistants shall perform legal services for the collector and shall act as attorney for him in the prosecution of all suits brought for the collection of land taxes; but they

shall not perform legal services for the land trust **or any land bank agency**.

4. Salaries and expenses of a delinquent land tax attorney who is not also the county counselor, his assistants and his employees shall be paid monthly out of the treasury of the county from the same funds as employees of the collector whenever the funds provided for by sections 141.150, 141.270, and 141.620 are not sufficient for such purpose.

5. The compensation herein provided shall be the total compensation for a delinquent land tax attorney who is not also a county counselor, his assistants and employees, and when the compensation received by him or owing to him by the collector exceeds ten thousand dollars in any one calendar year by virtue of the sums charged and collected pursuant to the provisions of section 141.150, the surplus shall be credited and applied by the collector to the expense of the delinquent land tax attorney and to the compensation of his assistants and employees, and any sum then remaining shall be paid into the county treasury on or before the first day of March of each year and credited to the general revenue fund of the county.

6. A delinquent land tax attorney who is not also the county counselor shall make a return quarterly to the county commission of such county of all compensation received by him, and of all amounts owing to him by the collector, and of all salaries and expenses of any assistants and employees, stating the same in detail, and verifying such amounts by his affidavit.

141.410. 1. A suit for the foreclosure of the tax liens herein provided for shall be instituted by filing in the appropriate office of the circuit clerk a petition, which petition shall contain a caption, a copy of the list so furnished to the delinquent land tax attorney by the collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

2. The caption shall be in the following form:

In the Circuit Court of . . . . . County, Missouri,
In the Matter of
Foreclosure of Liens for Delinquent Land Taxes
By Action in Rem.
Collector of Revenue of . . . . County, Missouri,
Plaintiff
-vs.-
Parcels of Land Encumbered with Delinquent Tax Liens
Defendants.

3. The petition shall conclude with a prayer that all tax liens upon such real estate be foreclosed; that the court determine the amounts and priorities of all tax bills, together with interest, penalties, costs, and attorney's fees; that the court order such real estate to be sold by the sheriff at public sale as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.1015** and that thereafter a report of such sale be made by the sheriff to the court for further proceedings under sections 141.210 to 141.810 **and sections 141.980 to 141.1015**.

4. The delinquent land tax attorney within ten days after the filing of any such petition, shall forward by United States registered mail to each person or taxing authority having filed a list of delinquent tax bills with the collector as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.1015** a notice of the time and place of the filing of such petition and of the newspaper in which the notice of publication

has been or will be published.

5. The petition when so filed shall have the same force and effect with respect to each parcel of real estate therein described, as a separate suit instituted to foreclose the tax lien or liens against any one of said parcels of real estate.

141.480. 1. Upon the trial of the cause upon the question of foreclosure, the tax bill, whether general or special, issued by any taxing authority shall be prima facie proof that the tax described in the tax bill has been validly assessed at the time indicated by the tax bill and that the tax is unpaid. Absent any answer the court shall take the allegations of the petition as confessed. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon trial, affirmatively establish such defense.

2. Prior to formal hearing, the court may conduct an informal hearing for the purpose of clarifying issues, and shall attempt to reach an agreement with the parties upon a stipulated statement of facts. The court shall hear the evidence offered by the collector or relator as the case may be, and by all answering parties, and shall determine the amount of each and every tax bill proved by the collector or any answering party, together with the amount of interest, penalties, attorney's fees and costs accruing upon each tax bill and the date from which interest began to accrue upon each tax bill and the rate thereof. The court shall hear evidence and determine every issue of law and of fact necessary to a complete adjudication of all tax liens asserted by any and every pleading, and may also hear evidence and determine any other issue of law or fact affecting any other right, title, or interest in or to, or lien upon, such real estate, sought to be enforced by any party to the proceeding against any other party to the proceeding who has been served by process or publication as authorized by law, or who has voluntarily appeared, and shall determine the order and priority of the liens and of any other rights or interest put in issue by the pleadings.

3. After the court has first determined the validity of the tax liens of all tax bills affecting parcels of real estate described in the petition, the priorities of the respective tax bills and the amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the foreclosure sale. The petition shall be dismissed as to any parcel of real estate redeemed prior to the time fixed for the sheriff's foreclosure sale as provided in sections 141.210 to 141.810 **and sections 141.980 to 141.1015**. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for a sum sufficient to fully pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and for no more, and such sale is confirmed by the court, then all other proceedings as to such parcels of real estate shall be finally dismissed as to all parties and interests other than tax bill owners or holders; provided, however, that any parties seeking relief other than an interest in or lien upon the real estate may continue with said suit to a final adjudication of such other issues; provided, further, an appeal may be had as to any claim attacking the validity of the tax bill or bills or the priorities as to payment of proceeds of foreclosure sale. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for a sum greater than the total amount necessary to pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and such sale is confirmed by the court, and no appeal is taken by any person claiming any right, title or interest in or to or lien upon said parcel of real estate or by any person or taxing authority owning or holding or claiming any right, title or interest in or to any tax bills within the time fixed by law for the filing of notice of appeal, the court shall thereupon order the sheriff to make distribution to the owners or holders of the respective tax bills included in the judgment of the amounts found to be due and in the order of priorities. Thereafter all proceedings in the suit shall be ordered by the

court to be dismissed as to such persons or taxing authorities owning, holding or claiming any right, title, or interest in any such tax bill or bills so paid, and the case shall proceed as to any parties claiming any right, title, or interest in or lien upon the parcel of real estate affected by such tax bill or bills as to their respective claims to such surplus funds then remaining in the hands of the sheriff.

4. Whenever an answer is filed to the petition, as herein provided, a severance of the action as to all parcels of real estate affected by such answer shall be granted, and the issues raised by the petition and such answer shall be tried separate and apart from the other issues in the suit, but the granting of such severance shall not delay the trial or other disposition of any other issue in the case. A separate appeal may be taken from any action of the court affecting any right, title, or interest in or to, or lien upon, such real estate, other than issues of law and fact affecting the amount or validity of the lien of tax bills, but the proceeding to foreclose the lien of any tax bills shall not be stayed by such appeal. The trial shall be conducted by the court without the aid of a jury and the suit shall be in equity. This action shall take precedence over and shall be triable before any other action in equity affecting the title to such real estate, upon motion of any interested party.

141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in any parcel of real estate, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments shall have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on his behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments shall have been made.

2. So long as such installments be paid according to the terms of the contract, the said six months waiting period shall be extended, but if any installment be not paid when due, the extension of said waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.

[3. No redemption contracts may be used under this section for residential property which has been vacant for at least six months in any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand.**]**

[141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in any parcel of real estate, other than a residential property which has been vacant for at least six months, providing for

payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on the individual's behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments being made.

2. So long as such installments are paid according to the terms of the contract, the six-month waiting period shall be extended, but if any installment is not paid when due, the extension of such waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.**]**

141.540. 1. In any county at a certain front door of whose courthouse sales of real estate are customarily made by the sheriff under execution, the sheriff shall advertise for sale and sell the respective parcels of real estate ordered sold by him or her pursuant to any judgment of foreclosure by any court pursuant to sections 141.210 to 141.810 at any of such courthouses, but the sale of such parcels of real estate shall be held at the same front door as sales of real estate are customarily made by the sheriff under execution.

2. Such advertisements may include more than one parcel of real estate, and shall be in substantially the following form:

NOTICE OF SHERIFF'S SALE
UNDER JUDGMENT OF
FORECLOSURE OF LIENS FOR
DELINQUENT LAND TAXES

No. . . . . .

In the Circuit Court of . . . . . .
County, Missouri.
In the Matter of Foreclosure of Liens
for Delinquent Land Taxes
Collector of Revenue of . . . . . .
County, Missouri,

Plaintiff,
vs.
Parcels of Land encumbered with
Delinquent Tax Liens,
Defendants.

WHEREAS, judgment has been rendered against parcels of real estate for taxes, interest, penalties, attorney's fees and costs with the serial numbers of each parcel of real estate, the description thereof, the

name of the person appearing in the petition in the suit, and the total amount of the judgment against each such parcel for taxes, interest, penalties, attorney's fees and costs, all as set out in said judgment and described in each case, respectively, as follows: (Here set out the respective serial numbers, descriptions, names and total amounts of each judgment, next above referred to.) and,

WHEREAS, such judgment orders such real estate sold by the undersigned sheriff, to satisfy the total amount of such judgment, including interest, penalties, attorney's fees and costs,

NOW, THEREFORE,

Public Notice is hereby given that I . . . . . ., Sheriff of . . . . . County, Missouri, will sell such real estate, parcel by parcel, at public auction, to the highest bidder, for cash, between the hours of nine o'clock A.M. and five o'clock P.M., at the . . . . . front door of the . . . . . County Courthouse in . . . . . ., Missouri, on . . . . . ., the . . . . . day of . . . . . ., 20.., and continuing from day to day thereafter, to satisfy the judgment as to each respective parcel of real estate sold. If no acceptable bids are received as to any parcel of real estate, said parcel shall be sold to the Land Trust of . . . . . (insert name of County), Missouri **or Land Bank of the City of . . . . . (insert name of municipality), Missouri**.

Any bid received shall be subject to confirmation by the court.

. . . . . .
Sheriff of . . . . . .
County,
Missouri

. . . . . .
Delinquent Land Tax Attorney
Address: . . . . . .

First Publication . . . . . .,
20. . .

3. Such advertisement shall be published four times, once a week, upon the same day of each week during successive weeks prior to the date of such sale, in a daily newspaper of general circulation regularly published in the county, qualified according to law for the publication of public notices and advertisements.

4. In addition to the provisions herein for notice and advertisement of sale, the county collector shall enter upon the property subject to foreclosure of these tax liens and post a written informational notice in any conspicuous location thereon. This notice shall describe the property and advise that it is the subject of delinquent land tax collection proceedings before the circuit court brought pursuant to sections 141.210 to 141.810 and that it may be sold for the payment of delinquent taxes at a sale to be held at ten o'clock a.m., date and place, and shall also contain a file number and the address and phone number of the collector. If the collector chooses to post such notices as authorized by this subsection, such posting must be made not later than the fourteenth day prior to the date of the sale.

5. The collector shall, concurrently with the beginning of the publication of sale, cause to be prepared and sent by restricted, registered or certified mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the persons named in the petition as being the last known persons in whose names tax bills affecting the respective parcels of real estate described in said petition were last billed or charged on the books of the collector, or the last known owner of record, if different, and to the addresses of said persons upon said

records of the collector. The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail. If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive and receipt for the notice as shown by the return receipt, then the collector shall make a search of the records maintained by the county, including those kept by the recorder of deeds, to discern the name and address of any person who, from such records, appears as a successor to the person to whom the original notice was addressed, and to cause another notice to be mailed to such person. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected of any such notices of sale that are undeliverable because of an addressee's refusal to receive and receipt for the same, or of any notice otherwise nondeliverable by mail, or in the event that any name or address does not appear on the records of the collector, then of that fact. The affidavit in addition to the recitals set forth above shall also state reason for the nondelivery of such notice.

6. The collector may, at his or her option, concurrently with the beginning of the publication of sale, cause to be prepared and sent by restricted, registered or certified mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the mortgagee or security holder, if known, of the respective parcels of real estate described in said petition, and to the addressee of such mortgagee or security holder according to the records of the collector. The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail. If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive and receipt for the notice as shown by the return receipt, then the collector shall make a search of the records maintained by the county, including those kept by the recorder of deeds, to discern the name and address of any security holder who, from such records, appears as a successor to the security holder to whom the original notice was addressed, and to cause another notice to be mailed to such security holder. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected by any such notices of sale that are undeliverable because of an addressee's refusal to receive and receipt for the same, or of any notice otherwise nondeliverable by mail, and stating the reason for the nondelivery of such notice.

141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any sale pursuant to this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the official charged by law with conducting the sale that he or she is not the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months and is not the owner of any parcel of real property with two or more violations of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality. **Notwithstanding this provision, any taxing authority or land bank agency shall be eligible to bid at any sale conducted under this section without making such a demonstration.**

3. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.

4. The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the county. The collector shall give credit in such accounts for all such advances recovered by him or her. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.

141.560. 1. If, when the sheriff offers the respective parcels of real estate for sale, there be no bidders for any parcel, or there be insufficient time or opportunity to sell all of the parcels of real estate so advertised, the sheriff shall adjourn such sale from day to day at the same place and commencing at the same hour as when first offered and shall announce that such real estate will be offered or reoffered for sale at such time and place.

2. **With respect to any parcel of real estate not located wholly within a municipality that is an appointing authority under section 141.981,** in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon shall be received at such sale after any parcel of real estate has been offered for sale on three different days, which need not be successive, the land trustees shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due, and if no other bid be then received by the sheriff in excess of the bid of the trustees, and the sheriff shall so announce at the sale, then the bid of the trustees shall be announced as accepted. The sheriff shall report any such bid or bids so made by the land trustees in the same way as his report of other bids is made. **The land trust shall pay any penalties, attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trust. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.**

3. **[**The land trustees shall pay any penalties, attorney's fees or costs included in the judgment of

foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.**] With respect to any parcel of real estate located wholly within a municipality that is an appointing authority under section 141.981, in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon shall be received at such sale after such parcel of real estate has been offered for sale on three different days, which need not be successive, the land bank agency for which said municipality is an appointing authority shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due, and the sheriff shall so announce at the sale, then the bid of the land bank agency shall be announced as accepted. The sheriff shall report any such bid or bids so made by such land bank agency in the same way as his report of other bids is made. Upon confirmation by the court of such bid at such sale by such land bank agency, the collector shall mark the tax bills so bid by such land bank agency as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.**

141.570. 1. The title to any real estate which shall vest in the land trust under the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall be held by the land trust of such county in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure. **The title to any real estate acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 shall be held in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure.**

2. The title to any real estate which shall vest in any purchaser, upon confirmation of such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon of public utilities on which tax has been otherwise paid, and subject to any lien thereon of the United States of America, if any, and all persons, including the state of Missouri, infants, incapacitated and disabled persons as defined in chapter 475, and nonresidents who may have had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands, shall be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of redemption, and the court shall order immediate possession of such real estate be given to such purchaser; provided, however, that such title shall also be subject to the liens of any tax bills which may have attached to such parcel of real estate prior to the time of the filing of the petition affecting such parcel of real estate not then delinquent, or which may have attached after the filing of the petition and prior to sheriff's sale and not included in any answer to such petition, but if such parcel of real estate is **deemed** sold to the land trust **pursuant to subsection 2 of section 141.560, or deemed sold to a land bank agency pursuant to subsection 3 of section 141.560, or sold to a land bank agency pursuant to subdivision (2) of subsection 2 of section 141.550**, the title thereto shall be free of any such liens to the extent of the interest of any taxing authority in such real estate; provided further, that such title shall not be subject to the lien of special tax bills which have attached to the parcel of real estate prior to November 22, 1943, but the lien of such special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds of the

ultimate sale of such parcel by the land trust **or land bank agency**.

141.580. 1. After the sheriff sells any parcel of real estate, the court shall, upon its own motion or upon motion of any interested party, set the cause down for hearing to confirm the foreclosure sale thereof, even though such parcels are not all of the parcels of real estate described in the notice of sheriff's foreclosure sale. At the time of such hearing, the sheriff shall make report of the sale, and the court shall hear evidence of the value of the property offered on behalf of any interested party to the suit, and shall forthwith determine whether an adequate consideration has been paid for each such parcel.

2. For this purpose the court shall have power to summon any city or county official or any private person to testify as to the reasonable value of the property, and if the court finds that adequate consideration has been paid, **[**he**] the court** shall confirm the sale and order the sheriff to issue a deed to the purchaser. If the court finds that the consideration paid is inadequate, **the court shall confirm the sale if** the purchaser **[**may increase**] increases** his bid to such amount as the court **[**may deem**] deems** to be adequate**[**, whereupon the court may confirm the sale. If, however,**] and makes such additional payment, or if all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon are not paid in full by one or more interested parties to the suit. If the court finds that the consideration is inadequate, but** the purchaser declines to increase his bid **to such amount as the court deems adequate** and make such additional payment, then the sale shall be disapproved **if all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon are paid in full by one or more interested parties to the suit**, the lien of the judgment continued, and such parcel of real estate shall be again advertised and offered for sale by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's foreclosure sale. Unless the court requires evidence of the value of the property conveyed to land trust **or a land bank agency**, none shall be required, and the amount bid by the land trustees **or such land bank agency** shall be deemed adequate consideration.

3. **Except as otherwise provided in subsection 6 of section 141.984,** if the sale is confirmed, the court shall order the proceeds of the sale applied in the following order:

(1) To the payment of the costs of the publication of the notice of foreclosure and of the sheriff's foreclosure sale;

(2) To the payment of all costs including appraiser's fee **[**not to exceed fifteen dollars**]** and attorney's fees;

(3) To the payment of all tax bills adjudged to be due in the order of their priority, including principal, interest and penalties thereon.

If, after such payment, there is any sum remaining of the proceeds of the sheriff's foreclosure sale, the court shall thereupon try and determine the other issues in the suit in accordance with section 141.480. If any answering parties have specially appealed as provided in section 141.570, the court shall retain the custody of such funds pending disposition of such appeal, and upon disposition of such appeal shall make such distribution. If there are not sufficient proceeds of the sale to pay all claims in any class described, the court shall order the same to be paid pro rata in accordance with the priorities.

4. If there are any funds remaining of the proceeds after the sheriff's sale and after the distribution of such funds as herein set out and no person entitled to any such funds, whether or not a party to the suit, shall, within two years after such sale, appear and claim the funds, they shall **[**escheat to the state as provided by law**] be distributed to the appropriate taxing authorities**.

141.720. 1. The land trust shall be composed of three members, one of whom shall be appointed by the county**, as directed by the county** executive, or if the county does not have a county executive, **as directed by** the county commission of the county, one of whom shall be appointed by **[**the city council of that city**]** **the municipality** in the county which **is not an appointing authority under section 141.981 and** then has the largest population according to the last preceding federal decennial census, and one of whom shall be appointed by **[**the board of directors of**]** the school district **in the county** which **is not an appointing authority under section 141.981 and** then has the largest population according to such census in the county. **If any appointing authority under this section fails to make any appointment of a land trustee after any term expires, then the appointment shall be made by the county.**

2. The terms of office of the land trustees shall be for four years each, except the terms of the first land trustees who shall be appointed by the foregoing appointing authorities, respectively, not sooner than twelve months and not later than eighteen months after sections 141.210 to 141.810 take effect**; provided, however, that the term of any land trustee appointed by a municipality or school district that becomes an appointing authority of a land bank agency under section 141.981 shall terminate and such municipality and such school district shall cease to be appointing authorities for such land trust under this section upon the completion of all transfers to the land bank agency from the land trust required under subsection 1 of section 141.984 or one year after the effective date of the ordinance or resolution establishing the land bank agency, whichever is the first to occur**.

3. Each land trustee shall have been a resident of the county for at least five years next prior to appointment, shall not hold other salaried or compensated public office by election or appointment during service as land trustee, the duties of which would in any way conflict with his duties as land trustee, and shall have had at least ten years experience in the management or sale of real estate.

4. Of the first land trustees appointed under sections 141.210 to 141.810, the land trustee appointed by the county commission shall serve for a term ending February 1, 1946, the land trustee appointed by the board of directors of the school district then having the largest population in the county shall serve for a term expiring February 1, 1947, and the land trustee appointed by the city council of the city then having the largest population in the county shall serve for a term expiring February 1, 1948. Each land trustee shall serve until his successor has been appointed and qualified.

5. Any vacancy in the office of land trustee shall be filled for the unexpired term by the same appointing authority which made the original appointment. If any appointing authority fails to make any appointment of a land trustee within the time the first appointments are required by sections 141.210 to 141.810 to be made, or within thirty days after any term expires or vacancy occurs, then the appointment shall be made by the **[**mayor of that city in the**]** county **[**then having the largest population, according to the last preceding federal decennial census**]**.

6. The members shall receive for their services as land trustees a salary of two thousand four hundred dollars per year.

7. Each land trustee may be removed for cause by the respective appointing authority, after public hearing, if requested by the land trustee, and an opportunity to be represented by counsel and to present evidence is afforded the trustee.

141.770. 1. Each annual budget of the land trust shall be itemized as to objects and purposes of expenditure, prepared not later than **[**December tenth**]** **October first** of each year with copies delivered to the **[**county and city that appointed trustee members**]** **appointing authorities of such land trust under**

section 141.720, and shall include therein only such appropriations as shall be deemed necessary to meet the reasonable expenses of the land trust during the forthcoming fiscal year. That budget shall not become the required annual budget of the land trust unless and until it has been approved by the governing bodies of the **[**county or city that appointed trustee members**] appointing authorities of such land trust under section 141.720**. If **[**either**] any** of the governing bodies of the **[**county and city that appointed trustee members**] appointing authorities of such land trust under section 141.720** fail to notify the land trust in writing of any objections to the proposed annual budget on or before **[**December**] November** twentieth, then such failure or failures to object shall be deemed approval. In the event objections have been made and a budget for the fiscal year beginning January first has not been approved by the governing bodies of the **[**county and city**] appointing authorities of such land trust under section 141.720** on or before January first, then the budget for the previous fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from the preceding fiscal year shall be deducted from the amounts needed to meet the budget requirements of the forthcoming year.

2. Copies of the budget shall be made available to the public on or before **[**December**] October** tenth, and a public hearing shall be had thereon prior to **[**December**] October** twentieth, in each year. The approved and adopted budget may be amended by the trustee members only with the approval of the governing bodies of the **[**county and city that appointed trustee members**] appointing authorities of such land trust under section 141.720**.

3. If at any time there are not sufficient funds available to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any expenditures authorized by section 141.760, funds sufficient to pay such expenses shall be advanced and paid to the land trust upon its requisition therefor, **[**fifty**] seven** percent thereof by the county commission of **[**such**] the** county **in which such land trust operates**, and the other **[**fifty**] ninety-three** percent by all of the **[**municipalities in such county as defined in section 141.220**] taxing authorities in such county that are not appointing authorities for a land bank agency under section 141.981 and all municipalities and school districts in such county that are appointing authorities for a land bank agency under section 141.981 and are appointing authorities for such land trust under section 141.720**, in proportion to **[**their**] the product of their respective tax levy rates and the** assessed valuations **[**at the time of their last completed assessment for state and county purposes**] of the properties then in the land trust inventory located within their respective taxing jurisdictions**. The land trust shall have power to requisition such funds in an amount not to exceed twenty-five percent of the total annual budget of the land trust from such sources for that fiscal year of the land trust for which there are not sufficient funds otherwise available to pay the salaries and other expenses of the land trust, but any amount in excess of twenty-five percent of the total annual budget in any fiscal year may be requisitioned by and paid to the land trust only if such additional sums are agreed to and approved by the county **[**commission and the respective municipalities in such county so desiring to make such payment**] and such other taxing authorities**. All moneys so requisitioned shall be paid in a lump sum within thirty days after such requisition or the commencement of the fiscal year of the land trust for which such requisition is made, whichever is later, **by the county paying seven percent thereof due from the county under this section** and **advancing the remaining ninety-three percent due from other taxing authorities under this section on behalf of such other taxing authorities, and such amounts so paid** shall be deposited to the credit of the land trust in some bank or trust company, subject to withdrawal by warrant as herein provided. **Amounts advanced by the county on behalf of any taxing authority under this section shall be reimbursed to the county upon demand by the county or by the county withholding such amounts from distributions of tax moneys to such**

taxing authority.

4. The fiscal year of the land trust shall commence on January first of each year. Such land trust shall audit all claims for the expenditure of money, and shall, acting by the chairman or vice chairman thereof, draw warrants therefor from time to time.

5. No warrant for the payment of any claim shall be drawn by such land trust until such claim shall have been approved by the land commissioner and shall bear the commissioner's certificate that there is a sufficient unencumbered balance in the proper appropriation and sufficient unexpended cash available for the payment thereof. For any certification contrary thereto, such land commissioner shall be liable personally and on the commissioner's official bond for the amounts so certified, and shall thereupon be promptly removed from office by the land trustees.

6. In addition to the annual audit provided for in section 141.760, the land trust may be performance audited at any time by the state auditor or by the auditor of any home rule city with more than four hundred thousand inhabitants and located in more than one county that is a member of the land trust. The cost of such audit shall be paid by the land trust, and copies shall be made available to the public within thirty days of the completion of the audit.

141.785. 1. The land trust shall be authorized to file an action to quiet title pursuant to section 527.150 as to any real property in which the land trust has an interest. For purposes of any and all such actions the land trust shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the land trust as adequate petitioner in such action.

2. Prior to the filing of an action to quiet title the land trust shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real property. Service of the petition to quiet title shall be provided to all such interested parties by the following methods:

(1) Registered or certified mail to such identity and address as reasonably ascertainable by an inspection of public records;

(2) In the case of occupied real property by first class mail, addressed to "Occupant";

(3) By posting a copy of the notice on the real property;

(4) By publication in a newspaper of general circulation in the municipality in which the property is located; and

(5) Such other methods as the court may order.

3. As part of the petition to quiet title the land trust shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

4. The court shall schedule a hearing on the petition within ninety days following filing of the petition, and as to all matters upon which an answer was not filed by an interested party, the court shall issue its final judgment within one hundred twenty days of the filing of the petition.

5. The land trust shall be authorized to join in a single petition to quiet title one or more parcels of real property.

141.790. When any parcel of real estate is sold or otherwise disposed of by the land trust, the proceeds therefrom shall be applied and distributed in the following order:

(1) **To the payment of amounts due from the land trust under subsection 2 of section 141.560 on the sale or other disposition of such parcel;**

(2) To the payment of the expenses of sale;

[(2)**] (3)** The balance to be retained by the land trust to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any expenditures authorized by section 141.760, as provided for in its annual budget;

[(3)**] (4)** Any funds in excess of those necessary to meet the expenses of the annual budget of the land trust in any fiscal year, and including a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, **[**may**] shall** be paid to the respective taxing authorities which, at the time of the distribution, are taxing the real property from which the proceeds are being distributed. The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities; distribution shall be made on January first and July first of each year, and at such other times as the land trustees in their discretion may determine.

141.980. 1. Any municipality located wholly or partially within a county in which a land trust created under section 141.700 was operating on January 1, 2012, may establish a land bank agency for the management, sale, transfer, and other disposition of interests in real estate owned by such land bank agency. Any such land bank agency created shall be created to foster the public purpose of returning land, including land that is in a nonrevenue-generating, nontax-producing status, to effective use in order to provide housing, new industry, and jobs for citizens of the establishing municipality, and to create new revenues for such municipality. Such land bank agency shall be established by ordinance or resolution as applicable. Such land bank agency shall not own any interest in real estate that is located wholly or partially outside such establishing municipality.

2. The beneficiaries of the land bank agency shall be the taxing authorities that held or owned tax bills against the respective parcels of real estate acquired by such land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 included in the judgment of the court, and their respective interests in each parcel of real estate shall be to the extent and in the proportion and according to the priorities determined by the court on the basis that the principal amount of their respective tax bills bore to the total principal amount of all of the tax bills described in the judgment.

3. Each land bank agency created pursuant to this chapter shall be a public body corporate and politic, and shall have permanent and perpetual duration until terminated and dissolved in accordance with the provisions of section 141.1012.

141.981. 1. A land bank agency shall be composed of a board of commissioners which shall consist of five members, one of whom shall be appointed by the county, as directed by the county executive, or if the county does not have a county executive, as directed by the county commission of the county, one of whom shall be appointed by the school district that is wholly or partially located within such municipality and county and then has the largest population according to the last preceding federal decennial census, and the remainder shall be appointed by the municipality that established the land bank agency. The term of office of the members shall be for four years each. Members shall serve at the pleasure of the member's appointing authority, may be employees of the appointing authority, and shall serve without compensation. Any vacancy in the office of land bank commissioner shall be

filled by the same appointing authority that made the original appointment. Members of the first board of a land bank agency shall be appointed within sixty days after the effective date of the ordinance or resolution passed establishing such land bank agency. If any appointing authority fails to make any appointment of a land bank commissioner within the time the first appointments are required, or within sixty days after any term expires, then the appointment shall be made by the municipality that established the land bank agency. Except as otherwise provided in subsection 2 of section 141.720, any municipality or school district that is an appointing authority under this section shall not be an appointing authority under section 141.720.

2. Notwithstanding any law to the contrary, any public officer shall be eligible to serve as a board member and the acceptance of the appointment shall neither terminate nor impair such public office. For purposes of this section, "public officer" shall mean a person who is elected to a political subdivision office. Any political subdivision employee shall be eligible to serve as a board member.

3. The members of the board shall select annually from among themselves a chair, a vice-chair, a treasurer, and such other officers as the board may determine, and shall establish their duties as may be regulated by rules adopted by the board.

4. The board shall have the power to organize and reorganize the executive, administrative, clerical, and other departments of the land bank agency and to fix the duties, powers, and compensation of all employees, agents, and consultants of the land bank agency. The board may cause the land bank agency to reimburse any member for expenses actually incurred in the performance of duties on behalf of the land bank agency.

5. The board shall meet in regular session according to a schedule adopted by the board, and shall meet in special session as convened by the chairman or upon written notice signed by a majority of the members. The presence of a majority of the board's total membership shall constitute a quorum to conduct business.

6. All actions of the board shall be approved by the affirmative vote of a majority of the members of the board present and voting; provided, however, that no action of the board shall be authorized on the following matters unless approved by a roll call vote of a majority of the entire board membership:

(1) Adoption of bylaws and other rules and regulations for conduct of the land bank agency's business;

(2) Hiring or firing of any employee or contractor of the land bank agency. This function may, by majority vote, be delegated by the board to a specified officer or committee of the land bank agency, under such terms and conditions, and to the extent, that the board may specify;

(3) The incurring of debt, including, without limitation, borrowing of money and the issuance of bonds, notes, or other obligations;

(4) Adoption or amendment of the annual budget;

(5) Sale of real property for a selling price that represents a consideration less than two-thirds of the appraised value of such property; and

(6) Lease, encumbrance, or alienation of real property, improvements, or personal property with a value of more than fifty thousand dollars.

7. The board members shall each furnish a surety bond, if such bond is not already covered by governmental surety bond, in a penal sum not to exceed twenty-five thousand dollars to be approved by the comptroller or director of finance of the municipality that established the land bank agency, issued by a surety company licensed to do business in this state, which bond shall be deposited with the county clerk of such county, and shall guarantee the faithful performance of such member's duties under sections 141.980 to 141.1015, and shall be written to cover all the commissioners.

8. Before entering upon the duties of office, each board member shall take and subscribe to the following oath:

State of Missouri,)
) ss
City of . . .)

I, . . . , do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Missouri; that I will faithfully and impartially discharge my duties as a member of the Land Bank of . . . , Missouri; that I will according to my best knowledge and judgment, administer such tax delinquent and other lands held by the land bank according to the laws of the State of Missouri and for the benefit of the public bodies and the tax bill owners which I represent, so help me God.

. . . . . .

Subscribed and sworn to this . . . day of . . . , 20 . .

My appointment expires: . . . . . .

. . . .

Notary Public

9. Members of the board shall not be liable personally on the bonds or other obligations of the land bank agency, and the rights of creditors of the land bank agency shall be solely against the assets of such land bank agency.

10. Vote by proxy shall not be permitted. Any member may request a recorded vote on any resolution or action of the land bank agency.

141.982. A land bank agency may employ a secretary, an executive director, its own counsel and legal staff, and such technical experts, and such other agents and employees, permanent or temporary, as it may require, and may determine the qualifications and fix the compensation and benefits of such persons. A land bank agency may also enter into contracts and agreements with political subdivisions for staffing services to be provided to the land bank agency by political subdivisions or agencies or departments thereof, or for a land bank agency to provide such staffing services to political subdivisions or agencies or departments thereof.

141.983. Subject to the other provisions of this chapter and all other applicable laws, a land bank agency established under this chapter shall have all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this chapter as they relate to a land bank agency, including the following powers in addition to those herein otherwise granted:

(1) To adopt, amend, and repeal bylaws for the regulation of its affairs and the conduct of its

business;

(2) To sue and be sued, in its own name, and plead and be impleaded in all civil actions, including, but not limited to, actions to clear title to property of the land bank agency;

(3) To adopt a seal and to alter the same at pleasure;

(4) To receive funds as grants from or to borrow from political subdivisions, the state, the federal government, or any other public or private sources;

(5) To issue notes and other obligations according to the provisions of this chapter;

(6) To procure insurance or guarantees from political subdivisions, the state, the federal government, or any other public or private sources, of the payment of any bond, note, loan, or other obligation, or portion thereof, incurred by the land bank agency, and to pay any fees or premiums in connection therewith;

(7) To enter into contracts and other instruments necessary, incidental, or convenient to the performance of its duties and the exercise of its powers, including, but not limited to, agreements with other land bank agencies and with political subdivisions for the joint exercise of powers under this chapter;

(8) To enter into contracts and other instruments necessary, incidental, or convenient to the performance of functions by the land bank agency on behalf of political subdivisions, or agencies or departments of political subdivisions, or the performance by political subdivisions, or agencies or departments of political subdivisions, of functions on behalf of the land bank agency;

(9) To make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the land bank agency; and any contract or instrument when signed by the chair or vice-chair of the land bank agency, or by an authorized use of their facsimile signatures, and by the secretary or assistant secretary, or, treasurer or assistant treasurer of the land bank agency, or by an authorized use of their facsimile signatures, shall be held to have been properly executed for and on its behalf;

(10) To procure insurance against losses in connection with the property, assets, or activities of the land bank agency;

(11) To invest the money of the land bank agency, including amounts deposited in reserve or sinking funds, at the discretion of the board, in instruments, obligations, securities, or property determined proper by the board, and name and use depositories for its money;

(12) To enter into contracts for the management of, the collection of rent from, or the sale of the property of the land bank agency;

(13) To design, develop, construct, demolish, reconstruct, rehabilitate, renovate, relocate, equip, furnish, and otherwise improve real property or rights or interests in real property held by the land bank agency;

(14) To fix, charge, and collect rents, fees, and charges for the use of the property of the land bank agency and for services provided by the land bank agency;

(15) Subject to the limitation set forth in subsection 1 of section 141.980, to acquire property, whether by purchase, exchange, gift, lease, or otherwise, to grant or acquire licenses and easements,

and to sell, lease, grant an option with respect to, or otherwise dispose of, any property of the land bank agency;

(16) Subject to the limitation set forth in subsection 1 of section 141.980, to enter into partnership, joint ventures, and other collaborative relationships with political subdivisions and other public and private entities for the ownership, management, development, and disposition of real property; and

(17) Subject to the other provisions of this chapter and all other applicable laws, to do all other things necessary or convenient to achieve the objectives and purposes of the land bank agency or other laws that relate to the purposes and responsibility of the land bank agency.

141.984. 1. Within one year of the effective date of the ordinance or resolution passed establishing a land bank agency under this chapter, title to any real property held by a land trust created pursuant to section 141.700 that is located wholly within the municipality that created the land bank agency shall be transferred by deed to such land bank agency.

2. The income of a land bank agency shall be exempt from all taxation by the state and by any of its political subdivisions. Upon acquiring title to any real estate, a land bank agency shall immediately notify the county assessor and the collector of such ownership, and such real estate shall be exempt from all taxation during the land bank agency's ownership thereof, in the same manner and to the same extent as any other publicly owned real estate, and upon the sale or other disposition of any real estate held by it, such land bank agency shall immediately notify the county assessor and the collector of such change of ownership; provided however, that such tax exemption for improved and occupied real property held by such land bank agency as lessor pursuant to a ground lease shall terminate upon the first such occupancy, and such land bank agency shall immediately notify the county assessor and the collector of such occupancy.

3. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may acquire real property or interests in property by gift, devise, transfer, exchange, foreclosure, lease, purchase, or otherwise on terms and conditions and in a manner the land bank agency considers proper.

4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may acquire property by purchase contracts, lease purchase agreements, installment sales contracts, and land contacts, and may accept transfers from political subdivisions upon such terms and conditions as agreed to by the land bank agency and the political subdivision. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may bid on any parcel of real estate offered for sale at a sheriff's foreclosure sale held in accordance with section 141.550 provided that if the bid is not a deemed bid under subsection 3 of section 141.560, such parcel must be located within a low to moderate income area designated as a target area for revitalization by the municipality that created the land bank agency. Notwithstanding any other law to the contrary, but subject to the limitation set forth in subsection 1 of section 141.980, any political subdivision may transfer to the land bank agency real property and interests in real property of the political subdivision on such terms and conditions and according to such procedures as determined by the political subdivision.

5. A land bank agency shall maintain all of its real property in accordance with the laws and ordinances of the jurisdictions in which the real property is located.

6. Upon confirmation under section 141.580 of a sheriff's foreclosure sale of a parcel of real estate

to a land bank agency under subdivision (2) of subsection 2 of section 141.550, said land bank agency shall pay the amount of the land bank agency's bid that exceeds the amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. Such excess shall be applied and distributed in accordance with subsections 3 and 4 of section 141.580, exclusive of subdivision (3) of subsection 3 thereof. Upon such confirmation by the court, the collector shall mark the tax bills included in the judgment as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.

141.985. 1. A land bank agency shall hold in its own name all real property acquired by such land bank agency irrespective of the identity of the transferor of such property.

2. A land bank agency shall maintain and make available for public review and inspection an inventory of all real property held by the land bank agency.

3. The land bank agency shall determine and set forth in policies and procedures of the board the general terms and conditions for consideration to be received by the land bank agency for the transfer of real property and interests in real property, which consideration may take the form of monetary payments and secured financial obligations, covenants, and conditions related to the present and future use of the property, contractual commitments of the transferee, and such other forms of consideration as determined by the board to be in the best interest of the land bank agency.

4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may convey, exchange, sell, transfer, lease, grant, release and demise, pledge and hypothecate any and all interests in, upon or to property of the land bank agency.

5. A municipality may, in its resolution or ordinance creating a land bank agency establish a hierarchical ranking of priorities for the use of real property conveyed by such land bank agency, subject to subsection 7 of this section, including but not limited to:

(1) Use for purely public spaces and places;

(2) Use for affordable housing;

(3) Use for retail, commercial and industrial activities;

(4) Use as wildlife conservation areas; and

(5) Such other uses and in such hierarchical order as determined by such municipality.

6. A municipality may, in its resolution or ordinance creating a land bank agency, require that any particular form of disposition of real property, or any disposition of real property located within specified geographical areas, be subject to specified voting and approval requirements of the board that are not inconsistent with section 141.981 or section 141.983. Except and unless restricted or constrained in this manner, the board may delegate to officers and employees the authority to enter into and execute agreements, instruments of conveyance and all others related documents pertaining to the conveyance of property by the land bank agency.

7. A land bank agency shall act expeditiously to return the real property acquired by it to the tax rolls and shall market and sell such real property using an open, public method that ensures the best possible price is realized while ensuring such real property is returned to a suitable, productive use for the betterment of the neighborhoods in which such real property is located.

8. When any parcel of real estate acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of the expenses of sale;

(2) To fulfill the requirements of the resolution, indenture or other financing documents adopted or entered into in connection with bonds, notes or other obligations of the land bank agency, to the extent that such requirements may apply with respect to such parcel of real estate;

(3) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees as provided for in its annual budget;

(4) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, exclusive of net profit from the sale of ancillary parcels, shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing the real property from which the proceeds are being distributed. The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities. Distribution shall be made on January first and July first of each year, and at such other times as the board may determine.

9. When any ancillary parcel is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of all land taxes and related charges then due on such parcel;

(2) To the payment of the expenses of sale;

(3) To fulfill the requirements of the resolution, indenture or other financing documents adopted or entered into in connection with bonds, notes or other obligations of the land bank agency, to the extent that such requirements may apply with respect to such parcel of real estate;

(4) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees as provided for in its annual budget;

(5) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, may be paid in accordance with subdivision (3) of subsection 8 of this section.

141.988. 1. A land bank agency may receive funding through grants and loans from political subdivisions, from the state, from the federal government, and from other public and private sources.

2. Except as otherwise provided in subsections 8 and 9 of section 141.985, a land bank agency may receive and retain payments for services rendered, for rents and leasehold payments received, for consideration for disposition of real and personal property, for proceeds of insurance coverage for losses incurred, for income from investments, and for any other asset and activity lawfully permitted to a land bank agency under this chapter.

3. If a land bank agency sells or otherwise disposes of a parcel of real estate held by it, any land taxes assessed against such parcel for the three tax years following such sale or disposition by such land bank agency that are collected by the collector in a calendar year and not refunded, less the fees provided under section 52.260 and subsection 4 of this section and less the amounts to be deducted under section 137.720, shall be distributed by the collector to such land bank agency no later than March 1 of the following calendar year; provided that land taxes impounded under section 139.031 or otherwise paid under protest shall not be subject to distribution under this subsection. Any amount required to be distributed to a land bank agency under this subsection shall be subject to offset for amounts previously distributed to such land bank agency that were assessed, collected or distributed in error.

4. In addition to any other provisions of law related to collection fees, the collector shall collect on behalf of the county a fee of four percent of reserve period taxes collected and such fees collected shall be deposited in the county general fund.

141.991. There shall be an annual audit of the affairs, accounts, expenses, and financial transactions of a land bank agency by certified public accountants as of April thirtieth of each year, which accountants shall be employed by the commissioners on or before March first of each year, and certified copies thereof shall be furnished to the appointing authorities described in section 141.981, and shall be available for public inspection at the office of the land bank agency. In addition to the annual audit provided for in this subdivision, the land bank agency may be performance audited at any time by the state auditor or by the auditor of the municipality that established the land bank agency. The cost of such audit shall be paid by the land bank agency, and copies shall be made available to the public within thirty days of the completion of the audit.

141.994. 1. A land bank agency shall have power to issue bonds, with approval of the municipality that created the land bank agency, for any of its corporate purposes, which bonds shall be special, limited obligations of the land bank agency, the principal of and interest on which shall be payable solely from the income and revenue derived from the sale, lease, or other disposition of the assets of the land bank agency, or such portion thereof as may be designated in the resolution, indenture or other financing documents relating to the issuance of the bonds. In the discretion of the land bank agency, any of such bonds may be secured by a pledge of additional revenues, including grants, contributions or guarantees from the state, the federal government, or any agency or instrumentality thereof, or by a mortgage or other security device covering all or part of the property from which the revenues so pledged may be derived.

2. Bonds issued by a land bank agency shall not be deemed to be an indebtedness within the meaning of any constitutional or statutory limitation upon the incurring of indebtedness. The bonds shall not constitute a debt, liability or obligation of the state or of any political subdivision thereof, except in accordance with subsection 4 of this section, or a pledge of the full faith and credit or the taxing power of the state or of any such political subdivision, and the bonds shall contain a recital to that effect. Neither the members of the board nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof.

3. Bonds issued by a land bank agency shall be authorized by resolution of the board and shall be issued in such form, shall be in such denominations, shall bear interest at such rate or rates, shall mature on such dates and in such manner, shall be subject to redemption at such times and on such

terms, and shall be executed by one or more members of the board, as provided in the resolution authorizing the issuance thereof or as set out in the indenture or other financing document authorized and approved by such resolution. The board may sell such bonds in such manner, either at public or at private sale, and for such price as it may determine to be in the best interests of the land bank agency.

4. Any political subdivision may elect to guarantee, insure, or otherwise become primarily or secondarily obligated with respect to the bonds issued by a land bank agency subject, however, to the provisions of Missouri law applicable to the incurrence of indebtedness by such political subdivision. No political subdivision shall have any such obligation if it does not so elect.

5. A land bank agency may from time to time, as authorized by resolution of the board, issue refunding bonds for the purpose of refunding, extending and unifying all or any part of its valid outstanding bonds. Such refunding bonds may be payable from any of the sources identified in subsections 1 and 4 of this section, and from the investment of any of the proceeds of the refunding bonds.

6. The bonds issued by a land bank agency shall be negotiable instruments pursuant to the provisions of the uniform commercial code of the state of Missouri.

7. Bonds issued pursuant to this section and all income or interest thereon shall be exempt from all state taxes, except estate and transfer taxes.

8. A land bank agency shall have the power to issue temporary notes upon the same terms and subject to all provisions and restrictions applicable to bonds under this section. Such notes issued by a land bank agency may be refunded by notes or bonds authorized under this section.

141.997. Except as otherwise provided under Missouri law, all board meetings shall be open to the public and the board shall cause minutes and a record to be kept of all its proceedings. The land bank agency shall be subject to the provisions of chapter 610, chapter 109, and any other applicable provisions of law governing public records and public meetings.

141.1000. Neither the members of the board nor any salaried employee of a land bank agency shall receive any compensation, emolument, or other profit directly or indirectly from the rental, management, acquisition, sale, demolition, repair, rehabilitation, use, operation, ownership or disposition of any lands held by such land bank agency other than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.1015. Neither the members of the board nor any salaried employee of a land bank agency shall own, directly or indirectly, any legal or equitable interest in or to any lands held by such land bank agency other than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.1015. A violation of this section is a felony. Any person found guilty of violating this section shall be sentenced to a term of imprisonment of not less than two nor more than five years. The board of a land bank agency may adopt supplemental rules and regulations addressing potential conflicts of interest and ethical guidelines for members of the board and land bank agency employees, provided that such rules and regulations are not inconsistent with this chapter or any other applicable law.

141.1003. Except as otherwise expressly set forth in this chapter, in the exercise of its powers and duties under this chapter and its powers relating to property held by the land bank agency, the land bank agency shall have complete control of such property as fully and completely as if it were a

private property owner.

141.1006. 1. Whenever any ancillary parcel is acquired by a land bank agency and is encumbered by a lien or claim for real property taxes owed to a taxing authority, such taxing authority may elect to contribute to the land bank agency all or any portion of such taxes that are distributed to and received by such taxing authority.

2. To the extent that a land bank agency receives payments or credits of any kind attributable to liens or claims for real property taxes owed to a taxing authority, the land bank agency shall remit the full amount of the payments to the collector for distribution to the appropriate taxing authority.

141.1009. 1. A land bank agency shall be authorized to file an action to quiet title pursuant to section 527.150 as to any real property in which the land bank agency has an interest. For purposes of any and all such actions the land bank agency shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the land bank agency as adequate petitioner in such action.

2. Prior to the filing of an action to quiet title the land bank agency shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real property. Service of the petition to quiet title shall be provided to all such interested parties by the following methods:

(1) Registered or certified mail to such identity and address as reasonably ascertainable by an inspection of public records;

(2) In the case of occupied real property by first class mail, addressed to "Occupant";

(3) By posting a copy of the notice on the real property;

(4) By publication in a newspaper of general circulation in the municipality in which the property is located; and

(5) Such other methods as the court may order.

3. As part of the petition to quiet title the land bank agency shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

4. The court shall schedule a hearing on the petition within ninety days following filing of the petition, and as to all matters upon which an answer was not filed by an interested party the court shall issue its final judgment within one hundred twenty days of the filing of the petition.

5. A land bank agency shall be authorized to join in a single petition to quiet title one or more parcels of real property.

141.1012. A land bank agency may be dissolved as a public body corporate and politic not less than sixty calendar days after an ordinance or resolution for such dissolution is passed by the municipality that established the land bank agency. Not less than sixty calendar days advance written notice of consideration of such an ordinance or resolution of dissolution shall be given to the members of the board of the land bank agency, shall be published in a local newspaper of general circulation within such municipality, and shall be sent certified mail to each trustee of any outstanding bonds of the land bank agency. No land bank agency shall be dissolved while there remains outstanding any bonds, notes, or other obligations of the land bank agency unless such bonds, notes, or other

obligations are paid or defeased pursuant to the resolution, indenture or other financing document under which such bonds, notes, or other obligations were issued prior to or simultaneously with such dissolution. Upon dissolution of a land bank agency pursuant to this section, all real property, personal property, and other assets of the land bank agency shall be transferred by appropriate written instrument to and shall become the assets of the municipality that established the land bank agency. Such municipality shall act expeditiously to return such real property to the tax rolls and shall market and sell such real property using an open, public method that ensures the best possible prices are realized while ensuring such real property is returned to a suitable, productive use for the betterment of the neighborhoods in which such real property is located. Any such real property that was acquired by the dissolved land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 shall be held by such municipality in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure, and upon the sale or other disposition of any such property by such municipality, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of the expenses of sale;

(2) To the reasonable costs incurred by such municipality in maintaining and marketing such property; and

(3) The balance shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing the real property from which the proceeds are being distributed.

141.1015. A land bank agency shall neither possess nor exercise the power of eminent domain. A land bank agency shall not have the power to tax."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 33.087, Line 28, by inserting after all of said section and line the following:

"**33.089. 1. Every department and division of this state that receives any grant of federal funds shall determine whether or not any or all of such funds can be used for the alternatives to abortion services program established in section 188.325 or the alternatives to abortion public awareness program established in section 188.335. Federal funds for which such determination shall be made shall include, but not be limited to: maternal and child health block grant; social services block grant; community development block grant; temporary assistance for needy families; community services block grant; head start; pregnancy assistance fund program; maternal, infant, and early childhood home visiting program; community-based child abuse prevention grants; child care and development block grant; promoting safe and stable families; abandoned infants; infant adoption awareness training; healthy start initiative; healthy marriage promotion and responsible fatherhood grants; and any successor funds.**

2. At least annually, and by a date or dates specified by the office of administration so as to assist in budgeting and planning for every fiscal year, each such department and division shall submit its determination to the office of administration on the use of such federal funds for the alternatives to

abortion services program or the alternatives to abortion public awareness program. The office of administration shall compile this information and submit it to the chairman of the senate appropriations committee and the chairman of the house budget committee, and shall also make such information easily available to the public on the Missouri accountability portal established in section 37.850."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 37.850, Line 20, by inserting after all of said section and line the following:

"**37.853. 1. The office of administration shall maintain municipal government, including any city not within a county, accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of municipal government, including any city not within a county, financial information as a means of creating better public understanding of municipal government, including any city not within a county, practices and operations.**

2. Individual municipal governmental, including any city not within a county, entities shall collect and transmit to the office of administration, by electronic mail or United States postal mail, the public information applicable to all municipal government, including any city not within a county, as provided in this section. Notwithstanding any other provision of law or rule to the contrary, municipal governmental, including any city not within a county, entities that provide the annual report required under section 105.145 to the office of administration are not required to provide a copy of the report to the state auditor.

3. Municipal governmental, including any city not within a county, entities shall annually provide to the office of administration a copy of the annual report of the financial transactions of the municipality that the municipality is required to provide to the state auditor under section 105.145.

4. This section shall become effective December 31, 2012.

37.855. 1. The office of administration shall maintain public school accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of school district and charter school financial information as a means of creating better public understanding of public school practices and operations.

2. The department of elementary and secondary education shall annually collect and transmit to the office of administration the public information regarding school districts and public charter schools as provided in this section.

3. School districts and public charter schools shall annually provide the department of elementary and secondary education with detailed compensation information for all school employees, including all extra duty compensation and all employee benefits, and the district's annual operating budget and bonded indebtedness. The department shall provide all information required under this subsection to the office of administration by electronic mail or United States postal mail.

4. This section shall become effective June 30, 2013.

37.857. 1. The office of administration shall maintain county government accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of county government financial information as a means of creating better public understanding of county government practices and operations.

2. Individual county governmental entities shall collect annually and transmit, by electronic mail or United States postal mail, to the office of administration the public information applicable to all county governments as provided in this section.

3. Specifically, the county government shall annually provide to the office of administration detailed compensation information for all elected county officials, including all extra duty compensation and all employee benefits, a copy of the detailed financial statement required under section 50.800, and any cash reserves. In addition to bonded debt, the county shall disclose any expenditures made pursuant to a real property lease, specifying the nature and duration of the lease. The office of administration may establish clear standards for budget format and detail, to ensure that all county government budgets contain all necessary information. Notwithstanding any other provision of law or rule to the contrary, any information reported annually to the office of administration under this section shall not be required to be reported to the state auditor.

4. This section shall become effective December 31, 2013." ; and

Further amend said bill and page, Section B, Line 2, by inserting immediately after the word "funds," the following:

" the enactment of section 33.087 and the repeal and reenactment of section 37.850 of" ; and

Further amend said bill, page 3, Section B, Line 4, by inserting immediately after the words "constitution, and" the following:

" the enactment of section 33.087 and the repeal and reenactment of section 37.850 of" ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

RESOLUTIONS

Senator Dempsey offered the following resolution:

SENATE RESOLUTION NO. 2075

WHEREAS, civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775, which issued a proclamation setting aside a time for prayer in forming a new nation; and

WHEREAS, in 1863, Abraham Lincoln called for a day of prayer, and Franklin Roosevelt declared a national day of prayer on D-Day, June 6, 1944, the day the Allied powers crossed the English Channel and landed on the beaches of Normandy, France, beginning the liberation of Western Europe from Nazi control during World War II; and

WHEREAS, in 1952, by joint act of Congress and signed into law by Harry S. Truman, the "National Day of Prayer" was officially established as an annual event calling upon each President of the United States to set aside an appropriate day for national prayer; and

WHEREAS, on May 5, 1988, President Ronald Reagan signed a bill which passed unanimously in Congress making the first Thursday of every May the National Day of Prayer; and

WHEREAS, the National Day of Prayer is an opportunity to acknowledge our dependence on God, to give thanks for blessings received, and to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, the governors of all fifty states have signed proclamations encouraging all Americans to pray on the National Day of Prayer:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, hereby recognize May 3, 2012 as the National Day of Prayer and encourage all citizens of the State of Missouri to join in this recognition and observance of prayer for the welfare of this state.

Senator Dempsey requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 2075** up for adoption, which request was denied.

Senator Dixon offered Senate Resolution No. 2076, regarding Amanda Johnson, Taos, which was adopted.

Senator Dixon offered Senate Resolution No. 2077, regarding Alberta Smith, Springfield, which was adopted.

Senator Mayer offered Senate Resolution No. 2078, regarding State Employee Recognition Week 2012, which was adopted.

Senator Mayer offered Senate Resolution No. 2079, regarding Marion "Bud" Joyner, Poplar Bluff, which was adopted.

Senator Schaefer offered Senate Resolution No. 2080, regarding the 3M Plant Safety Team and others, Columbia, which was adopted.

Senator Richard offered Senate Resolution No. 2081, regarding Mayor Michael R. Woolston, Joplin, which was adopted.

HOUSE BILLS ON THIRD READING

HB 1103, introduced by Representatives Crawford and Wyatt, entitled:

An Act to repeal section 339.1115, RSMo, and to enact in lieu thereof one new section relating to certain notices required by the Missouri appraisal management company registration and regulation act.

Was called from the Informal Calendar and taken up by Senator Parson.

Senator Wasson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1103, Page 1, In the Title, Lines 3-4 of the title, by striking said lines and inserting in lieu thereof the following: "real estate appraising, with penalty provisions."; and

Further amend said bill, Pages 1 and 2, Section 339.1115, by striking all of said section and inserting in lieu thereof the following:

"339.500. This act shall be known and may be cited as the "Missouri Certified and Licensed Real Estate Appraisers **and Appraisal Management Company Regulation** Act".

339.501. 1. Beginning July 1, 1999, it shall be unlawful for any person in this state to act as a real estate appraiser, or to directly or indirectly, engage or assume to engage in the business of real estate appraisal or to advertise or hold himself or herself out as engaging in or conducting such business without first obtaining a license or certificate issued by the Missouri real estate appraisers commission as provided in sections 339.500 to 339.549.

2. **Except for licenses issued to appraisal management companies under section 339.511,** no license or certificate shall be issued pursuant to sections 339.500 to 339.549 to a partnership, association, corporation, firm or group; except that, nothing in this section shall preclude a state-licensed or state-certified real estate appraiser from rendering appraisals for, or on behalf of, a partnership, association,

corporation, firm or group, provided the appraisal report is prepared by, or under the immediate personal direction of the state-licensed or state-certified real estate appraiser and is reviewed and signed by such state-licensed or state-certified appraiser.

3. Any person who is not state licensed or state certified pursuant to sections 339.500 to 339.549 may assist a state-licensed or state-certified real estate appraiser in the performance of an appraisal; provided that, such person is personally supervised by a state-licensed or state-certified appraiser and provided further that any appraisal report rendered in connection with the appraisal is reviewed and signed by the state-licensed or state-certified real estate appraiser.

4. Nothing in sections 339.500 to 339.549 shall abridge, infringe upon or otherwise restrict the right to use the term "certified ad valorem tax appraiser" or any similar term by persons performing ad valorem tax appraisals.

5. The provisions of sections 339.500 to 339.549 shall not be construed to require a license or certificate for:

(1) Any person, partnership, association or corporation who, as owner, performs appraisals of property owned by such person, partnership, association or corporation;

(2) Any licensed real estate broker or salesperson who prepares a comparative market analysis or a broker price opinion;

(3) Any employee of a local, state or federal agency who performs appraisal services within the scope of his or her employment; except that, this exemption shall not apply where any local, state or federal agency requires an employee to be registered, licensed or certified to perform appraisal services;

(4) Any employee of a federal or state-regulated lending agency or institution;

(5) Any agent of a federal or state-regulated lending agency or institution in a county of third or fourth classification.

339.503. As used in sections 339.500 to 339.549, the following words and phrases mean, unless the context clearly indicates otherwise:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal assignment", an engagement for which a person is employed or retained to act as a disinterested third party in rendering an objective appraisal;

(3) **"Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work produced or certified by persons licensed under sections 339.500 to 339.549 who produces appraisals;**

(4) "Appraisal foundation", the organization of the same name that was incorporated as an Illinois not-for-profit corporation on November 20, 1987, whose operative boards are the appraisal standards board and the appraiser qualifications board;

(5) "Appraisal management company", an individual or business entity that utilizes an appraisal

panel and performs, directly or indirectly, appraisal management services;

(6) "Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:

(a) Administer an appraiser panel;

(b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;

(c) Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;

(d) Track and determine the status of orders for appraisals performed by appraisers who are part of an appraisal panel;

(e) Conduct quality control of a completed appraisal performed by an appraiser who is part of an appraisal panel prior to the delivery of the appraisal to the person who ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser who is part of an appraisal panel to one or more persons who have ordered an appraisal;

[(4)**] (7)** "Appraisal report", any communication, written or oral, of an appraisal. The purpose of an appraisal is immaterial, therefore valuation reports, real estate counseling reports, real estate tax counseling reports, real estate offering memoranda, mortgage banking offers, highest and best use studies, market demand and economic feasibility studies and all other reports communicating an appraisal analysis, opinion or conclusion are appraisal reports, regardless of title;

[(5)**] (8)** "Appraisal standards board (ASB)", the independent board of the appraisal foundation which promulgates the generally accepted standards of the appraisal profession and the uniform standards of professional appraisal practices;

(9) "Appraiser", an individual who holds a license as a state-licensed real estate appraiser or certification as a state-certified real estate appraiser under sections 339.500 to 339.549;

(10) "Appraiser panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons who have ordered appraisals through the appraisal management company, or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company, or to perform appraisals for the appraisal management company directly;

[(6)**] (11)** "Appraiser qualifications board (AQB)", the independent board of the appraisal foundation which establishes minimum experience, education and examination criteria for state licensing of appraisers;

[(7)**] (12)** "Boat dock", a structure for loading and unloading boats and connecting real property to water, public or private. A boat dock is real property and has riparian rights, provided:

(a) The lender includes the boat dock as a fixture both in the lender's deed of trust and a uniform commercial code fixture filing under section 400.9-502;

(b) The boat dock is attached to the real property by steel cable, bar, or chain that is permanently imbedded in concrete or rock, and otherwise securely attached to the dock; and

(c) The owner of the dock has riparian rights by means of real estate rights bordering the body of water, including such rights by license, grant, or other means allowing access to the body of water, which access may be seasonal because the water may be reduced for electric power production or flood control;

[(8)**] (13)** "Boat slip" or "watercraft slip", a defined area of water, including the riparian rights to use such area, whether by grant, lease, or license, in accordance with all applicable laws and regulations, which is a part of a boat dock serving a common interest community, including by way of example and not of limitation condominiums and villas; and the exclusive right to such use being allocated as a limited common element or being assigned to an owner of real estate in the common interest community in which the boat dock is located, whether by grant, lease, or otherwise. The rights of the real estate owner in such slip are included as collateral in any deed of trust and uniform commercial code filings of a lender, if any, taking a security interest in the owner's real estate;

[(9)**] (14)** "Broker price opinion", an opinion of value, prepared by a real estate licensee for a fee, that includes, but is not limited to, analysis of competing properties, comparable sold properties, recommended repairs and costs or suggested marketing techniques. A broker price opinion is not an appraisal and shall specifically state it is not an appraisal;

[(10)**] (15)** "Certificate", the document issued by the Missouri real estate appraisers commission evidencing that the person named therein has satisfied the requirements for certification as a state-certified real estate appraiser and bearing a certificate number assigned by the commission;

[(11)**] (16)** "Certificate holder", a person certified by the commission pursuant to the provisions of sections 339.500 to 339.549;

[(12)**] (17)** "Certified appraisal report", an appraisal prepared or signed by a state-certified real estate appraiser. A certified appraisal report represents to the public that it meets the appraisal standards defined in sections 339.500 to 339.549;

[(13)**] (18)** "Commission", the Missouri real estate appraisers commission, created in section 339.507;

[(14)**] (19)** "Comparative market analysis", the analysis of sales of similar recently sold properties in order to derive an indication of the probable sales price of a particular property undertaken by a licensed real estate broker or agent, for his or her principal. A comparative market analysis is not an appraisal and shall specifically state it is not an appraisal;

(20) "Controlling person":

(a) An owner, officer, or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

[(15)**] (21)** "Disinterested third party" shall not exclude any state-certified real estate appraiser or state-licensed real estate appraiser employed or retained by any bank, savings association, credit union, mortgage banker or other lender to perform appraisal assignments, provided that the appraisal assignments are rendered with respect to loans to be extended by the bank, savings association, credit union, mortgage banker or other lender, and provided further that the state-certified real estate appraiser or state-licensed real estate appraiser is not requested or required to report a predetermined analysis or opinion of value;

[(16)**] (22)** "License" or "licensure", a license or licensure issued pursuant to the provisions of sections 339.500 to 339.549 evidencing that the person **or other legal entity** named therein has satisfied the requirements for licensure as a state-licensed real estate appraiser **or licensed appraisal management company** and bearing a license number assigned by the commission;

(23) "Licensed appraisal management company", a person or other legal entity who holds a current valid license as a licensed appraisal management company under sections 339.500 to 339.549;

[(17)**] (24)** "Real estate", an identified parcel or tract of land, including improvements, if any;

[(18)**] (25)** "Real estate appraiser" or "appraiser", a person who for a fee or valuable consideration develops and communicates real estate appraisals or otherwise gives an opinion of the value of real estate or any interest therein;

[(19)**] (26)** "Real estate appraising", the practice of developing and communicating real estate appraisals;

[(20)**] (27)** "Real property", the interests, benefits and rights inherent in the ownership of real estate;

[(21)**] (28)** "Residential real estate", any parcel of real estate, improved or unimproved, that is primarily residential in nature and that includes or is intended to include a residential structure containing not more than four dwelling units and no other improvements except those which are typical residential improvements that support the residential use for the location and property type. A residential unit is a condominium, town house or cooperative complex, or a planned unit development is considered to be residential real estate. Subdivisions are not considered residential real estate. Individual parcels of property located within a residential subdivision shall be considered residential property;

[(22)**] (29)** "Specialized appraisal services", appraisal services which do not fall within the definition of appraisal assignment. The term "specialized services" may include valuation work and analysis work. Regardless of the intention of the client or employer, if the appraiser is acting as a disinterested third party in rendering an unbiased analysis, opinion or conclusion, the work is classified as an appraisal assignment and not specialized services;

(30) "State-certified general appraiser trainee", a person who holds a current valid certificate as a state-certified general appraiser trainee issued under sections 339.500 to 339.539;

[(23)**] (31)** "State-certified general real estate appraiser", a person who holds a current, valid certificate as a state-certified general real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;

(32) "State-certified residential appraiser trainee", a person who holds a current valid certificate as a state-certified residential appraiser trainee under sections 339.500 to 339.539;

[(24)**] (33)** "State-certified residential real estate appraiser", a person who holds a current, valid certificate as a state-certified residential real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;

(34) "State-licensed appraiser trainee", a person who holds a current valid license as a state-licensed appraiser trainee under sections 339.500 to 339.549;

[(25)**] (35)** "State-licensed real estate appraiser", a person who holds a current, valid license as a state-licensed real estate appraiser pursuant to the provisions of sections 339.500 to 339.549;

[(26)**] (36)** "Subdivision", a tract of land that has been divided into blocks or plots with streets, roadways, open areas and other facilities appropriate to its development as residential, commercial or industrial sites;

[(27)**] (37)** "Temporary appraiser licensure or certification", the issuance of a temporary license or certificate by the commission to a person licensed or certified in another state who enters this state for the purpose of completing a particular appraisal assignment.

339.505. 1. It shall be unlawful for any person in this state to assume or use the title "state-licensed real estate appraiser" or "state-certified real estate appraiser", or any title, designation or abbreviation likely to create the impression of licensure or certification by the state of Missouri as a real estate appraiser, unless the person has first been licensed or certified by the Missouri real estate appraisers commission pursuant to the provisions of sections 339.500 to 339.549. The commission may adopt for the exclusive use of persons licensed or certified pursuant to sections 339.500 to 339.549, a seal, symbol or other mark identifying the user as a state-licensed or state-certified real estate appraiser.

2. Any person certified as a real estate appraiser by an appraisal trade organization, on August 28, 1998, shall retain the right to use the term "certified" or any similar term in identifying himself or herself to the public; provided that, in each instance wherein such term is used, the name of the certifying organization or body is prominently and conspicuously displayed immediately adjacent to such term, and provided further that the use of such term does not create the impression of certification by the state of Missouri. Nothing in this section shall entitle any person certified only by a trade organization, and not certified or licensed by the state, the right to conduct any appraisal.

3. The term "state-licensed real estate appraiser", "state-certified real estate appraiser" or any similar term shall not be used following or immediately in connection with the name of a partnership, association, corporation or other firm or group or in such manner that it might create the impression of licensure or certification by the state of Missouri as a real estate appraiser.

4. No person shall, directly or indirectly, engage or attempt to engage in the business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.500 to 339.549; except for:

(1) The performance of services as an appraisal firm;

(2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the Missouri department of insurance, financial institutions and professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution;

(3) An appraisal management company that is a subsidiary owned and controlled by a financial institution and regulated by a federal institution regulatory agency;

(4) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;

(5) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;

(6) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.

339.509. The commission shall have the following powers and duties:

(1) To establish educational programs and research projects related to the appraisal of real estate;

(2) To establish administrative procedures for processing applications and issuing **trainee licenses,** certificates of state-certified real estate appraisers **[**and**],** licenses of state-licensed real estate appraisers**, and licenses of appraisal management companies,** and for conducting disciplinary proceedings pursuant to the provisions of sections 339.500 to 339.549 **or as required by federal law or regulation**; and shall have authority to determine who meets the criteria for certification and licensure, and shall have authority to renew, censure, suspend or revoke certifications and licenses;

(3) To further define by regulation, with respect to each category of **trainee,** state-certified real estate appraiser, and for state-licensed real estate appraisers **and for appraisal management companies**, the type of educational experience, appraisal experience and equivalent experience**, and other criteria** that will meet the statutory requirements of sections 339.500 to 339.549 **or as required by federal law or regulation**; provided that such standards shall be equivalent to the minimum criteria for certification and licensure issued by the appraiser qualifications board of the appraisal foundation and the provisions of section 339.517 **or as required by federal law or regulation**;

(4) To further define by regulation, with respect to each category of **trainee,** state-certified real estate appraiser, and for state-licensed real estate appraisers, the continuing education requirements for the renewal of certification and licensure that will meet the statutory requirements provided in section 339.530 **or as required by federal law or regulation**;

(5) To adopt standards for the development and communication of real estate appraisals and to adopt regulations explaining and interpreting the standards; provided that such standards shall meet the standards specified by the appraisal standards board of the appraisal foundation **or as required by federal law or regulation**;

(6) To establish an examination for each category of state-certified real estate appraiser, and for state-licensed real estate appraisers, to provide or procure appropriate examination questions and answers, and to establish procedures for grading examinations; provided that such standards for examinations for certification shall meet the minimum criteria specified by the appraiser qualifications board of the appraisal foundation **or as required by federal law or regulation**;

(7) To maintain a registry of the names and addresses of **trainees,** state-certified real estate appraisers

[and**],** state-licensed real estate appraisers**, and appraisal management companies**; **[**and**]**

(8) To perform such other functions and duties as may be necessary to carry out the provisions of sections 339.500 to 339.549 **or to comply with the requirements of federal law or regulation; and**

(9) To establish by rule the standards of practice for appraisal management companies.

339.511. 1. There shall be **[**three**] six** classes of licensure for individuals including:

(1) **[**State licensed real estate appraiser**] State-licensed appraiser trainee**;

(2) **[**Certified residential real estate appraiser; and**] State-licensed real estate appraiser;**

(3) **[**Certified general real estate appraiser**] State-certified residential appraiser trainee;**

(4) State-certified residential real estate appraiser;

(5) State-certified general appraiser trainee; and

(6) State-certified general real estate appraiser.

2. **There shall be one class of license for appraisal management companies.**

3. Persons desiring to obtain licensure as a **state-licensed appraiser trainee,** state-licensed real estate appraiser **[**or**], state-certified residential appraiser trainee,** certification as a **[**certified**] state-certified** residential **real estate appraiser, state-certified general appraiser trainee,** or **[**certified**] state-certified** general real estate appraiser shall make written application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure or certification and present to the commission satisfactory proof that the person is of good moral character and bears a good reputation for honesty, integrity and fair dealing.

[3.**] 4.** Each applicant for licensure as a **state-licensed appraiser trainee,** state-licensed real estate appraiser, **a state-certified residential appraiser trainee,** a state-certified residential real estate appraiser**, a state-certified general appraiser trainee,** or a state-certified general real estate appraiser shall have demonstrated the knowledge and competence necessary to perform appraisals of residential and other real estate as the commission may prescribe by rule not inconsistent with any requirements imposed by the appraiser qualifications board. The commission shall prescribe by rule procedures for obtaining and maintaining approved courses of instruction. The commission shall, also, prescribe the hours of training in real estate appraisal practices and the minimum level of experience acceptable for licensure or certification.

[4.**] 5.** Persons who receive certification after March 30, 1991, or who have a state license or certificate to engage in business as a real estate appraiser issued by the commission, shall receive the same license or certificate from the commission as such persons are currently holding without further education, experience, examination or application fee, but shall be required to meet all continuing education requirements prescribed by the commission.

6. Appraisal management companies desiring to obtain licensure shall:

(1) Make application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure;

(2) Remit the fee or fees as established by rule;

(3) Post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars as further promulgated by rule; and

(4) Submit to the commission satisfactory proof that any controlling person, defined in section 339.503, is of good moral character and bears a good reputation for honesty, integrity, and fair dealing.

339.513. 1. Applications for examination, original certification and licensure, and renewal certification and licensure shall be made in writing to the commission on forms provided by the commission. The application shall specify the classification of certification, or licensure, for which application is being made.

2. Appropriate fees shall accompany all applications for examination, original certification or licensure, and renewal certification or licensure; provided that such fees shall be in amounts set by the commission in order to offset the cost and expense of administering sections 339.500 to 339.549, and in amounts to be determined by the commission with reference to the requirements of Section 1109 of the United States Public Law 101-73, as later codified and as may be amended. All fees collected pursuant to this subsection shall be collected by the commission and deposited with the state treasurer into a fund to be known as the "Missouri Real Estate Appraisers **and Appraisal Management Company** Fund". The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year. In any proceeding in which a remedy provided by subsection 1 or 2 of section 339.532 is imposed, the commission may also require the respondent licensee to pay the costs of the proceeding if the commission is a prevailing party or in settlement. The moneys shall be placed in the state treasury to the credit of the Missouri real estate appraisers fund.

3. At the time of filing an application for certification or licensure, each applicant shall sign a pledge to comply with the standards set forth in sections 339.500 to 339.549 and state that he or she understands the types of misconduct for which disciplinary proceedings may be initiated **[**against a state-certified real estate appraiser or a state-licensed real estate appraiser**]**.

339.515. 1. An original certification as a state-certified real estate appraiser may be issued to any person who meets the qualification requirements for certification and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state certification examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

2. An original license as a state-licensed real estate appraiser may be issued to any person who meets the qualification .requirements for licensure and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state licensure examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

3. If an applicant**, other than an appraisal management company,** is not certified or licensed within two years after passing an examination given pursuant to the provisions of this section, he or she shall be required to retake the examination prior to certification or licensure.

4. An applicant**, other than an appraisal management company,** who has failed an examination taken pursuant to this section may apply for reexamination by submitting an application with the appropriate examination fee within ninety days after the date of having last taken and failed the examination.

339.517. 1. Any person who files with the commission an application for state licensure or certification as a real estate appraiser shall be required to pass an examination to demonstrate his or her competence. The commission shall, also, make such investigation as is required to verify such qualifications. If the results of the investigation are satisfactory to the commission and the applicant is otherwise qualified, then the commission shall issue to the applicant a license or certificate authorizing the applicant to act as a state-licensed real estate appraiser or a state-certified real estate appraiser in Missouri. If the results of the investigation are unsatisfactory, action on the application may be deferred pending a hearing before the real estate appraisal commission.

2. The commission shall promulgate and adopt regulations which prescribe and define the subjects related to real estate appraisal and the experience in real estate appraisal that will satisfy the qualification requirements for licensure or certification. The commission may approve courses of instruction in an accredited college or university relating to the appraisal of real estate and related disciplines including, but not limited to, economics, finance, statistics, principles of capitalization, real estate and such other areas deemed relevant by the commission. The commission may also approve similar courses of instruction offered by recognized professional appraisal organizations and real estate organizations and agencies of the state and federal government, and other qualified providers which may be approved by the commission. The commission may require by rule that some or all of an applicant's qualifying experience in real estate appraising be obtained on appraisals of real estate located in this state.

3. Each applicant for certification or licensure**, except for appraisal management companies,** shall furnish under oath a detailed statement of the real estate appraisal assignments or file memoranda for each year in which real estate appraisal experience is claimed by the applicant. Upon request, the applicant shall furnish to the commission a sample of appraisal reports or file memoranda which the applicant has prepared in the course of his or her appraisal practice.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

339.525. 1. To obtain a renewal certificate or license, a state certified real estate appraiser or state licensed real estate appraiser shall make application and pay the prescribed fee to the commission not earlier than one hundred twenty days nor later than thirty days prior to the expiration date of the certificate or license then held. With the application for renewal, the state certified real estate appraiser or state licensed real estate appraiser shall present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530.

2. **[**If the commission determines that a state certified real estate appraiser or state licensed real estate appraiser has failed to meet the requirements for renewal of certification or licensure through mistake, misunderstanding, or circumstances beyond the appraiser's control, the commission may extend the term of the certificate or license for good cause shown for a period not to exceed six months, upon payment of a prescribed fee for the extension.

3.**]** If a person is otherwise eligible to renew the person's certification or license, the person may renew an expired certification or license within two years from the date of expiration. To renew such expired

certification or license, the person shall submit an application for renewal, pay the renewal fee, pay a delinquent renewal fee as established by the commission, and present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530. Upon a finding of extenuating circumstances, the commission may waive the payment of the delinquent fee.

[4.**]** **3.** If a person has failed to renew the person's license within two years of its expiration, the license shall be void.

[5.**]** **4.** The commission is authorized to issue an inactive certificate or license to **[**any licensee**]** **a state-certified real estate appraiser or a state-licensed real estate appraiser** who makes written application for such on a form provided by the commission and remits the fee for an inactive certificate or license established by the commission. An inactive certificate or license may be issued only to a person who has previously been issued a certificate or license to practice as a real estate appraiser in this state, who is no longer regularly engaged in such practice, and who does not hold himself or herself out to the public as being professionally engaged in such practice in this state. Each inactive certificate or license shall be subject to all provisions of this chapter, except as otherwise specifically provided. Each inactive certificate or license may be renewed by the commission subject to all provisions of this section and all other provisions of this chapter. An inactive licensee may apply for a certificate or license to regularly engage in the practice of real estate appraising upon filing a written application on a form provided by the commission, submitting the reactivation fee established by the commission and submitting satisfactory proof of current competency as established by the commission.

5. To obtain a renewal license, an appraisal management company shall make application on a form prescribed by the commission and pay the prescribed fee.

6. To obtain a renewal license, a state-licensed appraiser trainee, state-certified residential appraiser trainee, or state-certified general appraiser trainee shall request an extension in writing at least thirty days prior to the expiration date as required by rule.

339.527. 1. **[**A certificate or license issued pursuant to sections 339.500 to 339.549 shall bear the signature or facsimile signature of the chairman of the commission and a certificate or license number assigned by the commission.

2.**]** A state-certified real estate appraiser may designate or identify an appraisal report rendered by him or her as a certified appraisal for the type of property included in his or her certification.

[3.**]** **2.** Each state-certified real estate appraiser or state-licensed real estate appraiser shall place the certificate or license number adjacent to or immediately below the designation "Missouri State-certified (Residential/General) Real Estate Appraiser" or "Missouri State-licensed Real Estate Appraiser" when used in an appraisal report or in a contract or other instrument used by the holder of the certificate or license in conducting an appraisal assignment or specialized appraisal services. **A state-licensed real estate appraiser trainee, state-certified residential appraiser trainee, and state-certified general appraiser trainee shall place his or her license number adjacent to or immediately below the title "state-licensed appraiser trainee", "state-certified residential appraiser trainee", or "state-certified general appraiser trainee".**

3. Each appraisal management company shall be required to disclose its license number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.

4. The terms "Missouri State-certified (Residential/General) Real Estate Appraiser" **[**and**],** "Missouri State-licensed Real Estate Appraiser"**, "Missouri State-licensed Appraiser Trainee", "Missouri State-certified Residential Appraiser Trainee", and "Missouri State-certified General Appraiser Trainee"** may only be used to refer to individuals who hold a certificate or license and may not be used following or immediately in connection with the name or signature of a firm, partnership, corporation, or group or in such manner that it might be interpreted as referring to certification or licensure of the firm, partnership, corporation, group, or to certification or licensure of anyone other than an individual holder of the certificate or license.

5. **Except for licensed appraisal management companies,** a certificate or license shall be issued pursuant to sections 339.500 to 339.549 only to a natural person. However, nothing in this section shall preclude a state-certified real estate appraiser or state-licensed real estate appraiser from rendering appraisals for or on behalf of a corporation, partnership or association, provided that the appraisal report is prepared by, or under the immediate direction of, a state-certified real estate appraiser or state-licensed real estate appraiser, and further provided that the appraisal report is signed by the state-certified real estate appraiser or state-licensed real estate appraiser.

339.529. 1. Each state-certified real estate appraiser**, state-certified appraiser trainee, state-licensed appraiser trainee,** and state-licensed real estate appraiser shall advise the commission of the address of his or her principal place of residence, business and all other addresses at which he or she is currently engaged in the business of preparing real property appraisal reports.

2. Whenever a state-certified real estate appraiser**, state-certified appraiser trainee, state-licensed appraiser trainee,** or state-licensed real estate appraiser changes the location of his or her place of business, he or she shall amend the certificate or license issued by the commission to reflect the change and shall give written notification of the change to the commission within thirty working days of the change.

3. Whenever a state-certified real estate appraiser or state-licensed real estate appraiser changes the location of his or her residence, he or she shall notify the commission of the new residence address within thirty working days of the change.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling person, agent of record, ownership composition, or address.

339.532. 1. The commission may refuse to issue or renew any certificate or license issued pursuant to sections 339.500 to 339.549 for one or any combination of causes stated in subsection 2 of this section. The commission shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any state-certified real estate appraiser, state-licensed real estate appraiser, **state-licensed appraiser trainee, state-certified residential appraiser trainee, state-certified general appraiser trainee, state-licensed appraisal management company that is a legal entity other than a natural person, any person who is a controlling person as defined in this chapter,** or any person who has failed to renew or has surrendered his or her certificate or license for any one or any combination of the following causes:

(1) Procuring or attempting to procure a certificate or license pursuant to section 339.513 by knowingly making a false statement, submitting false information, refusing to provide complete information in

response to a question in an application for certification or licensure, or through any form of fraud or misrepresentation;

(2) Failing to meet the minimum qualifications for certification or licensure or renewal established by sections 339.500 to 339.549;

(3) Paying money or other valuable consideration, other than as provided for by section 339.513, to any member or employee of the commission to procure a certificate or license pursuant to sections 339.500 to 339.549;

(4) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to sections 339.500 to 339.549 for any offense of which an essential element is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(5) Incompetency, misconduct, gross negligence, dishonesty, fraud, or misrepresentation in the performance of the functions or duties of any profession licensed or regulated by sections 339.500 to 339.549;

(6) Violation of any of the standards for the development or communication of real estate appraisals as provided in or pursuant to sections 339.500 to 339.549;

(7) Failure to comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation;

(8) Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal;

(9) Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal;

(10) Violating, assisting or enabling any person to willfully disregard any of the provisions of sections 339.500 to 339.549 or the regulations of the commission for the administration and enforcement of the provisions of sections 339.500 to 339.549;

(11) Accepting an appraisal assignment when the employment itself is contingent upon the appraiser's reporting a predetermined analysis or opinion or where the fee to be paid for the performance of the appraisal assignment is contingent upon the opinion, conclusion, or valuation reached or upon the consequences resulting from the appraisal assignment;

(12) Violating the confidential nature of governmental records to which the person gained access through employment or engagement to perform an appraisal assignment or specialized appraisal services for a governmental agency;

(13) Violating any term or condition of a certificate or license issued by the commission pursuant to the authority of sections 339.500 to 339.549;

(14) Violation of any professional trust or confidence;

(15) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(16) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 339.500 to 339.549 who is not licensed or certified and currently eligible to practice pursuant to sections 339.500 to 339.549;

(17) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(18) Disciplinary action against the holder of a license, certificate or other right to practice any profession regulated pursuant to sections 339.500 to 339.549, imposed by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(19) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or certification, or for license or certification renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(20) Engaging in or committing, or assisting any person in engaging in or committing, any practice or act of mortgage fraud, as defined in section 443.930**;**

(21) Influencing or attempting to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, or bribery.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the commission may, singly or in combination, publicly censure or place the person named in the complaint on probation on such terms and conditions as the commission deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke, the certificate or license. The holder of a certificate or license**, or the legal entity and any controlling person in the case of an appraisal management company,** revoked pursuant to this section may not obtain certification as a state-certified real estate appraiser **[**or**],** licensure as a state-licensed real estate appraiser**, or licensure as an appraisal management company** for at least five years after the date of revocation.

4. Notwithstanding other provisions of this section, a real estate appraiser license or certification **or an appraisal management company license** shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant**, or any controlling person in the case of an appraisal management company,** has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of mortgage fraud as defined in section 570.310. The commission shall notify the individual **or legal entity** of the reasons for the revocation in writing, by certified mail.

5. A person**, or the legal entity or controlling person in the case of an appraisal management company,** whose license is revoked under subsection 4 of this section may appeal such revocation to the administrative hearing commission, as provided by chapter 621, within ninety days from the time the commission mails the notice of revocation. A person who fails to do so waives all rights to appeal the revocation.

6. A certification of a state-certified real estate appraiser **[**or**],** a license of a state-licensed real estate appraiser**, or a license of an appraisal management company** that has been suspended as a result of disciplinary action by the commission shall not be reinstated, and a person**, controlling person, or legal**

entity may not obtain certification as a state-certified real estate appraiser **[**or**],** licensure as a state-licensed real estate appraiser**, or licensure as an appraisal management company** subsequent to revocation, unless the applicant presents evidence of completion of the continuing education required by section 339.530 during the period of suspension or revocation as well as fulfillment of any other conditions imposed by the commission. Applicants for recertification, relicensure or reinstatement also shall be required to successfully complete the examination for original certification or licensure required by section 339.515 as a condition to reinstatement of certification or licensure, or recertification or relicensure subsequent to revocation.

339.533. 1. The chairperson of the commission may administer oaths, issue subpoenas, and issue subpoenas duces tecum requiring the production of documents and records. Subpoenas and subpoenas duces tecum shall be served by a person authorized to serve subpoenas of courts of record. In lieu of requiring attendance of a person**, controlling person, or other legal entity** to produce original documents in response to a subpoena duces tecum, the commission may require sworn copies of such documents to be filed with it or delivered to its designated representative.

2. The commission may enforce its subpoenas and subpoenas duces tecum by applying to the circuit court of Cole County; the county of the investigation, hearing, or proceeding; or any county where the person**, controlling person, or other legal entity** subpoenaed resides or may be found for an order to show cause why such subpoena should not be enforced, such order and a copy of the application therefor to be served upon the person in the same manner as a summons in a civil action, and if the circuit court shall, after a hearing, determine that the subpoena should be sustained and enforced, such court shall proceed to enforce the subpoena in the same manner as though the subpoena had been issued in a civil case in the circuit court.

339.535. **[**State certified**] State-certified** real estate appraisers **[**and state licensed**], state-licensed** real estate appraisers**, state-licensed appraiser trainees, and state-certified appraiser trainees** shall comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation.

339.537. **1.** State-certified real estate appraisers and state licensed real estate appraisers shall retain originals or true copies of contracts engaging an appraiser's services for appraisal assignments, specialized appraisal services, appraisal reports, and supporting data assembled and formulated in preparing appraisal reports, for five years. The period for retention of the records applicable to each engagement of the services of the state-certified real estate appraiser or state-licensed real estate appraiser shall run from the date of the submission of the appraisal report to the client. Upon requests by the commission, these records shall be made available by the state-certified real estate appraiser or state-licensed real estate appraiser for inspection and copying at his or her expense, by the commission on reasonable notice to the state-certified real estate appraiser or state-licensed real estate appraiser. When litigation is contemplated at any time, reports and records shall be retained for two years after the final disposition.

2. All appraisal management company records shall be retained by the appraisal management company for five years. Upon request by the commission, such records shall promptly be made available to the commission for inspection and copying at the expense of the appraisal management company.

339.541. **1.** It shall be a class B misdemeanor for any person to practice any deception or fraud with respect to his **or her** identity in connection with an application for certification or licensure or in the taking of an examination for certification as a state certified real estate appraiser or licensure as a state licensed real estate appraiser or by holding himself **or herself** out to any member of the public or representing himself **or herself** as a state certified real estate appraiser or a state licensed real estate appraiser when, in

fact, he **or she** is not so.

2. It shall be a class B misdemeanor for any corporation, business, or controlling person to practice any deception or fraud in its identity in connection with an application or holding out to any member of the public or representation as a licensed appraisal management company when in fact it is not so.

339.543. 1. If the commission believes that an appraiser**, business, corporation, or controlling person** has engaged in, is engaging in, or has willfully taken a substantial step toward engaging in an act, practice, omission, or course of business constituting mortgage fraud, as defined in section 443.930, or that a person**, business, corporation, or controlling person** has materially aided or is materially aiding any such act, practice, omission, or course of business, the commission may maintain an action in the circuit court of any county of the state or any city not within a county to enjoin the person**, business, corporation, or controlling person**. Upon a proper showing, the court may issue a permanent or temporary injunction, restraining order, or declaratory judgment.

2. The court may impose a civil penalty against the person**, business, corporation, or controlling person** not to exceed two thousand five hundred dollars for each violation and may grant any other relief the court determines is just and proper in the circumstances including, but not limited to, a temporary suspension of any license issued by the commission.

3. The commission may initiate an investigation and take all measures necessary to find the facts of any potential violation of this section, including issuing subpoenas to compel the attendance and testimony of witnesses and the production of documents and other evidence. The commission may conduct joint investigations, enter into confidentiality agreements, and share information obtained relating to an investigation under this section with other governmental agencies.

4. The enforcement authority of the commission under this section is cumulative to any other statutory authority of the commission.

339.545. **1.** The commission shall take such action as is necessary to be able to issue general certificates, residential certificates and licenses to qualified persons.

2. The commission shall take action as is necessary to be able to issue licenses to qualified applicants seeking licensure as an appraisal management company.

339.549. 1. It is unlawful for any person**, business, corporation, or controlling person** not certified or licensed pursuant to sections 339.500 to 339.549 to perform any act for which certification or licensure is required. Upon application by the commission, and the necessary burden having been met, a court may grant an injunction, restraining order or other order as may be appropriate to enjoin a person**, business, corporation, or controlling person** from:

(1) Offering to engage or engaging in the performance of any acts or practices for which a certificate or license is required by sections 339.500 to 339.549 upon a showing that such acts or practices were performed or offered to be performed without a certificate or license; or

(2) Engaging in any practice or business authorized by a certificate or license issued pursuant to sections 339.500 to 339.549 upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client of the certificate holder or licensee.

2. Any such action shall be commenced in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any actions brought pursuant to this section shall be in addition to and not in lieu of any penalty provided by sections 339.500 to 339.549 and may be brought concurrently with other actions to enforce the provisions of this chapter.

[339.1100. Sections 339.1100 to 339.1240 shall be known and may be cited as the "Missouri Appraisal Management Company Registration and Regulation Act".**]**

[339.1105. As used in sections 339.1100 to 339.1240, unless the context otherwise requires, the following terms shall mean:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work produced or certified by persons licensed under sections 339.500 to 339.549 who produce appraisals;

(3) "Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;

(4) "Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:

(a) Administer an appraiser panel;

(b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;

(c) Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;

(d) Track and determine the status of orders for appraisals;

(e) Conduct quality control of a completed appraisal prior to the delivery of the appraisal to the person that ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser to one or more persons who have ordered an appraisal;

(5) "Appraisal review", the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal assignment, except that an examination of an appraisal for grammatical, typographical, or other similar errors shall not be an appraisal review;

(6) "Appraiser", an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter;

(7) "Appraiser panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons that have ordered appraisals through the appraisal

management company or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company that has ordered an appraisal through the appraisal management company or to perform appraisals for the appraisal management company directly;

(8) "Commission", the Missouri real estate appraisers commission created in section 339.507;

(9) "Controlling person":

(a) An owner, officer or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

(10) "State certified real estate appraiser", a person who develops and communicates real estate appraisals and who holds a current valid certificate issued to the person for either general or residential real estate under this chapter;

(11) "State licensed real estate appraiser", a person who holds a current valid real estate appraiser license issued under this chapter.**]**

[339.1110. 1. No person shall directly or indirectly engage or attempt to engage in business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.1100 to 339.1240.

2. The registration required by subsection 1 of this section shall, at a minimum, include the following:

(1) Name of the entity seeking registration;

(2) Business address of the entity seeking registration, which shall be located and maintained within this state;

(3) Phone contact information of the entity seeking registration;

(4) If the entity is not a corporation that is domiciled in this state, the name and contact information for the company's agent for service of process in this state;

(5) The name, address, and contact information for any individual or any corporation, partnership, or other business entity that owns ten percent or more of the appraisal management company;

(6) The name, address, and contact information for a designated controlling person to be the primary communication source for the commission;

(7) A certification that the entity has a system and process in place to verify that a person being added to the appraiser panel of the appraisal management company for appraisal services to be performed in Missouri holds a license in good standing in Missouri, if a license or certification is required to perform appraisals under section 339.1180;

(8) A certification that the entity has a system in place to review the work of all appraisers who are performing real estate appraisal services for the appraisal management company on a periodic basis to validate that the real estate appraisal services are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP) under section 339.1185;

(9) A certification that the entity maintains a detailed record of each service request that it receives for appraisal services within the state of Missouri and the appraiser who performs the real estate appraisal services for the appraisal management company under section 339.1190;

(10) An irrevocable uniform consent to service of process under section 339.1130; and

(11) Any other reasonable information required by the commission to complete the registration process.**]**

[339.1115. Sections 339.1100 to 339.1240 shall not apply to:

(1) The performance of services as an appraisal firm;

(2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the department of insurance, financial institutions or professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution. An entity exempt as provided in this subdivision shall file a notice with the commission containing the information required in section 339.1110;

(3) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;

(4) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;

(5) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.**]**

[339.1120. An applicant for a registration as an appraisal management company shall submit to the commission an application containing the information required in subsection 2 of section 339.1110 on a form prescribed by the commission.**]**

[339.1125. Registration shall be valid for two years from its issuance.**]**

[339.1130. Each entity applying for a registration as an appraisal management company in Missouri shall complete an irrevocable uniform consent to service of process, as prescribed by the commission.**]**

[339.1135. 1. The commission shall establish by rule the fee to be paid by each appraisal

management company seeking registration under sections 339.1100 to 339.1240, such that the sum of the fees paid by all appraisal management companies seeking registration under this section shall be sufficient for the administration of sections 339.1100 to 339.1240. The commission shall charge and collect fees to be utilized to fund activities that may be necessary to carry out the provisions of this chapter.

2. Each applicant for registration shall post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars. The details of the bond shall be prescribed by rule of the commission, however, the bond shall not be used to assist appraisers in collection efforts of credit extended by the appraiser.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 339.1100 to 339.1240 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 339.1100 to 339.1240 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.**]**

[339.1140. 1. An appraisal management company applying for a registration in Missouri shall not be more than ten percent owned by:

(1) A person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) An entity that is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state.

2. Each person who owns more than ten percent of an appraisal management company in this state shall:

(1) Be of good moral character, as determined by the commission; and

(2) Submit to a background investigation, as determined by the commission.

3. Each appraisal management company applying for registration shall certify to the commission that it has reviewed each entity that owns more than ten percent of the appraisal management company and that no entity that owns more than ten percent of the appraisal management company is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling principal, agent of record, or ownership composition.**]**

[339.1145. 1. Each appraisal management company applying to the commission for a registration in this state shall designate one compliance manager who will be the main contact for all communication between the commission and the appraisal management company.

2. The designated controlling person under subsection 1 of this section shall:

(1) Have never had a license or certificate to act as an appraiser refused, denied, canceled,

revoked, or surrendered in lieu of a pending revocation in any state;

(2) Be of good moral character, as determined by the commission; and

(3) Submit to a background investigation, as determined by the commission.**]**

[339.1150. An appraisal management company that applies to the commission for registration to do business in this state as an appraisal management company under subdivision (1) of section 339.1115 shall not:

(1) Employ any person directly involved in appraisal management services who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(2) Knowingly enter into any independent contractor arrangement, whether in verbal, written, or other form, with any person who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(3) Knowingly enter into any contract, agreement, or other business relationship directly involved with the performance of real estate appraisal or appraisal management services, whether in verbal, written, or any other form, with any entity that employs, has entered into an independent contract arrangement, or has entered into any contract, agreement, or other business relationship, whether in verbal, written, or any other form, with any person who has ever had a license or certificate to act as an appraiser in Missouri or in any other state, refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.**]**

[339.1155. Prior to placing an assignment for real estate appraisal services within the state of Missouri with an appraiser on the appraiser panel of an appraisal management company, the appraisal management company shall have a system in place to verify that the appraiser receiving the assignment holds a credential in good standing in the state of Missouri. Letters of engagement shall include instructions to the appraiser to decline the assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.**]**

[339.1160. Any employee or independent contractor of the appraisal management company who performs an appraisal review shall be an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter. Letters of engagement shall include instructions to the appraiser to decline the appraisal review assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.**]**

[339.1170. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system and process in place to verify that an individual being added to the appraiser panel of the appraisal management company holds a license in good standing in this state under this chapter.**]**

[339.1175. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system in place to verify that an individual to whom the appraisal

management company is making an assignment for the completion of an appraisal has not had a license or certification as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation on a regular basis.**]**

[339.1180. Each registered appraisal management company shall certify to the commission on a biannual basis that it has a system in place to perform an appraisal review on a periodic basis of the work of all appraisers who are performing appraisals for the appraisal management company to validate that the appraisals are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP). An appraisal management company shall report to the commission the results of any appraisal reviews in which an appraisal is found to be substantially noncompliant with USPAP or state or federal laws pertaining to appraisals.**]**

[339.1185. 1. Each appraisal management company seeking to be registered shall certify to the commission biannually that it maintains a detailed record of each service request for appraisal services within the state of Missouri and that it receives of each appraiser who performs an appraisal for the appraisal management company in the state of Missouri.

2. All appraisal management company records shall be retained for five years.**]**

[339.1190. 1. An appraisal management company shall not prohibit its appraiser who is part of an appraiser panel from recording the fee that the appraiser was paid by the appraisal management company for the performance of the appraisal within the appraisal report that is submitted by the appraiser to the appraisal management company.

2. An appraisal management company shall separately state to the client the fees paid to an appraiser for appraisal services and the fees charged by the appraisal management company for services associated with the management of the appraisal process, including procurement of the appraiser's services.**]**

[339.1200. 1. No employee, director, officer, or agent of an appraisal management company shall influence or attempt to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or in any other manner, including but not limited to:

(1) Withholding or threatening to withhold timely payment for an appraisal, except in cases of substandard performance or noncompliance with conditions of engagement;

(2) Withholding or threatening to withhold future business, or demoting, terminating, or threatening to demote or terminate an appraiser;

(3) Expressly or impliedly promising future business, promotions, or increased compensation for an appraiser;

(4) Conditioning the request for an appraisal or the payment of an appraisal fee or salary or bonus on the opinion, conclusion, or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;

(5) Requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;

(6) Providing to an appraiser an anticipated, estimated, encouraged, or desired value for a

subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for purchase transactions may be provided;

(7) Providing to an appraiser, or any entity or person related to the appraiser, stock or other financial or nonfinancial benefits;

(8) Allowing the removal of an appraiser from an appraiser panel without prior written notice to such appraiser;

(9) Any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, objectivity, or impartiality;

(10) Requiring an appraiser to collect an appraisal fee on behalf of the appraisal management company from the borrower, homeowner, or other third party; or

(11) Requiring an appraiser to indemnify an appraisal management company or hold an appraisal management company harmless for any liability, damage, losses, or claims arising out of the services performed by the appraisal management company, and not the services performed by the appraiser.

2. Nothing in subsection 1 of this section shall prohibit the appraisal management company from requesting that an appraiser:

(1) Provide additional information about the basis for a valuation; or

(2) Correct objective factual errors in an appraisal report; or

(3) Provide additional information with the appraisal regarding additional sales provided through an established dispute process.**]**

[339.1205. An appraisal management company shall not:

(1) Require an appraiser to modify any aspect of an appraisal report unless the modification complies with section 339.1200;

(2) Require an appraiser to prepare an appraisal report if the appraiser, in the appraiser's own professional judgment, believes the appraiser does not have the necessary expertise for the assignment or for the specific geographic area, and has notified the appraisal management company and declined the assignment;

(3) Require an appraiser to prepare an appraisal under a time frame that the appraiser, in the appraiser's own professional judgment, believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations, and has notified the appraisal management company and declined the assignment;

(4) Prohibit or inhibit legal or other allowable communication between the appraiser and:

(a) The lender;

(b) A real estate licensee; or

(c) Any other person from whom the appraiser, in the appraiser's own professional judgment, believes information would be relevant;

(5) Knowingly require the appraiser to do anything that does not comply with:

(a) Uniformed Standards of Professional Appraisal Practice (USPAP);

(b) The Missouri certified and licensed real estate appraisers act established under this chapter; or

(c) Any assignment conditions and certifications required by the client;

(6) Make any portion of the appraiser's fee or the appraisal management company's fee contingent on a predetermined or favorable outcome, including but not limited to:

(a) A loan closing; or

(b) Specific dollar amount being achieved by the appraiser in the appraisal report.**]**

[339.1210. Each appraisal management company shall, except in cases of breach of contract or substandard performance of services, make payment to an appraiser for the completion of an appraisal or valuation assignment within thirty days, unless a mutually agreed upon alternate payment schedule exists, from when the appraiser transmits or otherwise provides the completed appraisal or valuation study to the appraisal management company or its assignee.**]**

[339.1215. 1. An appraisal management company shall not alter, modify, or otherwise change a completed appraisal report submitted by an appraiser by:

(1) Permanently removing the appraiser's signature or seal; or

(2) Adding information to, or removing information from, the appraisal report with an intent to change the valuation conclusion.

2. No registered appraisal management company shall require an appraiser to provide the appraisal management company with the appraiser's digital signature or seal.**]**

[339.1220. 1. The commission shall issue a unique registration number to each appraisal management company.

2. The commission shall publish a list of the appraisal management companies that have registered under sections 339.1100 to 339.1240 and have been issued a registration number.

3. An appraisal management company shall be required to disclose the registration number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.**]**

[339.1230. 1. Except within the first thirty days after an appraiser is first added to the appraiser panel of an appraisal management company, an appraisal management company shall not remove an appraiser from its appraiser panel or otherwise refuse to assign requests for real estate appraisal services to an appraiser without:

(1) Notifying the appraiser in writing of the reasons why the appraiser is being removed from the appraiser panel of the appraisal management company;

(2) If the appraiser is being removed from the panel for illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, describing the nature of the alleged conduct or violation; and

(3) Providing an opportunity for the appraiser to respond to the notification of the appraisal management company.

2. An appraiser who is removed from the appraiser panel of an appraisal management company

for alleged illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or violation of state licensing standards may file a complaint with the commission for a review of the decision of the appraisal management company; except that, in no case shall the commission make any determination regarding the nature of the business relationship between the appraiser and the appraisal management company which is unrelated to the actions specified in subsection 1 of this section.

3. If after notice and an opportunity for hearing and review, the commission determines that an appraiser did not commit a violation of law, a violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, the commission shall order that such appraiser be added to the appraiser panel of the appraisal management company.

4. If the commission has found that the appraisal management company acted improperly in removing the appraiser from the appraiser panel, an appraisal management company shall not refuse to make assignments for real estate appraisal services to an appraiser, or reduce the number of assignments, or otherwise penalize the appraiser.**]**

[339.1235. The commission may censure an appraisal management company, conditionally or unconditionally suspend or revoke any registration issued under sections 339.1100 to 339.1240, or impose civil penalties not to exceed one thousand dollars for each offense. Each day of a continued violation constitutes a separate offense, with a maximum penalty of ten thousand dollars. In determining the amount of penalty to be imposed, the commission may consider if an appraisal management company is:

(1) Knowingly committing any act in violation of sections 339.1100 to 339.1240;

(2) Violating any rule adopted by the commission; or

(3) Procuring a license by fraud, misrepresentation, or deceit.**]**

[339.1240. The conduct of adjudicatory proceedings for violations of this section is vested in the commission, provided:

(1) Before censuring any registrant, or suspending or revoking any registration, the commission shall notify the registrant in writing of any charges made at least twenty days before the hearing and shall afford the registrant an opportunity to be heard in person or by counsel; and

(2) Written notice shall be satisfied by personal service on the controlling person of the registrant, or the registrant's agent for service of process in this state, or by sending the notice by certified mail, return receipt requested to the controlling person of the registrant to the registrant's address on file with the commission.**]**"; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 1103, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**228.341. For purposes of sections 228.341 to 228.374, "private road" with regard to a proceeding to obtain a maintenance order means any private road established under this chapter or any easement**

of access, regardless of how created, which provides a means of ingress and egress by motor vehicle for any owner or owners of residences from such homes to a public road. A private road does not include any road owned by the United States or any agency or instrumentality thereof, or the state of Missouri, or any county, municipality, political subdivision, special district, instrumentality, or agency of the state of Missouri. Nothing in sections 228.341 to 228.374 shall be deemed to apply to any road created by or included in any recorded plat referencing or referenced in an indenture or declaration creating an owner's association, regardless of whether such road is designated as a common element. Nothing in sections 228.341 to 228.374 shall be deemed to apply to any land or property owned or operated by any railroad regulated by the Federal Railroad Administration.

228.368. The costs of the proceedings **to establish or widen a private road** incurred up to and including the filing of the commissioners' report shall be paid by the plaintiff; and the court, as to any costs incurred in proceedings subsequent thereto, including the costs of the jury trial, may make such order as in its discretion may be deemed just**, including, in the case of a proceeding to obtain a maintenance order, assessing the costs to all benefitted homeowners**.

228.369. 1. For any private road subject to the use of more than one homeowner, in the absence of a prior order or written agreement for the maintenance of the private road, including covenants contained in deeds or state or local permits providing for the maintenance of a private road, when adjoining homeowners who are benefitted by the use of an abutting private road, or homeowners who have an easement to use a private road, collectively owners or benefitted owners are unable to agree in writing upon a plan of maintenance for the maintenance, repair, or improvement of the private road and including the assessment and apportionment of costs for the plan of maintenance, one or more of the owners may petition the circuit court for an order establishing a plan of maintenance.

2. The cost of a plan of maintenance for a private road shall be apportioned among the owners of residences abutting the private road and holders of easements to use the private road, with the cost apportioned commensurate with the use and benefit to residences benefitted by the access, as mutually agreed by the benefitted homeowners or as ordered by the court with such method of apportionment as agreed by the homeowners or ordered by the court, including, but not limited to, equal division, or proportionate to the residential assessed value, or to front footage, or to usage or benefit.

3. The court may implement the same procedures to order and subsequently determine a plan of maintenance for a private road as provided in this chapter for establishing or widening a private road, including the appointment and compensation of disinterested commissioners to determine the plan and the apportionment of costs.

4. Where the homeowners who are benefitted by the private road are not able to agree upon the designation of a supervisor to complete the plan of maintenance, the commissioners appointed by the court shall designate a supervisor who shall be compensated for his or her services in the same manner as the commissioners.

5. Any agreement executed by all the homeowners, or final order approving, a plan of maintenance for a private road shall be recorded with the county recorder of deeds.

6. One or more adjoining homeowners or holders of any easement to use a private road may bring an action to enforce the plan of maintenance for a private road, whether as mutually agreed or as ordered by the court.

228.374. 1. A prior agreement or court order establishing a plan of maintenance may be amended or modified and may be restated at any time by a recorded agreement signed by all the homeowners or other benefitted owners.

2. No court proceeding under section 228.369 to amend, modify, or restate a plan of maintenance may be filed sooner than seven years from the entry of a prior order, except upon a prima facie showing that the real property benefitted by the private road has been developed or divided in a manner rendering the plan of maintenance obsolete or showing that the existing apportionment of the use and benefit to residences benefitted by the access to the private road is no longer equitable."; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Parson, **HB 1103**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS No. 2 for **HB 1462**, entitled:

An Act to repeal section 142.031, RSMo, and to enact in lieu thereof one new section relating to the Missouri Qualified Biodiesel Producer Incentive Fund.

Was taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **HCS No. 2** for **HB 1462** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Dempsey	Dixon	Engler	Goodman	Kehoe	Kraus
Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson

Pearce Richard Rupp Schaaf Schaefer Schmitt Stouffer Wasson—24

NAYS—Senators

Callahan Crowell Cunningham Curls Green Justus Keaveny Ridgeway Wright-Jones—9

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1644** was placed on the Informal Calendar.

HB 1105, introduced by Representative Day, entitled:

An Act to repeal section 41.050, RSMo, and to enact in lieu thereof one new section relating to the state militia.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **HB 1105** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown Callahan Chappelle-Nadal Crowell Cunningham Curls Dempsey Dixon
Engler Goodman Green Justus Keaveny Kehoe Kraus Lager
Lamping Lembke Mayer McKenna Munzlinger Nieves Parson Pearce
Richard Ridgeway Rupp Schaaf Schaefer Schmitt Stouffer Wasson
Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1340**, entitled:

An Act to amend chapter 49, RSMo, by adding thereto one new section relating to county officers.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **HCS** for **HB 1340** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Curls Justus—2

Absent—Senators

Green Mayer—2

Absent with leave—Senator Purgason—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1236, introduced by Representative Entlicher, et al, entitled:

An Act to repeal sections 115.315 and 115.327, RSMo, and to enact in lieu thereof two new sections relating to third party candidates.

Was taken up by Senator Parson.

On motion of Senator Parson, **HB 1236** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Mayer—1

Absent with leave—Senator Purgason—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Stouffer, **HCS** for **HB 1402**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Schaefer, **HCS No. 2** for **HB 1317**, with **SCS**, was placed on the Informal Calendar.

HB 1460, introduced by Representative Jones (117), et al, with **SCS**, entitled:

An Act to repeal section 476.055, RSMo, and to enact in lieu thereof one new section relating to the statewide court automation fund, with penalty provisions.

Was taken up by Senator Goodman.

SCS for **HB 1460**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1460

An Act to repeal section 476.055, RSMo, and to enact in lieu thereof one new section relating to the statewide court automation fund, with existing penalty provisions.

Was taken up.

Senator Goodman moved that **SCS** for **HB 1460** be adopted, which motion prevailed.

On motion of Senator Goodman, **SCS** for **HB 1460** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Lembke Ridgeway—2

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1245**, entitled:

An Act to repeal sections 135.953, 620.1878 and 620.1881, RSMo, and to enact in lieu thereof six new sections relating to the Missouri quality jobs act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 837**.

Bill ordered enrolled.

CONCURRENT RESOLUTIONS

Senator Stouffer moved that **SCR 26** be taken up for adoption, which motion prevailed.

On motion of Senator Stouffer, **SCR 26** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—None

Senator Stouffer moved that **HCR 36** be taken up for adoption, which motion prevailed.

On motion of Senator Stouffer, **HCR 36** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Purgason—1

Vacancies—None

HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred to the Committee indicated:

HCS No. 2 for **HB 1475**—General Laws.

On motion of Senator Dempsey, the Senate recessed until 12:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

HOUSE BILLS ON THIRD READING

HCS for **HB 1193**, with **SCS**, entitled:

An Act to repeal sections 195.060, 195.080, and 334.747, RSMo, and to enact in lieu thereof thirteen new sections relating to a prescription drug monitoring system, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Engler.

SCS for **HCS** for **HB 1193**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1193

An Act to repeal sections 195.015, 195.060, 195.080, and 334.747, RSMo, and to enact in lieu thereof thirteen new sections relating to a prescription drug monitoring program, with penalty provisions.

Was taken up.

Senator Engler moved that **SCS** for **HCS** for **HB 1193** be adopted.

A quorum was established by the following vote:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lembke
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

Absent—Senators

Green	Lamping	Nieves—3

Absent with leave—Senator Purgason—1

Vacancies—None

Senator Schaaf offered **SS** for **SCS** for **HCS** for **HB 1193**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1193

An Act to repeal sections 195.015, 195.060, 195.080, and 334.747, RSMo, and to enact in lieu thereof thirteen new sections relating to a prescription drug monitoring program, with penalty provisions and a referendum clause.

Senator Schaaf moved that **SS** for **SCS** for **HCS** for **HB 1193** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1193, Page 1, In the Title, Lines 4-5 of said title, by striking the words "a prescription drug monitoring program, with penalty provisions" and inserting in lieu thereof the following: "controlled substances"; and

Further amend said bill, pages 6-7, section 195.450, by striking all of said section from the bill; and

Further amend said bill, pages 7-9, section 195.453, by striking all of said section from the bill; and

Further amend said bill, pages 9-11, section 195.456, by striking all of said section from the bill; and

Further amend said bill, pages 11-12, section 195.459, by striking all of said section from the bill; and

Further amend said bill, page 12, lines 3-15 of said page, section 195.462, by striking all of said section from the bill; and

Further amend said bill, pages 12-13, section 195.465, by striking all of said section from the bill; and

Further amend said bill, page 13, section 195.468, lines 3-27 of said page, by striking all of said section from the bill; and

Further amend said bill, pages 13-14, section 195.474, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Schaaf offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1193, Page 1, In the Title, Lines 4-5 of said title, by striking the words "a prescription drug monitoring program, with penalty provisions" and inserting in lieu thereof the following: "controlled substances"; and

Further amend said bill, pages 6-7, section 195.450, by striking all of said section from the bill; and

Further amend said bill, pages 7-9, section 195.453, by striking all of said section from the bill; and

Further amend said bill, pages 9-11, section 195.456, by striking all of said section from the bill; and

Further amend said bill, pages 11-12, section 195.459, by striking all of said section from the bill; and

Further amend said bill, page 12, lines 3-15 of said page, section 195.462, by striking all of said section from the bill; and

Further amend said bill, pages 12-13, section 195.465, by striking all of said section from the bill; and

Further amend said bill, page 13, section 195.468, lines 3-27 of said page, by striking all of said section from the bill; and

Further amend said bill, pages 13-14, section 195.474, by striking all of said section from the bill; and

Further amend said bill, page 17, Section 195.477, line 8 of said page, by striking "twelve" and inserting in lieu thereof the following: "**six**"; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above substitute amendment be adopted.

Senator Schaaf offered **SA 1** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1193, Page 1, Line 4, by striking the word "substances" and inserting in lieu thereof the following: "prescriptions".

Senator Schaaf moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Goodman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	Munzlinger
Parson	Pearce	Richard	Rupp	Schaaf	Schaefer	Schmitt	Wasson
Wright-Jones—25							

Absent—Senators

Callahan	Crowell	Cunningham	Green	McKenna	Nieves	Ridgeway	Stouffer—8

Absent with leave—Senator Purgason—1

Vacancies—None

A quorum was established by the following vote:

Present—Senators

Brown	Callahan	Curls	Dempsey	Dixon	Engler	Goodman	Justus
Kehoe	Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Richard
Schaaf	Schaefer	Wasson	Wright-Jones—20				

Absent—Senators

Chappelle-Nadal	Crowell	Cunningham	Green	Keaveny	Kraus	Lager	Lembke
Nieves	Ridgeway	Rupp	Schmitt	Stouffer—13			

Absent with leave—Senator Purgason—1

Vacancies—None

Senator Pearce assumed the Chair.

At the request of Senator Schaaf, **SA 1** to **SSA 1** for **SA 1** was withdrawn.

Senator Lembke offered **SA 2** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1193, Page 1, Line 4, by striking the word "substances" and inserting in lieu thereof the following: "medications".

Senator Lembke moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

A quorum was established by the following vote:

Present—Senators

Brown	Curls	Dempsey	Dixon	Engler	Goodman	Justus	Keaveny
Kehoe	Kraus	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce
Richard	Schaefer	Wasson	Wright-Jones—20				

Absent—Senators

Callahan	Chappelle-Nadal	Crowell	Cunningham	Green	Lager	Lamping	Nieves
Ridgeway	Rupp	Schaaf	Schmitt	Stouffer—13			

Absent with leave—Senator Purgason—1

Vacancies—None

At the request of Senator Lembke, **SA 2** to **SSA 1** for **SA 1** was withdrawn.

Senator Schaaf offered **SA 3** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 3 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1193, Page 1, Line 4, by striking the word "substances" and inserting in lieu thereof the following: "prescriptions".

Senator Schaaf moved that the above amendment be adopted.

Senator Pearce assumed the Chair.

At the request of Senator Engler, **HCS** for **HB 1193**, with **SCS**, **SS** for **SCS**, **SA 1**, **SSA 1** for **SA 1** and **SA 3** to **SSA 1** for **SA 1** (pending), was placed on the Informal Calendar.

SENATE BILLS FOR PERFECTION

Senator Engler moved that **SB 710**, with **SCS** and **SS No. 2** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Engler, **SS No. 2** for **SCS** for **SB 710** was withdrawn.

Senator Engler offered **SS No. 3** for **SCS** for **SB 710**, entitled:

SENATE SUBSTITUTE NO. 3 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 710

An Act to repeal sections 195.015, 195.060, 195.080, and 334.747, RSMo, and to enact in lieu thereof thirteen new sections relating to controlled substances, with penalty provisions and a referendum clause.

Senator Engler moved that **SS No. 3** for **SCS** for **SB 710** be adopted, which motion prevailed.

On motion of Senator Engler, **SS No. 3** for **SCS** for **SB 710** was declared perfected and ordered printed.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1036**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HJR 41**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

On behalf of Senator Stouffer, Chairman of the Committee on Transportation, Senator Dempsey submitted the following report:

Mr. President: Your Committee on Transportation, to which was referred **HCS** for **HB 1150**, begs leave

to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1361**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1072**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1563**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HB 1337**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 1722**, begs leave to report that it has considered the same and recommends that the bill do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1526**, entitled:

An Act to repeal sections 168.124, 168.221, and 168.291, RSMo, and to enact in lieu thereof two new sections relating to school personnel.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1803**, entitled:

An Act to amend chapter 337, RSMo, by adding thereto one new section relating to school social workers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1455**, entitled:

An Act to repeal sections 67.1305, 142.869, 620.478, 620.1878, 620.1881, and 620.1910, RSMo, and to enact in lieu thereof eleven new sections relating to the manufacturing jobs act, with a penalty provision for certain sections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1710**, entitled:

An Act to repeal sections 100.293, 135.284, 135.800, 178.760, 178.761, 178.762, 178.763, 178.764, 178.892, 178.893, 178.894, 178.895, 178.896, 620.470, 620.472, 620.474, 620.475, 620.476, 620.478, 620.479, 620.480, 620.481, 620.482, 620.1881, and 620.1910, RSMo, and to enact in lieu thereof sixteen new sections relating to job training programs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1049**, entitled:

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school safety.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1639**, entitled:

An Act to repeal sections 32.028, 32.087, 105.716, 143.071, and 144.190, RSMo, and to enact in lieu thereof eighteen new sections relating to taxation, with a penalty provision and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1988**, entitled:

An Act to repeal sections 339.500, 339.501, 339.503, 339.505, 339.509, 339.511, 339.513, 339.515, 339.517, 339.525, 339.527, 339.529, 339.532, 339.533, 339.535, 339.537, 339.541, 339.543, 339.545, 339.549, 339.1100, 339.1105, 339.1110, 339.1115, 339.1120, 339.1125, 339.1130, 339.1135, 339.1140, 339.1145, 339.1150, 339.1155, 339.1160, 339.1170, 339.1175, 339.1180, 339.1185, 339.1190, 339.1200, 339.1205, 339.1210, 339.1215, 339.1220, 339.1230, 339.1235, and 339.1240, RSMo, and to enact in lieu thereof twenty new sections relating to the Missouri certified and licensed real estate appraisers and appraisal management company regulation act, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Stouffer offered Senate Resolution No. 2082, regarding Jared D. Apel, which was adopted.

Senator Stouffer offered Senate Resolution No. 2083, regarding Lance E. Olson, which was adopted.

Senator Kraus offered Senate Resolution No. 2084, regarding Michael Edson, Lee's Summit, which was adopted.

Senator Engler offered Senate Resolution No. 2085, regarding Rebecca Buffington, Belleview, which was adopted.

Senator Rupp offered Senate Resolution No. 2086, regarding Adam Marroquin, which was adopted.

Senator Pearce offered Senate Resolution No. 2087, regarding George W. Wilson, Warrensburg, which was adopted.

Senator Kehoe offered Senate Resolution No. 2088, regarding Megan L. Jolly, Taos, which was adopted.

INTRODUCTIONS OF GUESTS

The President introduced to the Senate, Ethan Todd and Alex Stephens, Warrenton.

Senator Brown introduced to the Senate, Al and Karen Tabrizi and their son, Jamie, Town and Country.

Senator Dempsey introduced to the Senate, Matilda Grey, Columbia.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Joseph F. Kras, Olivette.

Senator Stouffer introduced to the Senate, fourth grade students from Macon Elementary.

Senator Richard introduced to the Senate, David E. Hendrix, Roderick May, Jaime Pacheco, Jeff Messens, Heather Thorne, Janice Eaton, Vance Keaton, Jeff and Donna Jones, Russell and Kay Hively, Bill Franks, Bethany and Roxanne Thomasson and Diane Toomoth, Neosho.

Senator Dixon introduced to the Senate, Crystal Yarnell and third grade students from The Summit Preparatory School, Springfield; and John Cunningham, Mason Elmer, Spencer Jones, Alexis Workman, Olivia Frye and Paige Kimmons were made honorary pages.

Senator Green introduced to the Senate, Rosann Martz and thirty seventh grade students from Salem Lutheran, Florissant; and Galen Ambler, Camryn Cogshell, Philip Irving and Elliot Munalula were made honorary pages.

Senator Kraus introduced to the Senate, Stuart Quackenbush, Raytown.

Senator Kraus introduced to the Senate, Megan Wolfe, Jefferson City.

On motion of Senator Dempsey, the Senate adjourned until 4:00 p.m., Monday, May 7, 2012.

SENATE CALENDAR

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SIXTY-SIXTH DAY–MONDAY, MAY 7, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1245
HCS for HB 1526
HCS for HB 1803
HB 1455-Gatschenberger, et al
HCS for HB 1710
HCS for HB 1049
HCS for HB 1639
HCS for HB 1988

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS
SB 745-Lembke
SB 765-Schaefer
SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1051-Allen, et al, with SCS (Lager) (In Fiscal Oversight)
2. HB 1403-Schatz, et al (Dempsey) (In Fiscal Oversight)
3. HB 1318-Riddle, et al (Kehoe) (In Fiscal Oversight)
4. HCS for HB 1640, with SCS (Stouffer) (In Fiscal Oversight)
5. HB 1170-Franz, with SCS (Parson)
6. HCS for HB 1498, with SCS (Schmitt) (In Fiscal Oversight)
7. HB 1036-Dugger, with SCS (Engler)
8. HCS for HJR 41
9. HCS for HB 1150, with SCS (Brown)
10. HCS for HB 1361 (Lager)
11. HCS for HB 1072, with SCS (Brown)
12. HCS for HB 1563, with SCS (Wasson)
13. HB 1337-Stream, with SCS
14. HCS for HB 1722 (Pearce)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1094, with SCS & SA 1 (pending) (Munzlinger)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HCS for HB 1123 (Brown)
HCS for HB 1140, with SCS (Cunningham)
HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 2 to SSA 1 for SA 1 (pending) (Pearce)
HB 1192-Koenig, et al (Cunningham)

HCS for HB 1193, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 3 to SSA 1 for SA 1 (pending) (Engler)
HCS#2 for HB 1317, with SCS (Schaefer)
SCS for HB 1331-Jones (117), et al (Kehoe) (In Fiscal Oversight)
HCS for HB 1402, with SCS (Stouffer)
HCS for HB 1623, with SCS, SS#2 for SCS & SA 12 (pending) (Schmitt)
HCS for HB 1644 (Purgason)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 467-Munzlinger, with HCS, as amended
SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8
SB 568-Parson, with HCS, as amended
HCS for HB 2002, with SS for SCS (Schaefer)
HCS for HB 2003, with SS for SCS (Schaefer)
HCS for HB 2004, with SS for SCS (Schaefer)
HCS for HB 2005, with SS for SCS (Schaefer)
HCS for HB 2006, with SS for SCS, as amended (Schaefer)
HCS for HB 2007, with SS for SCS (Schaefer)
HCS for HB 2008, with SS for SCS (Schaefer)
HCS for HB 2009, with SS for SCS (Schaefer)
HCS for HB 2010, with SS for SCS (Schaefer)
HCS for HB 2011, with SS for SCS, as amended (Schaefer)
HCS for HB 2012, with SS for SCS (Schaefer)
HCS for HB 2013, with SS for SCS (Schaefer)

Requests to Recede or Grant Conference

SCS for SB 569-Kraus, with HCS as amended (Senate requests House recede or grant conference)
SB 611-Lembke, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 (Senate requests House recede or grant conference)
SS for SCS for SB 719-Kehoe, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 (Senate requests House recede or grant conference)
SB 736-Engler, with HA 1 (Senate requests House recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al
HCR 12-Davis, et al
HCR 22-Walton Gray, et al (Chappelle-Nadal)
HCR 31-Schieffer, et al (Rupp)
HCR 42-Rowland, et al

To be Referred

SR 2075-Dempsey

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-SIXTH DAY—MONDAY, MAY 7, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"The true, living faith, which the Holy Spirit instills into the heart, simply cannot be idle." (Martin Luther)

Dear Lord, we are thankful for our safe travel to begin another week in the work of the people. Inspire us this week so that we work actively and continually to accomplish what must be completed and put our minds and hearts into those bills that are most helpful to those who need them the most. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, May 3, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 2089, regarding the One Hundred Seventy-fifth Anniversary of the establishment of Jamestown, which was adopted.

Senator Kehoe offered Senate Resolution No. 2090, regarding James E. Hogg, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 2091, regarding Robert D. Murphy, which was adopted.

Senator Engler offered Senate Resolution No. 2092, regarding Lawrence and Fairan Naeger, Jackson, which was adopted.

Senator Engler offered Senate Resolution No. 2093, regarding Betty Wade, Desloge, which was adopted.

Senator Schaefer offered Senate Resolution No. 2094, regarding Mike Redington, Centralia, which was adopted.

Senator Lamping offered Senate Resolution No. 2095, regarding Jaime M. Bodden, which was adopted.

Senator Lamping offered Senate Resolution No. 2096, regarding Jesse Favre, which was adopted.

On behalf of Senator Nieves, Senator Dempsey offered Senate Resolution No. 2097, regarding Stephen E. Egart, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2098, regarding Logan Nuernberger, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2099, regarding Katherine Riebold, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2100, regarding Meredith Jones, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2101, regarding Heidi Geisbuhler, which was adopted.

Senator Crowell offered Senate Resolution No. 2102, regarding Karen Langefeld, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2103, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Walker Green, Cape Girardeau, which was adopted.

Senator Pearce offered Senate Resolution No. 2104, regarding Alexa Cubbage, Taylor Norcross and Dominic Puller, which was adopted.

Senator Pearce offered Senate Resolution No. 2105, regarding Nevada School District Regional Technical Center students, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2106, regarding Julia Lucy Zagaja, Lake St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2107, regarding Elizabeth Elaine Ruhbeck, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2108, regarding Lea Ann Owens, St. Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2109, regarding LeAnne Elizabeth Phillips, Whiteside, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2110, regarding Chelsea Lynne Welch, Hillsboro, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2111, regarding Taylor Rae Barker, Eolia, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2112, regarding Ashley Marie Dennis, O'Fallon, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2113, regarding Bethany Ann Wehner, Ste. Genevieve, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2114, regarding MaryAnn Elizabeth VanWalleghen, O'Fallon, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2115, regarding Allison N. Roehl, Fenton, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2116, regarding Amanda Brook Prescott, Wildwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2117, regarding Katherine Mary McDonald, Creve Coeur, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2118, regarding Rachel Natalya-Murphy Kibby, Kirkwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2119, regarding Athena C. Eitel, Hannibal, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2120, regarding Nicole Elizabeth deRoode, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2121, regarding Rachel Anne Musick, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2122, regarding Kyla Emily Jansen, DeSoto, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2123, regarding Alyssa Nicole Flotron, Wildwood, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2124, regarding Danielle J. Dowdy, Ste. Genevieve, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2125, regarding Ashley Marie Crites, St. Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2126, regarding Brianna Reed Hall, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2127, regarding Michele Elizabeth Hesselbein, St.

Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2128, regarding Rebekah Ann Hesselbein, St. Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2129, regarding Raegene Inez Hope, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2130, regarding Amanda Louise Michaels, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2131, regarding Carlyn Elizabeth Muehlhauser, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2132, regarding Kelsey Caroline Nagel, St. Charles, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2133, regarding Brittany Lynn Rockfield, Maryland Heights, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2134, regarding Emily Kay Saindon, Portage des Sioux, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2135, regarding Caitlin Elizabeth Dempsey, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2136, regarding Brianna Jasmine Kruger, Wentzville, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2137, regarding Abigail Ann Sartori, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2138, regarding Kathryn Elizabeth Alberta Gonz, Ste. Genevieve, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2139, regarding Claire R. Solomon, St. Louis, which was adopted.

Senator Wright-Jones offered Senate Resolution No. 2140, regarding Emily MacKenzie Esther, Frontenac, which was adopted.

Senator Ridgeway offered Senate Resolution No. 2141, regarding Patrick Emery Addison Cruz, Liberty, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 3** for **SCS** for **SB 710**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1854**, entitled:

An Act to repeal sections 135.630, 135.1150, 208.152, 209.200, 209.202, 288.034, and 304.028, RSMo, and to enact in lieu thereof eleven new sections relating to services provided to individuals with disabilities, with a penalty provision and an expiration date for a certain section.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1900**, entitled:

An Act to repeal sections 3.060, 3.070, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 37.005, 37.010, 37.020, 37.110, 160.545, 161.418, 161.424, 181.110, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.935, 196.1103, 209.251, 210.1014, 217.575, 251.100, 251.240, 253.320, 261.010, 301.020, 302.171, 311.650, 311.730, 313.210, 320.260, 334.125, 361.010, 595.036, 595.037, 595.060, 610.029, 610.120, 620.1100, and 620.1580, RSMo, and to enact in lieu thereof sixty-nine new sections for the sole purpose of restructuring statutes based on executive branch reorganizations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 498**, entitled:

An Act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations, with an emergency clause.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498, Page 1, In the Title, Lines 2 and 3, by striking the following: "retail businesses operated by charitable organizations" and inserting in lieu thereof the following: "protecting the financial well being of vulnerable populations"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"42.300. 1. There is hereby created in the state treasury the "Veterans Commission Capital Improvement Trust Fund" which shall consist of money collected under section 313.835. The state treasurer shall administer the veterans commission capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans commission for:

(1) The construction, maintenance or renovation or equipment needs of veterans' homes in this state;

(2) The construction, maintenance, renovation, equipment needs and operation of veterans' cemeteries in this state;

(3) Fund transfers to Missouri veterans' homes fund established under the provisions of section 42.121, as necessary to maintain solvency of the fund;

(4) Fund transfers to any municipality with a population greater than four hundred thousand and located in part of a county with a population greater than six hundred thousand in this state which has established a fund for the sole purpose of the restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I. Appropriations from the veterans commission capital improvement trust fund to such memorial fund shall be provided only as a one-time match for other funds devoted to the project and shall not exceed five million dollars. Additional appropriations not to exceed ten million dollars total may be made from the veterans commission capital improvement trust fund as a match to other funds for the new construction or renovation of other facilities dedicated as veterans' memorials in the state. All appropriations for renovation, new construction, reconstruction, and maintenance of veterans' memorials shall be made only for applications received by the Missouri veterans commission prior to July 1, 2004;

(5) The issuance of matching fund grants for veterans' service officer programs to any federally chartered veterans' organization or municipal government agency that is certified by the Veterans Administration to process veteran claims within the Veterans Administration System; provided that such veterans' organization has maintained a veterans' service officer presence within the state of Missouri for the three-year period immediately preceding the issuance of any such grant. A total of one million five hundred thousand dollars in grants shall be made available annually for service officers and joint training and outreach between veterans' service organizations and the Missouri veterans commission with grants being issued in July of each year. Application for the matching grants shall be made through and approved by the Missouri veterans commission based on the requirements established by the commission;

(6) For payment of Missouri national guard and Missouri veterans commission expenses associated with providing medals, medallions and certificates in recognition of service in the armed forces of the United States during World War II, the Korean Conflict, and the Vietnam War under sections 42.170 to 42.226. Any funds remaining from the medals, medallions and certificates shall not be transferred to any other fund and shall only be utilized for the awarding of future medals, medallions, and certificates in recognition of service in the armed forces; **[**and**]**

(7) Fund transfers totaling ten million dollars to any municipality with a population greater than three hundred fifty thousand inhabitants and located in part in a county with a population greater than six hundred thousand inhabitants and with a charter form of government, for the sole purpose of the construction, restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I**; and**

(8) The administration of the Missouri veterans commission.

2. Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund under this section. Notwithstanding the provisions of section 33.080, to the contrary, moneys in the veterans commission capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

3. Upon request by the veterans commission, the general assembly may appropriate moneys from the veterans commission capital improvement trust fund to the Missouri national guard trust fund to support the activities described in section 41.958.

4. The state auditor shall conduct an audit of all moneys in the veterans commission capital improvement trust fund every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly, governor, and lieutenant governor no later than ten business days after the completion of such audit.

161.215. 1. There is hereby created in the state treasury the "Early Childhood Development, Education and Care Fund" **[**which shall consist of money collected under section 313.835 and**]** which is created to give parents meaningful choices and assistance in choosing the child-care and education arrangements that are appropriate for their family. All interest received on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Any moneys deposited in such fund shall be used to support programs that prepare children prior to the age in which they are eligible to enroll in kindergarten under section 160.053 to enter school ready to learn. All moneys deposited in the early childhood development, education and care fund shall be annually appropriated for voluntary, early childhood development, education and care programs serving children in every region of the state not yet enrolled in kindergarten. **For fiscal year 2013 and each subsequent fiscal year, at least thirty-five million dollars of the funds received from the master settlement agreement, as defined in section 196.1000, shall be deposited in the early childhood development, education and care fund.**

2. No less than sixty percent of moneys deposited in the early childhood development, education and care fund shall be appropriated as provided in this subsection to the department of elementary and secondary education and to the department of social services to provide early childhood development, education and care programs through competitive grants to, or contracts with, governmental or private agencies. Eighty percent of such moneys under the provisions of this subsection and additional moneys as appropriated by the general assembly shall be appropriated to the department of elementary and secondary education and twenty percent of such moneys under the provisions of this subsection shall be appropriated to the department of social services. The departments shall provide public notice and information about the grant process to potential applicants:

(1) Grants or contracts may be provided for:

(a) Start-up funds for necessary materials, supplies, equipment and facilities; and

(b) Ongoing costs associated with the implementation of a sliding parental fee schedule based on income;

(2) Grant and contract applications shall, at a minimum, include:

(a) A funding plan which demonstrates funding from a variety of sources including parental fees;

(b) A child development, education and care plan that is appropriate to meet the needs of children;

(c) The identity of any partner agencies or contractual service providers;

(d) Documentation of community input into program development;

(e) Demonstration of financial and programmatic accountability on an annual basis;

(f) Commitment to state licensure within one year of the initial grant, if funding comes from the appropriation to the department of elementary and secondary education and commitment to compliance with the requirements of the department of social services, if funding comes from the department of social services; and

(g) With respect to applications by public schools, the establishment of a parent advisory committee within each public school program;

(3) In awarding grants and contracts under this subdivision, the departments may give preference to programs which:

(a) Are new or expanding programs which increase capacity;

(b) Target geographic areas of high need, namely where the ratio of program slots to children under the age of six in the area is less than the same ratio statewide;

(c) Are programs designed for special needs children;

(d) Are programs that offer services during nontraditional hours and weekends; or

(e) Are programs that serve a high concentration of low-income families.

3. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide early childhood development, education and care programs through child development, education and care certificates to families whose income does not exceed one hundred eighty-five percent of the federal poverty level in the manner pursuant to 42 U.S.C. Section 9858c(c)(2)(A) and 42 U.S.C. Section 9858n(2) for the purpose of funding early childhood development, education and care programs as approved by the department of social services. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. On February first of each year the department shall certify the total amount of child development, education and care certificates applied for and the unused balance of the funds shall be released to be used for supplementing the competitive grants and contracts program authorized under subsection 2 of this section.

4. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to increase reimbursements to child-care facilities for low-income children that are accredited by a recognized, early childhood accrediting organization.

5. No less than ten percent of the funds deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide assistance to eligible parents whose family income does not exceed one hundred eighty-five percent of the federal poverty level who wish to care for their children under three years of age in the home, to enable such parent to take advantage of early childhood development, education and care programs for such parent's child or children. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. The department of social services shall provide assistance to these parents in the effective use of early childhood development, education and care tools and methods.

6. In setting the value of parental certificates under subsection 3 of this section and payments under subsection 5 of this section, the department of social services may increase the value based on the following:

(1) The adult caretaker of the children successfully participates in the parents as teachers program under the provisions of sections 178.691 to 178.699, a training program provided by the department on early childhood development, education and care, the home-based Head Start program as defined in 42 U.S.C. Section 9832 or a similar program approved by the department;

(2) The adult caretaker consents to and clears a child abuse or neglect screening under subdivision (1) of subsection 2 of section 210.152; and

(3) The degree of economic need of the family.

7. The department of elementary and secondary education and the department of social services each shall by rule promulgated under chapter 536 establish guidelines for the implementation of the early childhood development, education and care programs as provided in subsections 2 to 6 of this section.

8. The state auditor shall conduct an audit of all moneys in the early childhood development, education and care fund created in subsection 1 of this section every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly no later than ten business days after the completion of such audit.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

313.835. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services provided by the commission and admission fees authorized pursuant to the provisions of sections 313.800 to 313.850, except that portion of the admission fee, not to exceed one cent, that may be appropriated to the compulsive gamblers fund as provided in section 313.820, shall be deposited in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for the sole purpose of funding the administrative costs of the commission, subject to appropriation. Moneys deposited into this fund shall not be considered proceeds of gambling operations. Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the gaming commission fund shall be credited to the gaming commission fund. In each fiscal year, total revenues to the gaming commission fund for the preceding fiscal year shall be compared to total expenditures and transfers from the gaming commission fund for the preceding fiscal year. The remaining net proceeds in the gaming commission fund shall be distributed in the following manner:

(1) The first five hundred thousand dollars shall be appropriated on a per capita basis to cities and counties that match the state portion and have demonstrated a need for funding community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) The remaining net proceeds in the gaming commission fund for fiscal year **[**1999**]** **2013** and each fiscal year thereafter shall be distributed as follows:

(a) The first **[**four and one-half**]** **five** million dollar portion shall be transferred to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107, and additional moneys as annually appropriated by the general assembly shall be appropriated to such fund;

(b) The second three million dollar portion shall be transferred to the veterans' commission capital improvement trust fund created in section 42.300;

(c) The third **[**three**]** **four** million dollar portion shall be transferred to the Missouri national guard trust

fund created in section 41.214;

(d) Subject to appropriations, one hundred percent of remaining net proceeds in the gaming commission fund **[**except as provided in paragraphs (e) and (f) of this subdivision, and**],** after the appropriations **are** made pursuant to the provisions of paragraphs (a), (b), and (c) of this subdivision, shall be transferred to the **[**early childhood development, education and care fund created in section 161.215;

(e) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of this subdivision, in the gaming commission fund annually exceeds twenty-eight million dollars: one-half million dollars of such proceeds shall be transferred annually, subject to appropriation, to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107; three million dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans' commission capital improvement trust fund; and one million dollars of such proceeds shall be transferred annually, subject to appropriation, to the Missouri national guard trust fund created in section 41.214;

(f) Beginning in fiscal year 2011 and each fiscal year thereafter when the funding for early childhood education under paragraph (d) of this subdivision equals the funding level for early childhood education under paragraph (d) of this subdivision in fiscal year 2009, one-half of the next one million two hundred thousand dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans commission capital improvement trust fund for the purpose of funding veterans' service officer programs identified under subdivision (5) of subsection 1 of section 42.300, and the other half of the one million two hundred thousand dollars shall be transferred annually, subject to appropriation, to the early childhood development, education and care fund created in section 161.215**] veterans' commission capital improvement trust fund created in section 42.300**."; and

Further amend said bill, Page 1, Section B, Line 1, by striking the following: "preserve the rights of veterans" and inserting in lieu thereof the following: "protect the financial well being of vulnerable populations"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HA 1**, **HA 2**, **HA 3**, **HA 4**, **HA 5**, **HA 6**, **HA 7** and **HA 8** to **SB 611** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HA 1**, **HA 2**, **HA 3**, as amended, **HA 4**, **HA 5** and **HA 6** to **SS** for **SCS** for **SB 719** and grants the Senate a conference thereon.

PRIVILEGED MOTIONS

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 568**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 568

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 568, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 2 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment No. 6 and House Amendment No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 568, as amended;

2. The Senate recede from its position on Senate Bill No. 568;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 568, as amended be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Mike Parson	/s/ Ward Franz
/s/ Bill Stouffer	/s/ Ryan Silvey
/s/ Ron Richard	/s/ Wanda Brown
/s/ Ryan McKenna	Stephen Webber
/s/ Robin Wright-Jones	/s/ Tim Meadows

Senator Parson moved that the above conference committee report be adopted.

At the request of Senator Parson, his motion to adopt the conference committee report was withdrawn which placed the bill back on the calendar.

Senator Pearce assumed the Chair.

Senator Munzlinger moved that **SCS** for **SB 498**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 498**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 498

An Act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations, with an emergency clause.

Was taken up.

Senator Munzlinger moved that **HCS** for **SCS** for **SB 498**, as amended, be adopted.

Senator Crowell moved that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed

indefinitely.

Senator Crowell offered a substitute motion that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed until May 17, 2012.

Senator Crowell offered an amendment to his substitute motion to delete "May 17" and insert in lieu thereof "May 18".

Senator Kehoe assumed the Chair.

At the request of Senator Crowell, his amendment to the substitute motion was withdrawn.

At the request of Senator Crowell, his substitute motion was withdrawn.

At the request of Senator Crowell, his motion to postpone indefinitely the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, was withdrawn.

The motion made by Senator Munzlinger to adopt **HCS** for **SCS** for **SB 498**, as amended, was again taken up.

Senator Pearce assumed the Chair.

Senator Stouffer assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Crowell moved that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed indefinitely.

Senator Crowell offered a substitute motion that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed until May 17, 2012.

Senator Crowell offered an amendment to his substitute motion to delete "May 17" and insert in lieu thereof "May 16".

Senator Crowell offered a substitute amendment for his amendment to the substitute motion to delete "May 16" and insert in lieu thereof "May 18".

Senator Dempsey requested a roll call vote be taken on the adoption of the substitute amendment offered by Senator Crowell. He was joined in his request by Senators Callahan, Justus, Stouffer and Wasson.

At the request of Senator Munzlinger, his motion to adopt **HCS** for **SCS** for **SB 498**, as amended, was withdrawn which placed the bill back on the calendar.

Senator Munzlinger moved that **SCS** for **SB 498**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 498**, as amended, was again taken up.

Senator Munzlinger moved that **HCS** for **SCS** for **SB 498**, as amended, be adopted.

Senator Crowell moved that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed

indefinitely.

Senator Crowell offered a substitute motion that the motion to adopt **HCS** for **SCS** for **SB 498**, as amended, be postponed until May 17, 2012.

Senator Crowell offered an amendment to his substitute motion to delete "May 17" and insert in lieu thereof "May 16".

Senator Crowell offered a substitute amendment for his amendment to the substitute motion to delete "May 16" and insert in lieu thereof "May 18".

Senator Munzlinger requested a roll call vote be taken on the adoption of the substitute amendment offered by Senator Crowell. He was joined in his request by Senators Callahan, McKenna, Parson and Schaefer.

At the request of Senator Munzlinger, his motion to adopt **HCS** for **SCS** for **SB 498**, as amended, was withdrawn which placed the bill back on the calendar.

Senator Parson moved that the conference committee report on **HCS** for **SB 568**, as amended, be taken up for adoption, which motion prevailed.

Senator Parson moved that the conference committee report be adopted.

Senator Crowell moved that the motion to adopt the conference committee report on **HCS** for **SB 568**, as amended, be postponed indefinitely.

Senator Crowell offered a substitute motion that the motion to adopt the conference committee report on **HCS** for **SB 568**, as amended, be postponed until May 17, 2012.

Senator Crowell offered an amendment to his substitute motion to delete "May 17" and insert in lieu thereof "May 16".

Senator Crowell offered a substitute amendment for his amendment to the substitute motion to delete "May 16" and insert in lieu thereof "May 18".

At the request of Senator Parson, his motion for the adoption of the conference committee report was withdrawn which placed the bill back on the calendar.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 2142, regarding James Edward Whaley, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Goodman introduced to the Senate, his wife Laura and their sons, Jack Elliott and William True, Mt. Vernon; his sister, Lori Johnson, and her children, Cameron, Tyler and Kate, Pierce City; and Jack Elliott, William True, Cameron, Tyler and Kate were made honorary pages.

Senator Pearce introduced to the Senate, Daric Ewell and Nancy Ossenford, Warrensburg.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-SEVENTH DAY–TUESDAY, MAY 8, 2012

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1245
HCS for HB 1526
HCS for HB 1803
HB 1455-Gatschenberger, et al
HCS for HB 1710
HCS for HB 1049
HCS for HB 1639
HCS for HB 1988
HCS for HB 1854
HCS for HB 1900

THIRD READING OF SENATE BILLS

SS#3 for SCS for SB 710-Engler

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS
SB 745-Lembke
SB 765-Schaefer
SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1051-Allen, et al, with SCS (Lager) (In Fiscal Oversight)
2. HB 1403-Schatz, et al (Dempsey) (In Fiscal Oversight)
3. HB 1318-Riddle, et al (Kehoe) (In Fiscal Oversight)
4. HCS for HB 1640, with SCS (Stouffer) (In Fiscal Oversight)
5. HB 1170-Franz, with SCS (Parson)
6. HCS for HB 1498, with SCS (Schmitt) (In Fiscal Oversight)
7. HB 1036-Dugger, with SCS (Engler)
8. HCS for HJR 41 (Green)
9. HCS for HB 1150, with SCS (Brown)
10. HCS for HB 1361 (Lager)
11. HCS for HB 1072, with SCS (Brown)
12. HCS for HB 1563, with SCS (Wasson)
13. HB 1337-Stream, with SCS (Brown)
14. HCS for HB 1722 (Pearce)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1094, with SCS & SA 1 (pending) (Munzlinger)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HCS for HB 1123 (Brown)
HCS for HB 1140, with SCS (Cunningham)
HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 2 to SSA 1 for SA 1 (pending) (Pearce)
HB 1192-Koenig, et al (Cunningham)
HCS for HB 1193, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 3 to SSA 1 for SA 1 (pending) (Engler)
HCS#2 for HB 1317, with SCS (Schaefer)
SCS for HB 1331-Jones (117), et al (Kehoe) (In Fiscal Oversight)
HCS for HB 1402, with SCS (Stouffer)
HCS for HB 1623, with SCS, SS#2 for SCS & SA 12 (pending) (Schmitt)
HCS for HB 1644 (Purgason)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 467-Munzlinger, with HCS, as amended
SCS for SB 498-Munzlinger and Justus, with HCS, as amended
SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8
SB 568-Parson, with HCS, as amended
SB 611-Lembke, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8
SS for SCS for SB 719-Kehoe, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6
HCS for HB 2002, with SS for SCS (Schaefer)
HCS for HB 2003, with SS for SCS (Schaefer)
HCS for HB 2004, with SS for SCS (Schaefer)
HCS for HB 2005, with SS for SCS (Schaefer)
HCS for HB 2006, with SS for SCS, as amended (Schaefer)
HCS for HB 2007, with SS for SCS (Schaefer)
HCS for HB 2008, with SS for SCS (Schaefer)
HCS for HB 2009, with SS for SCS (Schaefer)
HCS for HB 2010, with SS for SCS (Schaefer)
HCS for HB 2011, with SS for SCS, as amended (Schaefer)
HCS for HB 2012, with SS for SCS (Schaefer)
HCS for HB 2013, with SS for SCS (Schaefer)

Requests to Recede or Grant Conference

SCS for SB 569-Kraus, with HCS, as amended (Senate requests House recede or grant conference)
SB 736-Engler, with HA 1 (Senate requests House recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al
HCR 12-Davis, et al (Brown)
HCR 22-Walton Gray, et al (Chappelle-Nadal)
HCR 31-Schieffer, et al (Rupp)
HCR 42-Rowland, et al

To be Referred

SR 2075-Dempsey

✓

Journal of the Senate

SECOND REGULAR SESSION

SIXTY-SEVENTH DAY—TUESDAY, MAY 8, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"The gem cannot be polished without friction, nor man perfected without trials." (Chinese Proverb)

Gracious God, we are aware that the days are getting longer, the number of them shorter and stress increasing. We need Your presence and stillness so that we might deal effectively with all that is demanded of us. Help us to also be mindful that what we are experiencing our staff is also dealing with as well as us. So help us treat them appreciatively for all they do for us that makes our work easier. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from the Daily Star Journal and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 2143, regarding Soup Kitchen/Meal Program at Our Savior Lutheran Church, Salem, which was adopted.

Senator Brown offered Senate Resolution No. 2144, regarding Kaitlyn Merrow, which was adopted.

Senator Lager offered Senate Resolution No. 2145, regarding Payden Thompson, Stewartsville, which was adopted.

Senator Lager offered Senate Resolution No. 2146, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gerald Smith, Bethany, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS**, as amended, for **HB 1135** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HCS**, as amended, to **SB 569** and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **SCS**, as amended, for **HB 1073** and **HCS** for **HB 1477** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS**, as amended, for **HB 1504** and has taken up and passed **SCS** for **HB 1504**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SB 564**, as amended. Representatives: Davis, Day, Long, Meadows, and Fallert.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SB 611**, as amended. Representatives: Stream, Silvey, Flanigan, Kelly (24), and Lampe.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **SB 719**, as amended. Representatives: Brown (116), Jones (117), Ruzicka, Meadows, and McDonald.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **HCS** for **SCS** for **SB 569**, as amended. Representatives: Dugger, Smith (150), Neth, Fallert, and Conway (27).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 455**, entitled:

An Act to repeal sections 173.005, 173.040, 173.606, 173.608, 173.612, 173.614, 173.616, and 173.618, RSMo, and to enact in lieu thereof eight new sections relating to duties prescribed to the coordinating board for higher education, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7 and House Amendment No. 7, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 455, in the Title, Lines 3 and 4 by deleting from said lines the phrase: "duties prescribed to the coordinating board for"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"**67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**

(1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of revenue;

(6) "Eligible costs", shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee,

from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after

August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 455, Page 9, Section 173.612, Line 33, by deleting the word "**must**" and inserting in lieu thereof the following"

"**shall**" ; and

Further amend said bill, Page 11, Section 173.616, Line 13, by deleting "(11)" and inserting in lieu thereof the following:

"**[**(11)**] (12)**" ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 455, Page 12, Section 173.618, Line 9, by inserting after all of said section and line the following:

"**620.2450. 1. There is hereby established the "Missouri Jobs for Education Program". The program is established for the purpose of providing credit toward tuition to award Missouri and out-of-state business owners and companies responsible for the creation of new jobs in the state. Credit toward tuition awarded under this section entitle the credit holder to credit toward tuition at any public institution of higher education in the state.**

2. Under the Missouri jobs for education program, business owners and companies may apply for credit toward tuition, redeemable for study at public institutions of higher education in the state. A qualifying business owner or company shall receive one credit toward tuition for every qualifying job created. In order to qualify for credit toward tuition under this section, the new job shall:

(1) Pay wages that meet or exceed the county average wage;

(2) Be maintained for at least one year before the claimant is eligible to receive the credit toward tuition; and

(3) Be a full-time position, including at a minimum two thousand hours per year, with one hundred sixty hours per month for ten of the twelve calendar months.

3. Credit toward tuition awarded under this section may be used by employees of the business owner or company, by any relatives of the business owner, or may be gifted to any person of the

business owner's choosing. Credit toward tuition received shall expire if not used within ten years of the date awarded. Unused credit toward tuition shall not be refunded and shall be deposited into general revenue.

4. There is hereby created in the state treasury the "Missouri Jobs for Education Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely for the administration of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of economic development shall administer the program established in this section. The department of revenue shall create an employer application process, and withhold state employee taxes and deposit the money into the Missouri jobs for education fund established in subsection 4 of this section. Funding for credit toward tuition shall begin on the day the new job is created. The department of economic development shall track employer contributions and ensure that the credit toward tuition granted does not exceed the amount that has been deposited by the employer. If an employee tax withheld is more than the cost of tuition, no money shall be refunded.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 455, Page 12, Section 173.618, Line 9, by inserting after all of said section and line the following:

"174.450. 1. Except as provided in subsection 2 and subsection 6 of this section, the governing board of **the University of** Central Missouri **[**State University**]**, Missouri State University, Missouri Southern State University, Missouri Western State University, and of each other public institution of higher education which, through the procedures established in subdivision (7) or (8) of section 173.030, is charged with a statewide mission shall be a board of governors consisting of eight members, composed of seven voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party. The appointed members of the board of regents serving on the date of the statutory mission change shall become members of the board of governors on the effective date of the statutory mission change and serve until the expiration of the terms for which they were appointed. The

board of regents of any such institution shall be abolished on the effective date of the statutory mission change, as prescribed in subdivision (7) or (8) of section 173.030.

2. The governing board of Missouri State University, a public institution of higher education charged with a statewide mission in public affairs, shall be a board of governors of ten members, composed of nine voting members and one nonvoting member, who shall be appointed by the governor, by and with the advice and consent of the senate. The nonvoting member shall be a student selected in the same manner as prescribed in section 174.055. At least one but no more than two voting members shall be appointed to the board from each congressional district, and every member of the board shall be a citizen of the United States, and a resident of this state for at least two years prior to his or her appointment. No more than five voting members shall belong to any one political party. The term of office of the governors shall be six years**, except as provided in this subsection**. **[**The voting members of the board of governors serving on August 28, 2005, shall serve until the expiration of the terms for which they were appointed. For those voting members appointed after August 28, 2005, the term of office will be established in a manner where no more than three terms shall expire in a given year.**]** The term of office for those appointed hereafter shall end January first in years ending in an odd number. **For the six voting members' terms that expired in 2011, the successors shall be appointed in the following manner:**

(1) Of the five voting members' terms that expired on August 28, 2011, one successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2013;

(2) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to terms that shall expire on January 1, 2015;

(3) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to a term that shall expire on January 1, 2017; and

(4) For the voting member's term that expired on January 1, 2011, the successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2017.

Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.

3. If a voting member of the board of governors of Missouri State University is found by unanimous vote of the other governors to have moved such governor's residence from the district from which such governor was appointed, then the office of such governor shall be forfeited and considered vacant.

4. Should the total number of Missouri congressional districts be altered, all members of the board of governors of Missouri State University shall be allowed to serve the remainder of the term for which they were appointed.

5. Should the boundaries of any congressional districts be altered in a manner that displaces a member of the board of governors of Missouri State University from the congressional district from which the member was appointed, the member shall be allowed to serve the remainder of the term for which the member was appointed.

6. The governing board of Missouri Southern State University shall be a board of governors consisting of nine members, composed of eight voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party.

Section B. Because of the importance of appointing members to the governing board of Missouri State University in a timely manner, section 174.450 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 174.450 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 455, Page 7, Section 173.040, Line 19, by inserting after all of said line the following:

"173.300. The Compact for Education is hereby entered into and enacted into law with all jurisdictions legally joining therein, in the form substantially as follows:

Article I Purpose and Policy

A. It is the purpose of this compact to:

1. Establish and maintain close cooperation and understanding among the executive, legislative, professional, educational and lay leadership on a nationwide basis at the state and local levels.

2. Provide a forum for the discussion, development, crystallization and recommendation of public policy alternatives in the field of education.

3. Provide a clearing house of information on matters relating to educational problems and how they are being met in different places throughout the nation, so that the executive and legislative branches of state government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.

4. Facilitate the improvement of state and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.

B. It is the policy of this compact to encourage and promote local and state initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and states.

C. The party states recognize that each of them has an interest in the quality and quantity of education furnished in each of the other states, as well as in the excellence of its own educational systems and institutions, because of the highly mobile character of individuals within the nation, and because the products and services contributing to the health, welfare and economic advancement of each state are supplied in significant part by persons educated in other states.

Article II State Defined

As used in this compact, "state" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

Article III The Commission

A. The **[**Educational**]** **Education** Commission of the States, hereinafter called "the commission", is hereby established. The commission shall consist of seven members representing each party state. One of such members shall be the governor; two shall be members of the state legislature selected by its respective houses and serving in such manner as the legislature may determine; and four shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. If the laws of a state prevent legislators from serving on the commission, six members shall be appointed and serve at the pleasure of the governor, unless the laws of the state otherwise provide. In addition to any other principles or requirements which a state may establish for the appointment and service of its members of the commission, the guiding principle for the composition of the membership on the commission from each party state shall be that the members representing such state shall, by virtue of their training, experience, knowledge or affiliations be in a position collectively to reflect broadly the interests of the state government, higher education, the state education system, local education, lay and professional, public and non-public educational leadership. Of those appointees, one shall be the head of a state agency or institution, designated by the governor, having responsibility for one or more programs of public education. In addition to the members of the commission representing the party states, there may be not to exceed ten non-voting commissioners selected by the steering committee for terms of one year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

B. The members of the commission shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners are present. The commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the commission may delegate the exercise of any of its powers to the steering committee or the executive director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to Article IV and adoption of the annual report pursuant to Article III(J).

C. The commission shall have a seal.

D. The commission shall elect annually, from among its members, a chairman, who shall be a governor, a vice chairman and a treasurer. The commission shall provide for the appointment of an executive director. Such executive director shall serve at the pleasure of the commission, and together with the treasurer and such other personnel as the commission may deem appropriate shall be bonded in such amount as the commission shall determine. The executive director shall be secretary.

E. Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director subject to the approval of the steering committee shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the commission, and shall fix the duties and compensation of such personnel. The commission in its bylaws shall provide for the personnel policies and programs of the commission.

F. The commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party jurisdictions or their subdivisions.

G. The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States, or any other governmental agency, or from any person, firm, association, foundation, or corporation, and may receive, utilize and dispose of the same. Any donation or grant accepted by the commission pursuant to this paragraph or services borrowed pursuant to paragraph (F) of this article shall be reported in the annual report of the commission. Such report shall include the nature, amount and conditions, if any, of the donation, grant, or services borrowed, and the identity of the donor or lender.

H. The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.

I. The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states.

J. The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year. The commission may make such additional reports as it may deem desirable.

Article IV Powers

In addition to authority conferred on the commission by other provisions of the compact, the commission shall have authority to:

1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.

2. Encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems.

3. Develop proposals for adequate financing of education as a whole and at each of its many levels.

4. Conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education, and other agencies and institutions, both public and private.

5. Formulate suggested policies and plans for the improvement of public education as a whole or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.

6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

Article V Cooperation With Federal Government

A. If the laws of the United States specifically so provide, or if administrative provision is made therefor within the federal government, the United States may be represented on the commission by not to exceed ten representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law, and may be drawn from any one or more branches of the federal government, but no such representative shall have a vote on the commission.

B. The commission may provide information and make recommendations to any executive or legislative agency or officer of the federal government concerning the common educational policies of the states, and may advise with any such agencies or officers concerning any matter of mutual interest.

Article VI Committees

A. To assist in the expeditious conduct of its business when the full commission is not meeting, the commission shall elect a steering committee of thirty-two members which, subject to the provisions of this compact and consistent with the policies of the commission, shall be constituted and function as provided in the bylaws of the commission. Eight of the voting membership of the steering committee shall consist of governors, eight shall be legislators, and the remainder shall consist of other members of the commission. A federal representative on the commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of two years, except that members elected to the first steering committee of the commission shall be elected as follows: sixteen for one year and sixteen for two years. The chairman, vice chairman, and treasurer of the commission shall be members of the steering committee and, anything in this paragraph to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than two terms as a member of the steering committee; provided that service for a partial term of one year or less shall not be counted toward the two term limitation.

B. The commission may establish advisory and technical committees composed of state, local and federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the states concerned, be established to consider any matter of special concern to two or more of the party states.

C. The commission may establish such additional committees as its bylaws may provide.

Article VII Finance

A. The commission shall advise the governor or designated officer or officers of each party state of its budget and estimated expenditures for such period as may be required by the laws of that party state. Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states.

B. The total amount of appropriation requests under any budget shall be apportioned among the party states. In making such apportionment, the commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party states.

C. The commission shall not pledge the credit of any party states. The commission may meet any of its obligations in whole or in part with funds available to it pursuant to Article III(G) of this compact, provided

that the commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it pursuant to Article III(G) thereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

D. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the commission.

E. The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any person authorized by the commission.

F. Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

Article VIII Eligible Parties; Entry Into and Withdrawal

A. This compact shall have as eligible parties all states, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a governor, the term "governor", as used in this compact, shall mean the closest equivalent official of such jurisdiction.

B. Any state or other eligible jurisdiction may enter into this compact and it shall become binding thereon when it has adopted the same; provided that in order to enter into initial effect, adoption by at least ten eligible party jurisdictions shall be required.

C. Adoption of the compact may be either by enactment thereof or by adherence thereto by the governor; provided that in the absence of enactment, adherence by the governor shall be sufficient to make his state a party only until December 31, 1967. During any period when a state is participating in this compact through gubernatorial action, the governor shall appoint those persons who, in addition to himself, shall serve as the members of the commission from his state, and shall provide to the commission an equitable share of the financial support of the commission from any source available to him.

D. Except for a withdrawal effective on December 31, 1967 in accordance with paragraph C of this article, any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

Article IX Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States, or the application thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the

compact shall remain in full force and effect as to the state affected as to all severable matters."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 455, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"160.545. 1. There is hereby established within the department of elementary and secondary education the "A+ Schools Program" to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

(1) All students be graduated from school;

(2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and

(3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

(1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and

(2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and

(3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and

(4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and

(5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

3. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

4. By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program.

However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

5. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

6. For any school year, grants authorized by subsections 1 to 3 of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection 7 of this section.

7. The commissioner of education shall, by rule and regulation of the state board of education and with the advice of the coordinating board for higher education, establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection 9 of this section for any two-year private vocational or technical school for any student:

(1) Who has attended a public high school in the state for at least three years immediately prior to graduation that meets the requirements of subsection 2 of this section, except that students who are active duty military dependents, and students who are dependants of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty, who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school as determined by rule of the state board of education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of said board.

8. **(1) Notwithstanding the provisions of subsection 7 of this section, the commissioner of education**

shall establish a process, with the advice of the commissioner of higher education, by which any student enrolled in a public high school in a district that has been declared unaccredited by the state board of education, who otherwise qualifies for reimbursement under subsection 7 of this section but whose high school does not qualify under subsection 2 of this section, may apply for and receive reimbursement under this section.

(2) The commissioner of education shall designate school officers, such as but not limited to guidance counselors, who shall be authorized to validate a student's eligibility under this subsection.

(3) The commissioner of education shall monitor the accuracy of eligibility validation under this section and may, if ineligible students beyond a reasonable margin of error are validated, revoke an individual's authority to validate eligibility and may further require the school district to repay reimbursements made for ineligible students.

9. The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

[9.**] 10.** For a two-year private vocational or technical school to obtain reimbursements under **[**subsection 7**] subsections 7 and 8** of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of article IX, section 8, or article I, section 7, of the Missouri Constitution or the first amendment of the United States Constitution."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 455 Page 1, Line 17, by inserting after all of said line the following:

"Further amend said bill, Page 12, Section 173.618, Line 9, by inserting after all of said line the following:

"**Section 1. 1. No public institution of higher education, or campus thereof, political subdivision, quasi-governmental entity, or governmental entity shall operate the Sue Shear Institute for Women in Public Life, any successor entity to the Sue Shear Institute for Women in Public Life, or utilize public funds for any other institute that engages in political activity.**

2. Any taxpayer of this state or any member of the general assembly shall have standing to bring

suit against the state of Missouri or any official, department, division, agency, board, commission, committee, council, political subdivision of this state, public officer, or quasi-governmental entity which is in violation of this section in any court with jurisdiction to enforce the provisions of this section.

Section B. Because immediate action is necessary to protect the financial well-being of vulnerable populations the repeal and reenactment of sections 42.300, 161.215, 313.835 and 407.489 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 42.300, 161.215, 313.835 and 407.489 of this act shall be in full force and effect upon its passage and approval."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 455, Page 12, Section 173.618, Line 9, by inserting after all of said section and line the following:

"177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 470**, entitled:

An Act to repeal sections 142.932, 260.392, 301.147, 302.341, 302.700, 304.022, 304.120, 304.154, 304.180, 304.190, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof twenty-five new sections relating to transportation, with penalty provisions and a contingent effective date for certain sections.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment Nos. 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 3 to House Amendment No. 7, House Amendment No. 7, as

amended, House Amendment Nos. 8, 9, 10, 11, House Substitute Amendment No. 1 for House Amendment No. 12 and House Amendment No. 13.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Pages 2 through 6, Section 260.392 by deleting said section and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each **[**cask transported**]** **truck transporting** through or within the state **[**by truck of**]** high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All **[**casks**]** **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments **[**transported by truck**]** are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement

as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 4, Line 10, by inserting after all of said line, the following:

"**8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.**"; and

Further amend said section by renumbering said section accordingly; and

Further amend said amendment, Page 4, Lines 19-20, by deleting all of said lines and inserting in lieu thereof the following:

"**void.**"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 6, Section 260.392, Line 143 by inserting after said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle)

seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. **[**Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5.**] The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase.** The temporary permit **[**shall be made available by the director of revenue and**] authorized under this section** may be purchased **by the purchaser of a motor vehicle or trailer** from the **central office of the** department of revenue **or from an authorized agent of the department of revenue** upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a **motor vehicle** dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer**, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates**. The director **[**shall**] of the department of revenue or a producer authorized by the director of the department of revenue may** make temporary permits available to registered dealers in this state **[**or**],** authorized agents of the department of revenue **[**in sets of ten permits**] or the department of revenue**. The **[**fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued**] price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any**

other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No **motor vehicle** dealer **[**or**],** authorized agent **or the department of revenue** shall charge more than **[**seven dollars and fifty cents**] five dollars** for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a **motor vehicle** dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. **Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.**

[6.**] 5.** The permit shall be issued on a form prescribed by the director **of the department of revenue** and issued only for the applicant's **[**use in the**] temporary** operation of the motor vehicle or trailer purchased to enable the applicant to **[**legally**] temporarily** operate the **motor** vehicle while proper title and registration **[**plate**] plates** are being obtained**, or while awaiting receipt of registration plates**, and shall be displayed on no other **motor** vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director **of the department of revenue** shall determine the size **[**and**], material, design,** numbering configuration, construction, and color of the permit. **The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.**

[7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit.**]**

6. Every **motor vehicle** dealer that issues **[**a**]** temporary **[**permit**] permits** shall keep, for inspection **[**of**] by** proper officers, **[**a correct**] an accurate** record of each permit issued by recording the permit **[**or plate**]** number, **the motor vehicle dealer's number,** buyer's name and address, **the motor vehicle's** year, make, **and** manufacturer's vehicle identification number **[**on which the permit is to be used**]**, and the **permit's** date of issuance **and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri**.

[8.**] 7.** Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of **motor** vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section

536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

9. The provisions of this section shall become effective no later than July 1, 2013."; and

Further amend the title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 15, Section 302.768, Line 56, by inserting after all of said section and line the following:

"303.200. After consultation with insurance companies authorized to issue automobile liability policies in this state, the director of the department of insurance, financial institutions and professional registration shall approve a reasonable plan or plans for the equitable apportionment among such companies of applicants for such policies and for motor vehicle liability policies who are in good faith entitled to but are unable to procure such policies through ordinary methods. When any such plan has been approved, all such insurance companies shall subscribe thereto and participate therein. **Any such plan shall contract with an entity or entities to accept and service applicants and policies for any company that does not elect to accept and service applicants and policies. By October 1 of each year any company that elects to accept and service applicants and policies for the next calendar year for any such plan shall so notify the plan. Any company that does not so notify a plan shall be excused from accepting and servicing applicants and policies for the next calendar year for such plan and shall pay a fee to the plan or servicing entity for providing such services. The fee shall be based on the company's market share on the kinds of insurance offered by the plan.** Any applicant for any such policy, any person insured under any such plan, and any insurance company affected, may appeal to the director from any ruling or decision of the manager or committee designated to operate such plan. Any person aggrieved hereunder by any order or act of the director may, within ten days after notice thereof, file a petition in the circuit court of the county of Cole for a review thereof. The court shall summarily hear the petition and may make any appropriate order or decree."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in

section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) **Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subsection "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;**

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant

to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

[(5)**] (6)** Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state**, including any titled manufacturing or mining equipment,** if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

[(6)**] (7)** Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

[(7)**] (8)** Animals or poultry used for breeding or feeding purposes, or captive wildlife;

[(8)**] (9)** Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

[(9)**] (10)** The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

[(10)**] (11)** Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

[(11)**] (12)** Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

[(12)**] (13)** Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

[(13)**] (14)** Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

[(14)**] (15)** Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

[(15)**] (16)** Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for

the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

[(16)**] (17)** Tangible personal property purchased by a rural water district;

[(17)**] (18)** All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

[(18)**] (19)** All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

[(19)**] (20)** All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

[(20)**] (21)** All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

[(21)**] (22)** All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

[(22)**] (23)** All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber,

all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

[(23)**] (24)** Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

[(24)**] (25)** All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

[(25)**] (26)** Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

[(26)**] (27)** Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

[(27)**] (28)** All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

[(28)**] (29)** Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

[(29)**] (30)** All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

[(30)**] (31)** All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

[(31)**] (32)** Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

[(32)**] (33)** Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

[(33)**] (34)** Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and

prescription pharmaceuticals consumed by humans or animals;

[(34)**] (35)** All sales of grain bins for storage of grain for resale;

[(35)**] (36)** All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

[(36)**] (37)** All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

[(37)**] (38)** All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

[(38)**] (39)** Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

[(39)**] (40)** All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

[(40)**] (41)** Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

[(41)**] (42)** Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 6, Section 260.392, Line 143, by inserting after all of said section and line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any

consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported

to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for

off-highway use which is **[**sixty**]** **sixty-four** inches or less in width, with an unladen dry weight of **[**one**]** **two** thousand **[**eight hundred fifty**]** pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no

fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or

maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, Page 17, Section 304.022, Line 67, by inserting after all of said section and line the following:

"**304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:**

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 6, Section 260.392, Line 143, by inserting immediately after said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly

purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot

transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 5 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 5 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470 Page 3, Line 23, by inserting after all of said line the following:

"Further amend said bill, Page 23, Section 304.180, Line 128, by inserting after all of said line the following:

"**11. Notwithstanding any provision of this section or any other law to the contrary, the department of transportation shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The department of transportation shall promulgate all necessary**

rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 3, Line 23 by inserting after said line the following:

"Further amend said bill, Page 8, Section 302.341, page Line 25 by inserting after said line the following:

" **The provisions of this subsection shall not apply to revocations resulting from an alcohol related offense.** " and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 18 though 20, Section 304.154, Line 1 though 62, by deleting all of said Section and inserting in lieu thereof the following:

"304.154. 1. Beginning **[**January 1, 2005**]** **August 28, 2012**, a towing company operating a tow truck **[**pursuant to the authority granted in section 304.155 or 304.157 shall**]** **as defined in section 301.010 shall be licensed by the division of professional registration as provided in subsection 2 of this section and**:

(1) Have and occupy a verifiable business address **and display such address in a location visible from the street**;

(2) Have a fenced, secure, and lighted storage lot or an enclosed, secure building for the storage of motor vehicles**, with a total area for storing vehicles, either inside or outside, of at least two thousand square feet, and fencing a minimum of six feet high**;

(3) **Maintain regular business hours for the business office of 8:00 a.m. to 5:00 p.m., Monday through Friday, for customers or their authorized agent to view and retrieve vehicles, with no additional fees charged to view or retrieve a vehicle during these regular business hours;**

(4) Be available twenty-four hours a day, seven days a week. Availability shall mean that an employee of the towing company or an answering service answered by a person is able to respond to a tow request;

(5) Have and maintain a phone number which is published in the local phone book and accessible through directory assistance;

[(4)**] (6)** Maintain a valid insurance policy issued by an insurer authorized to do business in this state, or a bond or other acceptable surety providing coverage for the death of, or injury to, persons and damage to property for each accident or occurrence in the amount **[**of at least five hundred thousand dollars per

incident**] prescribed by the United States Department of Transportation**;

(7) Maintain liability insurance as follows: garage coverage liability of one million dollars per occurrence with an aggregate of two million dollars or greater, garage keeper policy with a fifty thousand dollar minimum, and hook and cargo insurance with a one hundred fifty thousand dollar minimum;

[(5)**] (8)** Provide workers' compensation insurance for all employees of the towing company if required by chapter 287; **[**and**]**

[(6)**] (9)** Maintain current motor vehicle registrations on all tow trucks currently operated within the towing company fleet**;**

(10) Provide a twenty-five thousand dollar surety bond by a company licensed to do business in the state, or provide an irrevocable letter of credit from a financial institution licensed to do business in the state; and

(11) Require tow drivers to be certified by the Towing and Recovery Association of America (TRAA), or any state or federally funded program, as follows:

(a) Beginning August 28, 2013, light-duty operators shall have at least TRAA Level 1 Certification or equivalent;

(b) Beginning March 1, 2014, medium-duty operators shall have at least TRAA Level 2 Certification or equivalent; and

(c) Beginning August 28, 2014, there shall be at least one TRAA Level 3 certified operator per company engaged in heavy-duty towing. Anyone who provides a five-year employment history with a towing or wrecking service shall be exempt from the provisions of this subdivision.

2. **Notwithstanding any other law, in order to operate a towing or wrecker service within this state, operators shall be licensed by the division of professional registration. Applicants for licensure shall provide proof of compliance with requirements of subsection 1 of this section to the division and upon presentation of satisfactory proof shall be granted documentation issued by the division indicating that the towing or wrecker service has met state licensing requirements. Local governmental entities shall not contract with any towing or wrecker service not licensed with the division under this section. The provisions of this section may be enforced by local law enforcement and the highway patrol.**

3. The director of the division of professional registration may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

4. Counties may adopt ordinances with respect to towing company standards in addition to the minimum standards contained in this section. A towing company located in a county of the second, third, and fourth classification is exempt from the provisions of this section.

5. A towing or wrecker service licensed by the state under this section shall not be required to pay

a duplicative fee, or obtain a duplicative permit or license under Section 301.344."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 7, Section 301.147, Line 29, by inserting after all of said section and line the following:

"**301.580. 1. The department of revenue may issue special event motor vehicle auction licenses under the provisions of this section. For purposes of this section, a "special event motor vehicle auction" is a motor vehicle auction which:**

(1) Ninety percent of the vehicles being auctioned are at least ten years old or older;

(2) The licensee shall auction no more than three percent of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners; and

(3) The duration is no more than three consecutive calendar days and is held no more than three times in a calendar year by a licensee.

2. A special event motor vehicle auction shall be considered a public motor vehicle auction for purposes of sections 301.559 and 301.564.

3. Special event motor vehicle auction licensees shall be exempt from the requirements of section 301.560, with the exception of subdivision (4) of subsection 1 of section 301.560.

4. An application for a special event motor vehicle auction license must be received by the department at least ninety days prior to the beginning of the special event auction.

5. Applicants for a special motor vehicle auction are limited to no more than three special event auctions in any calendar year. A separate application is required for each special event motor vehicle auction.

6. At least ninety percent of the vehicles being auctioned at a special event motor vehicle auction shall be ten years old or older. The licensee shall, within ten days of the conclusion of a special event motor vehicle auction, submit a report in the form approved by the director to the department that includes the make, model, year, and vehicle identification number of each vehicle included in the auction. Every vehicle included in the special event auction shall be listed, including those vehicles that were auctioned and sold and those vehicles that were auctioned but did not sell. Violation of this subsection is a class A misdemeanor.

7. The applicant for the special event motor vehicle auction shall be responsible for ensuring that a sales tax license or special event sales tax license is obtained for the event if one is required.

8. The fee for a special event motor vehicle auction license shall be one thousand dollars. For every vehicle auctioned in violation of subsection 6 of this section, an administrative fee of five hundred dollars shall be paid to the department. Such fees shall be deposited in like manner as other license fees of this section.

9. In addition to the causes set forth in section 301.562, the department may promulgate rules that establish additional causes to refuse to issue or to revoke a special event license.

10. A special motor vehicle auction shall last no more than three consecutive days.

11. The applicant for a special event motor vehicle auction shall be registered to conduct business in this state.

12. Every applicant for a special event motor vehicle auction license shall furnish with the application a corporate surety bond or an irrevocable letter of credit as defined in section 400.5-102 issued by any state or federal financial institution in the penal sum of one hundred thousand dollars on a form approved by the department. The bond or irrevocable letter of credit shall be conditioned upon the applicant complying with the provisions of the statutes applicable to a special event auction license holder and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the revocation or denial of a special event auction license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary. The aggregate liability of the surety or financial institution to the aggrieved parties shall not exceed the amount of the bond or irrevocable letter of credit. The proceeds of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party.

13. No dealer, driveaway, auction, or wholesale plates, or temporary permit booklets, shall be issued in conjunction with a special event motor vehicle auction license.

14. Any person or entity who sells a vehicle at a special event motor vehicle auction shall provide, to the buyer, current contact information including, but not limited to, name, address, and telephone number.

15. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 25, Section 304.190, Line 57, by inserting after all of said section and line, the following:

"**304.890. As used in sections 304.890 to 304.894, the term "active emergency zone" is defined as any area upon or around any highway as defined in section 302.010 which is visibly marked by emergency personnel performing work for the purpose of emergency response as an area where an active emergency or incident removal, is temporarily occurring. The term "active emergency zone" also includes the lanes of highway leading up to the area upon which an activity described in this subsection is being performed, beginning at the point where appropriate signs or traffic control devices are posted or placed. As used in sections 304.890 to 304.894, the term "active emergency" means any incident occurring on a public highway or the right-of-way of a public highway that requires emergency services from police or highway patrol officers, firefighters, first responders, emergency medical workers, tow truck operators, or other emergency personnel. The terms "emergency personnel" or "emergency responder" as used in sections 304.890 to 304.894 shall mean**

any police officer, firefighter, highway patrol officer, first responder, emergency medical worker, tow truck operator or other emergency personnel responding to an emergency on a public highway or the right-of-way of a public highway.

304.892. 1. Upon the first conviction or plea of guilty by any person for a moving violation as defined in section 302.010 or any offense listed in section 302.302, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized to be imposed by law, if the offense occurred within an active emergency zone. Upon a second or subsequent such conviction or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized to be imposed by law.

2. Upon the first conviction or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 4 of this section, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law if the offense occurred within an active emergency zone and at the time the speeding or passing violation occurred there were any emergency personnel or emergency responders in such zone. Upon a second or subsequent such conviction or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section, and no person shall be assessed an additional fine under this subsection if the area is not visibly marked by emergency personnel under subsection 3 of this section.

3. The penalty authorized by subsection 2 of this section shall only be assessed by the court if the emergency personnel or emergency responder has visibly marked the active emergency zone.

4. The driver of a motor vehicle may not overtake or pass another motor vehicle within an active emergency zone as provided in this subsection. Violation of this subsection is a class C misdemeanor.

5. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person shall be deemed to commit the offense of endangerment of emergency personnel or emergency responder upon conviction for any of the following when the offense occurs within an active emergency zone, as defined in section 304.890:

(1) Exceeding the posted speed limit by fifteen miles per hour or more;

(2) Passing in violation of subsection 4 of section 304.892;

(3) Failure to stop for an active emergency zone flagman or emergency personnel, or failure to obey traffic control devices erected or personnel posted in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;

(4) Driving through or around an active emergency zone by any lane not clearly designated to motorists for the flow of traffic through or around the active emergency zone;

(5) Physically assaulting, or attempting to assault, or threatening to assault an emergency responder in an active emergency zone, with a motor vehicle or other instrument;

(6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists in the active emergency zone for a reason other than avoidance of an obstacle, an emergency, or to protect the health and safety

of an occupant of the motor vehicle or of another person; or

(7) Committing any of the following offenses for which points may be assessed under section 302.302:

(a) Leaving the scene of an accident in violation of section 577.060;

(b) Careless and imprudent driving in violation of subsection 4 of section 304.016;

(c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;

(d) Operating with a suspended or revoked license in violation of section 302.321;

(e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content in violation of sections 577.010 and 577.012;

(f) Any felony involving the use of a motor vehicle.

2. Upon conviction or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section if no injury or death to an emergency responder resulted from the offense, in addition to any other penalty authorized by law, the person shall be subject to a fine of not more than one thousand dollars and shall have four points assessed to his or her driver's license under section 302.302.

3. A person shall be deemed to commit the offense of aggravated endangerment of an emergency responder upon conviction or a plea of guilty for any offense under subsection 1 of this section when such offense occurs in an active emergency zone as defined in section 304.890 and results in the injury or death of an emergency responder. Upon conviction or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the person shall be subject to a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder and ten thousand dollars if the offense resulted in death to an emergency responder. In addition, such person shall have twelve points assessed to their driver's license under section 302.302 and shall be subject to the provisions of section 302.304 regarding the revocation of the person's license and driving privileges.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to commit the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency as defined in section 304.890.

5. No person shall be cited or convicted for endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle or from the negligence of another person or emergency responder."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Pages 20-24, Section 304.180, Lines 1-128, by deleting all of said section and inserting in lieu

thereof, the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		

15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000

47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in **[**subsection**]** **subsections** 9 **and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system

as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. **(1)** Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log trucks as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds **[**while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36**]**. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**

(2) Any vehicle hauling greater than eighty thousand pounds under the provisions of this subsection, shall apply yearly to the department of transportation for a permit and upon payment of a twenty-five dollar fee, the department shall grant the applicant a permit. Upon renewal of the permit, an applicant shall submit to the department a list of roads traveled and the number of miles traveled on each road during the year.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 7, Section 301.147, Line 29, by inserting immediately after said line the following:

"302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed **or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license**, but not where **[**the**] a** license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license.

"**302.188. 1. A person may apply to the department of revenue to obtain a veteran designation on a driver's license or identification card issued under this chapter by providing:**

(1) A United States Department of Defense discharge document, otherwise known as a DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States; and

(2) Payment of the fee for the driver's license or identification card authorized under this chapter.

2. If the person is seeking a duplicate driver's license with the veteran designation and his or her driver's license has not expired, the fee shall be as provided under section 302.185.

3. The department of revenue may determine the appropriate placement of the veteran designation on the driver's licenses and identification cards authorized under this section and may promulgate the necessary rules for administration of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"260.247. 1. Any city or political subdivision which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.

3. If the services to be provided under a contract with the city or political subdivision pursuant to subsection 2 of this section are substantially the same as the services rendered in the area prior to the decision of the city to annex the area or to enter into or expand its solid waste collection services into the area, the amount paid by the city shall be at least equal to the amount the private entity or entities would have received for providing such services during that period.

4. Any private entity or entities which provide collection service in the area which the city or political subdivision has decided to annex or enter into or expand its solid waste collection services into shall make available upon written request by the city not later than thirty days following such request all information in its possession or control which pertains to its activity in the area necessary for the city to determine the nature and scope of the potential contract.

5. **If a home rule city with more than fifty-two thousand but fewer than sixty-four thousand inhabitants located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants intends to expand solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities such intent shall be put to a vote of the people in the area where the city or political**

subdivision intends to expand.

6. The provisions of this section shall apply to private entities that service fifty or more residential accounts or any commercial accounts in the area in question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 35, Section 537.293, Line 13, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

REFERRALS

President Pro Tem Mayer referred **SR 2075** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Mayer referred **HCS** for **HJR 41** to the Committee on Ways and Means and Fiscal Oversight.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

May 7, 2012

To the Senate of the 96th General Assembly of the State of Missouri

I hereby withdrawn from your consideration the following appointments to office submitted to you on February 9, 2012, for your advice and consent:

Mary LePage, 7707 Snowden, Saint Louis, Saint Louis County, Missouri 63117, as a member of the Missouri Board of Nursing Home Administrators, for a term ending November 21, 2013, and until her successor is duly appointed and qualified; vice, RSMo 344.060.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Mayer moved that the above appointment be returned to the Governor per his request, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 569**, as amended: Senators Kraus, Engler, Ridgeway, Justus and Wright-Jones.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SB 611**, as amended: Senators Lembke, Stouffer, Kehoe, McKenna and Wright-Jones.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **SB 719**: Senators Kehoe, Schmitt, Goodman, McKenna and Wright-Jones.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

RESOLUTIONS

Senator Goodman offered Senate Resolution No. 2147, regarding William Lynch, Joplin, which was adopted.

Senator Goodman offered Senate Resolution No. 2148, regarding Brittany Young, which was adopted.

Senator Lager offered Senate Resolution No. 2149, regarding the Fortieth Wedding Anniversary of Mr. and Mrs. Ron Lager, Maryville, which was adopted.

Senator Lembke offered Senate Resolution No. 2150, regarding Stephen Joseph Heinrich, St. Louis, which was adopted.

Senator Dempsey offered Senate Resolution No. 2151, regarding Martin Bergmann, MD, Saint Louis, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 715**.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 715, Page 1, In the Title, by deleting the words "the state militia" and inserting in lieu thereof the following:

"entities receiving state funds"; and

Further amend said Substitute, Page 1, Section 41.050, Line 12, by inserting immediately after said Line the following:

"42.300. 1. There is hereby created in the state treasury the "Veterans Commission Capital Improvement Trust Fund" which shall consist of money collected under section 313.835. The state treasurer shall administer the veterans commission capital improvement trust fund, and the moneys in such fund shall be

used solely, upon appropriation, by the Missouri veterans commission for:

(1) The construction, maintenance or renovation or equipment needs of veterans' homes in this state;

(2) The construction, maintenance, renovation, equipment needs and operation of veterans' cemeteries in this state;

(3) Fund transfers to Missouri veterans' homes fund established under the provisions of section 42.121, as necessary to maintain solvency of the fund;

(4) Fund transfers to any municipality with a population greater than four hundred thousand and located in part of a county with a population greater than six hundred thousand in this state which has established a fund for the sole purpose of the restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I. Appropriations from the veterans commission capital improvement trust fund to such memorial fund shall be provided only as a one-time match for other funds devoted to the project and shall not exceed five million dollars. Additional appropriations not to exceed ten million dollars total may be made from the veterans commission capital improvement trust fund as a match to other funds for the new construction or renovation of other facilities dedicated as veterans' memorials in the state. All appropriations for renovation, new construction, reconstruction, and maintenance of veterans' memorials shall be made only for applications received by the Missouri veterans commission prior to July 1, 2004;

(5) The issuance of matching fund grants for veterans' service officer programs to any federally chartered veterans' organization or municipal government agency that is certified by the Veterans Administration to process veteran claims within the Veterans Administration System; provided that such veterans' organization has maintained a veterans' service officer presence within the state of Missouri for the three-year period immediately preceding the issuance of any such grant. A total of one million five hundred thousand dollars in grants shall be made available annually for service officers and joint training and outreach between veterans' service organizations and the Missouri veterans commission with grants being issued in July of each year. Application for the matching grants shall be made through and approved by the Missouri veterans commission based on the requirements established by the commission;

(6) For payment of Missouri national guard and Missouri veterans commission expenses associated with providing medals, medallions and certificates in recognition of service in the armed forces of the United States during World War II, the Korean Conflict, and the Vietnam War under sections 42.170 to 42.226. Any funds remaining from the medals, medallions and certificates shall not be transferred to any other fund and shall only be utilized for the awarding of future medals, medallions, and certificates in recognition of service in the armed forces; **[**and**]**

(7) Fund transfers totaling ten million dollars to any municipality with a population greater than three hundred fifty thousand inhabitants and located in part in a county with a population greater than six hundred thousand inhabitants and with a charter form of government, for the sole purpose of the construction, restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I**; and**

(8) The administration of the Missouri veterans commission.

2. Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund under this section. Notwithstanding the provisions of section 33.080, to the contrary, moneys in the veterans commission capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

3. Upon request by the veterans commission, the general assembly may appropriate moneys from the

veterans commission capital improvement trust fund to the Missouri national guard trust fund to support the activities described in section 41.958.

4. The state auditor shall conduct an audit of all moneys in the veterans commission capital improvement trust fund every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly, governor, and lieutenant governor no later than ten business days after the completion of such audit.

161.215. 1. There is hereby created in the state treasury the "Early Childhood Development, Education and Care Fund" **[**which shall consist of money collected under section 313.835 and**]** which is created to give parents meaningful choices and assistance in choosing the child-care and education arrangements that are appropriate for their family. All interest received on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Any moneys deposited in such fund shall be used to support programs that prepare children prior to the age in which they are eligible to enroll in kindergarten under section 160.053 to enter school ready to learn. All moneys deposited in the early childhood development, education and care fund shall be annually appropriated for voluntary, early childhood development, education and care programs serving children in every region of the state not yet enrolled in kindergarten. **For fiscal year 2013 and each subsequent fiscal year, at least thirty-five million dollars of the funds received from the master settlement agreement, as defined in section 196.1000, shall be deposited in the early childhood development, education and care fund.**

2. No less than sixty percent of moneys deposited in the early childhood development, education and care fund shall be appropriated as provided in this subsection to the department of elementary and secondary education and to the department of social services to provide early childhood development, education and care programs through competitive grants to, or contracts with, governmental or private agencies. Eighty percent of such moneys under the provisions of this subsection and additional moneys as appropriated by the general assembly shall be appropriated to the department of elementary and secondary education and twenty percent of such moneys under the provisions of this subsection shall be appropriated to the department of social services. The departments shall provide public notice and information about the grant process to potential applicants:

(1) Grants or contracts may be provided for:

(a) Start-up funds for necessary materials, supplies, equipment and facilities; and

(b) Ongoing costs associated with the implementation of a sliding parental fee schedule based on income;

(2) Grant and contract applications shall, at a minimum, include:

(a) A funding plan which demonstrates funding from a variety of sources including parental fees;

(b) A child development, education and care plan that is appropriate to meet the needs of children;

(c) The identity of any partner agencies or contractual service providers;

(d) Documentation of community input into program development;

(e) Demonstration of financial and programmatic accountability on an annual basis;

(f) Commitment to state licensure within one year of the initial grant, if funding comes from the appropriation to the department of elementary and secondary education and commitment to compliance with

the requirements of the department of social services, if funding comes from the department of social services; and

(g) With respect to applications by public schools, the establishment of a parent advisory committee within each public school program;

(3) In awarding grants and contracts under this subdivision, the departments may give preference to programs which:

(a) Are new or expanding programs which increase capacity;

(b) Target geographic areas of high need, namely where the ratio of program slots to children under the age of six in the area is less than the same ratio statewide;

(c) Are programs designed for special needs children;

(d) Are programs that offer services during nontraditional hours and weekends; or

(e) Are programs that serve a high concentration of low-income families.

3. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide early childhood development, education and care programs through child development, education and care certificates to families whose income does not exceed one hundred eighty-five percent of the federal poverty level in the manner pursuant to 42 U.S.C. Section 9858c(c)(2)(A) and 42 U.S.C. Section 9858n(2) for the purpose of funding early childhood development, education and care programs as approved by the department of social services. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. On February first of each year the department shall certify the total amount of child development, education and care certificates applied for and the unused balance of the funds shall be released to be used for supplementing the competitive grants and contracts program authorized under subsection 2 of this section.

4. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to increase reimbursements to child-care facilities for low-income children that are accredited by a recognized, early childhood accrediting organization.

5. No less than ten percent of the funds deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide assistance to eligible parents whose family income does not exceed one hundred eighty-five percent of the federal poverty level who wish to care for their children under three years of age in the home, to enable such parent to take advantage of early childhood development, education and care programs for such parent's child or children. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. The department of social services shall provide assistance to these parents in the effective use of early childhood development, education and care tools and methods.

6. In setting the value of parental certificates under subsection 3 of this section and payments under subsection 5 of this section, the department of social services may increase the value based on the following:

(1) The adult caretaker of the children successfully participates in the parents as teachers program under the provisions of sections 178.691 to 178.699, a training program provided by the department on early

childhood development, education and care, the home-based Head Start program as defined in 42 U.S.C. Section 9832 or a similar program approved by the department;

(2) The adult caretaker consents to and clears a child abuse or neglect screening under subdivision (1) of subsection 2 of section 210.152; and

(3) The degree of economic need of the family.

7. The department of elementary and secondary education and the department of social services each shall by rule promulgated under chapter 536 establish guidelines for the implementation of the early childhood development, education and care programs as provided in subsections 2 to 6 of this section.

8. The state auditor shall conduct an audit of all moneys in the early childhood development, education and care fund created in subsection 1 of this section every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly no later than ten business days after the completion of such audit.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

161.216. 1. No quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education or its successor, or any training or credentialing may be established, created, or operated within this state, unless the authority to create or operate such a quality rating system is enacted into law by the federal government or through:

(1) A bill as prescribed by article III of the Missouri Constitution;

(2) An initiative petition as prescribed by section 50 of article III of the Missouri Constitution; or

(3) A referendum as prescribed by section 52(a) of article III of the Missouri Constitution.

No quality rating system, improvement system, evaluation system, training quality assurance system or its successor for early childhood education shall be enacted under this section unless such system allows for ratings or evaluations to be conducted by no fewer than three nationally or regionally recognized organizations that reflect the composition and diversity of the early childhood program market.

2. In no case shall the authority for establishing, administering, or operating a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education in Missouri be based upon an executive order issued by the governor of Missouri.

3. No department, board, commission, committee, council, agency, instrumentality, quasi-governmental entity, or political subdivision of the state of Missouri shall promulgate any rule or establish any program, policy, guideline, or plan or change any rule, program, policy, guideline, or plan to implement, establish, create, administer, or otherwise operate a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such department, board, commission, committee, council, agency, instrumentality, or political subdivision has received statutory authority to do so in a manner consistent with

subsection 1 of this section.

4. No department, board, commission, committee, council, agency, instrumentality, political subdivision of this state, public officer, or quasi-governmental entity shall apply for, accept, or expend any moneys directly or indirectly related to the creation, implementation, or operation of a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such acceptance or expenditure is authorized by statute or an appropriations bill, irrespective of the source of such moneys.

5. No department, board, commission, committee, council, agency, instrumentality, political subdivision of this state, public officer, or quasi-governmental entity shall accept or expend any moneys from the gaming commission fund created in section 313.835 for anything directly or indirectly related to the creation, implementation, or operation of a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such acceptance or expenditure is authorized by statute or an appropriations bill.

6. No department, board, commission, committee, council, agency, instrumentality, political subdivision, public officer, or quasi-governmental entity, shall enter into any agreement or any obligation to establish, administer, or operate a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such department, board, commission, committee, council, agency, instrumentality, political subdivision, public officer, or quasi-governmental entity has received statutory authority to enter into such agreements or obligations. No department, board, commission, committee, council, agency, instrumentality, political subdivision, public officer, or quasi-governmental entity shall provide assistance or resources of any kind, directly or indirectly, to any department, agency, or public official related to the creation or operation of a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such assistance or resources are authorized by state statute or such assistance or resources are specifically required by law.

7. Any taxpayer of this state or any member of the general assembly shall have standing to bring suit against the state of Missouri or any official, department, division, agency, board, commission, committee, council, political subdivision of this state, public officer, or quasi-governmental entity which is in violation of this section in any court with jurisdiction to enforce the provisions of this section.

313.835. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services provided by the commission and admission fees authorized pursuant to the provisions of sections 313.800 to 313.850, except that portion of the admission fee, not to exceed one cent, that may be appropriated to the compulsive gamblers fund as provided in section 313.820, shall be deposited in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for the sole purpose of funding the administrative costs of the commission, subject to appropriation. Moneys deposited into this fund shall not be considered proceeds of gambling operations. Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the gaming commission fund shall be credited to the gaming commission fund. In each fiscal year, total revenues to the gaming commission fund for the preceding fiscal year shall be compared to total expenditures and transfers from the gaming commission fund for the preceding fiscal year. The remaining net proceeds in the gaming

commission fund shall be distributed in the following manner:

(1) The first five hundred thousand dollars shall be appropriated on a per capita basis to cities and counties that match the state portion and have demonstrated a need for funding community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) The remaining net proceeds in the gaming commission fund for fiscal year **[**1999**] 2013** and each fiscal year thereafter shall be distributed as follows:

(a) The first **[**four and one-half**] five** million dollar portion shall be transferred to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107, and additional moneys as annually appropriated by the general assembly shall be appropriated to such fund;

(b) The second three million dollar portion shall be transferred to the veterans' commission capital improvement trust fund created in section 42.300;

(c) The third **[**three**] four** million dollar portion shall be transferred to the Missouri national guard trust fund created in section 41.214;

(d) Subject to appropriations, one hundred percent of remaining net proceeds in the gaming commission fund **[**except as provided in paragraphs (e) and (f) of this subdivision, and**],** after the appropriations **are** made pursuant to the provisions of paragraphs (a), (b), and (c) of this subdivision, shall be transferred to the **[**early childhood development, education and care fund created in section 161.215;

(e) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of this subdivision, in the gaming commission fund annually exceeds twenty-eight million dollars: one-half million dollars of such proceeds shall be transferred annually, subject to appropriation, to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107; three million dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans' commission capital improvement trust fund; and one million dollars of such proceeds shall be transferred annually, subject to appropriation, to the Missouri national guard trust fund created in section 41.214;

(f) Beginning in fiscal year 2011 and each fiscal year thereafter when the funding for early childhood education under paragraph (d) of this subdivision equals the funding level for early childhood education under paragraph (d) of this subdivision in fiscal year 2009, one-half of the next one million two hundred thousand dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans commission capital improvement trust fund for the purpose of funding veterans' service officer programs identified under subdivision (5) of subsection 1 of section 42.300, and the other half of the one million two hundred thousand dollars shall be transferred annually, subject to appropriation, to the early childhood development, education and care fund created in section 161.215**] veterans' commission capital improvement trust fund created in section 42.300**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 715, Page 1, Section 41.050, Line 12, by adding all of said section and line the following:

"**Section 1. 1. This section shall be known as "Clark's Law."**

2. No public institution of higher education shall require a member of the national guard to take any test or assessment within twenty-four hours of such member returning from active duty or

national guard training." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 25**.

On motion of Senator Dempsey, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 591**, entitled:

An Act to repeal sections 32.069, 32.087, 34.055, 34.057, 137.016, 137.115, 144.757, 160.281, 160.283, 161.421, 161.424, 287.160, 287.745, 335.233, 408.020, 408.040, 409.5-509, 409.6-604, 414.356, 414.570, 444.870, 447.539, 630.460, and 643.079, RSMo, and to enact in lieu thereof twenty-five new sections relating to state and local revenues, with a penalty provision.

With House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5 and House Amendment No. 5, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 10, Section 34.057, Line 152, by inserting after all of said section and line, the following:

"94.700. The following words, as used in sections 94.700 to 94.755, shall have the following meaning unless a different meaning clearly appears from the context:

(1) "City" shall mean any incorporated city, town, or village in the state of Missouri with a population of one hundred or more, but the term "city" does not include any city not within a county or any city of over four hundred thousand inhabitants wholly or partially within a first class county;

(2) "City transit authority" shall mean a commission or board created by city charter provision or by ordinance of a city, and which operates a public mass transportation system;

(3) "City utilities board" shall mean a board or commission created by city charter provision or by ordinance of a city, which controls and operates city-owned utilities including a public mass transportation system;

(4) "Director of revenue" shall mean the director of revenue of the state of Missouri;

(5) "Interstate transportation authority" shall mean any political subdivision created by compact between this state and another state, which is a body corporate and politic and a political subdivision of both contracting states, and which operates a public mass transportation system;

(6) "Interstate transportation district" shall mean that geographical area set forth and defined in the particular compact between this state and another state;

(7) "Person" shall mean an individual, corporation, partnership, or other entity;

(8) "Public mass transportation system" shall mean a transportation system or systems owned and operated by an interstate transportation authority, a municipality, a city transit authority, or a city utilities board, employing motor buses, rails or any other means of conveyance, by whatsoever type or power, operated for public use in the conveyance of persons, mainly providing local transportation service within an interstate transportation district or municipality;

(9) "Transportation purposes" shall mean financial support of a "public mass transportation system"; the construction, reconstruction, repair and maintenance of streets, roads**, sidewalks, trails, community-owned parking lots,** and bridges within a municipality; the construction, reconstruction, repair and maintenance of airports owned and operated by municipalities; the acquisition of lands and rights-of-way for streets, roads, **sidewalks, trails, community-owned parking lots,** bridges**,** and airports; and planning and feasibility studies for streets, roads, **sidewalks, trails, community-owned parking lots,** bridges, and airports. "Bridges" shall include bridges connecting a municipality with another municipality either within or without the state, with an unincorporated area of the state, or with another state or an unincorporated area thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 23, Section 287.745, Line 14, by inserting after said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars

if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. **[**Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5.**] The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase.** The temporary permit **[**shall be made available by the director of revenue and**] authorized under this section** may be purchased **by the purchaser of a motor vehicle or trailer** from the **central office of the** department of revenue **or from an authorized agent of the department of revenue** upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a **motor vehicle** dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer**, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates**. The director **[**shall**] of the department of revenue or a producer authorized by the director of the department of revenue may** make temporary permits available to registered dealers in this state **[**or**],** authorized agents of the department of revenue **[**in sets of ten permits**] or the department of revenue**. The **[**fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued**] price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be**

collected by the director of the department of revenue under section 301.190. No **motor vehicle** dealer **[**or**],** authorized agent **or the department of revenue** shall charge more than **[**seven dollars and fifty cents**] five dollars** for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a **motor vehicle** dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. **Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.**

[6.**] 5.** The permit shall be issued on a form prescribed by the director **of the department of revenue** and issued only for the applicant's **[**use in the**] temporary** operation of the motor vehicle or trailer purchased to enable the applicant to **[**legally**] temporarily** operate the **motor** vehicle while proper title and registration **[**plate**] plates** are being obtained**, or while awaiting receipt of registration plates**, and shall be displayed on no other **motor** vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director **of the department of revenue** shall determine the size **[**and**], material, design,** numbering configuration, construction, and color of the permit. **The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.**

[7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit.**]**

6. Every **motor vehicle** dealer that issues **[**a**]** temporary **[**permit**] permits** shall keep, for inspection **[**of**] by** proper officers, **[**a correct**] an accurate** record of each permit issued by recording the permit **[**or plate**]** number, **the motor vehicle dealer's number,** buyer's name and address, **the motor vehicle's** year, make, **and** manufacturer's vehicle identification number **[**on which the permit is to be used**]**, and the **permit's** date of issuance **and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri**.

[8.**] 7.** Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of **motor** vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.

9. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.

This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 1, Section A, Line 7, by inserting after all of said section, the following:

"32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address."; and

Further amend said bill, Page 2, Section 32.087, Line 33, by inserting after the words, "local sales tax law." the following:

"**The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.**"; and

Further amend said bill, Page 5, section, Line 128, by inserting after all of said section, the following:

"**32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of**

submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department."; and

Further amend said bill, Page 10, Section 34.057, Line 152, by inserting after all of said section, the following:

"105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from

the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment."; and

Further amend said bill, Page 18, Section 137.115, Line 173, by inserting after all of said section, the following:

"144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing

the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**] 8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**] 9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**] 10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend said bill, Page 40, Section 643.079, Line 102, by inserting after all of said section, the

following:

"Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 24, Section 321.228, Line 26, by inserting after the word "**construction**" on said line, the following:

"**. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 2, Line 26, by inserting after all of said line the following:

"Further amend said bill, Pages 22-23, Section 287.160, Lines 1-41, by deleting all of said section and lines; and

Further amend said bill, Pages 24-26, Section 408.040, Lines 1-42, by deleting all of said section and lines; and

Further amend said bill, Pages 26-28, Section 409.5-509, Lines 1-104, by deleting all of said section and lines;

Further amend said bill, Pages 29-30, Section 409.6-604, Lines 1-60, by deleting all of said section and lines; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 2, Section 32.087, Lines 25 and 26, by deleting all of said Lines from the Substitute and inserting in lieu thereof:

"**and outboard motors if they are required to be registered with the department of revenue.** The rate of the tax"; and

Further amend said Substitute, Page 18, Section 137.115, Line 173, by inserting immediately after said Section the following:

"**144.069. All sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the owner thereof on the date of registration with the department of revenue, and all leases of over sixty-day duration of motor vehicles, trailers, boats and outboard**

motors subject to sales taxes under this chapter shall be deemed to be consummated unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected on such sales by the department of revenue on that basis and such sales whether within the boundaries of the state or outside the boundaries of the state shall be deemed consummated at the address of the owner thereof.

144.072. In repealing sections 32.087, 144.010, 144.069, and 144.757, an enacting five new sections in lieu thereof, it is the intent of the legislature to reject and abrogate that portion of the holding in *Craig A. Street v. Director of Revenue*, Mo. SC91371 (Mo. banc Jan. 31, 2012), interpreting local sales taxes to be inapplicable to out-of-state purchases of motor vehicles, trailers, boats and outboard motors. The legislature hereby declares its reasonable expectations and intent in enacting the taxing statutes for motor vehicles, trailers, boats and outboard motors sales is and has been that all such sales, regardless of the location of the seller, are deemed to be consummated and take place when the motor vehicles, trailers, boats and outboard motors is registered with the department of revenue, and restores, retroactively and prospectively, the application of Missouri's local sales tax law so that local sales taxes shall continue to be imposed and collected on the sale of all motor vehicles, trailers, boats and outboard motors, regardless of where the motor vehicles, trailers, boats and outboard motors was purchased, upon registration with the department of revenue. This act is remedial and retroactive, and applies to all transactions involving motor vehicles, trailers, boats and outboard motors to the maximum extent permissible by law, but shall not apply to any taxpayer having received a final adjudication of non-taxibility if such application would violate the state constitution."; and

Further amend said Substitute, Page 18, Section 144.757, Lines 19-22 by deleting all of said Lines from the Substitute and inserting in lieu thereof the following:

"**state, unless such purchases are not deemed to be consummated at the residence of the purchaser under subdivision (2) of subsection 12 of section 32.087 and therefore subject to the local sales taxes levied by the appropriate political subdivisions under subsection 5 of section 32.087.**"; and

Further amend said Substitute, Page 40, Section 643.079, Line 102 by inserting immediately after said Line the following:

"**Section 1. The provisions of sections 32.087, 144.010, 144.069, and 144.757, RSMo, are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment of the merits that is not subject to appeal and that declares any provision or part of said sections unconstitutional or unenforceable, then sections 32.087, 144.010, 144.069, and 144.757, RSMo in their entirity are invalid and shall have no legal effect as of the date of such judgment. In such event, all affected parties shall have the same rights as existed before the enactment of said sections, but shall not be entitled to reimbursement, or required to pay reimbursement, for any sums paid in the good faith belief in the validity and constitutionality of this bill.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

RESOLUTIONS

Senator Crowell offered Senate Resolution No. 2152, regarding Mr. and Mrs. Brett Alexander Mueller, which was adopted.

Senators Cunningham and Lamping offered Senate Resolution No. 2153, regarding the Police Department of Creve Coeur, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, Mayor Don Butterfield, Tracy Brantner, Kristi Eckfeld, Mark Dawson, Steve Moore, Tammy Long and Jack Miles, Warrensburg.

On behalf of the President and herself, Senator Justus introduced to the Senate, University of Missouri Student Entrepreneur of the Year, Kristen Kenney, Kansas City.

The President introduced to the Senate, Bill and Sandra Kenney, Kansas City; and Jessie Ehrlich, Denver, Colorado.

Senator Schaefer introduced to the Senate, Director Bradley Snow and members of Marching Mizzou.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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SIXTY-EIGHTH DAY–WEDNESDAY, MAY 9, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1245
HCS for HB 1526
HCS for HB 1803
HB 1455-Gatschenberger, et al
HCS for HB 1710
HCS for HB 1049
HCS for HB 1639
HCS for HB 1988
HCS for HB 1854
HCS for HB 1900

THIRD READING OF SENATE BILLS

SS#3 for SCS for SB 710-Engler

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS
SB 745-Lembke

SB 765-Schaefer

SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1051-Allen, et al, with SCS (Lager) (In Fiscal Oversight)
2. HB 1403-Schatz, et al (Dempsey) (In Fiscal Oversight)
3. HB 1318-Riddle, et al (Kehoe) (In Fiscal Oversight)
4. HCS for HB 1640, with SCS (Stouffer) (In Fiscal Oversight)
5. HB 1170-Franz, with SCS (Parson)
6. HCS for HB 1498, with SCS (Schmitt) (In Fiscal Oversight)
7. HB 1036-Dugger, with SCS (Engler)
8. HCS for HJR 41 (Green) (In Fiscal Oversight)
9. HCS for HB 1150, with SCS (Brown)
10. HCS for HB 1361 (Lager)
11. HCS for HB 1072, with SCS (Brown)
12. HCS for HB 1563, with SCS (Wasson)
13. HB 1337-Stream, with SCS (Brown)
14. HCS for HB 1722 (Pearce)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham

SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer

SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HCS for HB 1094, with SCS & SA 1 (pending) (Munzlinger)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HCS for HB 1123 (Brown)
HCS for HB 1140, with SCS (Cunningham)
HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 2 to SSA 1 for SA 1 (pending) (Pearce)
HB 1192-Koenig, et al (Cunningham)
HCS for HB 1193, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 3 to SSA 1 for SA 1 (pending) (Engler)
HCS#2 for HB 1317, with SCS (Schaefer)
SCS for HB 1331-Jones (117), et al (Kehoe) (In Fiscal Oversight)
HCS for HB 1402, with SCS (Stouffer)
HCS for HB 1623, with SCS, SS#2 for SCS & SA 12 (pending) (Schmitt)
HCS for HB 1644 (Purgason)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 455-Pearce, with HCS, as amended
SS for SCS for SB 467-Munzlinger, with HCS, as amended
SS for SCS for SB 470-Dixon, with HCS, as amended
SCS for SB 498-Munzlinger and Justus, with HCS, as amended
SCS for SB 591-Parson, with HCS, as amended
SCS for SB 715-Kraus, with HA 1 & HA 2
SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8
SB 568-Parson, with HCS, as amended
SCS for SB 569-Kraus, with HCS, as amended
SB 611-Lembke, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8
SS for SCS for SB 719-Kehoe, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6
HCS for HB 2002, with SS for SCS (Schaefer)
HCS for HB 2003, with SS for SCS (Schaefer)
HCS for HB 2004, with SS for SCS (Schaefer)
HCS for HB 2005, with SS for SCS (Schaefer)
HCS for HB 2006, with SS for SCS, as amended (Schaefer)
HCS for HB 2007, with SS for SCS (Schaefer)
HCS for HB 2008, with SS for SCS (Schaefer)
HCS for HB 2009, with SS for SCS (Schaefer)
HCS for HB 2010, with SS for SCS (Schaefer)
HCS for HB 2011, with SS for SCS, as amended (Schaefer)
HCS for HB 2012, with SS for SCS (Schaefer)
HCS for HB 2013, with SS for SCS (Schaefer)

Requests to Recede or Grant Conference

SB 736-Engler, with HA 1
(Senate requests House recede or grant conference)
HB 1073 & HCS for HB 1477-Sater, with SS for SCS, as amended (Munzlinger)
(House requests Senate recede or grant conference)
HB 1135-Smith (150), et al, with SCS, as amended (Dixon)
(House requests Senate recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al
HCR 12-Davis, et al (Brown)
HCR 22-Walton Gray, et al (Chappelle-Nadal)
HCR 31-Schieffer, et al (Rupp)
HCR 42-Rowland, et al

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-EIGHTH DAY—WEDNESDAY, MAY 9, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"His word...is in my heart like a fire, a fire shut up in my bones. I am weary of holding it in; indeed I cannot." (Jeremiah 20:9)

Gracious God, thank You for touching our hearts and minds with Your word of life and the guidance that it provides us this day. May we speak to others with graciousness and conviction that You have given to us that must be said. May our interactions with others be a life affirming stream of care and resolve that revives our thinking and touches our soul. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KRCG-TV and KOMU-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Lembke offered Senate Resolution No. 2154, regarding Barbara Hehmeyer, St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 2155, regarding Carla Rhodes, St. Louis, which was adopted.

Senator Lembke offered Senate Resolution No. 2156, regarding Dr. Maureen E. Clancy-May, St. Louis, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2157, regarding Negasi Tafere, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2158, regarding Seifu Gudeta, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2159, regarding Gedlu B. Metaferia, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2160, regarding Zewdu Tafere Tesema, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2161, regarding Melaku Mekonnen Assefa, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2162, regarding Asegdew Atananaw Wole, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2163, regarding Abere Newete, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2164, regarding the Most Reverend Dr. Carl Swerason, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2165, regarding Oriola Binuyo Goheen, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2166, regarding Kadar Hussein, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2167, regarding Tsehay Mengiste, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2168, regarding Allelegne Mulat Workineh, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2169, regarding Dr. Sueleman Akinola, which was adopted.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Crowell, Chairman of the Committee on Veterans' Affairs, Emerging Issues, Pensions and

Urban Affairs, submitted the following report:

Mr. President: Your Committee on Veterans' Affairs, Emerging Issues, Pensions and Urban Affairs, to which was referred **HCS** for **HB 1731**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

REFERRALS

President Pro Tem Mayer referred **HCS** for **HB 1731**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

Senator Schmitt assumed the Chair.

Senator Mayer requested unanimous consent of the Senate to allow members of the Highway Patrol Troop E to enter the Chamber with side arms.

On motion of Senator Dempsey, the Senate recessed until 11:15 a.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 1731**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 1762**, begs leave to report that it has considered the same and recommends that the resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 49**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 46**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 43**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred

HCR 25, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

HOUSE BILLS ON THIRD READING

At the request of Senator Parson, **HB 1170**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Engler, **HB 1036**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Brown, **HCS** for **HB 1150**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Lager, **HCS** for **HB 1361** was placed on the Informal Calendar.

At the request of Senator Brown, **HCS** for **HB 1072**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 1563**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Brown, **HB 1337**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Pearce, **HCS** for **HB 1722** was placed on the Informal Calendar.

Senator Crowell requested unanimous consent of the Senate to suspend Senate Rule 52 for the purpose of taking up **HCS** for **HB 1731**, with **SCS**, for 3rd reading and final passage, which request was granted.

HCS for **HB 1731**, with **SCS**, entitled:

An Act to repeal sections 313.321 and 313.835, RSMo, and to enact in lieu thereof two new sections relating to the gaming moneys.

Was taken up by Senator Crowell.

SCS for **HCS** for **HB 1731**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1731

An Act to repeal sections 42.300, 161.215, and 313.835, RSMo, and to enact in lieu thereof five new sections relating to the use of gaming moneys, with an emergency clause.

Was taken up.

Senator Crowell moved that **SCS** for **HCS** for **HB 1731** be adopted.

Senator Crowell offered **SS** for **SCS** for **HCS** for **HB 1731**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1731

An Act to repeal sections 42.300, 161.215, and 313.835, RSMo, and to enact in lieu thereof four new sections relating to the use of gaming moneys, with an emergency clause.

Senator Crowell moved that **SS** for **SCS** for **HCS** for **HB 1731** be adopted.

Senator Ridgeway offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 14, Section 313.835, Line 15 of said page, by inserting immediately after said line the following:

"**Section 1. Notwithstanding the provisions of section 1.140, to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act.**"; and

Further amend the title and enacting clause accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 14, Section 313.835, Line 15, by inserting after all of said line the following:

"**Section 1. The joint committee on education shall develop a comprehensive funding formula for Missouri public institutions of higher education by December 31, 2013. The General Assembly shall implement the funding formula beginning in fiscal year 2015.**"; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

Senator Lager offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 1, Section 1, Line 6, by striking the word "the" and inserting in lieu thereof the following: "**a**".

Senator Lager moved that the above amendment be adopted, which motion prevailed.

SA 2, as amended, was again taken up.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 11, Section 161.216, Line 1, by inserting after all of said line the following:

"**4. This section shall not be construed to limit the content of early childhood education courses, research, or training carried out by any public institution of higher education. A course on quality rating systems or training quality assurance systems shall not be a requirement for certification by the state as an individual child care provider or any licensing requirement that may be established for an individual child care provider.**"; and

Further amend said section, line 6, by inserting immediately after the word "system"" the following: "**or "training quality assurance system"**"; and further amend line 10, by inserting after the word "system"" the following: "**or "training quality assurance system"**"; and further amend line 14, by inserting after the first use of the word "system"" the following: "**or "training quality assurance system"**"; and

Further renumber the remaining subsection accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Crowell moved that **SS** for **SCS** for **HCS** for **HB 1731**, as amended, be adopted, which motion prevailed.

On motion of Senator Crowell, **SS** for **SCS** for **HCS** for **HB 1731**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Crowell, title to the bill was agreed to.

Senator Crowell moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Schaefer moved that the conferees on **SS** for **SCS** for **HCS** for **HB 2003** be allowed to exceed the differences in Sections 3.165; 3.180; 3.185; 3.190; 3.195; and 3.200, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS**, as amended, for **HCS** for **HB 1106** and has taken up and passed **SS** for **HCS** for **HB 1106**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SCA 1** to **HB 1188** and has taken up and passed **HB 1188**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the conferees on **SS** for **SCS** for **HCS** for **HB 2003** be allowed to exceed the differences.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 566**.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 566, Page 1, Section 322.005, Lines 10-17, by deleting all of said lines and inserting in lieu there of the following:

"**(6) "Vaccinated against rabies", in receipt of a primary rabies**"; and

Further amend said bill and section, Page 2, by deleting the number "**(7)**" and inserting in lieu thereof the number "**(6)**"; and

Further amend said bill, page and section, Lines 24-35, by deleting all of said lines and inserting in lieu thereof the following:

"**2. If there is a reasonable suspicion that a person may have been exposed to rabies from contact with a dog or cat, the owner of the dog or cat shall provide documentation that the animal has been vaccinated against rabies or the owner shall surrender the animal to the proper authorities, including but not limited to law enforcement, a public health official, or a licensed veterinarian. A licensed veterinarian shall determine the proper course of action for examining the dog or cat. If a licensed veterinarian deems it necessary for the immediate health of the injured person, the dog or cat may be euthanized.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 566, Page 1, Section 322.005, Line 5, by deleting all of said line and inserting in lieu thereof the following:

"**(3) "Harbor", to feed or shelter an animal at the same location for fourteen or more consecutive days;**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Dempsey, the Senate recessed until 4:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 578**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto thirteen new sections relating to property owned by the state.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8, as amended, House Amendment Nos. 9 and 10.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

"Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in property in Farmington, St. Francois County, Missouri, described as follows:

TRACT A

(Property north of cemetery and south of Doubet Road)

Part of Lots 85 and 94 of U.S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri, more particularly described as follows:

From the southeast corner of said Lot 85; thence N82°17'32"W, along the southerly line of said Lot 85, 1134.20 feet; thence N8°01'10"E, 181.95 feet to the POINT OF BEGINNING for this description; thence N82°17'57"W, 537.96 feet to the easterly line of a 30 foot road; thence N7°08'47"E, 1166.91 feet; thence S81°30'19"E, 260.68 feet; thence N9°01'04"E, 206.03 feet to the northerly line of said Lot 94; thence S82°11'48"E, along the northerly line of said Lots 94 and 85, 291.47 feet; thence S8°01'10"W, 1368.72 feet to the point of beginning. Containing 16.00 acres.

EXCEPT all that part of right-of-way of DOUBET ROAD

TRACT B

Part of Lot 94 of U.S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri, more particularly described as follows:

From the southeast corner of Lot 85 of said U.S. Survey 2969; thence N82°17'32"W, along the southerly line of said Lot 85, 1134.20 feet; thence N8°01'10"E, 181.95 feet; thence N82°17'57"W, 537.96 feet to the easterly line of a 30 foot road; thence N7°08'47"E, 320.10 feet to the POINT OF BEGINNING for this description; thence N81°42'19"W, 330.73 feet to the westerly line of a tract of land described by deed of record in Book 1164, page 627, St. Francois County Recorder's Office; thence N7°02'28"E, along the easterly line of said tract, 218.13 feet to the southwesterly corner of a tract of land described by deed of record in Book 834, page 413, St. Francois County Recorder's Office; thence S82°21'13"E, along the southerly line of said tract, described in Book 834, page 413, 331.08 feet to the southeasterly corner thereof also being the easterly line of a 30 foot wide roadway; thence S7°08'47"W, along the easterly line of said roadway, 221.87 feet to the point of beginning. Containing 1.67 acres.

EXCEPT a roadway 30 foot wide off the east side of the above described tract identified as Pullan Road in plats of record.

TRACT C

Part of Lot 94 of U.S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri, more particularly described as follows:

From the southeast corner of Lot 85 of said U.S. Survey 2969; thence N82°17'32"W, along the southerly line of Lot 85 and the southerly line of Lot 94, 1669.38 feet to the POINT OF BEGINNING for this description; thence continuing N82°17'32"W, along the southerly line of said Lot 94, 329.75 feet to the southeasterly corner of a tract of land described by deed of record in Book 1164, page 627, St. Francois County Recorder's Office; thence N7°02'28"E, along the easterly line of said tract, 505.39 feet; thence S81°42'19"E, 330.73 feet to the easterly line of a 30 foot road; thence S7°08'47"W, along the easterly line of said road, 501.99 feet to the point of beginning. Containing 3.81 acres.

EXCEPT a roadway 30 foot wide off the east side of the above described tract identified as Pullan Road in plats of record.

The property hereby authorized to be conveyed by the governor shall be verified by a survey. Such survey shall be authorized by the division of facilities, management, design and construction of the office of administration pursuant to this section.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 578, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

"**Section 13. If the state highways and transportation commission transfers, sells, or conveys the property contained in sections 1 through 12 of section A of this act within two years of August 28, 2012, it shall use a public auction method except for transfers, sales, or conveyances to an adjacent property owner, public institution, political subdivision, or utility.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting immediately after said line the following:

"**Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in property located at the Farmington Correctional Center in Farmington, St. Francois County, Missouri, described as follows:**

INGRESS AND EGRESS EASEMENT

A strip of land 30 feet wide across part of Lot 70 and 71 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois County, Missouri, said 30 foot strip lying 15.00 feet each side of and adjacent to the following described centerline:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County

Recorder's Office; thence S06°20'17"W, 216.36 feet; thence S57°50'37"E, 82.27 feet to the POINT OF BEGINNING for this centerline description; thence northeasterly, on a curve to the right having a radius of 246.00 feet, an arc length of 187.61 feet, (the chord of said curve being N61°05'42"E, 183.10 feet); thence N82°56'37"E, 29.02 feet; thence easterly, on a curve to the right having a radius of 350.00 feet, an arc length of 87.32 feet, (the chord of said curve being S89°54'34"E, 87.09 feet); thence S82°45'45"E, 257.95 feet; thence easterly, on a curve to the right having a radius of 400.00 feet, an arc length of 91.45 feet, (the chord of said curve being S76°12'46"E, 91.25 feet); thence S69°39'46"E, 36.75 feet; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 177.87 feet, (the chord of said curve being S49°16'50"E, 174.14 feet); thence S28°53'54"E, 29.12 feet; thence southerly, on a curve to the right having a radius of 150.00 feet, an arc length of 85.38 feet, (the chord of said curve being S12°35'32"E, 84.23 feet); thence S03°42'50"W, 143.95 feet; thence S82°45'45"E, 51.95 feet to the point of termination.

Except all that part of Lot 2 of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office, St. Francois County, Missouri.

Except all that part of Perrine Road right-of-way.

TRACT 1

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

BEGINNING at a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence northwesterly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 91.45 feet (the chord of said curve being N76°12'46"W, 91.25 feet); thence N82°45'45"W, 257.95 feet; thence westerly on a curve to the left having a radius of 350.00 feet, an arc length of 87.32 feet (the chord of said curve being N89°54'34"W, 87.09 feet); thence S82°56'37"W, 29.02 feet; thence southwesterly on a curve to the left having a radius of 246.00 feet, an arc length of 187.61 feet (the chord of said curve being S61°05'42"W, 183.10 feet); thence N57°50'37"W, 82.27 feet; thence N06°20'17"E, 216.36 feet to the point of beginning. Containing 2.67 acres.

Subject to the northerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 2

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof, and the POINT OF BEGINNING for this description; thence S82°45'45"E, along the southerly boundary of said Habitat for Humanity Subdivision, 167.67 feet to the southeasterly corner thereof; thence S06°25'52"W, 321.27 feet; thence N82°45'45"W, 24.78 feet; thence N03°42'50"E, 128.92 feet; thence northerly, on a curve to the left having a radius of 150.00 feet, an arc length of 85.38 feet (the chord of said curve being N12°35'32"W, 84.23 feet); thence N28°53'54"W, 29.12 feet; thence northwesterly on a curve to the left having a radius of 250.00 feet, an arc length of 128.08 feet (the chord of said curve being N43°34'33"W, 126.69 feet); thence N31°44'48"E, 10.73 feet to the point of beginning. Containing 0.44 acres.

Subject to the northeasterly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 3

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S82°45'45"E, along the southerly boundary of said Habitat for Humanity Subdivision, 167.67 feet to the southeasterly corner thereof; thence S06°25'52"W, 321.27 feet; thence N82°45'45"W, 24.78 feet to the POINT OF BEGINNING for this description; thence N82°45'45"W, 160.55 feet; thence N17°45'13"W, 148.11 feet; thence N40°06'01"E, 190.20 feet; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 91.64 feet (the chord of said curve being S39°23'56"E, 91.12 feet); thence S28°53'54"E, 29.12 feet; thence southerly, on a curve to the right having a radius of 150.00 feet, an arc length of 85.38 feet (the chord of said curve being S12°35'32"E, 84.23 feet); thence S03°42'50"W, 128.92 feet to the point of beginning. Containing 1.03 acres.

Subject to the westerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 4

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of

Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet to the POINT OF BEGINNING for this description; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 36.45 feet (the chord of said curve being S54°04'35"E, 36.42 feet); thence S40°06'01"W, 190.20 feet; thence N82°45'45"W, 100.00 feet; thence N19°19'50"E, 213.97 feet; thence easterly, on a curve to the right having a radius of 400.00 feet, an arc length of 44.27 feet (the chord of said curve being S72°50'00"E, 44.25 feet); thence S69°39'46"E, 36.75 feet; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being S63°57'29"E, 49.70 feet) to the point of beginning. Containing 0.61 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 5

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence westerly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 44.27 feet (the chord of said curve being N72°50'00"W, 44.25 feet) to the POINT OF BEGINNING for this description; thence S19°19'50"W, 213.97 feet; thence N82°45'45"W, 128.00 feet; thence N07°14'15"E, 212.00 feet; thence S82°45'45"E, 125.75 feet; thence easterly on a curve to the right having a radius of 400.00 feet, an arc length of 47.18 feet (the chord of said curve being S79°23'00"E, 47.15 feet) to the point of beginning. Containing 0.73 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 6

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the

southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence westerly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 91.45 feet (the chord of said curve being N76°12'46"W, 91.25 feet); thence N82°45'45"W, 125.75 feet to the POINT OF BEGINNING for this description; thence S07°14'15"W, 212.00 feet; thence N82°45'45"W, 125.00 feet; thence N05°17'10"W, 214.89 feet; thence easterly, on a curve to the right having a radius of 350.00 feet, an arc length of 39.49 feet (the chord of said curve being S85°59'40"E, 39.47 feet); thence N82°45'45"W, 132.20 feet to the point of beginning. Containing 0.72 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 7

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence westerly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet, (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 91.45 feet, (the chord of said curve being N76°12'46"W, 91.25 feet); thence N82°45'45"W, 257.95 feet; thence westerly, on a curve to the left having a radius of 350.00 feet, an arc length of 39.49 feet, (the chord of said curve being N85°59'40"W, 39.47 feet) to the POINT OF BEGINNING for this description; thence S05°17'10"E, 214.89 feet; thence N82°45'45"W, 84.46 feet; thence N57°50'37"W, 204.13 feet; thence northeasterly, on a curve to the right having a radius of 246.00 feet, an arc length of 187.61 feet, (the chord of said curve being N61°05'42"E, 183.10 feet); thence N82°56'37"E, 29.02 feet; thence easterly, on a curve to the right having a radius of 350.00 feet, an arc length of 47.83 feet, (the chord of said curve being N86°51'30"E, 47.79 feet) to the point of beginning. Containing 0.80 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

The property hereby authorized to be conveyed by the governor shall be verified by a survey. Such survey shall be authorized by the division of facilities, management, design and construction of the office of administration pursuant to this section.

2. The commissioner of administration shall set the terms and conditions for the conveyance as

the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

"**Section 13. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 14. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 578, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**227.505. The portion of highway 8 in St. Francois County from the intersection of Hunt Street east for a distance of one mile shall be designated the "Chief of Police Jerry E. Hicks Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said line the following:

"**Section 13. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a perpetual street right of way in property owned by Missouri State University to the city of Springfield. The property to be conveyed is located at National Avenue and Monroe Street and is more particularly described as follows:**

TRACT A

BEING A PART OF LOT 60 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2339, PAGE 519 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE NORTH 1.05 FEET OF THE EAST 15.78 FEET OF LOT 60, BIGGS AND GRAY'S ADDITION.

CONTAINING 17 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

TRACT B

BEING A PART OF LOTS 54 AND 55 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2276, PAGE 383 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 54, AND BEING ON THE SOUTH RIGHT-OF-WAY LINE OF MONROE STREET; THENCE S88°54'15"E, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 174.58 FEET TO THE SOUTHEAST CORNER OF SAID LOT 53, AND THE EXISTING WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE S01°46'06"W, A DISTANCE OF 96.51 FEET; THENCE N04°37'20"W, A DISTANCE OF 48.84 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 64°00'22", WITH A RADIUS OF 34.00 FEET, AN ARC DISTANCE OF 37.98 FEET; THENCE N68°37'42"W, A DISTANCE OF 12.98 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 14°33'47", WITH A RADIUS OF 204.00 FEET, AN ARC DISTANCE OF 51.85 FEET; THENCE N83°11'29"W, A DISTANCE OF 22.38 FEET; THENCE N88°54'15"W, A DISTANCE OF 61.71 FEET TO THE WEST LINE OF SAID LOT 54; THENCE N01°51'49"E, ALONG SAID WEST LINE, A DISTANCE OF 1.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,745 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

TRACT C

BEING A PART OF LOTS 52 AND 53 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2066, PAGE 1451 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 53, AND BEING ON THE NORTH RIGHT-OF-WAY LINE OF MONROE STREET; THENCE S88°54'15"E, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 113.19 FEET TO THE POINT OF BEGINNING; THENCE N85°24'56"E, A DISTANCE OF 37.53 FEET; THENCE N38°05'58"E, A DISTANCE OF 28.41 FEET; THENCE N01°48'27"E, A DISTANCE OF 60.76 FEET; THENCE N06°10'00"E, A DISTANCE OF 18.99 FEET TO THE NORTH LINE OF SAID LOT 52; THENCE S88°07'56"E, A DISTANCE OF 6.25 FEET TO THE EXISTING WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE S01°48'26"W, A DISTANCE OF 106.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 53, AND THE NORTH RIGHT-OF-WAY LINE OF EXISTING MONROE STREET; THENCE N88°54'15"W, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 61.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,131 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

TRACT D

BEING A PART OF LOTS 50 AND 51 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2858, PAGE 1698 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 51, AND BEING ON THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE N88°07'56"W, ALONG THE SOUTH LINE OF SAID LOT 50, A DISTANCE OF 6.25 FEET; THENCE N06°10'00"E, A DISTANCE OF 82.23 FEET TO THE WEST RIGHT-OF-WAY NATIONAL AVENUE; THENCE S01°48'26"W, A DISTANCE OF 82.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 256 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 14. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a perpetual street right of way in property owned by Missouri State University to the City of Springfield. The property is located at National Avenue and Grand Street and is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE NORTH 47°19'44" EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 200.02 FEET; THENCE NORTH 10°09'58" EAST, A DISTANCE OF 101.26 FEET; THENCE NORTH 03°55'23" EAST, A DISTANCE OF 198.90 FEET; THENCE SOUTH 88°11'49" EAST, A DISTANCE OF 4.08 FEET TO THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE AS IT NOW EXISTS; THENCE SOUTH 01°49'53" WEST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 520.78 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET; THENCE NORTH 88°54'53" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 50.61 FEET TO THE POINT OF BEGINNING.

ALSO COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07"

EAST, A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE NORTH 88°54'53" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 71.13 FEET; THENCE ON A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,215.58 FEET, AN ARC LENGTH OF 103.01 FEET, A CENTRAL ANGLE OF 04°51'19" AND A LONG CHORD OF 102.98 FEET WHICH BEARS NORTH 84°45'54" WEST FOR A POINT OF BEGINNING; THENCE CONTINUING ON A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,525.50 FEET, AN ARC LENGTH OF 93.30 FEET, A CENTRAL ANGLE OF 03°30'15" AND A LONG CHORD OF 93.29 FEET WHICH BEARS NORTH 84°24'43" WEST; THENCE SOUTH 79°53'22" WEST, A DISTANCE OF 76.10 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET; THENCE SOUTH 88°54'53" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 12.10 FEET; THENCE NORTH 87°16'17" EAST, A DISTANCE OF 120.27 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,215.58 FEET, AN ARC LENGTH OF 35.55 FEET, A CENTRAL ANGLE OF 01°40'32" AND A LONG CHORD OF 35.55 FEET WHICH BEARS SOUTH 88°01 '50" EAST TO THE POINT OF BEGINNING, CONTAINING 10,515 SQUARE FEET, (0.24 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

ALSO, A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 525.86 FEET; THENCE SOUTH 01°05'07" WEST, A DISTANCE OF 29.94 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID GRAND STREET THE FOLLOWING FIVE (5) COURSES: SOUTH 88°53'44" EAST, A DISTANCE OF 195.52 FEET; THENCE SOUTH 01°44'15" WEST, A DISTANCE OF 7.99 FEET; THENCE SOUTH 88°54'53" EAST, A DISTANCE OF 70.00 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,139.58 FEET, AN ARC LENGTH OF 237.05, A CENTRAL ANGLE OF 11°55'06" AND A LONG CHORD OF 236.62 FEET WHICH BEARS SOUTH 82°56'51" EAST; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 28.47 FEET, A CENTRAL ANGLE OF 54°22'10" AND A LONG CHORD OF 27.41 FEET WHICH BEARS SOUTH 49°30'54" EAST TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE AS IT NOW EXISTS; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 13.85 FEET, A CENTRAL ANGLE OF 26°26'42" AND A LONG CHORD OF 13.72 FEET WHICH BEARS SOUTH 10°53'17" EAST; THENCE CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE SOUTH 01°44'15" WEST, A DISTANCE OF 364.11 FEET; THENCE NORTH 02°04'10" WEST, A DISTANCE OF 243.50 FEET; THENCE NORTH 01°53'46" EAST, A DISTANCE OF 34.34 FEET; THENCE NORTH 07°33'58" WEST, A DISTANCE OF 43.48 FEET; THENCE NORTH 44°34'02" WEST, A DISTANCE OF 67.88

FEET; THENCE NORTH 81°34'05" WEST, A DISTANCE OF 233.60 FEET; THENCE NORTH 71°13'31" WEST, A DISTANCE OF 69.94 FEET; THENCE ON A NON-TANGENT TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,490.50 FEET, AN ARC LENGTH OF 154.62 FEET, A CENTRAL ANGLE OF 05°56'37" AND A LONG CHORD OF 154.55 FEET WHICH BEARS NORTH 85°56'09" WEST; THENCE NORTH 01°05'32" EAST, A DISTANCE OF 0.51 FEET TO THE POINT OF BEGINNING, CONTAINING 16,700 SQUARE FEET, (0.38 Acres). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 15. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a drainage easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. The easement to be conveyed is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET; THENCE NORTH 47°19'44" EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 189.10 FEET FOR A POINT OF BEGINNING; THENCE NORTH 87°40'16" WEST, A DISTANCE OF 19.36 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 87°40'16" EAST, A DISTANCE OF 20.61 FEET; THENCE SOUTH 10°09'58" WEST, A DISTANCE OF 9.17 FEET; THENCE SOUTH 02°19'44" WEST, A DISTANCE OF 10.92 FEET TO THE POINT OF BEGINNING, CONTAINING 393 SQUARE FEET, (0.01 Acres). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29, THENCE SOUTH 01°44'15" WEST ALONG THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 457.53 FEET FOR THE POINT OF BEGINNING, THENCE NORTH 88°06'14" WEST, A DISTANCE OF 15.25 FEET; THENCE NORTH 03°01'24" EAST, A DISTANCE OF 171.43 FEET; THENCE SOUTH 02°04'10" EAST, A DISTANCE OF 171.81 FEET TO THE POINT OF BEGINNING. ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF

SAID SECTION 29, THENCE NORTH 88°54'53" WEST ALONG THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 47.36 FEET; THENCE SOUTH 01°05'07" WEST, A DISTANCE OF 11 4.87 FEET FOR A POINT OF BEGINNING, THENCE SOUTH 35°36'30" WEST, A DISTANCE OF 42.70 FEET; THENCE NORTH 67°27'15" WEST, A DISTANCE OF 27.08 FEET; THENCE NORTH 10°19'44" EAST, A DISTANCE OF 53.16 FEET; THENCE SOUTH 81°34'05" EAST, A DISTANCE OF 15.14 FEET; THENCE SOUTH 44°34'02" EAST, A DISTANCE OF 36.15 FEET TO THE POINT OF BEGINNING.

ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29, THENCE NORTH 88°54'53" WEST ALONG THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 241.90 FEET; THENCE SOUTH 01°05'07" WEST, A DISTANCE OF 67.85 FEET FOR A POINT OF BEGINNING, THENCE SOUTH 25°16'58" EAST, A DISTANCE OF 55.15 FEET; THENCE SOUTH 64°43'02" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 25°16'58" WEST, A DISTANCE OF 65.16 FEET; THENCE SOUTH 81°34'05" EAST, A DISTANCE OF 18.03 FEET TO THE POINT OF BEGINNING, CONTAINING 4,125 SQUARE FEET (0.09 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 16. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a sanitary sewer easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. The easement to be conveyed is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET; THENCE NORTH 47°19'44" EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 98.23 FEET FOR A POINT OF BEGINNING; THENCE NORTH 25°37'05" WEST, A DISTANCE OF 32.30 FEET; THENCE NORTH 05°29'44" EAST, A DISTANCE OF 120.31 FEET; THENCE SOUTH 88°11 '49" EAST, A DISTANCE OF 14.96 FEET; THENCE SOUTH 10°09'58" WEST, A DISTANCE OF 47.46 FEET; THENCE SOUTH 02°19'44" WEST, A DISTANCE OF 101.79 FEET TO THE POINT OF BEGINNING, CONTAINING 1,788 SQUARE FEET, (0.04 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and

conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 8

Amend House Amendment No. 8 to House Committee Substitute for Senate Bill No. 578 Page 1, Line 20, by inserting after all of said line the following

"Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and

(2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; **[**and**]**

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

(a) The state of Missouri over the previous twelve months; or

(b) The county or city not within a county over the previous twelve months**; and**

(5) No finding of blight under this chapter shall be used to meet the conditions for blight under any other statute of this state.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the

governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

(1) The potential to create sustainable jobs in a targeted industry; or

(2) A demonstrated impact on local industry cluster development.

5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950."; and"; and

Further amend said amendment, Page 1, Line 20, by inserting after all of said line the following:

"Further amend said bill, Page 13, Section 12, Line 18, by inserting after all of said line the following":

"Section 13. Whenever the fiscal body of one (1) or more eligible entities, acting individually or jointly, adopts an ordinance or a resolution in favor of the establishment of an airport authority under this chapter, there is established an airport authority. The authority has jurisdiction over a district with boundaries conterminous with the jurisdictional boundaries of the entity or entities adopting the ordinance or resolution. The authority must have a name including the words "airport authority.""; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 578, Page 1, Section A, Line 2, by inserting immediately after said Line the following:

"8.010. 1. The governor, attorney general**, [**and**]** lieutenant governor**, speaker of the house of representatives; and the president pro tempore of the senate shall** constitute the board of public buildings. The governor is chairman and the lieutenant governor, secretary. **[**The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex officio members of the board but shall not have the power to vote.**]** The board shall constitute a body corporate and politic. The board has general supervision and charge of the public property of the state at the seat of government and other duties imposed on it by law.

2. The commissioner of administration shall provide staff support to the board."; and

Further amend said Substitute, Page 13, Section 12, Line 18, by inserting immediately after said Line

the following:

"**Section 13. The rotunda on the third floor of the state capitol building and all furniture, equipment and supplies therein, are reserved for the exclusive use of the members and officers of the legislature. This space, together with the furniture, equipment and supplies therein, are in the direct charge and control of the house accounts committee and the senate accounts committee. No use of any of said quarters other than by the legislature, its members, or its officers shall be made except with the written consent of the legislature and upon the order of the accounts committee of both the house and the senate.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

"**Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release all interest of the state of Missouri in an easement located near the Chouteau State Owned Office Building, in the City of St. Louis, described as follows:**

Ingress/Egress Easement Vacation

Book 1696M, Page 2270

A tract of land being part of Lots 2 and 4 of Chouteau-Compton Subdivision No. 3, a subdivision according to the plat thereof as recorded in Plat Book 12242003, Page 132 of the City of St. Louis Records, being more particularly described as follows:

Beginning at the southeastern corner of above said Lot 4, said point also being the southwestern corner of Lot 2, said point also being located on the northern right-of-way line of Chouteau Avenue, 80 feet wide; thence along said right-of-way line, North 75 degrees 00 minutes 00 seconds West, 25.32 feet to the western line of an Ingress/Egress Easement as established by instrument recorded in Book 1696M, Page 2270; thence departing last said right-of-way line along said western line the following courses and distances: North 15 degrees 32 minutes 58 seconds East, 78.61 feet to a point on a non-tangent curve to the right having a radius of 75.51 feet; along said curve with an arc length of 47.00 feet, and a chord which bears North 44 degrees 16 minutes 16 seconds East, 46.24 feet; North 59 degrees 59 minutes 10 seconds East, 53.47 feet to a point on a non-tangent curve to the left having a radius of 81.83 feet; thence along said curve with an arc length of 57.03 feet, and a chord which bears North 36 degrees 21 minutes 43 seconds East, 55.88 feet to a point of tangency and North 16 degrees 23 minutes 52 seconds East, 21.30 feet to the northern line of above said Lot 4; thence along said north line South 75 degrees 00 minutes 00 seconds East, 12.52 feet to the northeastern corner of above said Lot 4, said point also being the northwestern corner of above said Lot 2; thence along the northern line of said Lot 2, South 75 degrees 00 minutes 00 seconds East, 11.21 feet to the northeastern corner of above said Ingress/Egress Easement; thence along the eastern line of said Ingress/Egress Easement the following courses and distances: South 14 degrees 42 minutes 17 seconds West, 25.31 feet to a point on a non-tangent curve to the right having a radius of 80.19 feet; along said curve with an arc length of 66.36 feet, and a chord which bears South 36 degrees 23 minutes 48 seconds West, 64.48 feet; South 60 degrees 06

minutes 17 seconds West, 45.35 feet to a point on a non-tangent curve to the left having a radius of 63.36 feet; along said curve with an arc length of 42.86 feet, and a chord which bears South 34 degrees 36 minutes 23 seconds West, 42.05 feet to a point of tangency and South 15 degrees 13 minutes 43 seconds West, 73.14 feet to the northern right-of-way line of above said Chouteau Avenue; thence along said northern right-of-way line, North 75 degrees 00 minutes 00 seconds West, 10.53 feet to the Point of Beginning and containing 7,348 square feet or 0.168 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc on March 15, 2012.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance.

Section B. Because immediate action is necessary to convey the property located near the Chouteau State Owned Office Building, the enactment of section 13 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution and the enactment of section 13 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

"**Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in a tract of land located in the City of St. Louis, to The Special Administrative Board of the Transitional School District of The City of St. Louis (d/b/a The Board of Education of the City of St. Louis) described as follows:**

Lots 10, 11, 12, and 13 in Block 3 of Evans Place, a subdivision in Block 3730 of the City of St. Louis, Missouri.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but need not be limited to, the number of appraisals required, and the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 699**.

With House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 2 to House Amendment No. 5, House Amendment No. 5, as amended, and House Amendment No. 6.

HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 6, Section 217.703, Line 98, by deleting the number "**4**" on said line and inserting in lieu thereof the number "**5**"; and

Further amend said bill, page, and section, Line 99, by deleting the number "**6**" on said line and inserting in lieu thereof the number "**7**"; and

Further amend said bill, Page 8, Section 221.105, Line 29, by deleting the first occurrence of the number "**7**" on said line and inserting in lieu thereof the number "**6**"; and

Further amend said bill, Page 10, Section 559.036, Line 23, by deleting the phrase "**subsection 3 of**" on said line; and

Further amend said bill, Page 12, Section 559.036, Line 66, by deleting the phrase "**subsection 2 of**" on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, In the Title, Lines 3-4, by deleting the phrase "under the supervision of the department of corrections"; and

Further amend said bill, Page 9, Section 221.105, Line 42, by inserting after all of said section and line, the following:

"491.075. 1. A statement made by a child under the age of fourteen**, or a vulnerable person,** relating to an offense under chapter 565, 566, 568 or 573, performed **[**with or on a child**]** by another, not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings in the courts of this state as substantive evidence to prove the truth of the matter asserted if:

(1) The court finds, in a hearing conducted outside the presence of the jury that the time, content and circumstances of the statement provide sufficient indicia of reliability; and

(2) (a) The child **or vulnerable person** testifies at the proceedings; or

(b) The child **or vulnerable person** is unavailable as a witness; or

(c) The child **or vulnerable person** is otherwise physically available as a witness but the court finds that the significant emotional or psychological trauma which would result from testifying in the personal presence of the defendant makes the child **or vulnerable person** unavailable as a witness at the time of the criminal proceeding.

2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence requiring corroboration of statements, admissions or confessions of the defendant, and notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of fourteen**, or a vulnerable person,** who is alleged to be victim of an offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless of whether or not the child **or vulnerable person** is available to testify regarding the offense.

3. A statement may not be admitted under this section unless the prosecuting attorney makes known to the accused or the accused's counsel his or her intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the accused or the accused's counsel with

a fair opportunity to prepare to meet the statement.

4. Nothing in this section shall be construed to limit the admissibility of statements, admissions or confessions otherwise admissible by law.

5. For the purposes of this section, "vulnerable person" shall mean a person who, as a result of an inadequately developed or impaired intelligence or a psychiatric disorder that materially affects ability to function, lacks the mental capacity to consent, or whose developmental level does not exceed that of an ordinary child of fourteen years of age."; and

Further amend said bill, Page 15, Section 559.115, Line 82, by inserting after all of said section and line, the following:

"565.072. 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010.

2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim or has previously pleaded guilty to or been found guilty of committing this crime, in which case it is a class A felony.

565.073. 1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, and he or she:

(1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or

(2) Recklessly causes serious physical injury to such family or household member; or

(3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.

2. Domestic assault in the second degree is a class C felony.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010 and:

(1) The person attempts to cause or recklessly causes physical injury to such family or household member; or

(2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or

(3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or

(5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members.

568.060. 1. **[**A person commits the crime of abuse of a child if such person:

(1) Knowingly inflicts cruel and inhuman punishment upon a child less than seventeen years old; or

(2) Photographs or films a child less than eighteen years old engaging in a prohibited sexual act or in the simulation of such an act or who causes or knowingly permits a child to engage in a prohibited sexual act or in the simulation of such an act for the purpose of photographing or filming the act.

2. As used in this section "prohibited sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism, fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Abuse of a child is a class C felony, unless:

(1) In the course thereof the person inflicts serious emotional injury on the child, or the offense is committed as part of a ritual or ceremony in which case the crime is a class B felony; or

(2) A child dies as a result of injuries sustained from conduct chargeable pursuant to the provisions of this section, in which case the crime is a class A felony.

4. As used in this section, the word "fetishism" means a condition in which erotic feelings are excited by an object or body part whose presence is psychologically necessary for sexual stimulation or gratification**] As used in this section, the following terms shall mean:**

(1) "Abuse", the infliction of physical, sexual, or mental injury against a child by any person eighteen years of age or older. For purposes of this section, abuse shall not include injury inflicted on a child by accidental means by a person with care, custody, or control of the child, or discipline of a child by a person with care, custody, or control of the child, including spanking, in a reasonable manner;

(2) "Abusive head trauma", a serious physical injury to the head or brain caused by any means, including but not limited to shaking, jerking, pushing, pulling, slamming, hitting, or kicking;

(3) "Mental injury", an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior;

(4) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result;

(5) "Physical injury", physical pain, illness, or any impairment of physical condition, including but not limited to bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ;

(6) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive, or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(7) "Serious physical injury", a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. A person commits the offense of abuse or neglect of a child if such person knowingly causes a child who is less than eighteen years of age:

(1) To suffer physical or mental injury as a result of abuse or neglect; or

(2) To be placed in a situation in which the child may suffer physical or mental injury as the result of abuse or neglect.

3. A person commits the offense of abuse or neglect of a child if such person recklessly causes a child who is less than eighteen years of age to suffer from abusive head trauma.

4. A person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person delivers or allows the delivery of child to a provider of emergency services.

5. The offense of abuse or neglect of a child is a class C felony, without eligibility for probation or parole until the defendant has served no less than one year of such sentence, unless the person has previously been found guilty of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct or the injury inflicted on the child is a serious emotional injury or a serious physical injury, in which case abuse or neglect of a child is a class B felony, without eligibility for probation or parole until the defendant has served not less than five years of such sentence.

6. Notwithstanding subsection 5 of this section to the contrary, the offense of abuse or neglect of a child is a class A felony, without eligibility for probation or parole until the defendant has served not less than fifteen years of such sentence, if:

(1) The injury is a serious emotional injury or a serious physical injury;

(2) The child is less than fourteen years of age; and

(3) The injury is the result of sexual abuse as defined under section 566.100 or sexual exploitation

of a minor as defined under section 573.023.

7. The circuit or prosecuting attorney may refer a person who is suspected of abuse or neglect of a child to an appropriate public or private agency for treatment or counseling so long as the agency has consented to taking such referrals. Nothing in this subsection shall limit the discretion of the circuit or prosecuting attorney to prosecute a person who has been referred for treatment or counseling pursuant to this subsection.

8. Nothing in this section shall be construed to alter the requirement that every element of any crime referred to herein must be proven beyond a reasonable doubt.

9. Discipline, including spanking administered in a reasonable manner, shall not be construed to be abuse under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 699 Page 3, Line 15, by inserting after all of said line the following:

"Further amend said bill, Page 3, Section 217.147, Line 76, by inserting after all of said section, the following:

"**217.243. Any inmate who receives on-site medical examination or treatment from the correctional center's medical personnel shall be assessed a charge of one dollar fifty cents per visit for such medical examination or treatment.**"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 9, Section 221.105, Line 42, by after all of said section and line inserting the following:

"544.455. 1. Any person charged with a bailable offense, at his or her appearance before an associate circuit judge or judge may be ordered released pending trial, appeal, or other stage of the proceedings against him on his personal recognizance, unless the associate circuit judge or judge determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the associate circuit judge or judge may either in lieu of or in addition to the above methods of release, impose any or any combination of the following conditions of release which will reasonably assure the appearance of the person for trial:

(1) Place the person in the custody of a designated person or organization agreeing to supervise him;

(2) Place restriction on the travel, association, or place of abode of the person during the period of release;

(3) Require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof **by a defendant or a third party; however, under article I, section 20 of the Missouri Constitution, the court shall accept in lieu of a cash only bond a guarantee from any surety who is in compliance with general laws regulating such profession**;

(4) Require the person to report regularly to some officer of the court, or peace officer, in such manner as the associate circuit judge or judge directs;

(5) **[**Require the execution of a bond in a given sum and the deposit in the registry of the court of ten percent, or such lesser percent as the judge directs, of the sum in cash or negotiable bonds of the United States or of the state of Missouri or any political subdivision thereof;

(6)**]** Place the person on house arrest with electronic monitoring, except that all costs associated with the electronic monitoring shall be charged to the person on house arrest. If the judge finds the person unable to afford the costs associated with electronic monitoring, then the judge shall not order that the person be placed on house arrest with electronic monitoring;

[(7)**] (6)** Impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

2. In determining which conditions of release will reasonably assure appearance, the associate circuit judge or judge shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or flight to avoid prosecution or failure to appear at court proceedings.

3. An associate circuit judge or judge authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

4. A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the condition reviewed by the associate circuit judge or judge who imposed them. The motion shall be determined promptly.

5. An associate circuit judge or judge ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release; except that, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection 4 **of this section** shall apply.

6. Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

7. Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

8. Persons charged with violations of municipal ordinances may be released by a municipal judge or other judge who hears and determines municipal ordinance violation cases of the municipality involved under the same conditions and in the same manner as provided in this section for release by an associate circuit judge.

9. A circuit court may adopt a local rule authorizing the pretrial release on electronic monitoring pursuant to subdivision (6) of subsection 1 of this section in lieu of incarceration of individuals charged with

offenses specifically identified therein. "; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 3, Section 217.147, Line 76, by inserting immediately after said section and line, the following:

"**217.694. 1. Notwithstanding any other provision of law, any offender incarcerated in a correctional facility serving a sentence of life without parole for a minimum of fifty years or more and who is sixty years of age or older and has no prior felony convictions of a violent nature shall receive a parole hearing upon serving fifteen years or more of his or her sentence.**

2. During the parole hearing required under subsection 1 of this section, the board of probation and parole shall determine whether there is a reasonable probability that the offender will live and remain at liberty without violation of law upon release, and therefore is eligible for release based upon a finding that the offender meets the following criteria:

(1) A record of good conduct while incarcerated;

(2) Has demonstrated self-rehabilitation efforts while incarcerated;

(3) Has a workable parole plan;

(4) Availability of community and family support;

(5) Is subject to a minimum of five years of supervision by the board of probation and parole upon release;

(6) Has an institutional risk factor score of one; and

(7) Is not a convicted sex offender.

3. If the board does not grant parole to an offender who qualifies for a parole hearing under this section, the offender shall be eligible for a reconsideration parole hearing every three years until a presumptive release date is established."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, Line 27, by inserting after all of said line the following:

"Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"208.182. 1. **[**The division of family services shall establish pilot projects in St. Louis City and in any county with a population of six hundred thousand or more, which shall provide for a system of electronic transfer of benefits to public assistance recipients. Such system shall allow recipients to obtain cash from automated teller machines or point of sale terminals. If less than the total amount of benefits is withdrawn, the recipient shall be given a receipt showing the current status of his account.**] The department of social services shall seek a waiver from the federal government to mandate the use of photo identification**

for continued eligibility in the food stamp program administered in Missouri. Upon one year after approval by the federal government, the department shall issue a photo identification card to each eligible household member who is sixteen years of age or older. Upon request, a household member, or the household's authorized representative, shall present the photo identification card at issuance points, retail food stores, or meal services when exchanging benefits for eligible food.

2. The disclosure of any information provided to a financial institution, business or vendor by the **[**division of family services**]** **department** pursuant to this section is prohibited. Such financial institution, business or vendor may not use or sell such information and may not divulge the information without a court order. Violation of this subsection is a class A misdemeanor.

3. **[**Subject to appropriations and subject to receipt of waivers from the federal government to prevent the loss of any federal funds, the department of social services shall require the use of photographic identification on electronic benefit transfer cards issued to recipients in this system. Such photographic identification electronic benefit transfer card shall be in a form approved by the department of social services.

4.**]** The **[**division of family services**]** **department** shall promulgate rules and regulations necessary to implement the provisions of this section pursuant to section 660.017 and chapter 536. **The rules shall ensure compliance with federal law, taking into account individuals and households with special needs as well as ensuring that all appropriate household members or authorized representatives are able to access benefits from the account as necessary.**

[5.**]** **4.** The delivery of electronic benefits and the electronic eligibility verification, including, but not limited to, **[**aid to families with dependent children (AFDC)**]** **temporary assistance for needy families (TANF)**, women, infants and children (WIC), early periodic screening diagnosis and treatment (EPSDT), food stamps, supplemental security income (SSI), including Medicaid, child support, and other programs, shall reside in one card that may be enabled by function from time to time in a convenient manner."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"**208.247. 1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for food stamp program benefits for such convictions, if such person, as determined by the department to meet at least one of the following conditions:**

(1) Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health;

(2) Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity;

(3) Has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse;

(4) Is successfully complying with, or has already complied with, all obligations imposed by the court, the division of alcohol and drug abuse, and the division of probation and parole;

(5) Has demonstrated sobriety through voluntary urinalysis testing paid for by the participant; or

(6) It has been more than four years since the conviction for a drug related felony.

2. Eligibility based upon the factors in subsection 1 of this section shall be based upon documentary or other evidence satisfactory to the department of social services, and the applicant shall meet all other factors for program eligibility.

3. The department of social services, in consultation with the division of alcohol and drug abuse, shall promulgate rules to carry out the provisions of this section, including specifying criteria for determining active participation in and completion of a substance abuse treatment program."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, Section A, Line 4, by inserting after all of said line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a **[**web page**] website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 5, 6, and 7 of this section,** the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) **[**Any photographs of the offender**] A current photograph of the individual, which shall be taken by the registering official**;

(6) **[**A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)**]** The nature and dates of all offenses qualifying the offender to register;

[(8)**] (7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)**] (8)** Compliance status of the offender with the provisions of section 589.400 to 589.425; and

[(10)**] (9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website."; and

Further amend said bill, Page 15, Section 559.115, Line 82, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is **[**exempted**] exempt** from registering under subsection **6,** 8**, or 10** of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the

welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia,** or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within **[**three**] five business** days of **[**conviction**] adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile described in subdivision (6) of subsection 1 of this section, within five business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county

of residence shall register with the chief law enforcement official of such county or city not within a county within **[**three**] five business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official**[**, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested**]**.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender**;

(3) The registrant is **exempt or is** no longer required to register **[**and his or her name shall be removed from the registry**]** under the provisions of subsection 6**, 8, or 10** this section; or

(4) The **[**registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the**]** court orders the removal **[**or exemption**]** of such person from the registry **under subsection 7, 9, or 10 of this section or section 589.401**.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. **Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:**

(1) Felonious restraint of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child; or

(2) Nonsexual child abuse that was committed under section 568.060; or

(3) Kidnapping of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child**] any offense listed in subsection 6 of this section** shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register

under sections 589.400 to 589.425.

8. Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:

(1) Sexual misconduct in the second degree under section 566.093; or

(2) Sexual misconduct in the third degree under section 566.095; or

(3) Promoting obscenity in the first degree under section 573.020; or

(4) Promoting obscenity in the second degree under section 573.030; or

(5) Furnishing pornographic materials to minors under section 573.040; or

(6) Public display of explicit sexual material under section 573.060; or

(7) Coercing acceptance of obscene material under section 573.065,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.**] 9.** Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register**] any offense listed in subsection 8 of this section shall be removed from the registry; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425**.

[8.**] 10.** Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.**] 11.** (1) The court may grant such relief under subsection **[**7 or 8**] 9 or 10** of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not

a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.**]** **12.** Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education **[**and is not entitled to relief under the provisions of subsection 9 of this section**]**. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency **[**and is not entitled to the provisions of subsection 9 of this section**]**.

[11.**]** **13.** Any person whose name is removed or **who is** exempted from the sexual offender registry under subsection **[**7 or 8**]** **6, 7, 8, 9, or 10** of this section shall **[**no longer**]** **not** be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

14. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.

589.401. 1. Any person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name and information removed from the sexual offender registry; except that, any person having multiple offenses requiring registration under sections 589.400 to 589.425 shall not be eligible for removal from the registry until all applicable time requirements under subsections 2 and 3 of this section for all such offenses have elapsed. If the offense requiring registration was adjudicated in another state, the District of Columbia, a foreign country, or a territory, tribal, or military jurisdiction such person may file a petition in the division of the circuit court in the county in which such person resides.

2. A person who is required to register under the provisions of sections 589.400 to 589.425 for any of the following offenses or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if twenty years has not elapsed since the date the person was required to register:

(1) Kidnapping when a sexual offense under chapter 566 was committed during the kidnapping

or when the kidnapping was committed for the purpose of committing a sexual offense under chapter 566 and when the victim was less than eighteen years of age and excluding kidnapping by a parent or guardian under section 565.110;

(2) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(3) Forcible rape under section 566.030;

(4) Forcible sodomy under section 566.060;

(5) Sexual trafficking of a child under section 566.212;

(6) Sexual trafficking of a child under the age of twelve, under section 566.213; or

(7) Child molestation in the first degree when it is a class A felony under section 566.067.

3. A person who is required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of this section or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if ten years has not elapsed since the date the person was required to register.

4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:

(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for one year immediately preceding the filing of the petition; or

(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for one year immediately preceding the filing of the petition.

(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Date of birth;

(e) Last four digits of the Social Security number;

(f) Address;

(g) Place of employment, school, or volunteer status;

(2) The offense that required the petitioner to register;

(3) The date the petitioner pled to, was convicted of, or was adjudicated for the offense;

(4) The date the petitioner was required to register;

(5) The date the petitioner actually registered;

(6) The case number and court, including county, that entered the original order for the adjudicated sex offense;

(7) The petitioner's fingerprints on an applicant fingerprint card;

(8) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and

(9) That the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking removal, of the petition and an opportunity to present evidence in opposition to the facts alleged in the petition. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner, including but not limited to criminal history records under section 43.530, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with such petition.

11. Except as otherwise provided under subsection 12 of this section, the court shall enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from any corresponding state or local law enforcement registry or website unless it finds that the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction:

(1) Has been adjudicated of or has charges pending for failure to register;

(2) Has been adjudicated of any additional offense which would require registration as a sexual offender and which occurred after the date such person initially registered as a sexual offender;

(3) Has charges pending for any offense which would require registration as a sexual offender;

(4) Has not successfully completed any required periods of supervised release, probation, or parole; and

(5) Has not successfully completed all appropriate sexual offender treatment, including any court-ordered treatment and any treatment ordered by the department of corrections.

12. For any person who has been convicted of a crime listed in subsection 2 of this section, the

court may enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from corresponding state or local law enforcement registry or website upon the filing of a petition for removal and submission of the petitioner's completed risk assessment evaluation conducted by a licensed mental health professional unless it finds that subdivisions (1) to (5) of subsection 11 apply to the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction.

13. In order to prove the facts required by subdivisions (1), (2), and (3) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol and the Federal Bureau of Investigation.

14. Except as provided in subsection 14 of this section, if it is found that the petition is denied, a successive petition requesting such relief may be filed under this section one year after the date of such denial unless such denial is based on a subsequent conviction of a sex offense or failure to register, in which case no successive petition shall be filed.

15. If it is found that the petition is denied solely on the basis of the fact that the petitioner has pending charges and those charges are subsequently dismissed or the petitioner is subsequently acquitted of such pending charges, the petitioner may file a new petition under this section at any time after the dismissal or acquittal of such pending charges.

16. If the court finds that the petitioner is entitled to have his or her name and information removed from the sexual offender registry, the court shall enter judgment directing the respondents to remove the petitioner's name and information from all law enforcement sexual offender registries and public websites within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

17. Any person subject to judgment requiring his or her name or information to be removed from the sexual offender registry shall not be required to register or report under sections 589.400 to 589.425 unless such person is required to register and report for an offense that was committed after the judgment of removal was entered.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a **[**web page**]** **website** on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided by subsections 5, 6, and 7 of this section,** the registered sexual offender search **[**shall**]** **may** make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. Only the information listed in this subsection **[**shall**]** **may** be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) **[**Any photographs of the offender**] A current photograph of the individual, which shall be taken by the registering official**;

(6) **[**A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)**]** The nature and dates of all offenses qualifying the offender to register;

[(8)**] (7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)**] (8)** Compliance status of the offender with the provisions of sections 589.400 to 589.425; **[**and**]**

[(10)**] (9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

4. The chief law enforcement officer of any county or city not within a county may **[**publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county**] give notice to any public school as defined in section 160.011, any private school giving instruction in a grade or grades not higher than the twelfth grade, any child care facility licensed under chapter 210, or any child care facility defined in section 210.201 that is exempt from state licensure but subject to state regulation under section 210.252 and holds itself out to be a child care facility, that a sex offender is residing, working, or attending school within a five mile radius of such school or child care facility. Such notice shall only include the sex offender information described in subsection 3 of this section**.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as defined in section 589.404; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website.

589.403. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**] who is required to register**

under sections 589.400 to 589.425 who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections **[**or**],** any mental health institution**, private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall**:**

(1) If the person plans to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release**, **to the Missouri state highway patrol and** to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release**[**. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.**]; or**

(2) If the person does not reside or plan to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section or fails to register with the chief law enforcement official within five business days as directed, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.405. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**] who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall **[**obtain the address where the person expects to reside upon discharge, parole or release and shall**] make it a condition of probation that the offender** report, within **[**three**] five** business days**[**, such address**]** to the chief law enforcement official of the county **of adjudication** or city not within a county **[**where the person expects to reside, upon discharge, parole or release.**] of adjudication, to complete the initial registration. If such offender is not placed on probation, the court shall:**

(1) If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;

(2) If the offender does not reside in Missouri, the court shall:

(a) Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and

(b) Complete the initial notification of duty to register form approved by the state judicial records

committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.

2. If the offender refuses to complete and sign the registration information as outlined in subdivision (1) of subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief law enforcement official as outlined in subdivision (2) of subsection 1 of this section, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form **shall consist of a statement in writing, including the signature of the offender and** shall include, but is not limited to the following:

(1) **[**A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;**] The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;**

(2) The date of birth of the individual to include any alias dates of birth used;

(3) The address of the individual's residence or, if the individual is homeless, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless shelter or other temporary residence;

(4) The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed, the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;

(5) The name and address of any institutions of higher education that the individual attends;

(6) The Social Security number of the individual including any alias Social Security numbers used;

(7) The telephone numbers of the individual including all landline and cellular telephone numbers used;

(8) The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;

(9) Any online identifiers as defined in section 43.651 which are used by the individual for personal

purposes;

(10) The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;

(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;

(12) The age and gender of the victim and the offender at the time of the offense;

(13) If the offender was required to successfully complete appropriate sexual offender treatment, including any court-ordered treatment or any treatment ordered by the department of corrections, the date that the offender successfully completed such treatment, or a statement, that as of the date of registration, the offender has not yet successfully completed the required sexual offender treatment or has failed to successfully complete the required sexual offender treatment;

(14) The status of the individual's parole, probation, or supervised release, if applicable;

(15) Passport and immigration numbers to include expiration dates; and

(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.

2. The following shall be included with the form:

[(2)**] (1)** The fingerprints, palm prints, and a photograph of the person; **[**and**]**

(2) A current photograph of the individual to be taken by the registering official; and

(3) A DNA sample **from the individual**, if a sample has not already been obtained.

[2.**] 3.** The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:

(1) A photocopy of a valid driver's license or nondriver's identification card; **and**

(2) A document verifying proof of the offender's residency**[**; and

(3) A photocopy of the vehicle registration for each of the offender's vehicles**]**.

4. The Missouri state highway patrol shall maintain all required registration information in digitized form.

5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.

6. The offender shall be responsible for reviewing his or her existing registration information for accuracy at every regular in-person appearance and if any inaccuracies are found provide proof of the information in question. The registering law enforcement official shall, within three business days of receipt of proof from the offender regarding the inaccuracy, correct the inaccuracy on its law enforcement registry and on its public website, if any, and shall notify the Missouri state highway patrol of the change in information. The Missouri state highway patrol shall, within three business days of notification by the registering law enforcement official, correct the inaccuracy on its law enforcement registry and on its public website.

7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425, and a statement to such effect shall be included on the form that the individual is required to sign at each registration.

589.410. **1.** The chief law enforcement official shall forward the completed offender registration form to the Missouri state highway patrol within three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system, and other entities as provided by law, upon inquiry.

2. Upon receipt of each completed offender registration form, the Missouri state highway patrol shall review the information contained in the form to determine whether, according to the form, the offender will be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the registration form, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than **[**three**]** **five** business days **[**after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,**]** appear in person to the chief law enforcement officer of the county or city not within a county **[**and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days**] if there is a change to any of the following information:**

(1) Name;

(2) Residence;

(3) Employment;

(4) Student status; or

(5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall, within five business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:

(1) Vehicle information;

(2) Temporary residence information; or

(3) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.

3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.

4. The Missouri state highway patrol shall review any changes received from registering officials

under subsection 3 of this section to determine whether the offender will now be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the changes, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

[2.**] 5.** If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state**, or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state**, or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state **or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state**, or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall report in person to the chief law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

(1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;

(2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and

(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.**] 6.** In addition to the requirements of subsections 1 **[**and**],** 2**, and 5** of this section, **[**all registrants**] any person required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction,** shall report **[**semiannually**] annually** in person in the month of their birth **[**and six months thereafter**]** to the chief law enforcement **[**agency**] official** to verify the information contained in their statement made pursuant to section 589.407**[**. All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency**] and six months thereafter shall report by mail on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall**

require the signature of the offender.

7. In addition to the requirements of subsections 1, 2, and 5 of this section, any person required to register under the provisions of sections 589.400 to 589.425 for any offenses listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition, such offenders shall report by mail ninety days after each in-person report on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.

[5.**] 8.** In addition to the requirements of subsections 1 **[**and**],** 2**, and 5** of this section, all Missouri registrants who work**, including as a volunteer or unpaid intern,** or attend **any** school **[**or training**], whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education** on a full-time or part-time basis in any other state shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

[6. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.**]**

9. Whenever any person reports under the provisions of this section in person and in the month of their birth, the registering law enforcement official shall take a current photograph of the offender."; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Parson moved that the conference committee report on **HCS** for **SB 568**, as amended, be taken up for adoption, which motion prevailed.

Senator Parson moved that the conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Goodman—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Parson, **CCS** for **HCS** for **SB 568**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 568

An Act to repeal sections 94.700, 301.140, 301.147, 301.190, 301.193, 302.341, 302.700, 304.022, 304.180, 304.190, 306.127, and 306.532, RSMo, and to enact in lieu thereof thirteen new sections relating to transportation, with penalty provisions, an emergency clause for a certain section, an effective date for a certain section, and contingent effective dates for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators

Goodman Purgason—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Goodman Nieves Purgason Ridgeway—4

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 498**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 467**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HB 1073** and **HCS** for **HB 1477**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Kraus moved that the Senate refuse to concur in **HA 1** and **HA 2** to **SCS** for **SB 715** and request the House to recede from its position and take up and pass **SCS** for **SB 715**, which motion prevailed.

Senator Schmitt assumed the Chair.

Senator Dixon moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 470**, as amended, and request the House to recede from its position and take up and pass **SS** for **SCS** for **SB 470**, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1402**, with **SCS**, entitled:

An Act to repeal sections 304.120, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof fifteen new sections relating to road use.

Was called from the Informal Calendar and taken up by Stouffer.

SCS for **HCS** for **HB 1402**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1402

An Act to repeal sections 21.795, 70.441, 301.559, 302.341, 302.700, 304.120, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof twenty-one new sections relating to transportation, with penalty provisions and an effective date for certain sections.

Was taken up.

Senator Stouffer moved that **SCS** for **HCS** for **HB 1402** be adopted.

Senator Stouffer offered **SS** for **SCS** for **HCS** for **HB 1402**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1402

An Act to repeal sections 21.795, 70.441, 142.932, 144.030, 226.500, 260.392, 301.010, 301.032, 301.069, 301.218, 301.260, 301.280, 301.559, 301.560, 301.562, 301.567, 301.570, 302.010, 302.060, 302.130, 302.309, 302.341, 302.530, 302.700, 303.200, 304.120, 304.190, 306.127, 307.365, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.063, 390.116, 390.201, 390.280, 544.046, and 643.320, RSMo, and to enact in lieu thereof fifty-three new sections relating to transportation, with penalty provisions, an effective date for certain sections and an emergency clause for certain sections.

Senator Stouffer moved that **SS** for **SCS** for **HCS** for **HB 1402** be adopted.

Senator Stouffer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 36, Section 226.541, Line 20 of said page, by striking "aces" and inserting in lieu thereof the following: "**faces**"; and

Further amend said bill and section, Page 38, Lines 13 and 14 of said page, by striking said lines and inserting in lieu thereof the following: "**reset agreement program or digital upgrade regulations described in this section.**".

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 100, Section 301.580, Line 20 of said page, by inserting after all of said line the following:

"301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose

of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure."; and

Further amend said bill, Page 153, Section 306.127, Line 10 of said page, by inserting after all of said line the following:

"306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure."; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Callahan offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Pages 178-179, Section 537.292, by striking said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Callahan moved that the above amendment be adopted, which motion prevailed.

Senator Dempsey offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 67, Section 301.260, Line 27 of said page, by inserting immediately after the word "plate" a comma "**,**"; and further amend said line, by inserting immediately after the word "or" a comma "**,**".

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Stouffer, **HCS** for **HB 1402**, with **SCS** and **SS** for **SCS**, as amended, was placed on the Informal Calendar.

Senator Kehoe assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 595**, entitled:

An Act to repeal sections 162.961 and 162.962, RSMo, and to enact in lieu thereof four new sections relating to due process hearing panel members, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 628**, entitled:

An Act to repeal sections 32.056, 56.807, 67.2010, 195.222, 195.223, 211.031, 211.093, 211.177, 211.444, 400.9-311, 452.402, 453.030, 453.050, 453.065, 453.080, 456.950, 456.8-808, 476.055, 479.011, 479.040, 483.015, 488.026, 488.426, 488.2250, 488.5026, 488.5320, 508.050, 513.430, 513.440, 523.010, 537.345, 537.346, 537.528, 542.301, 558.019, 559.100, 559.105, 566.083, 569.100, and 570.120, RSMo, and to enact in lieu thereof forty-six new sections relating to the judiciary, with penalty provisions.

With House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 2 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment Nos. 5, 6, 7, 8, 9, 10, 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12, as amended, and House Amendment No. 13.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 628, Page 38, Section 488.5375, Line 10, by inserting after all of said section and line, the following:

"491.075. 1. A statement made by a child under the age of fourteen**, or a vulnerable person,** relating to an offense under chapter 565, 566, 568 or 573, performed **[**with or on a child**]** by another, not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings in the courts of this state as substantive evidence to prove the truth of the matter asserted if:

(1) The court finds, in a hearing conducted outside the presence of the jury that the time, content and circumstances of the statement provide sufficient indicia of reliability; and

(2) (a) The child **or vulnerable person** testifies at the proceedings; or

(b) The child **or vulnerable person** is unavailable as a witness; or

(c) The child **or vulnerable person** is otherwise physically available as a witness but the court finds that the significant emotional or psychological trauma which would result from testifying in the personal presence of the defendant makes the child **or vulnerable person** unavailable as a witness at the time of the criminal proceeding.

2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence requiring corroboration of statements, admissions or confessions of the defendant, and notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of fourteen**, or a vulnerable person,** who is alleged to be victim of an offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless of whether or not the child **or vulnerable person** is available to testify regarding the offense.

3. A statement may not be admitted under this section unless the prosecuting attorney makes known to the accused or the accused's counsel his or her intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the accused or the accused's counsel with a fair opportunity to prepare to meet the statement.

4. Nothing in this section shall be construed to limit the admissibility of statements, admissions or confessions otherwise admissible by law.

5. For the purposes of this section, "vulnerable person" shall mean a person who, as a result of an inadequately developed or impaired intelligence or a psychiatric disorder that materially affects ability to function, lacks the mental capacity to consent, or whose developmental level does not exceed that of an ordinary child of fourteen years of age."; and

Further amend said bill, Page 57, Section 559.105, Line 28, by inserting after all of said section and line, the following:

"565.072. 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010.

2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim or has previously pleaded guilty to or been found guilty of committing this crime, in which case it is a class A felony.

565.073. 1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, and he or she:

(1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or

(2) Recklessly causes serious physical injury to such family or household member; or

(3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.

2. Domestic assault in the second degree is a class C felony.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010 and:

(1) The person attempts to cause or recklessly causes physical injury to such family or household member; or

(2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or

(3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or

(5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members."; and

Further amend said bill and page, Section 566.083, Line 23, by inserting after all of said section and line, the following:

"568.060. 1. **[**A person commits the crime of abuse of a child if such person:

(1) Knowingly inflicts cruel and inhuman punishment upon a child less than seventeen years old; or

(2) Photographs or films a child less than eighteen years old engaging in a prohibited sexual act or in the simulation of such an act or who causes or knowingly permits a child to engage in a prohibited sexual act or in the simulation of such an act for the purpose of photographing or filming the act.

2. As used in this section "prohibited sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism,

masochism, fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Abuse of a child is a class C felony, unless:

(1) In the course thereof the person inflicts serious emotional injury on the child, or the offense is committed as part of a ritual or ceremony in which case the crime is a class B felony; or

(2) A child dies as a result of injuries sustained from conduct chargeable pursuant to the provisions of this section, in which case the crime is a class A felony.

4. As used in this section, the word "fetishism" means a condition in which erotic feelings are excited by an object or body part whose presence is psychologically necessary for sexual stimulation or gratification**] As used in this section, the following terms shall mean:**

(1) "Abuse", the infliction of physical, sexual, or mental injury against a child by any person eighteen years of age or older. For purposes of this section, abuse shall not include injury inflicted on a child by accidental means by a person with care, custody, or control of the child, or discipline of a child by a person with care, custody, or control of the child, including spanking, in a reasonable manner;

(2) "Abusive head trauma", a serious physical injury to the head or brain caused by any means, including but not limited to shaking, jerking, pushing, pulling, slamming, hitting, or kicking;

(3) "Mental injury", an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior;

(4) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result;

(5) "Physical injury", physical pain, illness, or any impairment of physical condition, including but not limited to bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ;

(6) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive, or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(7) "Serious physical injury", a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. A person commits the offense of abuse or neglect of a child if such person knowingly causes a child who is less than eighteen years of age:

(1) To suffer physical or mental injury as a result of abuse or neglect; or

(2) To be placed in a situation in which the child may suffer physical or mental injury as the result of abuse or neglect.

3. A person commits the offense of abuse or neglect of a child if such person recklessly causes a child who is less than eighteen years of age to suffer from abusive head trauma.

4. A person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person delivers or allows the delivery of child to a provider of emergency services.

5. The offense of abuse or neglect of a child is a class C felony, without eligibility for probation or parole until the defendant has served no less than one year of such sentence, unless the person has previously been found guilty of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct or the injury inflicted on the child is a serious emotional injury or a serious physical injury, in which case abuse or neglect of a child is a class B felony, without eligibility for probation or parole until the defendant has served not less than five years of such sentence.

6. Notwithstanding subsection 5 of this section to the contrary, the offense of abuse or neglect of a child is a class A felony, without eligibility for probation or parole until the defendant has served not less than fifteen years of such sentence, if:

(1) The injury is a serious emotional injury or a serious physical injury;

(2) The child is less than fourteen years of age; and

(3) The injury is the result of sexual abuse as defined under section 566.100 or sexual exploitation of a minor as defined under section 573.023.

7. The circuit or prosecuting attorney may refer a person who is suspected of abuse or neglect of a child to an appropriate public or private agency for treatment or counseling so long as the agency has consented to taking such referrals. Nothing in this subsection shall limit the discretion of the circuit or prosecuting attorney to prosecute a person who has been referred for treatment or counseling pursuant to this subsection.

8. Nothing in this section shall be construed to alter the requirement that every element of any crime referred to herein must be proven beyond a reasonable doubt.

9. Discipline, including spanking administered in a reasonable manner, shall not be construed to be abuse under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 628, Page 41, Section 513.440, Line 7, by inserting after all of said section and line the following:

"513.653. 1. Law enforcement agencies involved in using the federal forfeiture system under federal law shall **[**be required at the end of their respective fiscal year to acquire an independent audit of the federal seizures and the proceeds received therefrom and provide this audit to their respective governing body and to the department of public safety. A copy of such audit shall be provided to the state auditor's office. This audit shall be paid for out of the proceeds of such federal forfeitures**] file a report regarding federal seizures and the proceeds therefrom. Such report shall be filed annually by January thirty-first for the previous calendar year with the department of public safety and the state auditor's office. The report for the calendar year shall include the type and value of items seized and turned over to the federal forfeiture system, the beginning balance as of January first of federal forfeiture funds or**

assets previously received and not expended or used, the proceeds received from the federal government (the equitable sharing amount), the expenditures resulting from the proceeds received, and the ending balance as of December thirty-first of federal forfeiture funds or assets on hand. The department of public safety shall not issue funds to any law enforcement agency that fails to comply with the provisions of this section.

2. Intentional or knowing failure to comply with the **[**audit**] reporting** requirement contained in this section shall be a class A misdemeanor, punishable by a fine of up to one thousand dollars."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Bill No. 628 Page 6, Line 19, by deleting all of said line and inserting in lieu thereof the following:

"**as may be required by law.**

453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child **[**is located at the time of**] has resided for at least ninety days prior to** the filing of the **adoption** petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document

which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute for Senate Bill No. 628 Page 1, Line 1, by inserting after all of said line the following:

"11, Section 195.223, Line 95, by inserting after all of said section and line the following:

"210.135. 1. Any person, official, or institution complying with the provisions of sections 210.110 to 210.165 in the making of a report, the taking of color photographs, or the making of radiologic examinations pursuant to sections 210.110 to 210.165, or both such taking of color photographs and making of radiologic examinations, or the removal or retaining a child pursuant to sections 210.110 to 210.165, or in cooperating with the division, or any other law enforcement agency, juvenile office, court, or child-protective service agency of this or any other state, in any of the activities pursuant to sections 210.110 to 210.165, or any other allegation of child abuse, neglect or assault, pursuant to sections 568.045 to 568.060, shall have immunity from any liability, civil or criminal, that otherwise might result by reason of such actions. Provided, however, any person, official or institution intentionally filing a false report, acting in bad faith, or with ill intent, shall not have immunity from any liability, civil or criminal. Any such person, official, or institution shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

2. Any person, who is not a school district employee, who makes a report to any employee of the school district of child abuse by a school employee shall have immunity from any liability, civil or criminal, that otherwise might result because of such report. Provided, however, that any such person who makes a false report, knowing that the report is false, or who acts in bad faith or with ill intent in making such report shall not have immunity from any liability, civil or criminal. Any such person shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

3. In a case involving the death or serious injury of a child after a report has been made under sections 210.109 to 210.165, the division shall conduct a preliminary evaluation in order to determine whether a review of the ability of the circuit manager or case worker or workers to perform their duties competently is necessary. The preliminary evaluation shall examine:

(1) The hotline worker or workers who took any reports related to such case;

(2) The division case worker or workers assigned to the investigation of such report; and

(3) The circuit manager assigned to the county where the report was investigated.

Any preliminary evaluation shall be completed no later than three days after the child's death. If the division determines a review and assessment is necessary, it shall be completed no later than three days after the child's death.

210.145. 1. The division shall develop protocols which give priority to:

(1) Ensuring the well-being and safety of the child in instances where child abuse or neglect has been alleged;

(2) Promoting the preservation and reunification of children and families consistent with state and federal law;

(3) Providing due process for those accused of child abuse or neglect; and

(4) Maintaining an information system operating at all times, capable of receiving and maintaining reports. This information system shall have the ability to receive reports over a single, statewide toll-free number. Such information system shall maintain the results of all investigations, family assessments and services, and other relevant information.

2. The division shall utilize structured decision-making protocols for classification purposes of all child abuse and neglect reports. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child. All child abuse and neglect reports shall be initiated within twenty-four hours and shall be classified based upon the reported risk and injury to the child. The division shall promulgate rules regarding the structured decision-making protocols to be utilized for all child abuse and neglect reports.

3. Upon receipt of a report, the division shall determine if the report merits investigation, including reports which if true would constitute a suspected violation of any of the following: section 565.020, 565.021, 565.023, 565.024, or 565.050 if the victim is a child less than eighteen years of age, section 566.030 or 566.060 if the victim is a child less than eighteen years of age, or other crimes under chapter 566 if the victim is a child less than eighteen years of age and the perpetrator is twenty-one years of age or older, section 567.050 if the victim is a child less than eighteen years of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, or 568.090, section 573.025, 573.035, 573.037, or 573.040, or an attempt to commit any such crimes. The division shall immediately communicate all reports that merit investigation to its appropriate local office and any relevant information as may be contained in the information system. The local division staff shall determine, through the use of protocols developed by the division, whether an investigation or the family assessment and services approach should be used to respond to the allegation. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child.

4. **When the child abuse and neglect hotline receives three or more calls, within a seventy-two hour period, from one or more individuals concerning the same child, the division shall conduct a review to determine whether the calls meet the criteria and statutory definition for a child abuse and neglect report to be accepted. In conducting the review, the division shall contact the hotline caller or callers in order to collect information to determine whether the calls meet the criteria for harassment.**

5. The local office shall contact the appropriate law enforcement agency immediately upon receipt of a report which division personnel determine merits an investigation and provide such agency with a detailed description of the report received. In such cases the local division office shall request the assistance of the local law enforcement agency in all aspects of the investigation of the complaint. The appropriate law enforcement agency shall either assist the division in the investigation or provide the division, within twenty-four hours, an explanation in writing detailing the reasons why it is unable to assist.

[5.**] 6.** The local office of the division shall cause an investigation or family assessment and services approach to be initiated in accordance with the protocols established in subsection 2 of this section, except in cases where the sole basis for the report is educational neglect. If the report indicates that educational neglect is the only complaint and there is no suspicion of other neglect or abuse, the investigation shall be initiated within seventy-two hours of receipt of the report. If the report indicates the child is in danger of serious physical harm or threat to life, an investigation shall include direct observation of the subject child

within twenty-four hours of the receipt of the report. Local law enforcement shall take all necessary steps to facilitate such direct observation. **Callers to the child abuse and neglect hotline shall be instructed by the division's hotline to call 911 in instances where the child may be in immediate danger.** If the parents of the child are not the alleged abusers, a parent of the child must be notified prior to the child being interviewed by the division. **No person responding to or investigating a child abuse and neglect report shall call prior to a home visit or leave any documentation of any attempted visit, such as business cards, pamphlets, or other similar identifying information if he or she has a reasonable basis to believe the following factors are present:**

(1) (a) No person is present in the home at the time of the home visit; and

(b) The alleged perpetrator resides in the home or the physical safety of the child may be compromised if the alleged perpetrator becomes aware of the attempted visit;

(2) The alleged perpetrator will be alerted regarding the attempted visit; or

(3) The family has a history of domestic violence or fleeing the community.

If the alleged perpetrator is present during a visit by the person responding to or investigating the report, such person shall provide written material to the alleged perpetrator informing him or her of his or her rights regarding such visit, including but not limited to the right to contact an attorney. The alleged perpetrator shall be given a reasonable amount of time to read such written material or have such material read to him or her by the case worker before the visit commences, but in no event shall such time exceed five minutes; except that, such requirement to provide written material and reasonable time to reach such material shall not apply in cases where the child faces an immediate threat or danger, or the person responding to investigating the report is or feels threatened or in danger of physical harm. If the abuse is alleged to have occurred in a school or child-care facility the division shall not meet with the child in any school building or child-care facility building where abuse of such child is alleged to have occurred. When the child is reported absent from the residence, the location and the well-being of the child shall be verified. For purposes of this subsection, child-care facility shall have the same meaning as such term is defined in section 210.201.

[6.**]** **7.** The director of the division shall name at least one chief investigator for each local division office, who shall direct the division response on any case involving a second or subsequent incident regarding the same subject child or perpetrator. The duties of a chief investigator shall include verification of direct observation of the subject child by the division and shall ensure information regarding the status of an investigation is provided to the public school district liaison. The public school district liaison shall develop protocol in conjunction with the chief investigator to ensure information regarding an investigation is shared with appropriate school personnel. The superintendent of each school district shall designate a specific person or persons to act as the public school district liaison. Should the subject child attend a nonpublic school the chief investigator shall notify the school principal of the investigation. Upon notification of an investigation, all information received by the public school district liaison or the school shall be subject to the provisions of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g, and federal rule 34 C.F.R., Part 99.

[7.**]** **8.** The investigation shall include but not be limited to the nature, extent, and cause of the abuse or neglect; the identity and age of the person responsible for the abuse or neglect; the names and conditions of other children in the home, if any; the home environment and the relationship of the subject child to the parents or other persons responsible for the child's care; any indication of incidents of physical violence

against any other household or family member; and other pertinent data.

[8.**] 9.** When a report has been made by a person required to report under section 210.115, the division shall contact the person who made such report within forty-eight hours of the receipt of the report in order to ensure that full information has been received and to obtain any additional information or medical records, or both, that may be pertinent.

[9.**] 10.** Upon completion of the investigation, if the division suspects that the report was made maliciously or for the purpose of harassment, the division shall refer the report and any evidence of malice or harassment to the local prosecuting or circuit attorney.

[10.**] 11.** Multidisciplinary teams shall be used whenever conducting the investigation as determined by the division in conjunction with local law enforcement. Multidisciplinary teams shall be used in providing protective or preventive social services, including the services of law enforcement, a liaison of the local public school, the juvenile officer, the juvenile court, and other agencies, both public and private.

[11.**] 12.** For all family support team meetings involving an alleged victim of child abuse or neglect, the parents, legal counsel for the parents, foster parents, the legal guardian or custodian of the child, the guardian ad litem for the child, and the volunteer advocate for the child shall be provided notice and be permitted to attend all such meetings. Family members, other than alleged perpetrators, or other community informal or formal service providers that provide significant support to the child and other individuals may also be invited at the discretion of the parents of the child. In addition, the parents, the legal counsel for the parents, the legal guardian or custodian and the foster parents may request that other individuals, other than alleged perpetrators, be permitted to attend such team meetings. Once a person is provided notice of or attends such team meetings, the division or the convenor of the meeting shall provide such persons with notice of all such subsequent meetings involving the child. Families may determine whether individuals invited at their discretion shall continue to be invited.

[12.**] 13.** If the appropriate local division personnel determine after an investigation has begun that completing an investigation is not appropriate, the division shall conduct a family assessment and services approach. The division shall provide written notification to local law enforcement prior to terminating any investigative process. The reason for the termination of the investigative process shall be documented in the record of the division and the written notification submitted to local law enforcement. Such notification shall not preclude nor prevent any investigation by law enforcement.

[13.**] 14.** If the appropriate local division personnel determines to use a family assessment and services approach, the division shall:

(1) Assess any service needs of the family. The assessment of risk and service needs shall be based on information gathered from the family and other sources;

(2) Provide services which are voluntary and time-limited unless it is determined by the division based on the assessment of risk that there will be a high risk of abuse or neglect if the family refuses to accept the services. The division shall identify services for families where it is determined that the child is at high risk of future abuse or neglect. The division shall thoroughly document in the record its attempt to provide voluntary services and the reasons these services are important to reduce the risk of future abuse or neglect to the child. If the family continues to refuse voluntary services or the child needs to be protected, the division may commence an investigation;

(3) Commence an immediate investigation if at any time during the family assessment and services approach the division determines that an investigation, as delineated in sections 210.109 to 210.183, is

required. The division staff who have conducted the assessment may remain involved in the provision of services to the child and family;

(4) Document at the time the case is closed, the outcome of the family assessment and services approach, any service provided and the removal of risk to the child, if it existed.

[14.**] 15.** Within thirty days of an oral report of abuse or neglect, the local office shall update the information in the information system. The information system shall contain, at a minimum, the determination made by the division as a result of the investigation, identifying information on the subjects of the report, those responsible for the care of the subject child and other relevant dispositional information. The division shall complete all investigations within thirty days, unless good cause for the failure to complete the investigation is documented in the information system. If a child involved in a pending investigation dies, the investigation shall remain open until the division's investigation surrounding the death is completed. If the investigation is not completed within thirty days, the information system shall be updated at regular intervals and upon the completion of the investigation. The information in the information system shall be updated to reflect any subsequent findings, including any changes to the findings based on an administrative or judicial hearing on the matter.

[15.**] 16.** A person required to report under section 210.115 to the division and any person making a report of child abuse or neglect made to the division which is not made anonymously shall be informed by the division of his or her right to obtain information concerning the disposition of his or her report. Such person shall receive, from the local office, if requested, information on the general disposition of his or her report. Such person may receive, if requested, findings and information concerning the case. Such release of information shall be at the discretion of the director based upon a review of the reporter's ability to assist in protecting the child or the potential harm to the child or other children within the family. The local office shall respond to the request within forty-five days. The findings shall be made available to the reporter within five days of the outcome of the investigation. If the report is determined to be unsubstantiated, the reporter may request that the report be referred by the division to the office of child advocate for children's protection and services established in sections 37.700 to 37.730. Upon request by a reporter under this subsection, the division shall refer an unsubstantiated report of child abuse or neglect to the office of child advocate for children's protection and services.

[16.**] 17.** The division shall provide to any individual who is not satisfied with the results of an investigation information about the office of child advocate and the services it may provide under sections 37.700 to 37.730.

[17.**] 18.** In any judicial proceeding involving the custody of a child the fact that a report may have been made pursuant to sections 210.109 to 210.183 shall not be admissible. However:

(1) Nothing in this subsection shall prohibit the introduction of evidence from independent sources to support the allegations that may have caused a report to have been made; and

(2) The court may on its own motion, or shall if requested by a party to the proceeding, make an inquiry not on the record with the children's division to determine if such a report has been made. If a report has been made, the court may stay the custody proceeding until the children's division completes its investigation.

[18.**] 19.** In any judicial proceeding involving the custody of a child where the court determines that the child is in need of services **[**pursuant to subdivision (d)**] under paragraph (d) of subdivision (1)** of subsection 1 of section 211.031 and has taken jurisdiction, the child's parent, guardian or custodian shall

not be entered into the registry.

[19.**] 20.** The children's division is hereby granted the authority to promulgate rules and regulations pursuant to the provisions of section 207.021 and chapter 536 to carry out the provisions of sections 210.109 to 210.183.

[20.**] 21.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void."; and

Further amend said bill, Page"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 628, Page 18, Section 452.402, Line 33, by inserting after all of said line the following:

"**452.413. 1. As used in this section, the following terms shall mean:**

(1) "Deploying parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(2) "Deployment", military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) "Military parent", the legal parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction, and who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) "Nondeploying parent", a parent or guardian not subject to military deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such custody or visitation order shall further require the nondeploying parent to provide the court and the deploying parent with a thirty day advance written notice of any change of address and any change of telephone number. However, if a valid domestic violence court order from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification.

(5) Upon motion of a deploying parent, upon reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion and this shall take precedence on the court's docket.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner, or to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent shall:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Provide timely information regarding the deploying parent's leave schedule to the nondeploying parent.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a temporary hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support. Each party shall provide information to each other in an effort to facilitate agreement on custody and visitation.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days' of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and

decides to proceed in the absence of the deployed parent, the court shall appoint at the request of the deployed parent or on its own motion a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished by certified mail, return receipt requested, to the nondeploying parent's last known address based on an affidavit of the deploying parent.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 628, Pages 44-45, Section 537.351, Lines 1-38, by deleting all of said lines and inserting in lieu thereof the following:

"**537.351. 1. Except as provided in subsection 2 of this section, a possessor of real property, including an owner, lessee, or other occupant, or an agent of such owner, lessee, or other occupant, owes no duty of care to a trespasser except to refrain from harming the trespasser by an intentional, willful, or wanton act. A possessor of real property may use justifiable force to repel a criminal trespasser as provided by section 563.074.**

2. A possessor of real property may be subject to liability for physical injury or death to a trespasser in the following situations:

(1) If the trespasser is a child who is harmed by a dangerous artificial condition on the land; and

(a) The possessor knew or should have known that children were likely to trespass at the location of the condition;

(b) The condition is one which the possessor knew or reasonably should have known involved an

unreasonable risk of death or serious physical injury to such children;

(c) The injured child because of the child's youth did not discover the condition or realize the risk involved in the intermeddling with the condition or in coming within the area made dangerous by the condition;

(d) The utility to the possessor of maintaining the condition and the burden of eliminating the danger were slight as compared with the risk to the child involved; and

(e) The possessor failed to exercise reasonable care to eliminate the danger or otherwise protect the injured child; or

(2) The possessor knew or should have known that trespassers consistently intrude upon a limited area of the possessor's land where the trespasser was harmed, the harm resulted from a dangerous artificial condition on the land; and

(a) The possessor created or maintained the artificial condition that caused the injury;

(b) The possessor knew that the condition was likely to cause death or serious bodily harm to trespassers;

(c) The possessor knew or should have known that the condition was of such a nature that trespassers would not discover it; and

(d) The possessor failed to exercise reasonable care to warn trespassers of the condition and the risk involved; or

(3) If the possessor knew of the trespasser's presence on the land and failed to exercise ordinary care as to active operations carried out on the land.

3. This section does not create or increase the liability of any possessor of real property and does not affect any immunities from or defenses to liability established under state law or available under common law to which a possessor of real property may be entitled under circumstances not covered by this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 628, Page 16, Section 211.444, Line 20, by inserting after all of said section the following:

"386.510. With respect to commission orders or decisions issued on and after July 1, 2011, within thirty days after the application for a rehearing is denied, or, if the application is granted, then within thirty days after the rendition of the decision on rehearing, the applicant may file a notice of appeal with the commission, which shall also be served on the parties to the commission proceeding in accordance with section 386.515, and which **the commission** shall **[**also be filed with**] forward to** the appellate court with the territorial jurisdiction over the county where the hearing was held or in which the commission has its principal office for the purpose of having the reasonableness or lawfulness of the original order or decision or the order or decision on rehearing inquired into or determined. Except with respect to a stay or suspension pursuant to subsection 1 of section 386.520, no new or additional evidence may be introduced in the appellate court but the cause shall be heard by the court without the intervention of a jury on the evidence and exhibits introduced before the commission and certified to by it. The notice of appeal shall include the

appellant's application for rehearing, a copy of the reconciliation required by subsection 4 of section 386.420, a concise statement of the issues being appealed, a full and complete list of the parties to the commission proceeding, and any other information specified by the rules of the court. Unless otherwise ordered by the court of appeals, the commission shall, within thirty days of the filing of the notice of appeal, certify its record in the case to the court of appeals. The commission and each party to the action or proceeding before the commission shall have the right to intervene and participate fully in the review proceedings. Upon the submission of the case to the court of appeals, the court of appeals shall render its opinion either affirming or setting aside, in whole or in part, the order or decision of the commission under review. In case the order or decision is reversed by reason of the commission failing to receive testimony properly proffered, the court shall remand the cause to the commission, with instructions to receive the testimony so proffered and rejected, and enter a new order or render a new decision based upon the evidence theretofore taken, and such as it is directed to receive. The court may, in its discretion, remand any cause which is reversed by it to the commission for further action. No court in this state, except the supreme court or the court of appeals, shall have jurisdiction or authority to review, reverse, correct or annul any order or decision of the commission or to suspend or delay the executing or operation thereof, or to enjoin, restrain or interfere with the commission in the performance of its official duties. The appellate courts of this state shall always be deemed open for the trial of suits brought to review the orders and decisions of the commission as provided in the public service commission law and the same shall where necessary be tried and determined as suits in equity."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 628, Page 5, Section 56.807, Line 60, by inserting after all of said section and line, the following:

"57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands

or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section**[**; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence**]. The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year**, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars**[**, other than regular budget allocations or land sale proceeds,**] in any calendar year** shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 628, Page 3, Section 32.056, Line 19, by inserting after all of said line the following:

"50.1130. 1. **Notwithstanding the provisions of section 50.1150 to the contrary,** a death benefit of ten thousand dollars **and, in the case of an active member who dies after December 31, 2002, and before becoming vested, an amount equal to the amount of the member's accumulated contributions standing to his or her credit in the fund** shall be paid to the designated beneficiary of every active member upon his or her death or, if the member fails to designate a beneficiary, then to the member's surviving spouse or, if there is no spouse, then in equal shares to the member's surviving children. If there is neither a surviving spouse or surviving children, then the benefit shall be paid to the active member's estate.

2. If the member executes a beneficiary designation form and lists more than one beneficiary but fails

to list the percentage of benefit that each beneficiary should receive, then the benefit shall be divided equally among the named beneficiaries.

50.1140. 1. Upon termination of employment, any member with less than eight years of creditable service shall forfeit all rights in the fund, including the member's accrued creditable service as of the date of the member's termination of employment, but may receive any refund of contributions to which the member is entitled pursuant to subsection 3 of this section **or subsection 1 of section 50.1130**.

2. A member who terminates employment with at least eight years of creditable service shall be entitled to an annuity from the fund, determined in accordance with the formula described in section 50.1060. The member may elect to defer the receipt of his or her annuity, until the member's attainment of age sixty-two, or the member may elect to begin receiving his or her annuity on the first day of any month following the later of the date of termination of employment or age fifty-five. If the member begins receiving an annuity before age sixty-two and termination of employment occurs on or after age fifty-five, the annuity shall be reduced by four-tenths of one percent for each month the commencement date of the annuity precedes age sixty-two, and an additional three-tenths of one percent for each month the commencement date of the annuity precedes age sixty.

3. In the event a member ceases to be a member other than by death before the date the member becomes vested in the system, the member shall be paid, upon his or her written application filed with the board, the member's accumulated contributions standing to his or her credit in the members' deposit fund.

4. A former member who has forfeited creditable service may have the creditable service restored by again becoming an employee, completing a total of eight years of uninterrupted creditable service, and purchasing the forfeited service by paying into the fund the forfeited amount previously refunded to the participant or credited to the participant's county plus interest equal to the current prime rate plus two percent."; and

Further amend said bill, Page 6, Section 67.2010, Line 16, by inserting after all of said line the following:

"104.603. 1. Effective with transfers of service between the Missouri department of transportation and highway patrol employees' retirement system and the Missouri state employees' retirement system that occur on or after September 1, 2011, upon a reciprocal transfer of creditable or credited service pursuant to section 104.602 or subsection 8 of section 104.1021, the sending system from which the service is transferred shall pay the receiving system to which the service is transferred the present value of the accrued benefit as determined pursuant to subsection 2 of this section.

2. For purposes of this section, the present value of the accrued benefit shall be determined using the actuarial assumptions of the sending system used in that system's last regular valuation assuming active member status and using the unit credit actuarial cost method. However, in no event shall the payment amount be less than the sum of the member's accumulated contributions and interest plus any purchased service payments from the member held on deposit by the sending system. If the member had received a refund of accumulated contributions from the sending system and forfeited service credit with that system, the member would need to reestablish that service with the sending system by again becoming an active member of a system covered by this chapter and satisfying requirements otherwise stipulated for reestablishing service credit. **However, in the event the member had previously transferred service from the receiving system to the sending system which was not subject to an asset transfer under this section, then that service will be excluded from the computation of the accrued benefit. In the event**

any prior payments by a sending system under this section included an amount for previously transferred service that was not subject to this section, the receiving system shall return to the sending system the present value amount attributable to such service, including interest as determined and agreed to by both systems.

3. The service transfer shall not be deemed completed until the sending system makes payment to the receiving system as prescribed in this section. Payments shall be made within ninety days of the date that a completed transfer request is submitted by a member.

4. When the transfer payment includes an amount identified as corresponding to a member's accumulated contributions, the accumulated contributions portion shall be identified, and further, the accumulated contributions balance as of the preceding July first shall be identified and the receiving system shall be responsible for crediting interest according to the terms of the receiving plan.

5. The systems shall coordinate their plan administration for reciprocal transfers to give full effect to the transfer including the transfer and acceptance of corresponding division of benefit orders.

6. The member or survivor obtaining a reciprocal transfer of service covered by this section shall satisfy all requirements under section 104.602 or subsection 8 of section 104.1021 to obtain a transfer of credited or creditable service and shall satisfy the requirements under section 104.1091 with the receiving system to reestablish forfeited service previously accrued at either system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 628, Page 3, Section 32.056, Line 19, by inserting after all of said line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a **[**web page**]** **website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 5, 6, and 7 of this section,** the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address,

city, county, state, and zip code;

(5) **[**Any photographs of the offender**] A current photograph of the individual, which shall be taken by the registering official**;

(6) **[**A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)**]** The nature and dates of all offenses qualifying the offender to register;

[(8)**] (7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)**] (8)** Compliance status of the offender with the provisions of section 589.400 to 589.425; and

[(10)**] (9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website."; and

Further amend said bill, Page 60, Section 570.120, Line 78, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is **[**exempted**] exempt** from registering under subsection **6,** 8**, or 10** of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more

of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia,** or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within **[**three**]** **five business** days of **[**conviction**]** **adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile described in subdivision (6) of subsection 1 of this section, within five business days of adjudication or release from**

commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within **[**three**]** **five business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official**[**, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested**]**.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender**;

(3) The registrant is **exempt or is** no longer required to register **[**and his or her name shall be removed from the registry**]** under the provisions of subsection 6**, 8, or 10** this section; or

(4) The **[**registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the**]** court orders the removal **[**or exemption**]** of such person from the registry **under subsection 7, 9, or 10 of this section or section 589.401**.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. **Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:**

(1) Felonious restraint of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child; or

(2) Nonsexual child abuse that was committed under section 568.060; or

(3) Kidnapping of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**being convicted of, found guilty of, or pleading guilty or nolo contendere to committing,

attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child**] any offense listed in subsection 6 of this section** shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

8. Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:

(1) Sexual misconduct in the second degree under section 566.093; or

(2) Sexual misconduct in the third degree under section 566.095; or

(3) Promoting obscenity in the first degree under section 573.020; or

(4) Promoting obscenity in the second degree under section 573.030; or

(5) Furnishing pornographic materials to minors under section 573.040; or

(6) Public display of explicit sexual material under section 573.060; or

(7) Coercing acceptance of obscene material under section 573.065,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.**] 9.** Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register**] any offense listed in subsection 8 of this section shall be removed from the registry; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425**.

[8.**] 10.** Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section

566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.**] 11.** (1) The court may grant such relief under subsection **[**7 or 8**] 9 or 10** of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.**] 12.** Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education **[**and is not entitled to relief under the provisions of subsection 9 of this section**]**. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency **[**and is not entitled to the provisions of subsection 9 of this section**]**.

[11.**] 13.** Any person whose name is removed or **who is** exempted from the sexual offender registry under subsection **[**7 or 8**] 6, 7, 8, 9, or 10** of this section shall **[**no longer**] not** be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

14. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.

589.401. 1. Any person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name and information removed from the sexual offender registry; except that, any person having multiple offenses requiring registration under sections 589.400 to 589.425 shall not be eligible for removal from the registry until all applicable time requirements under subsections 2 and 3 of this section for all such offenses have elapsed. If the offense requiring registration was adjudicated in another state, the District of Columbia, a foreign country, or a territory, tribal, or military jurisdiction such person may file a petition in the division of the circuit court in the county in which such person resides.

2. A person who is required to register under the provisions of sections 589.400 to 589.425 for any

of the following offenses or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if twenty years has not elapsed since the date the person was required to register:

(1) Kidnapping when a sexual offense under chapter 566 was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under chapter 566 and when the victim was less than eighteen years of age and excluding kidnapping by a parent or guardian under section 565.110;

(2) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(3) Forcible rape under section 566.030;

(4) Forcible sodomy under section 566.060;

(5) Sexual trafficking of a child under section 566.212;

(6) Sexual trafficking of a child under the age of twelve, under section 566.213; or

(7) Child molestation in the first degree when it is a class A felony under section 566.067.

3. A person who is required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of this section or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if ten years has not elapsed since the date the person was required to register.

4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:

(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for one year immediately preceding the filing of the petition; or

(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for one year immediately preceding the filing of the petition.

(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Date of birth;

(e) Last four digits of the Social Security number;

(f) Address;

(g) Place of employment, school, or volunteer status;

(2) The offense that required the petitioner to register;

(3) The date the petitioner pled to, was convicted of, or was adjudicated for the offense;

(4) The date the petitioner was required to register;

(5) The date the petitioner actually registered;

(6) The case number and court, including county, that entered the original order for the adjudicated sex offense;

(7) The petitioner's fingerprints on an applicant fingerprint card;

(8) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and

(9) That the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking removal, of the petition and an opportunity to present evidence in opposition to the facts alleged in the petition. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner, including but not limited to criminal history records under section 43.530, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with such petition.

11. Except as otherwise provided under subsection 12 of this section, the court shall enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from any corresponding state or local law enforcement registry or website unless it finds that the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction:

(1) Has been adjudicated of or has charges pending for failure to register;

(2) Has been adjudicated of any additional offense which would require registration as a sexual offender and which occurred after the date such person initially registered as a sexual offender;

(3) Has charges pending for any offense which would require registration as a sexual offender;

(4) Has not successfully completed any required periods of supervised release, probation, or parole; and

(5) Has not successfully completed all appropriate sexual offender treatment, including any court-ordered treatment and any treatment ordered by the department of corrections.

12. For any person who has been convicted of a crime listed in subsection 2 of this section, the court may enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from corresponding state or local law enforcement registry or website upon the filing of a petition for removal and submission of the petitioner's completed risk assessment evaluation conducted by a licensed mental health professional unless it finds that subdivisions (1) to (5) of subsection 11 apply to the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction.

13. In order to prove the facts required by subdivisions (1), (2), and (3) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol and the Federal Bureau of Investigation.

14. Except as provided in subsection 14 of this section, if it is found that the petition is denied, a successive petition requesting such relief may be filed under this section one year after the date of such denial unless such denial is based on a subsequent conviction of a sex offense or failure to register, in which case no successive petition shall be filed.

15. If it is found that the petition is denied solely on the basis of the fact that the petitioner has pending charges and those charges are subsequently dismissed or the petitioner is subsequently acquitted of such pending charges, the petitioner may file a new petition under this section at any time after the dismissal or acquittal of such pending charges.

16. If the court finds that the petitioner is entitled to have his or her name and information removed from the sexual offender registry, the court shall enter judgment directing the respondents to remove the petitioner's name and information from all law enforcement sexual offender registries and public websites within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

17. Any person subject to judgment requiring his or her name or information to be removed from the sexual offender registry shall not be required to register or report under sections 589.400 to 589.425 unless such person is required to register and report for an offense that was committed after the judgment of removal was entered.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a **[**web page**]** **website** on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided by subsections 5, 6, and 7 of this section,** the registered sexual offender search **[**shall**]** **may** make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this

website**]**.

3. Only the information listed in this subsection **[**shall**] may** be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) **[**Any photographs of the offender**] A current photograph of the individual, which shall be taken by the registering official**;

(6) **[**A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)**]** The nature and dates of all offenses qualifying the offender to register;

[(8)**] (7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)**] (8)** Compliance status of the offender with the provisions of sections 589.400 to 589.425; **[**and**]**

[(10)**] (9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

4. The chief law enforcement officer of any county or city not within a county may **[**publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county**] give notice to any public school as defined in section 160.011, any private school giving instruction in a grade or grades not higher than the twelfth grade, any child care facility licensed under chapter 210, or any child care facility defined in section 210.201 that is exempt from state licensure but subject to state regulation under section 210.252 and holds itself out to be a child care facility, that a sex offender is residing, working, or attending school within a five mile radius of such school or child care facility. Such notice shall only include the sex offender information described in subsection 3 of this section**.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as defined in section 589.404; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website.

589.403. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**] who is required to register under sections 589.400 to 589.425** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections **[**or**],** any mental health institution**, private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall**:**

(1) If the person plans to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release**, **to the Missouri state highway patrol and** to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release**[**. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.**]; or**

(2) If the person does not reside or plan to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section or fails to register with the chief law enforcement official within five business days as directed, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.405. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**] who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall **[**obtain the address where the person expects to reside upon discharge, parole or release and shall**] make it a condition of probation that the offender** report, within **[**three**] five** business days**[**, such address**]** to the chief law enforcement official of the county **of adjudication** or city not within a county **[**where the person expects to reside, upon discharge, parole or release.**] of adjudication, to complete the initial registration. If such offender is not placed on probation, the court shall:**

(1) If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;

(2) If the offender does not reside in Missouri, the court shall:

(a) Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and

(b) Complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.

2. If the offender refuses to complete and sign the registration information as outlined in subdivision (1) of subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief law enforcement official as outlined in subdivision (2) of subsection 1 of this section, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form **shall consist of a statement in writing, including the signature of the offender and** shall include, but is not limited to the following:

(1) **[**A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;**] The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;**

(2) The date of birth of the individual to include any alias dates of birth used;

(3) The address of the individual's residence or, if the individual is homeless, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless shelter or other temporary residence;

(4) The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed, the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;

(5) The name and address of any institutions of higher education that the individual attends;

(6) The Social Security number of the individual including any alias Social Security numbers used;

(7) The telephone numbers of the individual including all landline and cellular telephone numbers used;

(8) The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;

(9) Any online identifiers as defined in section 43.651 which are used by the individual for personal purposes;

(10) The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;

(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;

(12) The age and gender of the victim and the offender at the time of the offense;

(13) If the offender was required to successfully complete appropriate sexual offender treatment, including any court-ordered treatment or any treatment ordered by the department of corrections, the date that the offender successfully completed such treatment, or a statement, that as of the date of registration, the offender has not yet successfully completed the required sexual offender treatment or has failed to successfully complete the required sexual offender treatment;

(14) The status of the individual's parole, probation, or supervised release, if applicable;

(15) Passport and immigration numbers to include expiration dates; and

(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.

2. The following shall be included with the form:

[(2)**] (1)** The fingerprints, palm prints, and a photograph of the person; **[**and**]**

(2) A current photograph of the individual to be taken by the registering official; and

(3) A DNA sample **from the individual**, if a sample has not already been obtained.

[2.**] 3.** The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:

(1) A photocopy of a valid driver's license or nondriver's identification card; **and**

(2) A document verifying proof of the offender's residency**[**; and

(3) A photocopy of the vehicle registration for each of the offender's vehicles**]**.

4. The Missouri state highway patrol shall maintain all required registration information in digitized form.

5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the

offender is either registered or required to register.

6. The offender shall be responsible for reviewing his or her existing registration information for accuracy at every regular in-person appearance and if any inaccuracies are found provide proof of the information in question. The registering law enforcement official shall, within three business days of receipt of proof from the offender regarding the inaccuracy, correct the inaccuracy on its law enforcement registry and on its public website, if any, and shall notify the Missouri state highway patrol of the change in information. The Missouri state highway patrol shall, within three business days of notification by the registering law enforcement official, correct the inaccuracy on its law enforcement registry and on its public website.

7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425, and a statement to such effect shall be included on the form that the individual is required to sign at each registration.

589.410. **1.** The chief law enforcement official shall forward the completed offender registration form to the Missouri state highway patrol within three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system, and other entities as provided by law, upon inquiry.

2. Upon receipt of each completed offender registration form, the Missouri state highway patrol shall review the information contained in the form to determine whether, according to the form, the offender will be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the registration form, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than **[**three**]** **five** business days **[**after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,**]** appear in person to the chief law enforcement officer of the county or city not within a county **[**and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days**] if there is a change to any of the following information:**

(1) Name;

(2) Residence;

(3) Employment;

(4) Student status; or

(5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall, within five business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:

(1) Vehicle information;

(2) Temporary residence information; or

(3) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.

3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.

4. The Missouri state highway patrol shall review any changes received from registering officials under subsection 3 of this section to determine whether the offender will now be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the changes, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

[2.**]** **5.** If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state**, or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state**, or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state **or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state**, or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall report in person to the chief law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

(1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;

(2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and

(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.**]** **6.** In addition to the requirements of subsections 1 **[**and**],** 2**, and 5** of this section, **[**all registrants**] any person required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction,** shall report **[**semiannually**] annually** in person in the month of their birth **[**and six months thereafter**]** to the chief law enforcement **[**agency**] official** to verify the information contained in their statement made pursuant to section 589.407**[**. All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency**] and six months thereafter shall report by mail on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender**.

7. In addition to the requirements of subsections 1, 2, and 5 of this section, any person required to register under the provisions of sections 589.400 to 589.425 for any offenses listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition, such offenders shall report by mail ninety days after each in-person report on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.

[5.**] 8.** In addition to the requirements of subsections 1 **[**and**],** 2**, and 5** of this section, all Missouri registrants who work**, including as a volunteer or unpaid intern,** or attend **any** school **[**or training**], whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education** on a full-time or part-time basis in any other state shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

[6. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.**]**

9. Whenever any person reports under the provisions of this section in person and in the month of their birth, the registering law enforcement official shall take a current photograph of the offender."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 628, Page 41, Section 513.430, Line 87, by inserting after all of said line the following:

"**513.432. 1. This section shall be known and may be cited as the "Senior's Retirement Protection Act".**

2. Notwithstanding any other provision of law to the contrary, any person age sixty-two years of age or older, together with his or her spouse if applicable, owning a home which is such person's

primary residence shall have exempt from attachment or execution the home's value up to one hundred twenty-five thousand dollars. If more than one home owner claims an exemption under this section, the exemption allowed in the aggregate shall not exceed the total exemption allowed under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 628, Page 51, Section 542.301, Line 176, by after all of said line and section inserting the following:

"544.455. 1. Any person charged with a bailable offense, at his or her appearance before an associate circuit judge or judge may be ordered released pending trial, appeal, or other stage of the proceedings against him on his personal recognizance, unless the associate circuit judge or judge determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the associate circuit judge or judge may either in lieu of or in addition to the above methods of release, impose any or any combination of the following conditions of release which will reasonably assure the appearance of the person for trial:

(1) Place the person in the custody of a designated person or organization agreeing to supervise him;

(2) Place restriction on the travel, association, or place of abode of the person during the period of release;

(3) Require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof **by a defendant or a third party; however, under article I, section 20 of the Missouri Constitution, the court shall accept in lieu of a cash only bond a guarantee from any surety who is in compliance with general laws regulating such profession**;

(4) Require the person to report regularly to some officer of the court, or peace officer, in such manner as the associate circuit judge or judge directs;

(5) **[**Require the execution of a bond in a given sum and the deposit in the registry of the court of ten percent, or such lesser percent as the judge directs, of the sum in cash or negotiable bonds of the United States or of the state of Missouri or any political subdivision thereof;

(6)**]** Place the person on house arrest with electronic monitoring, except that all costs associated with the electronic monitoring shall be charged to the person on house arrest. If the judge finds the person unable to afford the costs associated with electronic monitoring, then the judge shall not order that the person be placed on house arrest with electronic monitoring;

[(7)**] (6)** Impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

2. In determining which conditions of release will reasonably assure appearance, the associate circuit judge or judge shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or flight to avoid prosecution or failure to appear at court proceedings.

3. An associate circuit judge or judge authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

4. A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the condition reviewed by the associate circuit judge or judge who imposed them. The motion shall be determined promptly.

5. An associate circuit judge or judge ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release; except that, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection 4 **of this section** shall apply.

6. Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

7. Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

8. Persons charged with violations of municipal ordinances may be released by a municipal judge or other judge who hears and determines municipal ordinance violation cases of the municipality involved under the same conditions and in the same manner as provided in this section for release by an associate circuit judge.

9. A circuit court may adopt a local rule authorizing the pretrial release on electronic monitoring pursuant to subdivision (5) of subsection 1 of this section in lieu of incarceration of individuals charged with offenses specifically identified therein. "; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 12

Amend House Amendment No. 12 to House Committee Substitute for Senate Bill No. 628 Page 5, Line 5, by inserting after all of said line the following:

"Further amend said bill, Page 6, Section 67.2010, Line 16, by inserting after all of said section and line the following:

"135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and

(2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last

decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; **[**and**]**

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

(a) The state of Missouri over the previous twelve months; or

(b) The county or city not within a county over the previous twelve months**; and**

(5) No finding of blight under this chapter shall be used to meet the conditions for blight under any other statute of this state.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

(1) The potential to create sustainable jobs in a targeted industry; or

(2) A demonstrated impact on local industry cluster development.

5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950."; and

Further amend said bill, Page 58, Section 570.120, Line 21, by inserting after all of said section and line

the following:

"Section 1. Whenever the fiscal body of one (1) or more eligible entities, acting individually or jointly, adopts an ordinance or a resolution in favor of the establishment of an airport authority under this chapter, there is established an airport authority. The authority has jurisdiction over a district with boundaries conterminous with the jurisdictional boundaries of the entity or entities adopting the ordinance or resolution. The authority must have a name including the words "airport authority.""; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 628, Page 5, Section 67.136, Line 8, by after all of said line inserting the following:

"67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

(a) Acquisition of land;

(b) Installation of infrastructure for industrial or business parks;

(c) Improvement of water and wastewater treatment capacity;

(d) Extension of streets;

(e) Public facilities directly related to economic development and job creation; and

(f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

(a) Marketing;

(b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;

(c) Training programs to prepare workers for advanced technologies and high skill jobs;

(d) Legal and accounting expenses directly associated with the economic development planning and preparation process;

(e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of **at least** five members, **but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are** to be appointed as follows:

(a) One member **of a five member board, or two members of a nine member board,** shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member **or members** shall be appointed in any manner agreed upon by the affected districts;

(b) Three members **of a five member board, or five members of a nine member board,** shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member **of a five member board, or two members of a nine member board,** shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, **except that when a nine member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years,** and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the

original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 628, Page 36, Section 488.2250, Line 16, by deleting the words, "**and sixty cents**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 2170, regarding Bill Rohde, Kirksville, which was adopted.

Senator Purgason offered Senate Resolution No. 2171, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Robert John Miller, Sykesville, Maryland, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Purgason introduced to the Senate, the Physician of the Day, Dr. David Barbe, Mountain Grove.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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SIXTY-NINTH DAY–THURSDAY, MAY 10, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1245
HCS for HB 1526
HCS for HB 1803
HB 1455-Gatschenberger, et al
HCS for HB 1710
HCS for HB 1049
HCS for HB 1639
HCS for HB 1988
HCS for HB 1854
HCS for HB 1900

THIRD READING OF SENATE BILLS

SS#3 for SCS for SB 710-Engler

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS
SB 745-Lembke
SB 765-Schaefer
SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

HB 1051-Allen, et al, with SCS (Lager) (In Fiscal Oversight)
HB 1403-Schatz, et al (Dempsey) (In Fiscal Oversight)
HB 1318-Riddle, et al (Kehoe) (In Fiscal Oversight)
HCS for HB 1640, with SCS (Stouffer) (In Fiscal Oversight)
HCS for HB 1498, with SCS (Schmitt) (In Fiscal Oversight)
HCS for HJR 41 (Green) (In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 795-Callahan, et al, with SCS

SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HB 1036-Dugger, with SCS (Engler)
HCS for HB 1072, with SCS (Brown)
HCS for HB 1094, with SCS & SA 1 (pending) (Munzlinger)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HCS for HB 1123 (Brown)
HCS for HB 1140, with SCS (Cunningham)
HCS for HB 1150, with SCS (Brown)
HB 1170-Franz, with SCS (Parson)
HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 2 to SSA 1 for SA 1 (pending) (Pearce)
HB 1192-Koenig, et al (Cunningham)
HCS for HB 1193, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 3 to SSA 1 for SA 1 (pending) (Engler)
HCS#2 for HB 1317, with SCS (Schaefer)
SCS for HB 1331-Jones (117), et al (Kehoe) (In Fiscal Oversight)
HB 1337-Stream, with SCS (Brown)
HCS for HB 1361 (Lager)
HCS for HB 1402, with SCS & SS for SCS (pending) (Stouffer)
HCS for HB 1563, with SCS (Wasson)
HCS for HB 1623, with SCS, SS#2 for SCS & SA 12 (pending) (Schmitt)
HCS for HB 1644 (Purgason)
HCS for HB 1722 (Pearce)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 455-Pearce, with HCS, as amended
SCS for SB 566-Brown, with HA 1 & HA 2
SB 578-Parson, with HCS, as amended
SCS for SB 591-Parson, with HCS, as amended
SS for SCS for SB 595-Kraus, with HCS
SB 628-Schaefer, with HCS, as amended
SS for SCS for SB 699-Goodman, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5, as amended & HA 6
SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8
SB 568-Parson, with HCS, as amended (Senate adopted CCR and passed CCS)
SCS for SB 569-Kraus, with HCS, as amended
SB 611-Lembke, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8
SS for SCS for SB 719-Kehoe, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6
HB 1073 & HCS for HB 1477-Sater, with SS for SCS, as amended (Munzlinger)
HCS for HB 2002, with SS for SCS (Schaefer)
HCS for HB 2003, with SS for SCS (Schaefer)
HCS for HB 2004, with SS for SCS (Schaefer)
HCS for HB 2005, with SS for SCS (Schaefer)
HCS for HB 2006, with SS for SCS, as amended (Schaefer)
HCS for HB 2007, with SS for SCS (Schaefer)
HCS for HB 2008, with SS for SCS (Schaefer)
HCS for HB 2009, with SS for SCS (Schaefer)
HCS for HB 2010, with SS for SCS (Schaefer)
HCS for HB 2011, with SS for SCS, as amended (Schaefer)
HCS for HB 2012, with SS for SCS (Schaefer)
HCS for HB 2013, with SS for SCS (Schaefer)

Requests to Recede or Grant Conference

SS for SCS for SB 467-Munzlinger, with HCS, as amended (Senate requests House recede or grant conference)
SS for SCS for SB 470-Dixon, with HCS, as amended (Senate requests House recede and pass the bill)
SCS for SB 498-Munzlinger and Justus, with HCS, as amended (Senate requests House recede or grant conference)
SCS for SB 715-Kraus, with HA 1 & HA 2 (Senate requests House recede and pass the bill)
SB 736-Engler, with HA 1 (Senate requests House recede or grant conference)
HB 1135-Smith (150), et al, with SCS, as amended (Dixon) (House requests Senate recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al

SR 1762-Schmitt
HCR 12-Davis, et al (Brown)
HCR 22-Walton Gray, et al (Chappelle-Nadal)
HCR 25-Allen, et al (Dixon)
HCR 31-Schieffer, et al (Rupp)
HCR 42-Rowland, et al
HCR 43-Franklin (Purgason)
HCR 46-Franklin, et al (Purgason)
HCR 49-Fallert, et al (Engler)

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Journal of the Senate

SECOND REGULAR SESSION

SIXTY-NINTH DAY—THURSDAY, MAY 10, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"Those of steadfast mind you keep in peace - in peace because they trust in you." (Isaiah 26:3)

Heavenly Father, we know that You have taught us that those who love You commit themselves to You and trust You completely. We pray that You grant us peace and fill us with Your grace. And we pray that we might confidently share ourselves with those You have placed in our lives and give more completely with our hearts, minds and souls. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 2172, regarding the Nixa Sucker Day 2012 festivities,

which was adopted.

Senator Wasson offered Senate Resolution No. 2173, regarding Lieutenant General Marc E. Rogers, which was adopted.

PRIVILEGED MOTIONS

Senator Dixon moved that the Senate refuse to recede from its position on **SCS** for **HB 1135**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Brown moved that the Senate refuse to concur in **HA 1** and **HA 2** to **SCS** for **SB 566** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Pearce moved that the Senate refuse to concur in **HCS** for **SB 455**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Parson moved that the Senate refuse to concur in **HCS** for **SB 578**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kehoe assumed the Chair.

Senator Pearce assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **HCS** for **HB 1498**, with **SCS**; **HB 1051**, with **SCS**; **SCS** for **HB 1331**; and **HB 1403**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Dempsey announced photographers from the Columbia Tribune were given permission to take pictures in the Senate Chamber.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SS** for **SCS** for **HB 1073** and **HCS** for **HB 1477**, as amended. Representatives: Smith (150), Loehner, Sater, Shively and Quinn.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 635**, entitled:

An Act to repeal sections 30.270, 228.368, 339.1115, and 362.333, RSMo, and to enact in lieu thereof seven new sections relating to financial transactions.

With House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5, House

Amendment No. 5, as amended, House Amendment Nos. 6, 7, 8 and 10.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 6, Section 228.369, Line 20, by deleting the word, "**apportionment**" and inserting in lieu thereof the word, "**appointment**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 6, Section 228.374, Line 9, by inserting after all of said section and line, the following:

"339.500. This act shall be known and may be cited as the "Missouri Certified and Licensed Real Estate Appraisers **and Appraisal Management Company Regulation** Act".

339.501. 1. Beginning July 1, 1999, it shall be unlawful for any person in this state to act as a real estate appraiser, or to directly or indirectly, engage or assume to engage in the business of real estate appraisal or to advertise or hold himself or herself out as engaging in or conducting such business without first obtaining a license or certificate issued by the Missouri real estate appraisers commission as provided in sections 339.500 to 339.549.

2. **Except for licenses issued to appraisal management companies under section 339.511,** no license or certificate shall be issued pursuant to sections 339.500 to 339.549 to a partnership, association, corporation, firm or group; except that, nothing in this section shall preclude a state-licensed or state-certified real estate appraiser from rendering appraisals for, or on behalf of, a partnership, association, corporation, firm or group, provided the appraisal report is prepared by, or under the immediate personal direction of the state-licensed or state-certified real estate appraiser and is reviewed and signed by such state-licensed or state-certified appraiser.

3. Any person who is not state licensed or state certified pursuant to sections 339.500 to 339.549 may assist a state-licensed or state-certified real estate appraiser in the performance of an appraisal; provided that, such person is personally supervised by a state-licensed or state-certified appraiser and provided further that any appraisal report rendered in connection with the appraisal is reviewed and signed by the state-licensed or state-certified real estate appraiser.

4. Nothing in sections 339.500 to 339.549 shall abridge, infringe upon or otherwise restrict the right to use the term "certified ad valorem tax appraiser" or any similar term by persons performing ad valorem tax appraisals.

5. The provisions of sections 339.500 to 339.549 shall not be construed to require a license or certificate for:

(1) Any person, partnership, association or corporation who, as owner, performs appraisals of property owned by such person, partnership, association or corporation;

(2) Any licensed real estate broker or salesperson who prepares a comparative market analysis or a broker price opinion;

(3) Any employee of a local, state or federal agency who performs appraisal services within the scope of his or her employment; except that, this exemption shall not apply where any local, state or federal

agency requires an employee to be registered, licensed or certified to perform appraisal services;

(4) Any employee of a federal or state-regulated lending agency or institution;

(5) Any agent of a federal or state-regulated lending agency or institution in a county of third or fourth classification.

339.503. As used in sections 339.500 to 339.549, the following words and phrases mean, unless the context clearly indicates otherwise:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal assignment", an engagement for which a person is employed or retained to act as a disinterested third party in rendering an objective appraisal;

(3) **"Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work produced or certified by persons licensed under sections 339.500 to 339.549 who produces appraisals;**

(4) "Appraisal foundation", the organization of the same name that was incorporated as an Illinois not-for-profit corporation on November 20, 1987, whose operative boards are the appraisal standards board and the appraiser qualifications board;

(5) "Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;

(6) "Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:

(a) Administer an appraiser panel;

(b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;

(c) Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;

(d) Track and determine the status of orders for appraisals performed by appraisers who are part of an appraisal panel;

(e) Conduct quality control of a completed appraisal performed by an appraiser who is part of an appraisal panel prior to the delivery of the appraisal to the person who ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser who is part of an appraisal panel to one or more persons who have ordered an appraisal;

[(4)**] (7)** "Appraisal report", any communication, written or oral, of an appraisal. The purpose of an appraisal is immaterial, therefore valuation reports, real estate counseling reports, real estate tax counseling reports, real estate offering memoranda, mortgage banking offers, highest and best use studies, market demand and economic feasibility studies and all other reports communicating an appraisal analysis, opinion

or conclusion are appraisal reports, regardless of title;

[(5)**] (8)** "Appraisal standards board (ASB)", the independent board of the appraisal foundation which promulgates the generally accepted standards of the appraisal profession and the uniform standards of professional appraisal practices;

(9) "Appraiser", an individual who holds a license as a state-licensed real estate appraiser or certification as a state-certified real estate appraiser under sections 339.500 to 339.549;

(10) "Appraiser panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons who have ordered appraisals through the appraisal management company, or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company, or to perform appraisals for the appraisal management company directly;

[(6)**] (11)** "Appraiser qualifications board (AQB)", the independent board of the appraisal foundation which establishes minimum experience, education and examination criteria for state licensing of appraisers;

[(7)**] (12)** "Boat dock", a structure for loading and unloading boats and connecting real property to water, public or private. A boat dock is real property and has riparian rights, provided:

(a) The lender includes the boat dock as a fixture both in the lender's deed of trust and a uniform commercial code fixture filing under section 400.9-502;

(b) The boat dock is attached to the real property by steel cable, bar, or chain that is permanently imbedded in concrete or rock, and otherwise securely attached to the dock; and

(c) The owner of the dock has riparian rights by means of real estate rights bordering the body of water, including such rights by license, grant, or other means allowing access to the body of water, which access may be seasonal because the water may be reduced for electric power production or flood control;

[(8)**] (13)** "Boat slip" or "watercraft slip", a defined area of water, including the riparian rights to use such area, whether by grant, lease, or license, in accordance with all applicable laws and regulations, which is a part of a boat dock serving a common interest community, including by way of example and not of limitation condominiums and villas; and the exclusive right to such use being allocated as a limited common element or being assigned to an owner of real estate in the common interest community in which the boat dock is located, whether by grant, lease, or otherwise. The rights of the real estate owner in such slip are included as collateral in any deed of trust and uniform commercial code filings of a lender, if any, taking a security interest in the owner's real estate;

[(9)**] (14)** "Broker price opinion", an opinion of value, prepared by a real estate licensee for a fee, that includes, but is not limited to, analysis of competing properties, comparable sold properties, recommended repairs and costs or suggested marketing techniques. A broker price opinion is not an appraisal and shall specifically state it is not an appraisal;

[(10)**] (15)** "Certificate", the document issued by the Missouri real estate appraisers commission evidencing that the person named therein has satisfied the requirements for certification as a state-certified

real estate appraiser and bearing a certificate number assigned by the commission;

[(11)**] (16)** "Certificate holder", a person certified by the commission pursuant to the provisions of sections 339.500 to 339.549;

[(12)**] (17)** "Certified appraisal report", an appraisal prepared or signed by a state-certified real estate appraiser. A certified appraisal report represents to the public that it meets the appraisal standards defined in sections 339.500 to 339.549;

[(13)**] (18)** "Commission", the Missouri real estate appraisers commission, created in section 339.507;

[(14)**] (19)** "Comparative market analysis", the analysis of sales of similar recently sold properties in order to derive an indication of the probable sales price of a particular property undertaken by a licensed real estate broker or agent, for his or her principal. A comparative market analysis is not an appraisal and shall specifically state it is not an appraisal;

(20) "Controlling person":

(a) An owner, officer, or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

[(15)**] (21)** "Disinterested third party" shall not exclude any state-certified real estate appraiser or state-licensed real estate appraiser employed or retained by any bank, savings association, credit union, mortgage banker or other lender to perform appraisal assignments, provided that the appraisal assignments are rendered with respect to loans to be extended by the bank, savings association, credit union, mortgage banker or other lender, and provided further that the state-certified real estate appraiser or state-licensed real estate appraiser is not requested or required to report a predetermined analysis or opinion of value;

[(16)**] (22)** "License" or "licensure", a license or licensure issued pursuant to the provisions of sections 339.500 to 339.549 evidencing that the person **or other legal entity** named therein has satisfied the requirements for licensure as a state-licensed real estate appraiser **or licensed appraisal management company** and bearing a license number assigned by the commission;

(23) "Licensed appraisal management company", a person or other legal entity who holds a current valid license as a licensed appraisal management company under sections 339.500 to 339.549;

[(17)**] (24)** "Real estate", an identified parcel or tract of land, including improvements, if any;

[(18)**] (25)** "Real estate appraiser" or "appraiser", a person who for a fee or valuable consideration develops and communicates real estate appraisals or otherwise gives an opinion of the value of real estate or any interest therein;

[(19)**] (26)** "Real estate appraising", the practice of developing and communicating real estate appraisals;

[(20)**] (27)** "Real property", the interests, benefits and rights inherent in the ownership of real estate;

[(21)**] (28)** "Residential real estate", any parcel of real estate, improved or unimproved, that is primarily residential in nature and that includes or is intended to include a residential structure containing not more than four dwelling units and no other improvements except those which are typical residential improvements that support the residential use for the location and property type. A residential unit is a condominium, town house or cooperative complex, or a planned unit development is considered to be residential real estate. Subdivisions are not considered residential real estate. Individual parcels of property located within a residential subdivision shall be considered residential property;

[(22)**] (29)** "Specialized appraisal services", appraisal services which do not fall within the definition of appraisal assignment. The term "specialized services" may include valuation work and analysis work. Regardless of the intention of the client or employer, if the appraiser is acting as a disinterested third party in rendering an unbiased analysis, opinion or conclusion, the work is classified as an appraisal assignment and not specialized services;

(30) "State-certified general appraiser trainee", a person who holds a current valid certificate as a state-certified general appraiser trainee issued under sections 339.500 to 339.539;

[(23)**] (31)** "State-certified general real estate appraiser", a person who holds a current, valid certificate as a state-certified general real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;

(32) "State-certified residential appraiser trainee", a person who holds a current valid certificate as a state-certified residential appraiser trainee under sections 339.500 to 339.539;

[(24)**] (33)** "State-certified residential real estate appraiser", a person who holds a current, valid certificate as a state-certified residential real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;

(34) "State-licensed appraiser trainee", a person who holds a current valid license as a state-licensed appraiser trainee under sections 339.500 to 339.549;

[(25)**] (35)** "State-licensed real estate appraiser", a person who holds a current, valid license as a state-licensed real estate appraiser pursuant to the provisions of sections 339.500 to 339.549;

[(26)**] (36)** "Subdivision", a tract of land that has been divided into blocks or plots with streets, roadways, open areas and other facilities appropriate to its development as residential, commercial or industrial sites;

[(27)**] (37)** "Temporary appraiser licensure or certification", the issuance of a temporary license or certificate by the commission to a person licensed or certified in another state who enters this state for the purpose of completing a particular appraisal assignment.

339.505. 1. It shall be unlawful for any person in this state to assume or use the title "state-licensed real estate appraiser" or "state-certified real estate appraiser", or any title, designation or abbreviation likely to create the impression of licensure or certification by the state of Missouri as a real estate appraiser, unless the person has first been licensed or certified by the Missouri real estate appraisers commission pursuant to the provisions of sections 339.500 to 339.549. The commission may adopt for the exclusive use of persons licensed or certified pursuant to sections 339.500 to 339.549, a seal, symbol or other mark identifying the user as a state-licensed or state-certified real estate appraiser.

2. Any person certified as a real estate appraiser by an appraisal trade organization, on August 28, 1998,

shall retain the right to use the term "certified" or any similar term in identifying himself or herself to the public; provided that, in each instance wherein such term is used, the name of the certifying organization or body is prominently and conspicuously displayed immediately adjacent to such term, and provided further that the use of such term does not create the impression of certification by the state of Missouri. Nothing in this section shall entitle any person certified only by a trade organization, and not certified or licensed by the state, the right to conduct any appraisal.

3. The term "state-licensed real estate appraiser", "state-certified real estate appraiser" or any similar term shall not be used following or immediately in connection with the name of a partnership, association, corporation or other firm or group or in such manner that it might create the impression of licensure or certification by the state of Missouri as a real estate appraiser.

4. No person shall, directly or indirectly, engage or attempt to engage in the business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.500 to 339.549; except for:

(1) The performance of services as an appraisal firm;

(2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the Missouri department of insurance, financial institutions and professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution;

(3) An appraisal management company that is a subsidiary owned and controlled by a financial institution and regulated by a federal institution regulatory agency;

(4) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;

(5) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;

(6) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.

339.509. The commission shall have the following powers and duties:

(1) To establish educational programs and research projects related to the appraisal of real estate;

(2) To establish administrative procedures for processing applications and issuing **trainee licenses,** certificates of state-certified real estate appraisers **[**and**],** licenses of state-licensed real estate appraisers**, and licenses of appraisal management companies,** and for conducting disciplinary proceedings pursuant to the provisions of sections 339.500 to 339.549 **or as required by federal law or regulation**; and shall have authority to determine who meets the criteria for certification and licensure, and shall have authority to

renew, censure, suspend or revoke certifications and licenses;

(3) To further define by regulation, with respect to each category of **trainee,** state-certified real estate appraiser, and for state-licensed real estate appraisers **and for appraisal management companies**, the type of educational experience, appraisal experience and equivalent experience**, and other criteria** that will meet the statutory requirements of sections 339.500 to 339.549 **or as required by federal law or regulation**; provided that such standards shall be equivalent to the minimum criteria for certification and licensure issued by the appraiser qualifications board of the appraisal foundation and the provisions of section 339.517 **or as required by federal law or regulation**;

(4) To further define by regulation, with respect to each category of **trainee,** state-certified real estate appraiser, and for state-licensed real estate appraisers, the continuing education requirements for the renewal of certification and licensure that will meet the statutory requirements provided in section 339.530 **or as required by federal law or regulation**;

(5) To adopt standards for the development and communication of real estate appraisals and to adopt regulations explaining and interpreting the standards; provided that such standards shall meet the standards specified by the appraisal standards board of the appraisal foundation **or as required by federal law or regulation**;

(6) To establish an examination for each category of state-certified real estate appraiser, and for state-licensed real estate appraisers, to provide or procure appropriate examination questions and answers, and to establish procedures for grading examinations; provided that such standards for examinations for certification shall meet the minimum criteria specified by the appraiser qualifications board of the appraisal foundation **or as required by federal law or regulation**;

(7) To maintain a registry of the names and addresses of **trainees,** state-certified real estate appraisers **[**and**],** state-licensed real estate appraisers**, and appraisal management companies**; **[**and**]**

(8) To perform such other functions and duties as may be necessary to carry out the provisions of sections 339.500 to 339.549 **or to comply with the requirements of federal law or regulation; and**

(9) To establish by rule the standards of practice for appraisal management companies.

339.511. 1. There shall be **[**three**] six** classes of licensure for individuals including:

(1) **[**State licensed real estate appraiser**] State-licensed appraiser trainee**;

(2) **[**Certified residential real estate appraiser; and**] State-licensed real estate appraiser;**

(3) **[**Certified general real estate appraiser**] State-certified residential appraiser trainee;**

(4) State-certified residential real estate appraiser;

(5) State-certified general appraiser trainee; and

(6) State-certified general real estate appraiser.

2. **There shall be one class of license for appraisal management companies.**

3. Persons desiring to obtain licensure as a **state-licensed appraiser trainee,** state-licensed real estate appraiser **[**or**], state-certified residential appraiser trainee,** certification as a **[**certified**] state-certified** residential **real estate appraiser, state-certified general appraiser trainee,** or **[**certified**] state-certified** general real estate appraiser shall make written application to the commission on such forms as are

prescribed by the commission setting forth the applicant's qualifications for licensure or certification and present to the commission satisfactory proof that the person is of good moral character and bears a good reputation for honesty, integrity and fair dealing.

[3.**]** **4.** Each applicant for licensure as a **state-licensed appraiser trainee,** state-licensed real estate appraiser, **a state-certified residential appraiser trainee,** a state-certified residential real estate appraiser**, a state-certified general appraiser trainee,** or a state-certified general real estate appraiser shall have demonstrated the knowledge and competence necessary to perform appraisals of residential and other real estate as the commission may prescribe by rule not inconsistent with any requirements imposed by the appraiser qualifications board. The commission shall prescribe by rule procedures for obtaining and maintaining approved courses of instruction. The commission shall, also, prescribe the hours of training in real estate appraisal practices and the minimum level of experience acceptable for licensure or certification.

[4.**]** **5.** Persons who receive certification after March 30, 1991, or who have a state license or certificate to engage in business as a real estate appraiser issued by the commission, shall receive the same license or certificate from the commission as such persons are currently holding without further education, experience, examination or application fee, but shall be required to meet all continuing education requirements prescribed by the commission.

6. Appraisal management companies desiring to obtain licensure shall:

(1) Make application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure;

(2) Remit the fee or fees as established by rule;

(3) Post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars as further promulgated by rule; and

(4) Submit to the commission satisfactory proof that any controlling person, defined in section 339.503, is of good moral character and bears a good reputation for honesty, integrity, and fair dealing.

339.513. 1. Applications for examination, original certification and licensure, and renewal certification and licensure shall be made in writing to the commission on forms provided by the commission. The application shall specify the classification of certification, or licensure, for which application is being made.

2. Appropriate fees shall accompany all applications for examination, original certification or licensure, and renewal certification or licensure; provided that such fees shall be in amounts set by the commission in order to offset the cost and expense of administering sections 339.500 to 339.549, and in amounts to be determined by the commission with reference to the requirements of Section 1109 of the United States Public Law 101-73, as later codified and as may be amended. All fees collected pursuant to this subsection shall be collected by the commission and deposited with the state treasurer into a fund to be known as the "Missouri Real Estate Appraisers **and Appraisal Management Company** Fund". The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year.

In any proceeding in which a remedy provided by subsection 1 or 2 of section 339.532 is imposed, the commission may also require the respondent licensee to pay the costs of the proceeding if the commission is a prevailing party or in settlement. The moneys shall be placed in the state treasury to the credit of the Missouri real estate appraisers fund.

3. At the time of filing an application for certification or licensure, each applicant shall sign a pledge to comply with the standards set forth in sections 339.500 to 339.549 and state that he or she understands the types of misconduct for which disciplinary proceedings may be initiated **[**against a state-certified real estate appraiser or a state-licensed real estate appraiser**]**.

339.515. 1. An original certification as a state-certified real estate appraiser may be issued to any person who meets the qualification requirements for certification and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state certification examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

2. An original license as a state-licensed real estate appraiser may be issued to any person who meets the qualification requirements for licensure and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state licensure examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

3. If an applicant**, other than an appraisal management company,** is not certified or licensed within two years after passing an examination given pursuant to the provisions of this section, he or she shall be required to retake the examination prior to certification or licensure.

4. An applicant**, other than an appraisal management company,** who has failed an examination taken pursuant to this section may apply for reexamination by submitting an application with the appropriate examination fee within ninety days after the date of having last taken and failed the examination.

339.517. 1. Any person who files with the commission an application for state licensure or certification as a real estate appraiser shall be required to pass an examination to demonstrate his or her competence. The commission shall, also, make such investigation as is required to verify such qualifications. If the results of the investigation are satisfactory to the commission and the applicant is otherwise qualified, then the commission shall issue to the applicant a license or certificate authorizing the applicant to act as a state-licensed real estate appraiser or a state-certified real estate appraiser in Missouri. If the results of the investigation are unsatisfactory, action on the application may be deferred pending a hearing before the real estate appraisal commission.

2. The commission shall promulgate and adopt regulations which prescribe and define the subjects related to real estate appraisal and the experience in real estate appraisal that will satisfy the qualification requirements for licensure or certification. The commission may approve courses of instruction in an accredited college or university relating to the appraisal of real estate and related disciplines including, but not limited to, economics, finance, statistics, principles of capitalization, real estate and such other areas deemed relevant by the commission. The commission may also approve similar courses of instruction offered by recognized professional appraisal organizations and real estate organizations and agencies of the state and federal government, and other qualified providers which may be approved by the commission. The commission may require by rule that some or all of an applicant's qualifying experience in real estate appraising be obtained on appraisals of real estate located in this state.

3. Each applicant for certification or licensure**, except for appraisal management companies,** shall

furnish under oath a detailed statement of the real estate appraisal assignments or file memoranda for each year in which real estate appraisal experience is claimed by the applicant. Upon request, the applicant shall furnish to the commission a sample of appraisal reports or file memoranda which the applicant has prepared in the course of his or her appraisal practice.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

339.525. 1. To obtain a renewal certificate or license, a state certified real estate appraiser or state licensed real estate appraiser shall make application and pay the prescribed fee to the commission not earlier than one hundred twenty days nor later than thirty days prior to the expiration date of the certificate or license then held. With the application for renewal, the state certified real estate appraiser or state licensed real estate appraiser shall present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530.

2. **[**If the commission determines that a state certified real estate appraiser or state licensed real estate appraiser has failed to meet the requirements for renewal of certification or licensure through mistake, misunderstanding, or circumstances beyond the appraiser's control, the commission may extend the term of the certificate or license for good cause shown for a period not to exceed six months, upon payment of a prescribed fee for the extension.

3.**]** If a person is otherwise eligible to renew the person's certification or license, the person may renew an expired certification or license within two years from the date of expiration. To renew such expired certification or license, the person shall submit an application for renewal, pay the renewal fee, pay a delinquent renewal fee as established by the commission, and present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530. Upon a finding of extenuating circumstances, the commission may waive the payment of the delinquent fee.

[4.**]** **3.** If a person has failed to renew the person's license within two years of its expiration, the license shall be void.

[5.**]** **4.** The commission is authorized to issue an inactive certificate or license to **[**any licensee**]** **a state-certified real estate appraiser or a state-licensed real estate appraiser** who makes written application for such on a form provided by the commission and remits the fee for an inactive certificate or license established by the commission. An inactive certificate or license may be issued only to a person who has previously been issued a certificate or license to practice as a real estate appraiser in this state, who is no longer regularly engaged in such practice, and who does not hold himself or herself out to the public as being professionally engaged in such practice in this state. Each inactive certificate or license shall be subject to all provisions of this chapter, except as otherwise specifically provided. Each inactive certificate or license may be renewed by the commission subject to all provisions of this section and all other provisions of this chapter. An inactive licensee may apply for a certificate or license to regularly engage in the practice of real estate appraising upon filing a written application on a form provided by the commission, submitting the reactivation fee established by the commission and submitting satisfactory proof of current

competency as established by the commission.

5. To obtain a renewal license, an appraisal management company shall make application on a form prescribed by the commission and pay the prescribed fee.

6. To obtain a renewal license, a state-licensed appraiser trainee, state-certified residential appraiser trainee, or state-certified general appraiser trainee shall request an extension in writing at least thirty days prior to the expiration date as required by rule.

339.527. 1. **[**A certificate or license issued pursuant to sections 339.500 to 339.549 shall bear the signature or facsimile signature of the chairman of the commission and a certificate or license number assigned by the commission.

2.**]** A state-certified real estate appraiser may designate or identify an appraisal report rendered by him or her as a certified appraisal for the type of property included in his or her certification.

[3.**] 2.** Each state-certified real estate appraiser or state-licensed real estate appraiser shall place the certificate or license number adjacent to or immediately below the designation "Missouri State-certified (Residential/General) Real Estate Appraiser" or "Missouri State-licensed Real Estate Appraiser" when used in an appraisal report or in a contract or other instrument used by the holder of the certificate or license in conducting an appraisal assignment or specialized appraisal services. **A state-licensed real estate appraiser trainee, state-certified residential appraiser trainee, and state-certified general appraiser trainee shall place his or her license number adjacent to or immediately below the title "state-licensed appraiser trainee", "state-certified residential appraiser trainee", or "state-certified general appraiser trainee".**

3. Each appraisal management company shall be required to disclose its license number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.

4. The terms "Missouri State-certified (Residential/General) Real Estate Appraiser" **[**and**],** "Missouri State-licensed Real Estate Appraiser"**, "Missouri State-licensed Appraiser Trainee", "Missouri State-certified Residential Appraiser Trainee", and "Missouri State-certified General Appraiser Trainee"** may only be used to refer to individuals who hold a certificate or license and may not be used following or immediately in connection with the name or signature of a firm, partnership, corporation, or group or in such manner that it might be interpreted as referring to certification or licensure of the firm, partnership, corporation, group, or to certification or licensure of anyone other than an individual holder of the certificate or license.

5. **Except for licensed appraisal management companies,** a certificate or license shall be issued pursuant to sections 339.500 to 339.549 only to a natural person. However, nothing in this section shall preclude a state-certified real estate appraiser or state-licensed real estate appraiser from rendering appraisals for or on behalf of a corporation, partnership or association, provided that the appraisal report is prepared by, or under the immediate direction of, a state-certified real estate appraiser or state-licensed real estate appraiser, and further provided that the appraisal report is signed by the state-certified real estate appraiser or state-licensed real estate appraiser.

339.529. 1. Each state-certified real estate appraiser**, state-certified appraiser trainee, state-licensed appraiser trainee,** and state-licensed real estate appraiser shall advise the commission of the address of his or her principal place of residence, business and all other addresses at which he or she is currently engaged in the business of preparing real property appraisal reports.

2. Whenever a state-certified real estate appraiser**, state-certified appraiser trainee, state-licensed appraiser trainee,** or state-licensed real estate appraiser changes the location of his or her place of business, he or she shall amend the certificate or license issued by the commission to reflect the change and shall give written notification of the change to the commission within thirty working days of the change.

3. Whenever a state-certified real estate appraiser or state-licensed real estate appraiser changes the location of his or her residence, he or she shall notify the commission of the new residence address within thirty working days of the change.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling person, agent of record, ownership composition, or address.

339.532. 1. The commission may refuse to issue or renew any certificate or license issued pursuant to sections 339.500 to 339.549 for one or any combination of causes stated in subsection 2 of this section. The commission shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any state-certified real estate appraiser, state-licensed real estate appraiser, **state-licensed appraiser trainee, state-certified residential appraiser trainee, state-certified general appraiser trainee, state-licensed appraisal management company that is a legal entity other than a natural person, any person who is a controlling person as defined in this chapter,** or any person who has failed to renew or has surrendered his or her certificate or license for any one or any combination of the following causes:

(1) Procuring or attempting to procure a certificate or license pursuant to section 339.513 by knowingly making a false statement, submitting false information, refusing to provide complete information in response to a question in an application for certification or licensure, or through any form of fraud or misrepresentation;

(2) Failing to meet the minimum qualifications for certification or licensure or renewal established by sections 339.500 to 339.549;

(3) Paying money or other valuable consideration, other than as provided for by section 339.513, to any member or employee of the commission to procure a certificate or license pursuant to sections 339.500 to 339.549;

(4) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to sections 339.500 to 339.549 for any offense of which an essential element is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(5) Incompetency, misconduct, gross negligence, dishonesty, fraud, or misrepresentation in the performance of the functions or duties of any profession licensed or regulated by sections 339.500 to 339.549;

(6) Violation of any of the standards for the development or communication of real estate appraisals as provided in or pursuant to sections 339.500 to 339.549;

(7) Failure to comply with the Uniform Standards of Professional Appraisal Practice promulgated by

the appraisal standards board of the appraisal foundation;

(8) Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal;

(9) Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal;

(10) Violating, assisting or enabling any person to willfully disregard any of the provisions of sections 339.500 to 339.549 or the regulations of the commission for the administration and enforcement of the provisions of sections 339.500 to 339.549;

(11) Accepting an appraisal assignment when the employment itself is contingent upon the appraiser's reporting a predetermined analysis or opinion or where the fee to be paid for the performance of the appraisal assignment is contingent upon the opinion, conclusion, or valuation reached or upon the consequences resulting from the appraisal assignment;

(12) Violating the confidential nature of governmental records to which the person gained access through employment or engagement to perform an appraisal assignment or specialized appraisal services for a governmental agency;

(13) Violating any term or condition of a certificate or license issued by the commission pursuant to the authority of sections 339.500 to 339.549;

(14) Violation of any professional trust or confidence;

(15) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(16) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 339.500 to 339.549 who is not licensed or certified and currently eligible to practice pursuant to sections 339.500 to 339.549;

(17) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(18) Disciplinary action against the holder of a license, certificate or other right to practice any profession regulated pursuant to sections 339.500 to 339.549, imposed by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(19) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or certification, or for license or certification renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(20) Engaging in or committing, or assisting any person in engaging in or committing, any practice or act of mortgage fraud, as defined in section 443.930**;**

(21) Influencing or attempting to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, or bribery.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the

provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the commission may, singly or in combination, publicly censure or place the person named in the complaint on probation on such terms and conditions as the commission deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke, the certificate or license. The holder of a certificate or license**, or the legal entity and any controlling person in the case of an appraisal management company,** revoked pursuant to this section may not obtain certification as a state-certified real estate appraiser **[**or**],** licensure as a state-licensed real estate appraiser**, or licensure as an appraisal management company** for at least five years after the date of revocation.

4. Notwithstanding other provisions of this section, a real estate appraiser license or certification **or an appraisal management company license** shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant**, or any controlling person in the case of an appraisal management company,** has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of mortgage fraud as defined in section 570.310. The commission shall notify the individual **or legal entity** of the reasons for the revocation in writing, by certified mail.

5. A person**, or the legal entity or controlling person in the case of an appraisal management company,** whose license is revoked under subsection 4 of this section may appeal such revocation to the administrative hearing commission, as provided by chapter 621, within ninety days from the time the commission mails the notice of revocation. A person who fails to do so waives all rights to appeal the revocation.

6. A certification of a state-certified real estate appraiser **[**or**],** a license of a state-licensed real estate appraiser**, or a license of an appraisal management company** that has been suspended as a result of disciplinary action by the commission shall not be reinstated, and a person**, controlling person, or legal entity** may not obtain certification as a state-certified real estate appraiser **[**or**],** licensure as a state-licensed real estate appraiser**, or licensure as an appraisal management company** subsequent to revocation, unless the applicant presents evidence of completion of the continuing education required by section 339.530 during the period of suspension or revocation as well as fulfillment of any other conditions imposed by the commission. Applicants for recertification, relicensure or reinstatement also shall be required to successfully complete the examination for original certification or licensure required by section 339.515 as a condition to reinstatement of certification or licensure, or recertification or relicensure subsequent to revocation.

339.533. 1. The chairperson of the commission may administer oaths, issue subpoenas, and issue subpoenas duces tecum requiring the production of documents and records. Subpoenas and subpoenas duces tecum shall be served by a person authorized to serve subpoenas of courts of record. In lieu of requiring attendance of a person**, controlling person, or other legal entity** to produce original documents in response to a subpoena duces tecum, the commission may require sworn copies of such documents to be filed with it or delivered to its designated representative.

2. The commission may enforce its subpoenas and subpoenas duces tecum by applying to the circuit court of Cole County; the county of the investigation, hearing, or proceeding; or any county where the person**, controlling person, or other legal entity** subpoenaed resides or may be found for an order to show cause why such subpoena should not be enforced, such order and a copy of the application therefor to be served upon the person in the same manner as a summons in a civil action, and if the circuit court shall, after a hearing, determine that the subpoena should be sustained and enforced, such court shall proceed to enforce the subpoena in the same manner as though the subpoena had been issued in a civil case in the circuit court.

339.535. **[**State certified**] State-certified** real estate appraisers **[**and state licensed**], state-licensed** real estate appraisers**, state-licensed appraiser trainees, and state-certified appraiser trainees** shall comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation.

339.537. **1.** State-certified real estate appraisers and state licensed real estate appraisers shall retain originals or true copies of contracts engaging an appraiser's services for appraisal assignments, specialized appraisal services, appraisal reports, and supporting data assembled and formulated in preparing appraisal reports, for five years. The period for retention of the records applicable to each engagement of the services of the state-certified real estate appraiser or state-licensed real estate appraiser shall run from the date of the submission of the appraisal report to the client. Upon requests by the commission, these records shall be made available by the state-certified real estate appraiser or state-licensed real estate appraiser for inspection and copying at his or her expense, by the commission on reasonable notice to the state-certified real estate appraiser or state-licensed real estate appraiser. When litigation is contemplated at any time, reports and records shall be retained for two years after the final disposition.

2. All appraisal management company records shall be retained by the appraisal management company for five years. Upon request by the commission, such records shall promptly be made available to the commission for inspection and copying at the expense of the appraisal management company.

339.541. **1.** It shall be a class B misdemeanor for any person to practice any deception or fraud with respect to his **or her** identity in connection with an application for certification or licensure or in the taking of an examination for certification as a state certified real estate appraiser or licensure as a state licensed real estate appraiser or by holding himself **or herself** out to any member of the public or representing himself **or herself** as a state certified real estate appraiser or a state licensed real estate appraiser when, in fact, he **or she** is not so.

2. It shall be a class B misdemeanor for any corporation, business, or controlling person to practice any deception or fraud in its identity in connection with an application or holding out to any member of the public or representation as a licensed appraisal management company when in fact it is not so.

339.543. 1. If the commission believes that an appraiser**, business, corporation, or controlling person** has engaged in, is engaging in, or has willfully taken a substantial step toward engaging in an act, practice, omission, or course of business constituting mortgage fraud, as defined in section 443.930, or that a person**, business, corporation, or controlling person** has materially aided or is materially aiding any such act, practice, omission, or course of business, the commission may maintain an action in the circuit court of any county of the state or any city not within a county to enjoin the person**, business, corporation, or controlling person**. Upon a proper showing, the court may issue a permanent or temporary injunction, restraining order, or declaratory judgment.

2. The court may impose a civil penalty against the person**, business, corporation, or controlling person** not to exceed two thousand five hundred dollars for each violation and may grant any other relief the court determines is just and proper in the circumstances including, but not limited to, a temporary suspension of any license issued by the commission.

3. The commission may initiate an investigation and take all measures necessary to find the facts of any potential violation of this section, including issuing subpoenas to compel the attendance and testimony of

witnesses and the production of documents and other evidence. The commission may conduct joint investigations, enter into confidentiality agreements, and share information obtained relating to an investigation under this section with other governmental agencies.

4. The enforcement authority of the commission under this section is cumulative to any other statutory authority of the commission.

339.545. **1.** The commission shall take such action as is necessary to be able to issue general certificates, residential certificates and licenses to qualified persons.

2. The commission shall take action as is necessary to be able to issue licenses to qualified applicants seeking licensure as an appraisal management company.

339.549. 1. It is unlawful for any person**, business, corporation, or controlling person** not certified or licensed pursuant to sections 339.500 to 339.549 to perform any act for which certification or licensure is required. Upon application by the commission, and the necessary burden having been met, a court may grant an injunction, restraining order or other order as may be appropriate to enjoin a person**, business, corporation, or controlling person** from:

(1) Offering to engage or engaging in the performance of any acts or practices for which a certificate or license is required by sections 339.500 to 339.549 upon a showing that such acts or practices were performed or offered to be performed without a certificate or license; or

(2) Engaging in any practice or business authorized by a certificate or license issued pursuant to sections 339.500 to 339.549 upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client of the certificate holder or licensee.

2. Any such action shall be commenced in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any actions brought pursuant to this section shall be in addition to and not in lieu of any penalty provided by sections 339.500 to 339.549 and may be brought concurrently with other actions to enforce the provisions of this chapter."; and

Further amend said bill, Page 7, Section 362.333, Line 13, by inserting after all of said section and line, the following:

"**[**339.1100. Sections 339.1100 to 339.1240 shall be known and may be cited as the "Missouri Appraisal Management Company Registration and Regulation Act".**]**

[339.1105. As used in sections 339.1100 to 339.1240, unless the context otherwise requires, the following terms shall mean:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work

produced or certified by persons licensed under sections 339.500 to 339.549 who produce appraisals;

(3) "Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;

(4) "Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:

(a) Administer an appraiser panel;

(b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;

(c) Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;

(d) Track and determine the status of orders for appraisals;

(e) Conduct quality control of a completed appraisal prior to the delivery of the appraisal to the person that ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser to one or more persons who have ordered an appraisal;

(5) "Appraisal review", the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal assignment, except that an examination of an appraisal for grammatical, typographical, or other similar errors shall not be an appraisal review;

(6) "Appraiser", an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter;

(7) "Appraiser panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons that have ordered appraisals through the appraisal management company or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company that has ordered an appraisal through the appraisal management company or to perform appraisals for the appraisal management company directly;

(8) "Commission", the Missouri real estate appraisers commission created in section 339.507;

(9) "Controlling person":

(a) An owner, officer or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for

the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

(10) "State certified real estate appraiser", a person who develops and communicates real estate appraisals and who holds a current valid certificate issued to the person for either general or residential real estate under this chapter;

(11) "State licensed real estate appraiser", a person who holds a current valid real estate appraiser license issued under this chapter.**]**

[339.1110. 1. No person shall directly or indirectly engage or attempt to engage in business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.1100 to 339.1240.

2. The registration required by subsection 1 of this section shall, at a minimum, include the following:

(1) Name of the entity seeking registration;

(2) Business address of the entity seeking registration, which shall be located and maintained within this state;

(3) Phone contact information of the entity seeking registration;

(4) If the entity is not a corporation that is domiciled in this state, the name and contact information for the company's agent for service of process in this state;

(5) The name, address, and contact information for any individual or any corporation, partnership, or other business entity that owns ten percent or more of the appraisal management company;

(6) The name, address, and contact information for a designated controlling person to be the primary communication source for the commission;

(7) A certification that the entity has a system and process in place to verify that a person being added to the appraiser panel of the appraisal management company for appraisal services to be performed in Missouri holds a license in good standing in Missouri, if a license or certification is required to perform appraisals under section 339.1180;

(8) A certification that the entity has a system in place to review the work of all appraisers who are performing real estate appraisal services for the appraisal management company on a periodic basis to validate that the real estate appraisal services are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP) under section 339.1185;

(9) A certification that the entity maintains a detailed record of each service request that it receives for appraisal services within the state of Missouri and the appraiser who performs the real estate appraisal services for the appraisal management company under section

339.1190;

(10) An irrevocable uniform consent to service of process under section 339.1130; and

(11) Any other reasonable information required by the commission to complete the registration process.**]**

[339.1115. Sections 339.1100 to 339.1240 shall not apply to:

(1) The performance of services as an appraisal firm;

(2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the department of insurance, financial institutions or professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution. An entity exempt as provided in this subdivision shall file a notice with the commission containing the information required in section 339.1110;

(3) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;

(4) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;

(5) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.**]**

[339.1120. An applicant for a registration as an appraisal management company shall submit to the commission an application containing the information required in subsection 2 of section 339.1110 on a form prescribed by the commission.**]**

[339.1125. Registration shall be valid for two years from its issuance.**]**

[339.1130. Each entity applying for a registration as an appraisal management company in Missouri shall complete an irrevocable uniform consent to service of process, as prescribed by the commission.**]**

[339.1135. 1. The commission shall establish by rule the fee to be paid by each appraisal management company seeking registration under sections 339.1100 to 339.1240, such that the sum of the fees paid by all appraisal management companies seeking registration under this section shall be sufficient for the administration of sections 339.1100 to 339.1240. The commission shall charge and collect fees to be utilized to fund activities that may be necessary to carry out the provisions of this chapter.

2. Each applicant for registration shall post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars. The details of the bond shall be prescribed by rule of the commission, however, the bond shall not be used to assist

appraisers in collection efforts of credit extended by the appraiser.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 339.1100 to 339.1240 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 339.1100 to 339.1240 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.**]**

[339.1140. 1. An appraisal management company applying for a registration in Missouri shall not be more than ten percent owned by:

(1) A person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) An entity that is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state.

2. Each person who owns more than ten percent of an appraisal management company in this state shall:

(1) Be of good moral character, as determined by the commission; and

(2) Submit to a background investigation, as determined by the commission.

3. Each appraisal management company applying for registration shall certify to the commission that it has reviewed each entity that owns more than ten percent of the appraisal management company and that no entity that owns more than ten percent of the appraisal management company is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling principal, agent of record, or ownership composition.**]**

[339.1145. 1. Each appraisal management company applying to the commission for a registration in this state shall designate one compliance manager who will be the main contact for all communication between the commission and the appraisal management company.

2. The designated controlling person under subsection 1 of this section shall:

(1) Have never had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) Be of good moral character, as determined by the commission; and

(3) Submit to a background investigation, as determined by the commission.**]**

[339.1150. An appraisal management company that applies to the commission for

registration to do business in this state as an appraisal management company under subdivision (1) of section 339.1115 shall not:

(1) Employ any person directly involved in appraisal management services who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(2) Knowingly enter into any independent contractor arrangement, whether in verbal, written, or other form, with any person who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(3) Knowingly enter into any contract, agreement, or other business relationship directly involved with the performance of real estate appraisal or appraisal management services, whether in verbal, written, or any other form, with any entity that employs, has entered into an independent contract arrangement, or has entered into any contract, agreement, or other business relationship, whether in verbal, written, or any other form, with any person who has ever had a license or certificate to act as an appraiser in Missouri or in any other state, refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.**]**

[339.1155. Prior to placing an assignment for real estate appraisal services within the state of Missouri with an appraiser on the appraiser panel of an appraisal management company, the appraisal management company shall have a system in place to verify that the appraiser receiving the assignment holds a credential in good standing in the state of Missouri. Letters of engagement shall include instructions to the appraiser to decline the assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.**]**

[339.1160. Any employee or independent contractor of the appraisal management company who performs an appraisal review shall be an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter. Letters of engagement shall include instructions to the appraiser to decline the appraisal review assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.**]**

[339.1170. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system and process in place to verify that an individual being added to the appraiser panel of the appraisal management company holds a license in good standing in this state under this chapter.**]**

[339.1175. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system in place to verify that an individual to whom the appraisal management company is making an assignment for the completion of an appraisal has not had a license or certification as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation on a regular basis.**]**

[339.1180. Each registered appraisal management company shall certify to the

commission on a biannual basis that it has a system in place to perform an appraisal review on a periodic basis of the work of all appraisers who are performing appraisals for the appraisal management company to validate that the appraisals are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP). An appraisal management company shall report to the commission the results of any appraisal reviews in which an appraisal is found to be substantially noncompliant with USPAP or state or federal laws pertaining to appraisals.**]**

[339.1185. 1. Each appraisal management company seeking to be registered shall certify to the commission biannually that it maintains a detailed record of each service request for appraisal services within the state of Missouri and that it receives of each appraiser who performs an appraisal for the appraisal management company in the state of Missouri.

2. All appraisal management company records shall be retained for five years.**]**

[339.1190. 1. An appraisal management company shall not prohibit its appraiser who is part of an appraiser panel from recording the fee that the appraiser was paid by the appraisal management company for the performance of the appraisal within the appraisal report that is submitted by the appraiser to the appraisal management company.

2. An appraisal management company shall separately state to the client the fees paid to an appraiser for appraisal services and the fees charged by the appraisal management company for services associated with the management of the appraisal process, including procurement of the appraiser's services.**]**

[339.1200. 1. No employee, director, officer, or agent of an appraisal management company shall influence or attempt to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or in any other manner, including but not limited to:

(1) Withholding or threatening to withhold timely payment for an appraisal, except in cases of substandard performance or noncompliance with conditions of engagement;

(2) Withholding or threatening to withhold future business, or demoting, terminating, or threatening to demote or terminate an appraiser;

(3) Expressly or impliedly promising future business, promotions, or increased compensation for an appraiser;

(4) Conditioning the request for an appraisal or the payment of an appraisal fee or salary or bonus on the opinion, conclusion, or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;

(5) Requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;

(6) Providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for purchase transactions may be provided;

(7) Providing to an appraiser, or any entity or person related to the appraiser, stock or

other financial or nonfinancial benefits;

(8) Allowing the removal of an appraiser from an appraiser panel without prior written notice to such appraiser;

(9) Any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, objectivity, or impartiality;

(10) Requiring an appraiser to collect an appraisal fee on behalf of the appraisal management company from the borrower, homeowner, or other third party; or

(11) Requiring an appraiser to indemnify an appraisal management company or hold an appraisal management company harmless for any liability, damage, losses, or claims arising out of the services performed by the appraisal management company, and not the services performed by the appraiser.

2. Nothing in subsection 1 of this section shall prohibit the appraisal management company from requesting that an appraiser:

(1) Provide additional information about the basis for a valuation; or

(2) Correct objective factual errors in an appraisal report; or

(3) Provide additional information with the appraisal regarding additional sales provided through an established dispute process.**]**

[339.1205. An appraisal management company shall not:

(1) Require an appraiser to modify any aspect of an appraisal report unless the modification complies with section 339.1200;

(2) Require an appraiser to prepare an appraisal report if the appraiser, in the appraiser's own professional judgment, believes the appraiser does not have the necessary expertise for the assignment or for the specific geographic area, and has notified the appraisal management company and declined the assignment;

(3) Require an appraiser to prepare an appraisal under a time frame that the appraiser, in the appraiser's own professional judgment, believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations, and has notified the appraisal management company and declined the assignment;

(4) Prohibit or inhibit legal or other allowable communication between the appraiser and:

(a) The lender;

(b) A real estate licensee; or

(c) Any other person from whom the appraiser, in the appraiser's own professional judgment, believes information would be relevant;

(5) Knowingly require the appraiser to do anything that does not comply with:

(a) Uniformed Standards of Professional Appraisal Practice (USPAP);

(b) The Missouri certified and licensed real estate appraisers act established under this chapter; or

(c) Any assignment conditions and certifications required by the client;

(6) Make any portion of the appraiser's fee or the appraisal management company's fee contingent on a predetermined or favorable outcome, including but not limited to:

(a) A loan closing; or

(b) Specific dollar amount being achieved by the appraiser in the appraisal report.**]**

[339.1210. Each appraisal management company shall, except in cases of breach of contract or substandard performance of services, make payment to an appraiser for the completion of an appraisal or valuation assignment within thirty days, unless a mutually agreed upon alternate payment schedule exists, from when the appraiser transmits or otherwise provides the completed appraisal or valuation study to the appraisal management company or its assignee.**]**

[339.1215. 1. An appraisal management company shall not alter, modify, or otherwise change a completed appraisal report submitted by an appraiser by:

(1) Permanently removing the appraiser's signature or seal; or

(2) Adding information to, or removing information from, the appraisal report with an intent to change the valuation conclusion.

2. No registered appraisal management company shall require an appraiser to provide the appraisal management company with the appraiser's digital signature or seal.**]**

[339.1220. 1. The commission shall issue a unique registration number to each appraisal management company.

2. The commission shall publish a list of the appraisal management companies that have registered under sections 339.1100 to 339.1240 and have been issued a registration number.

3. An appraisal management company shall be required to disclose the registration number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.**]**

[339.1230. 1. Except within the first thirty days after an appraiser is first added to the appraiser panel of an appraisal management company, an appraisal management company shall not remove an appraiser from its appraiser panel or otherwise refuse to assign requests for real estate appraisal services to an appraiser without:

(1) Notifying the appraiser in writing of the reasons why the appraiser is being removed from the appraiser panel of the appraisal management company;

(2) If the appraiser is being removed from the panel for illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, describing the nature of the alleged conduct or violation; and

(3) Providing an opportunity for the appraiser to respond to the notification of the appraisal management company.

2. An appraiser who is removed from the appraiser panel of an appraisal management company for alleged illegal conduct, violation of the Uniform Standards of Professional

Appraisal Practice (USPAP), or violation of state licensing standards may file a complaint with the commission for a review of the decision of the appraisal management company; except that, in no case shall the commission make any determination regarding the nature of the business relationship between the appraiser and the appraisal management company which is unrelated to the actions specified in subsection 1 of this section.

3. If after notice and an opportunity for hearing and review, the commission determines that an appraiser did not commit a violation of law, a violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, the commission shall order that such appraiser be added to the appraiser panel of the appraisal management company.

4. If the commission has found that the appraisal management company acted improperly in removing the appraiser from the appraiser panel, an appraisal management company shall not refuse to make assignments for real estate appraisal services to an appraiser, or reduce the number of assignments, or otherwise penalize the appraiser.**]**

[339.1235. The commission may censure an appraisal management company, conditionally or unconditionally suspend or revoke any registration issued under sections 339.1100 to 339.1240, or impose civil penalties not to exceed one thousand dollars for each offense. Each day of a continued violation constitutes a separate offense, with a maximum penalty of ten thousand dollars. In determining the amount of penalty to be imposed, the commission may consider if an appraisal management company is:

(1) Knowingly committing any act in violation of sections 339.1100 to 339.1240;

(2) Violating any rule adopted by the commission; or

(3) Procuring a license by fraud, misrepresentation, or deceit.**]**

[339.1240. The conduct of adjudicatory proceedings for violations of this section is vested in the commission, provided:

(1) Before censuring any registrant, or suspending or revoking any registration, the commission shall notify the registrant in writing of any charges made at least twenty days before the hearing and shall afford the registrant an opportunity to be heard in person or by counsel; and

(2) Written notice shall be satisfied by personal service on the controlling person of the registrant, or the registrant's agent for service of process in this state, or by sending the notice by certified mail, return receipt requested to the controlling person of the registrant to the registrant's address on file with the commission.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 5, Section 30.270, Line 137, by inserting after all of said line the following:

"50.1130. 1. **Notwithstanding the provisions of section 50.1150 to the contrary,** a death benefit of ten thousand dollars **and, in the case of an active member who dies after December 31, 2002, and before**

becoming vested, an amount equal to the amount of the member's accumulated contributions standing to his or her credit in the fund shall be paid to the designated beneficiary of every active member upon his or her death or, if the member fails to designate a beneficiary, then to the member's surviving spouse or, if there is no spouse, then in equal shares to the member's surviving children. If there is neither a surviving spouse or surviving children, then the benefit shall be paid to the active member's estate.

2. If the member executes a beneficiary designation form and lists more than one beneficiary but fails to list the percentage of benefit that each beneficiary should receive, then the benefit shall be divided equally among the named beneficiaries.

50.1140. 1. Upon termination of employment, any member with less than eight years of creditable service shall forfeit all rights in the fund, including the member's accrued creditable service as of the date of the member's termination of employment, but may receive any refund of contributions to which the member is entitled pursuant to subsection 3 of this section **or subsection 1 of section 50.1130**.

2. A member who terminates employment with at least eight years of creditable service shall be entitled to an annuity from the fund, determined in accordance with the formula described in section 50.1060. The member may elect to defer the receipt of his or her annuity, until the member's attainment of age sixty-two, or the member may elect to begin receiving his or her annuity on the first day of any month following the later of the date of termination of employment or age fifty-five. If the member begins receiving an annuity before age sixty-two and termination of employment occurs on or after age fifty-five, the annuity shall be reduced by four-tenths of one percent for each month the commencement date of the annuity precedes age sixty-two, and an additional three-tenths of one percent for each month the commencement date of the annuity precedes age sixty.

3. In the event a member ceases to be a member other than by death before the date the member becomes vested in the system, the member shall be paid, upon his or her written application filed with the board, the member's accumulated contributions standing to his or her credit in the members' deposit fund.

4. A former member who has forfeited creditable service may have the creditable service restored by again becoming an employee, completing a total of eight years of uninterrupted creditable service, and purchasing the forfeited service by paying into the fund the forfeited amount previously refunded to the participant or credited to the participant's county plus interest equal to the current prime rate plus two percent.

104.603. 1. Effective with transfers of service between the Missouri department of transportation and highway patrol employees' retirement system and the Missouri state employees' retirement system that occur on or after September 1, 2011, upon a reciprocal transfer of creditable or credited service pursuant to section 104.602 or subsection 8 of section 104.1021, the sending system from which the service is transferred shall pay the receiving system to which the service is transferred the present value of the accrued benefit as determined pursuant to subsection 2 of this section.

2. For purposes of this section, the present value of the accrued benefit shall be determined using the actuarial assumptions of the sending system used in that system's last regular valuation assuming active member status and using the unit credit actuarial cost method. However, in no event shall the payment amount be less than the sum of the member's accumulated contributions and interest plus any purchased service payments from the member held on deposit by the sending system. If the member had received a refund of accumulated contributions from the sending system and forfeited service credit with that system,

the member would need to reestablish that service with the sending system by again becoming an active member of a system covered by this chapter and satisfying requirements otherwise stipulated for reestablishing service credit. **However, in the event the member had previously transferred service from the receiving system to the sending system which was not subject to an asset transfer under this section, then that service will be excluded from the computation of the accrued benefit. In the event any prior payments by a sending system under this section included an amount for previously transferred service that was not subject to this section, the receiving system shall return to the sending system the present value amount attributable to such service, including interest as determined and agreed to by both systems.**

3. The service transfer shall not be deemed completed until the sending system makes payment to the receiving system as prescribed in this section. Payments shall be made within ninety days of the date that a completed transfer request is submitted by a member.

4. When the transfer payment includes an amount identified as corresponding to a member's accumulated contributions, the accumulated contributions portion shall be identified, and further, the accumulated contributions balance as of the preceding July first shall be identified and the receiving system shall be responsible for crediting interest according to the terms of the receiving plan.

5. The systems shall coordinate their plan administration for reciprocal transfers to give full effect to the transfer including the transfer and acceptance of corresponding division of benefit orders.

6. The member or survivor obtaining a reciprocal transfer of service covered by this section shall satisfy all requirements under section 104.602 or subsection 8 of section 104.1021 to obtain a transfer of credited or creditable service and shall satisfy the requirements under section 104.1091 with the receiving system to reestablish forfeited service previously accrued at either system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 5, Section 30.270, Line 137, by inserting after all of said section and line the following:

"**163.024. All moneys received in the Iron County School Fund, Reynolds County School Fund, Jefferson County School Fund, and Washington County School Fund from the payment of a civil penalty pursuant to a consent decree filed in the United States district court for the eastern district of Missouri in December 2012 in the case of *United States of America and State of Missouri v. the Doe Run Resources Corporation d/b/a "The Doe Run Company," and the Buick Resource Recycling Facility, LLC,* because of environmental violations shall not be included in any district's "local effort" figure, as such term is defined in section 163.011. The provisions of this section shall terminate on July 1, 2016.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 1, Line 1, by inserting after all of said line the following:

"Page 5, Section 30.270, Line 137, by inserting after all of said section and line the following:

"178.530. **1.** The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational Education Act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education; however, such private school shall reimburse the department annually for the cost of oversight and maintenance of the program.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program."; and

Further amend said bill, "; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 7, Section 362.333, Line 13, by inserting after all of said line the following:

"**Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.**

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 7, Section 362.333, Line 13, by inserting after all of said section and line the following:

"400.9-311. (a) Except as otherwise provided in subsection (d), the filing of a financing statement is not necessary or effective to perfect a security interest in property subject to:

(1) A statute, regulation, or treaty of the United States whose requirements for a security interest's obtaining priority over the rights of a lien creditor with respect to the property preempt section 400.9-310(a);

(2) Sections 301.600 to 301.661, section 700.350, and section 400.2A-304; or

(3) A certificate-of-title statute of another jurisdiction which provides for a security interest to be indicated on the certificate as a condition or result of the security interest's obtaining priority over the rights of a lien creditor with respect to the property.

(b) Compliance with the requirements of a statute, regulation, or treaty described in subsection (a) for obtaining priority over the rights of a lien creditor is equivalent to the filing of a financing statement under this article. Except as otherwise provided in subsection (d) and sections 400.9-313 and 400.9-316(d) and (e) for goods covered by a certificate of title, a security interest in property subject to a statute, regulation, or treaty described in subsection (a) may be perfected only by compliance with those requirements, and a security interest so perfected remains perfected notwithstanding a change in the use or transfer of possession of the collateral.

(c) Except as otherwise provided in subsection (d) and section 400.9-316(d) and (e), duration and renewal of perfection of a security interest perfected by compliance with the requirements prescribed by a statute, regulation, or treaty described in subsection (a) are governed by the statute, regulation, or treaty. In other respects, the security interest is subject to this article.

(d) During any period in which collateral is inventory held for sale or lease by a person or leased by that person as lessor and that person is in the business of selling **[**or leasing**]** goods of that kind, this section does not apply to a security interest in that collateral created by that person **[**as debtor**]**. "; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 6, Section 228.374, Line 4, by inserting after all of said line the following:

"301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure.

306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and

address of the owner of the outboard motor, motorboat, vessel or watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be

perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 5, Section 30.270, Line 137, by inserting after all of said section and line the following:

"34.070. In making purchases, the commissioner of administration or any agent of the state with purchasing power shall give preference to all commodities and tangible personal property manufactured, mined, produced, processed, or grown within the state of Missouri, to all new generation processing entities defined in section 348.432, except new generation processing entities that own or operate a renewable fuel production facility or that produce renewable fuel, and to all firms, corporations or individuals doing business as Missouri firms, corporations or individuals, when quality is equal or better and delivered price is the same or less. The commissioner of administration or any agent of the state with purchasing power may also give such preference whenever competing bids, in their entirety, are comparable. For purposes of this section, "commodities" shall include **forest products and bricks or** any agricultural product that has been processed or otherwise had value added to it in this state."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 7, Section 362.333, Line 13, by inserting after all of said section and line the following:

"**Section 1. 1. There is hereby created in the state treasury the "Law Enforcement Data Sharing Equalization Fund", which shall consist of money collected under section 2. The fund shall be administered by the peace officers standards and training commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the law enforcement data sharing equalization fund system.**

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

Section 2. A surcharge in criminal cases for law enforcement services which are disposed of by a traffic or central violations bureau established pursuant to law or supreme court rule shall be charged in an amount which shall equal the charge by sheriffs, county marshals, or other officers for their services rendered in criminal cases for infractions and the surcharge shall be distributed as follows:

(1) One-half of the surcharge collected shall be forwarded and deposited to the credit of the law enforcement data sharing equalization fund established in section 1 for the operational cost of the law enforcement data sharing equalization fund system; and

(2) One-half of the surcharge collected shall be deposited to the credit of the inmate security fund of t he county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, the funds shall be deposited in the law enforcement data sharing equalization fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS**, as amended, for **HCS** for **HB 1731** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1731**, as amended.

Emergency clause adopted.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HB 1073** and **HCS** for **HB 1477**, as amended: Senators Munzlinger, Parson, Lager, Callahan and McKenna.

PRIVILEGED MOTIONS

Senator Schaefer moved that the Senate refuse to concur in **HCS** for **SB 628**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1644**, entitled:

An Act to repeal section 313.807, RSMo, and to enact in lieu thereof one new section relating to the licensing period for certain licenses issued by the Missouri gaming commission.

Was called from the Informal Calendar and taken up by Senator Purgason.

At the request of Senator Purgason, **HCS** for **HB 1644** was placed on the Informal Calendar.

Senator Stouffer moved that **HCS** for **HB 1402**, with **SCS** and **SS** for **SCS**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HB 1402**, as amended, was again taken up.

Senator Kehoe assumed the Chair.

Senator Stouffer offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Pages 38-45, Section 260.392, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 32, Section 144.758, Line 21 of said page, by striking the word "motors" and inserting in lieu thereof the following: "**motor vehicles**".

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Lembke offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 148, Section 304.190, Line 25 of said page, by inserting after all of said line the following:

"**304.289. The timing of any traffic-control signal shall conform to regulations promulgated by the Department of Transportation. The department of transportation shall establish minimal yellow light change interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard.**"; and

Further amend the title and enacting clause accordingly.

Senator Lembke moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt assumed the Chair.

Senator Lamping offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 65, Section 301.069, Line 3, by inserting after all of said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer

who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a

dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 5 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 5 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

Senator Ridgeway offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 8, Section 21.795, Line 1, by inserting immediately after said line the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy**."; and

"67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section

67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; **[**and**]**

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .

Owner's telephone number and mailing address: . . . . . .

If signer is different from owner:

Name of signer: . . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: . . . . . .

If the owner is an individual, state if owner is single or married: . . . . . .

If owner is not an individual, state what type of entity: . . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned: . . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above. . . . . ..

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF . . . . .)

Before me personally appeared . . . . . ., to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this . . . . . day of . . . . . (month), ... (year).

. . . . . .

Notary Public

My Commission Expires: . . . . . **; and**

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a sales tax or real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set

forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a community improvement district-wide sales and use tax at the maximum rate of ..... (insert amount) for a period of ..... (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose)?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO"; or

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ..... (insert amount) dollars per

hundred dollars assessed valuation for a period of ..... (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

2. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

3. The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087.

4. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

5. In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285.

6. The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

8. A district may by resolution repeal or lower the rate of any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal or lower rate of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

9. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

10. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot."; and

"67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;

(11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

(a) The district's real property, except for public rights-of-way for utilities;

(b) The district's personal property, except in a city not within a county; or

(c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;

(12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;

(13) To loan money as provided in sections 67.1401 to 67.1571;

(14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

(15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;

(16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:

(a) Pedestrian or shopping malls and plazas;

(b) Parks, lawns, trees, and any other landscape;

(c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

(d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;

(e) Parking lots, garages, or other facilities;

(f) Lakes, dams, and waterways;

(g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;

(h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;

(i) Paintings, murals, display cases, sculptures, and fountains;

(j) Music, news, and child-care facilities; and

(k) Any other useful, necessary, or desired improvement;

(17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;

(18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;

(19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;

(20) Within its boundaries, to lease space for sidewalk café tables and chairs;

(21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;

(22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property;

(23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;

(24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and

businesses;

(25) To provide or support training programs for employees of businesses within the district;

(26) To provide refuse collection and disposal services within the district;

(27) To contract for or conduct economic, planning, marketing or other studies;

(28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and

(29) To carry out any other powers set forth in sections 67.1401 to 67.1571.

2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:

(1) Within its blighted area, to contract with any private property owner to demolish and remove, renovate, reconstruct, **construct,** or rehabilitate any building or structure **or improvement** owned by such private property owner; and

(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included."; and

"67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend the title and enacting clause accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer moved that **SS** for **SCS** for **HCS** for **HB 1402**, as amended, be adopted, which motion

prevailed.

On motion of Senator Stouffer, **SS** for **SCS** for **HCS** for **HB 1402**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler	Keaveny
Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger
Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Brown	Callahan	Goodman	Green	Justus—5

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Chappelle-Nadal	Goodman	Green	Justus—4

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Pearce moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 635**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kehoe assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following on conferees to act with a like committee from the Senate on **SCS** for **HB 1135**, as amended. Representatives: Smith (150), McNary, Fraker, Lampe and McCann-Beatty.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SJR 51**.

Joint Resolution ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2002** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2002**.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2002** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2002

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2002.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Lincoln Hough
/s/ Timothy Green	/s/ Sara Lampe
/s/ Shalonn K. Curls	/s/ Genise Montecillo

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—31	

NAYS—Senator Crowell—1

Absent—Senator Wasson—1

Absent with leave—Senator Nieves—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2002**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2002

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Crowell—1

Absent—Senator Purgason—1

Absent with leave—Senator Nieves—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2003** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2003**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2004** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2004**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2005** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2005**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2006**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2006**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2007** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2007**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2008** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2008**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2009** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2009**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2010** and has taken

up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2010**.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2003** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2003

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2003.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Lincoln Hough
/s/ Timothy Green	/s/ Sara Lampe
/s/ Shalonn K. Curls	/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell	Lembke	Purgason—3

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for HB **2003**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2003

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell	Lembke	Purgason—3

Absent—Senators—None

Absent with leave—Senator Nieves—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2004** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2004

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, begs leave to report that we, after free and fair discussion

of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2004.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Lincoln Hough
/s/ Timothy Green	/s/ Sara Lampe
/s/ Shalonn K. Curls	/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell Lembke—2

Absent—Senator Purgason—1

Absent with leave—Senator Nieves—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2004**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2004

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these

sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell Lembke—2

Absent—Senator Purgason—1

Absent with leave—Senator Nieves—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2005** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2005

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2005.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Lincoln Hough
/s/ Timothy Green	/s/ Sara Lampe
/s/ Shalonn K. Curls	/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Rupp	Schaaf	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

NAYS—Senators

Crowell	Kraus	Lembke	Purgason	Ridgeway—5

Absent—Senator Green—1

Absent with leave—Senator Nieves—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2005**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2005

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the travel or staffing of the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Rupp	Schaaf	Schaefer	Schmitt

Stouffer Wasson Wright-Jones—27

NAYS—Senators

Crowell Kraus Lembke Purgason Ridgeway—5

Absent—Senator Green—1

Absent with leave—Senator Nieves—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Stouffer assumed the Chair.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2006**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2006

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2006.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006 be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Lincoln Hough
/s/ Timothy Green	/s/ Sara Lampe
/s/ Shalonn K. Curls	/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell Lembke—2

Absent—Senator Kehoe—1

Absent with leave—Senators

Nieves Purgason—2

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2006**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2006

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell Lembke—2

Absent—Senator Kehoe—1

Absent with leave—Senators
Nieves Purgason—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2007** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2007

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007 as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2007.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Lincoln Hough
/s/ Timothy Green	/s/ Sara Lampe
/s/ Shalonn K. Curls	/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators
Brown Callahan Chappelle-Nadal Cunningham Curls Dempsey Dixon Engler

Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell Lembke—2

Absent—Senator Kehoe—1

Absent with leave—Senators

Nieves Purgason—2

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2007**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2007

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell Lembke—2

Absent—Senator Kehoe—1

Absent with leave—Senators

Nieves Purgason—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2008** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2008

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2008.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Lincoln Hough
/s/ Timothy Green	/s/ Sara Lampe
/s/ Shalonn K. Curls	/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell Lembke—2

Absent—Senator Kehoe—1

Absent with leave—Senators
Nieves Purgason—2

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2008**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2008

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators
Crowell Lembke—2

Absent—Senator Kehoe—1

Absent with leave—Senators
Nieves Purgason—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2009** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2009

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2009.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Lincoln Hough
/s/ Timothy Green	/s/ Sara Lampe
/s/ Shalonn K. Curls	/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Keaveny	Kraus	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Justus	Lembke—3

Absent—Senator Kehoe—1

Absent with leave—Senators

Nieves	Purgason—2

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2009**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2009

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell Justus Lembke—3

Absent—Senators—None

Absent with leave—Senators

Nieves Purgason—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2010** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2010

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, begs leave to report that we, after free and fair discussion

of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2010.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Tom Flanigan
/s/ Timothy Green	/s/ Sara Lampe
/s/ Shalonn K. Curls	/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell	Kraus	Lembke—3

Absent—Senators—None

Absent with leave—Senators

Nieves	Purgason—2

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2010**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2010

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period

beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Crowell Kraus Lembke—3

Absent—Senators—None

Absent with leave—Senators

Nieves Purgason—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2011**, as amended, and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2012** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2012**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 2013** and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 2013**.

PRIVILEGED MOTIONS

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2011**, as amended, moved that the following conference

committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2011

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2011.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011 be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Tom Flanigan
/s/ Timothy Green	/s/ Genise Montecillo
/s/ Shalonn K. Curls	/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Kraus	Lager	Lembke—4

Absent—Senators—None

Absent with leave—Senators

Nieves	Purgason—2

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2011

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell	Kraus	Lager	Lembke—4

Absent—Senators—None

Absent with leave—Senators

Nieves	Purgason—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2012** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2012

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House

Committee Substitute for House Bill No. 2012, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2012.
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Lincoln Hough
/s/ Timothy Green	/s/ Sara Lampe
/s/ Shalonn K. Curls	/s/ Chris Kelly

Under the provisions of Senate Rule 91, Senator Goodman was excused from voting on the adoption of the conference committee report and 3rd reading of **CCS** for **SS** for **SCS** for **HCS** for **HB 2012**.

Under the provisions of Senate Rule 91, Senator Mayer was excused from voting on the adoption of the conference committee report and 3rd reading of **CCS** for **SS** for **SCS** for **HCS** for **HB 2012**.

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell Lembke—2

Absent—Senators—None

Absent with leave—Senators

Nieves Purgason—2

Excused from voting—Senators

Goodman Mayer—2

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2012**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2012

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Crowell Lembke—2

Absent—Senators—None

Absent with leave—Senators

Nieves Purgason—2

Excused from voting—Senators

Goodman Mayer—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 2013** moved that the following conference committee report be

taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2013

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2013, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2013.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2013.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2013, be truly agreed to and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Ryan Silvey
/s/ Dan Brown	/s/ Rick Stream
/s/ Will Kraus	/s/ Lincoln Hough
/s/ Timothy Green	/s/ Sara Lampe
/s/ Shalonn K. Curls	/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell Lembke—2

Absent—Senators—None

Absent with leave—Senators

Nieves Purgason—2

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SS** for **SCS** for **HCS** for **HB 2013**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2013

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Crowell Lembke—2

Absent—Senators—None

Absent with leave—Senators

Nieves Purgason—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Ridgeway, Chairman of the Committee on Health, Mental Health, Seniors and Families, submitted the following reports:

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HCS** for **HB 1758**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health, Mental Health, Seniors and Families, to which was referred **HCS No. 2** for **HB 1323**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

On behalf of Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, Senator Dempsey submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 1865**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HBs 1278** and **1152**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HBs 1659** and **1116**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 1818**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 1637**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1280**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Stouffer, Chairman of the Committee on Transportation, submitted the following reports:

Mr. President: Your Committee on Transportation, to which was referred **HB 1909**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HB 1141**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, to which was referred **HCS** for **HB 1300**, begs leave

to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 1171**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1231**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 1329**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HB 1540**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 1576**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 1827**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1549**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1647**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 2099**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 1789**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 1820**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 1608**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 1424**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 1383**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HBs 1934** and **1654**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 1577**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1131**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1114**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1804**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was

referred **HCS** for **HB 1324**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which were referred **HCS** for **HB 1860** and **HCS** for **HB 1254**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 1245**—Jobs, Economic Development and Local Government.

HCS for **HB 1526**—General Laws.

HCS for **HB 1803**—Financial and Governmental Organizations and Elections.

HB 1455—Jobs, Economic Development and Local Government.

HCS for **HB 1710**—Jobs, Economic Development and Local Government.

HCS for **HB 1049**—General Laws.

HCS for **HB 1639**—Ways and Means and Fiscal Oversight.

HCS for **HB 1988**—General Laws.

HCS for **HB 1854**—Small Business, Insurance and Industry.

HCS for **HB 1900**—General Laws.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **HB 1135**, as amended: Senators Dixon, Cunningham, Ridgeway, Green and Keaveny.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 2174, regarding Gabriel Riekhof, St. Joseph, which was adopted.

Senator Keaveny offered Senate Resolution No. 2175, regarding Sara Howe, which was adopted.

Senator Crowell offered Senate Resolution No. 2176, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Marshall Rankin, Benton, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2177, regarding Judy Ellis, Laddonia, which was adopted.

Senator Munzlinger offered Senate Resolution No. 2178, regarding Wendy Walker, Hannibal, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2179, regarding Anna Crosslin, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2180, regarding Abere Newete, which was adopted.

Senator Goodman offered Senate Resolution No. 2181, regarding Andy Williams, Branson, which was adopted.

Senator Goodman offered Senate Resolution No. 2182, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Thomas L. Pinkley, Monett, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Cunningham introduced to the Senate, fourth grade students from West County Christian Academy, Chesterfield.

Senator Kraus introduced to the Senate, eighth grade students from Lone Jack Elementary.

Senator Dempsey introduced to the Senate, Doug Wagner, Tom King and seventh grade students from Immanuel Lutheran, St. Charles.

Senator Mayer introduced to the Senate, the Physician of the Day, Dr. Gene LeRoux, Doniphan.

On motion of Senator Dempsey, the Senate adjourned until 3:00 p.m., Monday, May 14, 2012.

SENATE CALENDAR

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SEVENTIETH DAY–MONDAY, MAY 14, 2012

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FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#3 for SCS for SB 710-Engler

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS
SB 745-Lembke
SB 765-Schaefer
SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1051-Allen, et al, with SCS (Lager)
2. HB 1403-Schatz, et al (Dempsey)

3. HB 1318-Riddle, et al (Kehoe) (In Fiscal Oversight)
4. HCS for HB 1640, with SCS (Stouffer) (In Fiscal Oversight)
5. HCS for HB 1498, with SCS (Schmitt)
6. HCS for HJR 41 (Green) (In Fiscal Oversight)
7. HCS for HB 1758, with SCS (Ridgeway)
8. HCS#2 for HB 1323, with SCS
9. HCS for HB 1865, with SCS (Lembke)
10. HCS for HBs 1278 & 1152, with SCS (Purgason)
11. HCS for HBs 1659 & 1116, with SCS (Callahan)
12. HCS for HB 1818
13. HCS for HB 1637, with SCS (Purgason)
14. HCS for HB 1280, with SCS
15. HB 1909-Hoskins
16. HB 1141-Gatschenbergerer, et al (Nieves)
17. HCS for HB 1300, with SCS (Parson)
18. HCS for HB 1171 (Dixon)
19. HB 1231-Cauthorn, et al (Munzlinger)
20. HCS for HB 1329 (Kehoe)
21. HB 1540-Jones (89), et al
22. HCS for HB 1576 (Parson)
23. HCS for HB 1827, with SCS (Schaefer)
24. HCS for HB 1549 (Kraus)
25. HCS for HB 1647 (Kehoe)
26. HB 2099-Elmer
27. HCS for HB 1789, with SCS
28. HB 1820-Asbury and Shively, with SCS (Munzlinger)
29. HCS for HB 1608
30. HB 1424-Marshall, et al (Engler)
31. HCS for HB 1383 (Kehoe)
32. HCS for HBs 1934 & 1654
33. HB 1577-Largent, et al
34. HB 1131-Fisher (Pearce)
35. HB 1114-Weter (Goodman)
36. HB 1804-Molendorp, et al
37. HCS for HB 1324, with SCS (Munzlinger)
38. HCS for HB 1860 & HCS for HB 1254, with SCS (Parson)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham

SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer

SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)

SB 442-Stouffer, with SCS

SB 449-Rupp

SB 451-Cunningham, with SCS

SB 454-Pearce, with SA 1 (pending)

SB 457-Schmitt, with SCS & SS for SCS (pending)

SB 465-Schaaf

SB 474-Kraus, with SCS & SA 1 (pending)

SB 475-Lamping

SB 479-Crowell

SB 490-Munzlinger, with SCS

SB 491-Munzlinger, with SCS

SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HB 1036-Dugger, with SCS (Engler)
HCS for HB 1072, with SCS (Brown)
HCS for HB 1094, with SCS & SA 1 (pending) (Munzlinger)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HCS for HB 1123 (Brown)
HCS for HB 1140, with SCS (Cunningham)
HCS for HB 1150, with SCS (Brown)
HB 1170-Franz, with SCS (Parson)
HCS for HB 1174, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 2 to SSA 1 for SA 1 (pending) (Pearce)
HB 1192-Koenig, et al (Cunningham)
HCS for HB 1193, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 3 to SSA 1 for SA 1 (pending) (Engler)
HCS#2 for HB 1317, with SCS (Schaefer)
SCS for HB 1331-Jones (117), et al (Kehoe)
HB 1337-Stream, with SCS (Brown)

HCS for HB 1361 (Lager)
HCS for HB 1563, with SCS (Wasson)
HCS for HB 1623, with SCS, SS#2 for SCS & SA 12 (pending) (Schmitt)
HCS for HB 1644 (Purgason)
HCS for HB 1722 (Pearce)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 591-Parson, with HCS, as amended
SS for SCS for SB 595-Kraus, with HCS
SS for SCS for SB 699-Goodman, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5, as amended & HA 6
SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8
SB 568-Parson, with HCS, as amended (Senate adopted CCR and passed CCS)
SCS for SB 569-Kraus, with HCS, as amended
SB 611-Lembke, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8
SS for SCS for SB 719-Kehoe, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6
HB 1073 & HCS for HB 1477-Sater, with SS for SCS, as amended (Munzlinger)
HB 1135-Smith (150), et al, with SCS, as amended (Dixon)

Requests to Recede or Grant Conference

SB 455-Pearce, with HCS, as amended (Senate requests House recede or grant conference)
SS for SCS for SB 467-Munzlinger, with HCS, as amended (Senate requests House recede or grant conference)
SS for SCS for SB 470-Dixon, with HCS, as amended (Senate requests House recede and pass the bill)
SCS for SB 498-Munzlinger and Justus, with HCS, as amended (Senate requests House recede or grant conference)
SCS for SB 566-Brown, with HA 1 & HA 2 (Senate requests House recede or grant conference)
SB 578-Parson, with HCS, as amended (Senate requests House recede or grant conference)

SB 628-Schaefer, with HCS, as amended
(Senate requests House recede or grant conference)
SCS for SB 635-Pearce, with HCS, as amended
(Senate requests House recede or grant conference)
SCS for SB 715-Kraus, with HA 1 & HA 2
(Senate requests House recede and pass the bill)
SB 736-Engler, with HA 1
(Senate requests House recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al
SR 1762-Schmitt
HCR 12-Davis, et al (Brown)
HCR 22-Walton Gray, et al (Chappelle-Nadal)
HCR 25-Allen, et al (Dixon)
HCR 31-Schieffer, et al (Rupp)
HCR 42-Rowland, et al
HCR 43-Franklin (Purgason)
HCR 46-Franklin, et al (Purgason)
HCR 49-Fallert, et al (Engler)

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Journal of the Senate

SECOND REGULAR SESSION

SEVENTIETH DAY—MONDAY, MAY 14, 2012

The Senate met pursuant to adjournment.

President Kinder in the Chair.

Reverend Carl Gauck offered the following prayer:

"If ye keep watch over your hearts, and listen for the Voice of God and learn of Him, in one short hour ye can learn more from Him than ye could learn from Man in a thousand years." (Johannes Tauler)

Help us, O Lord, to set an hour in quiet with You and to learn of You and learn more about ourselves for You have called us to be faithful servants. Bless our activities for much is expected of us and there is much to be done. Make us mindful that our work here is a collective effort and we need to listen to one another and seek always to do what is best for all. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, May 10, 2012 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 2183, regarding Alice Fast, Kirksville, which was adopted.

Senator Rupp offered Senate Resolution No. 2184, regarding Andrew Robbins, which was adopted.

Senator Crowell offered Senate Resolution No. 2185, regarding the Fifty-fifth Wedding Anniversary of Mr. and Mrs. Darel Roberts, Cape Girardeau, which was adopted.

Senator Crowell offered Senate Resolution No. 2186, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. R. Graham Wagoner, Cape Girardeau, which was adopted.

Senator Kehoe offered Senate Resolution No. 2187, regarding David Ganey, Jefferson City, which was adopted.

Senator Engler offered Senate Resolution No. 2188, regarding Casey Evon Burns, Bonne Terre, which was adopted.

Senator Lamping offered Senate Resolution No. 2189, regarding Heather Schmiemeier, which was adopted.

Senator Lamping offered Senate Resolution No. 2190, regarding Cody Baker, which was adopted.

Senator Engler offered Senate Resolution No. 2191, regarding Debra Lewis, Mineral Point, which was adopted.

Senator Pearce offered Senate Resolution No. 2192, regarding Elda Goetz, Warrensburg, which was adopted.

Senator Nieves offered Senate Resolution No. 2193, regarding Colton Nash Harvey, Pacific, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 2194

WHEREAS, the General Assembly fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the General Assembly has a long tradition of rendering assistance to those organizations who sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides its participants with a unique insight into the day to day operation of our state government;

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Missouri YMCA be hereby granted permission to use the Senate Chamber and Hearing rooms for the purposes of its Youth in Government program on November 8, 2012 through November 10, 2012 and November 29, 2012 through December 1, 2012.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 2194** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 2194** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 2195

WHEREAS, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

WHEREAS, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

WHEREAS, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

WHEREAS, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use the Senate Chamber for the purpose of their regular session from 8:00 a.m. to 4:00 p.m. on Thursday, October 11, 2012 and 8:00 am - 12:00 pm on Friday, October 12, 2012.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 2195** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 2195** was adopted.

Senator Kehoe offered Senate Resolution No. 2196, regarding Jim Strope, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 2197, regarding Jerry Allen, New Bloomfield, which was adopted.

Senator Kehoe offered Senate Resolution No. 2198, regarding Cherie Barr, Jefferson City, which was adopted.

Senator Engler offered Senate Resolution No. 2199, regarding Kimberly Sue Weible, Hillsboro, which was adopted.

HOUSE BILLS ON THIRD READING

At the request of Senator Lager, **HB 1051**, with **SCS**, was placed on the Informal Calendar.

HB 1403, introduced by Representative Schatz, et al, entitled:

An Act to repeal sections 287.067, 287.120, 287.140, 287.141, 287.143, 287.149, 287.150, 287.160, 287.210, 287.220, 287.690, and 287.715, RSMo, and to enact in lieu thereof thirteen new sections relating to workers' compensation, with an emergency clause for certain sections.

Was taken up by Senator Dempsey.

Senator Dempsey offered **SS** for **HB 1403**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 1403

An Act to repeal sections 287.067, 287.120, 287.150, 287.200, and 287.240, RSMo, and to enact in lieu thereof five new sections relating to workers' compensation.

Senator Dempsey moved that **SS** for **HB 1403** be adopted.

Senator Green offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 1403, Page 20, Section 287.240, Line 28, by inserting

immediately after said line the following:

"287.450. If the employer and employee or his dependents do not agree in regard to compensation payable under this chapter, either party may make application **in a manner determined by the division** for a hearing in regard to the matters at issue and for a ruling thereon, except that no application for a hearing shall be considered until fourteen days after the receipt by the division of the report of accident required under section 287.380. The fourteen-day waiting period is not applicable to applications for hardship hearings. After the application has been received, the division shall set a date for a hearing, which shall be held as soon as practicable, and shall notify the interested parties of the time and place of the hearing.

287.460. 1. The division, through an administrative law judge, shall hear in a summary proceeding the parties at issue and their representatives and witnesses and shall determine the dispute by issuing the written award within ninety days of the last day of the hearing. The hearing shall be concluded within thirty days of the date of commencement of the hearing, except in extraordinary circumstances where a lengthy trial or complex issues necessitate a longer time than ninety days. All evidence introduced at any such hearings shall be reported by a competent reporter appointed by the division or be recorded by electronic means. The award, together with a statement of the findings of fact, rulings of law and any other matters pertinent to the question at issue, shall be filed with the record of proceedings, and a copy of the award shall immediately be sent by **electronic means or in the case of an unrepresented employee, by** United States mail**,** to the parties in dispute and the employer's insurer.

2. The division of workers' compensation shall develop by rule procedures whereby mediation services are provided to the parties in a claim for workers' compensation benefits whereby claims may be mediated by the parties at a prehearing conference when the division determines that a claim may be settled or upon application for a mediation settlement conference filed by either party.

3. The division may require the parties to produce at the mediation conference all available medical records and reports. Such mediation conference shall be informal to ascertain the issues and attempt to resolve the claim or other pending issues. Such mediation conference may be set at any time prior to the commencement of the evidentiary hearing and nothing in this section shall be interpreted to delay the setting of the matter for hearing. Upon the request of any party, a person providing mediation settlement services shall be disqualified from conducting any evidentiary hearing relating to the claim without limiting the rights conferred by section 287.810.

287.520. **1.** Any notice required under this chapter shall be deemed to have been properly given and served when sent by registered or certified mail properly stamped and addressed to the person or entity to whom given, at the last known address in time to reach the person or entity in due time to act thereon, or to counsel for that person or entity in like manner. Notice may also be given and served in like manner as summons in civil actions.

2. Notwithstanding the provisions of subsection 1 of this section, the division may serve or send any notices required under this chapter by electronic means, except that any notices required to be sent to an employee not represented by counsel shall be sent by registered or certified mail to the last known address of the employee unless the employee consents to receive notices by electronic means. In the event the employee is represented by counsel and counsel is sent proper notice under this chapter, notice to the employee may be sent by regular mail.

287.650. 1. The division of workers' compensation shall have such powers as may be necessary to carry

out all the provisions of this chapter **including the use of electronic processes**, and it may make such rules and regulations as may be necessary for any such purpose, subject to the approval of the labor and industrial relations commission of Missouri. The division shall have power to strike pleadings and enter awards against any party or parties who fail or refuse to comply with its lawful orders.

2. (1) The division shall have the power upon the expiration of five years after their receipt to destroy reports of injuries on which no compensation (exclusive of medical costs) was due or paid, together with the papers attendant to the filing of such reports, and also to destroy records in compensable cases after the expiration of ten years from the date of the termination of compensation.

(2) Records in cases that are submitted for hearing in the division shall include all documentary exhibits admitted as evidence at the hearing. Records in all other cases shall include all documents required to be filed with the division by this chapter or by rule of the division, medical reports or records which are relied upon by the administrative law judge or legal advisor in approving the compromise lump sum settlement, and copies of the compromise lump sum settlement. These records shall be kept and stored by the division for a minimum of ten years and shall include the originals or duplicate originals stored by electronic or other means approved by the division.

3. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

287.655. Any claim before the division may be dismissed for failure to prosecute in accordance with rules and regulations promulgated by the commission**. Such notice shall be made in a manner determined by the division**, except **that for the employee** such notice **[**need not**] shall** be by certified or registered mail **[**if**] unless** the **[**person or entity**] employee** to whom notice is directed is represented by counsel and counsel is also given such notice **[**at counsel's last known address**]**. To dismiss a claim the administrative law judge shall enter an order of dismissal which shall be deemed an award and subject to review and appeal in the same manner as provided for other awards in this chapter."; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Pearce assumed the Chair.

At the request of Senator Dempsey, **HB 1403**, with **SS**, as amended (pending), was placed on the Informal Calendar.

HCS for **HB 1361**, entitled:

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to utilities.

Was called from the Informal Calendar and taken up by Senator Lager.

Senator Lager offered **SS** for **HCS** for **HB 1361**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1361

An Act to amend chapter 392, RSMo, by adding thereto one new section relating to broadband.

Senator Lager moved that **SS** for **HCS** for **HB 1361** be adopted.

Senator Stouffer assumed the Chair.

At the request of Senator Lager, **HCS** for **HB 1361**, with **SS** (pending), was placed on the Informal Calendar.

Senator Pearce moved that **HCS** for **HB 1174**, with **SCS**, **SS** for **SCS**, **SA 1**, **SSA 1** for **SA 1** and **SA 2** to **SSA 1** for **SA 1** (pending) be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Pearce, **SS** for **SCS** for **HCS** for **HB 1174** was withdrawn, rendering the pending amendments moot.

Senator Pearce offered **SS No. 2** for **SCS** for **HCS** for **HB 1174**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1174

An Act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof two new sections relating to school accreditation, with an emergency clause.

Senator Pearce moved that **SS No. 2** for **SCS** for **HCS** for **HB 1174** be adopted.

At the request of Senator Pearce, **HCS** for **HB 1174**, with **SCS** and **SS No. 2** for **SCS** (pending), was placed on the Informal Calendar.

HCS for **HB 1563**, with **SCS**, entitled:

An Act to repeal sections 338.315 and 338.333, RSMo, and to enact in lieu thereof two new sections relating to legend drugs, with a penalty provision.

Was called from the Informal Calendar and taken up by Senator Wasson.

SCS for **HCS** for **HB 1563**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1563

An Act to repeal sections 195.060, 195.080, 334.747, 338.315, and 338.333, RSMo, and to enact in lieu thereof five new sections relating to prescription drugs, with a penalty provision.

Was taken up.

Senator Wasson moved that **SCS** for **HCS** for **HB 1563** be adopted.

Senator Wasson offered **SS** for **SCS** for **HCS** for **HB 1563**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1563

An Act to repeal sections 195.060, 195.080, 334.104, 334.747, 337.300, 337.305, 337.310, 337.315, 337.325, 337.345, 338.315, 338.333, and 660.315, RSMo, and to enact in lieu thereof fifteen new sections

relating to healthcare services, with a penalty provision and an emergency clause for a certain section.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 1563** be adopted.

Senator Schaefer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1563, Page 31, Section 338.315, Line 20, by inserting after all of said line the following:

"**338.320. 1. There is hereby established the "Missouri Electronic Prior Authorization Committee" in order to facilitate, monitor, and report to the general assembly on Missouri-based efforts to contribute to the establishment of national electronic prior authorization standards. Such efforts shall include the Missouri-based electronic prior authorization pilot program established under subsection 5 of this section and the study and dissemination of information by the committee of the efforts of the National Council on Prescription Drug Programs (NCPDP) to develop national electronic prior authorization standards. The committee shall advise the general assembly and the department of insurance, financial institutions and professional registration as to whether there is a need for administrative rules to be promulgated by the department of insurance, financial institutions and professional registration as soon as practically possible.**

2. The Missouri electronic prior authorization committee shall consist of the following members:

(1) Two members of the senate, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(3) One member from an organization of licensed physicians in the state;

(4) One member who is a physician licensed in Missouri pursuant to chapter 334;

(5) One member who is a representative of a Missouri pharmacy benefit management company;

(6) One member from an organization representing licensed pharmacists in the state;

(7) One member from the business community representing businesses on health insurance issues;

(8) One member from an organization representing the leading research-based pharmaceutical and biotechnology companies;

(9) One member from an organization representing the largest generic pharmaceutical trade association;

(10) One patient advocate;

(11) One member from an electronic prescription network that facilitates the secure electronic exchange of clinical information between physicians, pharmacies, payers, and pharmacy benefit managers and other health care providers;

(12) One member from a Missouri-based electronic health records company;

(13) One member from an organization representing the largest number of hospitals in the state;

(14) One member from a health carrier as such term is defined under section 376.1350;

(15) One member from an organization representing the largest number of health carriers in the

state, as such term is defined under section 376.1350;

(16) The director of the department of social services, or the director's designee;

(17) The director of the department of insurance, financial institutions and professional registration, who shall be chair of the committee.

3. All of the members, except for the members from the general assembly, shall be appointed by the governor no later than September 1, 2012, with the advice and consent of the senate. The staff of the department of insurance, financial institutions and professional registration shall provide assistance to the committee.

4. The duties of the committee shall be as follows:

(1) Before February 1, 2019, monitor and report to the general assembly on the Missouri-based electronic prior authorization pilot program created under subsection 5 of this section including a report of the outcomes and best practices developed as a result of the pilot program and how such information can be used to inform the national standard-setting process;

(2) Obtain specific updates from the NCPDP and other pharmacy benefit managers and vendors that are currently engaged in pilot programs working toward national electronic prior authorization standards;

(3) Correspond and collaborate with the NCPDP and other such pilots through the exchange of information and ideas;

(4) Assist, when asked by the pharmacy benefit manager, with the development of the pilot program created under subsection 5 of this section with an understanding of information on the success and failures of other pilot programs across the country;

(5) Prepare a report at the end of each calendar year to be distributed to the general assembly and governor with a summary of the committee's progress and plans for the next calendar year, including a report on Missouri-based efforts to contribute to the establishment of national electronic prior authorization standards. Such annual report shall continue until such time as the NCPDP has established national electronic prior authorization standards or this section has expired, whichever is sooner. The first report shall be completed before January 1, 2013;

(6) Upon the adoption of national electronic prior authorization standards by the NCPDP, prepare a final report to be distributed to the general assembly and governor that identifies the appropriate Missouri administrative regulations, if any, that will need to be promulgated by the department of insurance, financial institutions and professional registration, in order to make those standards effective as soon as practically possible, and advise the general assembly and governor if there are any legislative actions necessary to the furtherance of that end.

5. The department of insurance, financial institutions and professional registration and the Missouri electronic prior authorization committee shall recruit a Missouri-based pharmacy benefits manager doing business nationally to volunteer to conduct an electronic prior authorization pilot program in Missouri. The pharmacy benefits manager conducting the pilot program shall ensure that there are adequate Missouri licensed physicians and an electronic prior authorization vendor capable and willing to participate in a Missouri-based pilot program. Such pilot program established under this section shall be operational by January 1, 2014. The department and the committee may provide

advice or assistance to the pharmacy benefit manager conducting the pilot program but shall not maintain control or lead with the direction of the pilot program.

6. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted.

At the request of Senator Wasson, **HCS** for **HB 1563**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HA 1**, **HA 2** to **SCS** for **SB 566** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HCS** for **SCS** for **SB 498** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 467** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HCS** for **SCS** for **SB 455** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HCS** for **SB 578** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HCS** for **SB 628** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to recede from its position on **HCS** for **SCS** for **SB 635** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SS** for **SCS** for **HB 1807**, **HB 1093**, **HB 1107**, **HB 1156**, **HB 1221**, **HB 1261**, **HB 1269**, **HB 1641**, **HB 1668**, **HB 1737**, **HB 1782**, **HB 1868**, **HB 1878**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 498**, as amended: Senators Munzlinger, Crowell, Brown, Callahan and McKenna.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 467**, as amended: Senators Munzlinger, Kraus, Lamping, Callahan and Justus.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 455**, as amended: Senators Pearce, Brown, Dixon, Wright-Jones and Keaveny.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 578**, as amended: Senators Parson, Munzlinger, Engler, Wright-Jones and Chappelle-Nadal.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 628**, as amended: Senators Schaefer, Kehoe, Dixon, Justus and Keaveny.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 635**, as amended: Senators Pearce, Engler, Wasson, Justus and Wright-Jones.

President Pro Tem Mayer assumed the Chair.

REFERRALS

President Pro Tem Mayer referred **HCS** for **HBs 1278** and **1152**, with **SCS**; **HCS** for **HB 1637**, with **SCS**; **HB 1909**; **HCS** for **HB 1329**; **HCS** for **HB 1647**; and **HCS** for **HB 1860** and **HCS** for **HB 1254**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

REPORTS OF STANDING COMMITTEES

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1442**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1869**, begs leave to report that it has considered the same and recommends that the bill do pass, with Senate Committee Amendment No. 1

SENATE COMMITTEE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1869, Pages 1-2, Section 116.010, by striking all of said section from the bill; and

Further amend said bill, Pages 4 and 5, Section 116.160, by striking all of said section from the bill; and

Further amend said bill, Pages 5 and 6, Section 116.175, by striking all of said section from the bill; and

Further amend said bill, Page 6, Section 116.180, Line 2, by striking the opening and closing brackets "**[ ]**" from said line; and further amend line 3, by striking the opening bracket "**[**" from said line; and further amend line 4, by striking the closing bracket "**]**" from said line; and further amend line 5, by striking the opening and closing brackets "**[ ]**" from said line; and

Further amend said bill, Pages 6 and 7, Section 116.190, by striking all of said section from the bill; and

Further amend said bill, Page 9, Section 116.334, Line 5, by inserting after "website" the following: "**and refer a copy of the sample petition to the state auditor for purposes of preparing a fiscal note and fiscal note summary**"; and

Further amend said bill, Page 10, Section 116.170, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 1251**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 1526**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS No. 2** for **HB 1475**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 1534**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Pearce, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 1062**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following reports:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1315**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1096**, begs leave to report that it has considered the same and recommends that the bill do pass.

On motion of Senator Dempsey, the Senate recessed until 7:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Stouffer.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SS** for **SCS** for **HCS** for **HB 1402** as amended and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SCS** for **SB 470** as amended and asks the Senate to grant the House a conference.

HOUSE BILLS ON THIRD READING

HB 1036, introduced by Representative Dugger, with **SCS**, entitled:

An Act to repeal section 115.241, RSMo, relating to political party emblems on ballots.

Was called from the Informal Calendar and taken up by Senator Engler.

SCS for **HB 1036**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1036

An Act to repeal sections 115.123 and 115.241, RSMo, and to enact in lieu thereof one new section relating to elections.

Was taken up.

Senator Engler moved that **SCS** for **HB 1036** be adopted, which motion prevailed.

On motion of Senator Engler, **SCS** for **HB 1036** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Engler	Green	Keaveny

Kehoe	Kraus	Lager	Mayer	McKenna	Munzlinger	Parson	Pearce
Purgason	Ridgeway	Schaaf	Stouffer—20				

NAYS—Senators

Curls	Justus	Schaefer	Wright-Jones—4

Absent—Senators

Chappelle-Nadal	Dixon	Goodman	Lamping	Lembke	Nieves	Richard	Rupp
Schmitt	Wasson—10						

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1072**, with **SCS**, entitled:

An Act to amend chapter 191, RSMo, by adding thereto six new sections relating to the volunteer health services act.

Was called from the Informal Calendar and taken up by Senator Brown.

SCS for **HCS** for **HB 1072**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1072

An Act to amend chapter 191, RSMo, by adding thereto six new sections relating to the volunteer health services act.

Was taken up.

Senator Brown moved that **SCS** for **HCS** for **HB 1072** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HCS** for **HB 1072** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Lembke Nieves Rupp Schmitt—4

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Wasson moved that **HCS** for **HB 1563**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1563, Page 33, Section 338.333, Line 2, by inserting immediately after all of said line the following:

"354.535. 1. If a pharmacy, operated by or contracted with by a health maintenance organization, is closed or is unable to provide health care services to an enrollee in an emergency, a pharmacist may take an assignment of such enrollee's right to reimbursement, if the policy or contract provides for such reimbursement, for those goods or services provided to an enrollee of a health maintenance organization. No health maintenance organization shall refuse to pay the pharmacist any payment due the enrollee under the terms of the policy or contract.

2. No health maintenance organization, conducting business in the state of Missouri, shall contract with a pharmacy, pharmacy distributor or wholesale drug distributor, nonresident or otherwise, unless such pharmacy or distributor has been granted a permit or license from the Missouri board of pharmacy to operate in this state.

3. Every health maintenance organization shall apply the same coinsurance, co-payment and deductible factors to all drug prescriptions filled by a pharmacy provider who participates in the health maintenance organization's network if the provider meets the contract's explicit product cost determination. If any such contract is rejected by any pharmacy provider, the health maintenance organization may offer other contracts necessary to comply with any network adequacy provisions of this act. However, nothing in this section shall be construed to prohibit the health maintenance organization from applying different coinsurance, co-payment and deductible factors between generic and brand name drugs.

4. **If the co-payment applied by a health maintenance organization exceeds the usual and customary retail price of the prescription drug, enrollees shall only be required to pay the usual and customary retail price of the prescription drug, and no further charge to the enrollee or plan sponsor**

shall be incurred on such prescription.

5. Health maintenance organizations shall not set a limit on the quantity of drugs which an enrollee may obtain at any one time with a prescription, unless such limit is applied uniformly to all pharmacy providers in the health maintenance organization's network.

[5.**] 6.** Health maintenance organizations shall not insist or mandate any physician or other licensed health care practitioner to change an enrollee's maintenance drug unless the provider and enrollee agree to such change. For the purposes of this provision, a maintenance drug shall mean a drug prescribed by a practitioner who is licensed to prescribe drugs, used to treat a medical condition for a period greater than thirty days. Violations of this provision shall be subject to the penalties provided in section 354.444.

Notwithstanding other provisions of law to the contrary, health maintenance organizations that change an enrollee's maintenance drug without the consent of the provider and enrollee shall be liable for any damages resulting from such change. Nothing in this subsection, however, shall apply to the dispensing of generically equivalent products for prescribed brand name maintenance drugs as set forth in section 338.056.

376.387. If the co-payment for prescription drugs applied by a health insurer or health carrier, as defined in section 376.1350, exceeds the usual and customary retail price of the prescription drug, enrollees shall only be required to pay the usual and customary retail price of the prescription drug, and no further charge to the enrollee or plan sponsor shall be incurred on such prescription."; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion failed.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 1563**, as amended, be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **HCS** for **HB 1563**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Green Rupp—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Rupp—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Munzlinger moved that **HCS** for **HB 1094**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Munzlinger, **SA 1** was withdrawn.

Senator Munzlinger offered **SS** for **SCS** for **HCS** for **HB 1094**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1094

An Act to repeal section 205.042, RSMo, and to enact in lieu thereof two new sections relating to payment systems.

Senator Munzlinger moved that **SS** for **SCS** for **HCS** for **HB 1094** be adopted.

Senator Green offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1094, Page 1, Section 37.007, Line 11, by inserting immediately after said line the following:

"**37.920. 1. There is hereby created in the state treasury the "Missouri Revolving Information Technology Trust Fund" which shall contain moneys transferred or paid to the office of administration by any state agency in return for information technology expenses which may be incurred to ensure the proper use and operation of any information technology equipment, software, or systems.**

2. The state treasurer shall be custodian of the fund and may approve disbursement from the fund

in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger moved that **SS** for **SCS** for **HCS** for **HB 1094**, as amended, be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SCS** for **HCS** for **HB 1094**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Dixon Purgason—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1051, introduced by Representative Allen, et al, with **SCS**, entitled:

An Act to amend chapter 29, RSMo, by adding thereto one new section relating to a one-time audit and analysis of fiscal practices and cost savings in state agencies.

Was called from the Informal Calendar and taken up by Senator Lager.

SCS for **HB 1051**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1051

An Act to repeal section 513.653, RSMo, and to enact in lieu thereof two new sections relating to audits, with existing penalty provisions.

Was taken up.

Senator Lager moved that **SCS** for **HB 1051** be adopted.

Senator Lager offered **SS** for **SCS** for **HB 1051**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1051

An Act to repeal sections 361.070, 361.080, and 513.653, RSMo, and to enact in lieu thereof four new sections relating to audits, with existing penalty provisions.

Senator Lager moved that **SS** for **SCS** for **HB 1051** be adopted.

Senator Pearce assumed the Chair.

Senator Keaveny offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1051, Page 1, Section A, Line 4, by inserting immediately after all of said line the following:

"**29.305. 1. The state auditor shall make a one-time report on the costs, both direct and indirect, born by county and state governments in the prosecution and defense of at least ten cases filed on or after January 1, 1990, in which a death sentence was sought and was imposed and compare such costs to the costs of an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was not sought and the defendant was sentenced to life without the possibility for parole and an equal number of first degree murder cases filed on or after January 1, 1990, in which a death sentence was sought, but the defendant was sentenced to life without the possibility for parole at the conclusion of a sentencing phase. The auditor may make additional comparisons including other sentences imposed for homicide offenses.**

2. In selecting the cases in which a death sentence was not imposed, the auditor shall use a scientific method of random sampling including all cases filed on or after January 1, 1990.

3. The comparison shall include the following costs estimated by the auditor to be related to the cases examined and compared under subsection 1 of this section:

(1) Staff salaries, benefits, and operating expenses for the attorney general's office, including any contracts for assistance;

(2) Staff salaries, benefits, and operating expenses for the department of corrections, including costs related to housing inmates sentenced to death and carrying out the death penalty and any contracts for assistance;

(3) Staff salaries, including salaries of prosecuting and circuit attorneys, benefits, operating expenses charged to counties, including expenses in preparing for the presentation of aggravating and mitigating circumstances with respect to sentencing proceedings in death penalty cases, expert witness fees, additional investigations, and contracts for assistance;

(4) Staff salaries, benefits, and operating expenses for the Missouri state public defender system; and

(5) Staff salaries, benefits, and operating expenses for the supreme court, courts of appeals, and circuit courts.

4. The auditor shall present the report to the governor, members of the general assembly, and the Missouri supreme court by June 30, 2014."; and

Further amend the title and enacting clause accordingly.

Senator Keaveny moved that the above amendment be adopted.

At the request of Senator Lager, **HB 1051**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Stouffer moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HCS** for **HB 1402**, as amended, and grant the House a conference thereon, which motion prevailed.

REFERRALS

President Pro Tem Mayer referred **HB 1251**, with **SCS** and **HB 1534** to the Committee on Ways and Means and Fiscal Oversight.

PRIVILEGED MOTIONS

Senator Dixon moved that the Senate grant the House a conference on **HCS** for **SS** for **SCS** for **SB 470**, as amended, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SCS** for **SB 566** as amended. Representatives: Jones (117), Loehner, Brattin, Harris, and Shively.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SCS** for **SB 498** as amended. Representatives: Shumake, Davis, Day, Talboy, and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SB 455** as amended. Representatives: Thomson, Jones (89), Zerr, McCann-Beatty, and Jones (63).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SB 628** as amended. Representatives: Cox, Diehl, Elmer, Carlson, and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker

has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SB 578** as amended. Representatives: Cox, Gatschenberger, Jones (117), Hummel, and McManus.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SCS** for **SB 467** as amended. Representatives: Cox, Smith (150), Torpey, Rizzo, and Holsman.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SCS** for **SB 635** as amended. Representatives: Phillips, Wells, Smith (150), Mott-Oxford, and Nichols.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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SEVENTY-FIRST DAY–TUESDAY, MAY 15, 2012

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FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#3 for SCS for SB 710-Engler

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS
SB 745-Lembke
SB 765-Schaefer
SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1318-Riddle, et al (Kehoe) (In Fiscal Oversight)
2. HCS for HB 1640, with SCS (Stouffer) (In Fiscal Oversight)
3. HCS for HB 1498, with SCS (Schmitt)
4. HCS for HJR 41 (Green) (In Fiscal Oversight)
5. HCS for HB 1758, with SCS (Ridgeway)
6. HCS#2 for HB 1323, with SCS (Rupp)
7. HCS for HB 1865, with SCS (Lembke)
8. HCS for HBs 1278 & 1152, with SCS (Purgason) (In Fiscal Oversight)
9. HCS for HBs 1659 & 1116, with SCS (Callahan)

10. HCS for HB 1818 (Kehoe)
11. HCS for HB 1637, with SCS (Purgason) (In Fiscal Oversight)
12. HCS for HB 1280, with SCS (Wasson)
13. HB 1909-Hoskins (Pearce) (In Fiscal Oversight)
14. HB 1141-Gatschenbergerer, et al (Nieves)
15. HCS for HB 1300, with SCS (Parson)
16. HCS for HB 1171 (Dixon)
17. HB 1231-Cauthorn, et al (Munzlinger)
18. HCS for HB 1329 (Kehoe) (In Fiscal Oversight)
19. HB 1540-Jones (89), et al (Dempsey)
20. HCS for HB 1576 (Parson)
21. HCS for HB 1827, with SCS (Schaefer)
22. HCS for HB 1549 (Kraus)
23. HCS for HB 1647 (Kehoe) (In Fiscal Oversight)
24. HB 2099-Elmer (Lager)
25. HCS for HB 1789, with SCS (Nieves)
26. HB 1820-Asbury and Shively, with SCS (Munzlinger)
27. HCS for HB 1608 (Lembke)
28. HB 1424-Marshall, et al (Engler)
29. HCS for HB 1383 (Kehoe)
30. HCS for HBs 1934 & 1654 (Schaefer)
31. HB 1577-Largent, et al (Pearce)
32. HB 1131-Fisher (Pearce)
33. HB 1114-Weter (Goodman)
34. HB 1804-Molendorp, et al (Justus)
35. HCS for HB 1324, with SCS (Munzlinger)
36. HCS for HB 1860 & HCS for HB 1254, with SCS (In Fiscal Oversight)
37. HCS for HB 1442
38. HCS for HB 1869, with SCA 1 (Parson)
39. HB 1251-Ruzicka, with SCS (Lager) (In Fiscal Oversight)
40. HCS for HB 1526 (Rupp)
41. HCS#2 for HB 1475 (Cunningham)
42. HB 1534-Bahr, et al (Mayer) (In Fiscal Oversight)
43. HB 1062-Dieckhaus and Lampe
44. HB 1315-McCaherty, et al
45. HB 1096-Wieland

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham

SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer

SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)

SB 442-Stouffer, with SCS

SB 449-Rupp

SB 451-Cunningham, with SCS

SB 454-Pearce, with SA 1 (pending)

SB 457-Schmitt, with SCS & SS for SCS (pending)

SB 465-Schaaf

SB 474-Kraus, with SCS & SA 1 (pending)

SB 475-Lamping

SB 479-Crowell

SB 490-Munzlinger, with SCS

SB 491-Munzlinger, with SCS

SB 516-Schaaf, with SCS (pending)

SB 547-Purgason

SB 548-Purgason, with SCS

SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HB 1051-Allen, et al, with SCS, SS for SCS & SA 1 (pending) (Lager)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HCS for HB 1123 (Brown)
HCS for HB 1140, with SCS (Brown)
HCS for HB 1150, with SCS (Brown)
HB 1170-Franz, with SCS (Parson)
HCS for HB 1174, with SCS & SS#2 for SCS (pending) (Pearce)
HB 1192-Koenig, et al (Cunningham)
HCS for HB 1193, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 3 to SSA 1 for SA 1 (pending) (Engler)
HCS#2 for HB 1317, with SCS (Schaefer)
SCS for HB 1331-Jones (117), et al (Kehoe)
HB 1337-Stream, with SCS (Brown)
HCS for HB 1361, with SS (pending) (Lager)
HB 1403-Schatz, et al, with SS (pending) (Dempsey)
HCS for HB 1623, with SCS, SS#2 for SCS & SA 12 (pending) (Schmitt)

HCS for HB 1644 (Purgason)

HCS for HB 1722 (Pearce)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 591-Parson, with HCS, as amended

SS for SCS for SB 595-Kraus, with HCS

SS for SCS for SB 699-Goodman, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5, as amended & HA 6

SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 455-Pearce, with HCS, as amended

SS for SCS for SB 467-Munzlinger, with HCS, as amended

SS for SCS for SB 470-Dixon, with HCS, as amended

SCS for SB 498-Munzlinger and Justus, with HCS, as amended

SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8

SCS for SB 566-Brown, with HA 1 & HA 2

SB 568-Parson, with HCS, as amended (Senate adopted CCR and passed CCS)

SCS for SB 569-Kraus, with HCS, as amended

SB 578-Parson, with HCS, as amended

SB 611-Lembke, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8

SB 628-Schaefer, with HCS, as amended

SCS for SB 635-Pearce, with HCS, as amended

SS for SCS for SB 719-Kehoe, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6

HB 1073 & HCS for HB 1477-Sater, with SS for SCS, as amended (Munzlinger)

HB 1135-Smith (150), et al, with SCS, as amended (Dixon)

HCS for HB 1402, with SS for SCS, as amended (Stouffer)

Requests to Recede or Grant Conference

SCS for SB 715-Kraus, with HA 1 & HA 2 (Senate requests House recede and pass the bill)

SB 736-Engler, with HA 1 (Senate requests House recede or grant conference)

HBs 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 & 1878-Marshall, et al, with SS for SCS, as amended (Schaaf) (House requests Senate recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al
SR 1762-Schmitt
HCR 12-Davis, et al (Brown)
HCR 22-Walton Gray, et al (Chappelle-Nadal)
HCR 25-Allen, et al (Dixon)
HCR 31-Schieffer, et al (Rupp)
HCR 42-Rowland, et al
HCR 43-Franklin (Purgason)
HCR 46-Franklin, et al (Purgason)
HCR 49-Fallert, et al (Engler)

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Journal of the Senate

SECOND REGULAR SESSION

SEVENTY-FIRST DAY—TUESDAY, MAY 15, 2012

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

"So let us not grow weary in well doing for in due season we shall reap if we do not lose heart. So then, whenever we have an opportunity, let us work for the good of all,...." (Galatians 6:9-10a)

Creator God, we desire to live wholesome and pure lives that are open to the joy You provide us each day and we seek to be Your hands and voice this day in our work here. There is much to be done and so we seek Your help and guidance so our decisions are wise and our actions are helpful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

President Kinder assumed the Chair.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 2200, regarding Spencer Tan, which was adopted.

HOUSE BILLS ON THIRD READING

HCS for **HB 1150**, with **SCS**, entitled:

An Act to repeal section 301.190, RSMo, and to enact in lieu thereof two new sections relating to the vehicle examination process used for the issuance of prior salvage motor vehicle titles.

Was called from the Informal Calendar and taken up by Senator Brown.

SCS for **HCS** for **HB 1150**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1150

An Act to repeal sections 301.190, 301.193, and 301.227, RSMo, and to enact in lieu thereof three new sections relating to the issuance of certificate of titles for motor vehicles.

Was taken up.

Senator Brown moved that **SCS** for **HCS** for **HB 1150** be adopted.

Senator Brown offered **SS** for **SCS** for **HCS** for **HB 1150**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1150

An Act to repeal sections 301.190, 301.193, and 301.227, RSMo, and to enact in lieu thereof three new sections relating to the issuance of certificate of titles for motor vehicles.

Senator Brown moved that **SS** for **SCS** for **HCS** for **HB 1150** be adopted.

At the request of Senator Brown, **HCS** for **HB 1150**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 636**, entitled:

An Act to repeal sections 32.056, 56.807, 67.2010, 195.222, 195.223, 211.031, 211.093, 211.177, 211.444, 400.9-311, 452.402, 453.030, 453.050, 453.065, 453.080, 456.950, 456.8-808, 476.055, 479.011, 479.040, 483.015, 488.026, 488.426, 488.2250, 488.5320, 508.050, 513.430, 513.440, 523.010, 537.345, 537.346, 537.528, 542.301, 558.019, 559.100, 559.105, 566.083, 569.100, and 570.120, RSMo, and to enact in lieu thereof forty-five new sections relating to the judiciary, with penalty provisions.

With House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 to House

Amendment No. 2, House Amendment No. 4 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 636 Page 2, Line 9, by striking all of said line and inserting in lieu thereof the following:

"**days following taking possession of the premises and further provided that if personal property is left by the tenant in or at the dwelling bearing a conspicuous permanent label or marking identifying it as the property of a third party, the landlord shall notify the third party by certified mail to the address shown on the label or marking, with a return receipt requested. The third party shall be given an opportunity to recover such property within five business days of the date such notice is received. If the landlord is unable to notify the third party, the landlord may remove and dispose of such property and shall incur no liability for any loss or damage thereto.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 636, Page 6, Lines 16 and 17 by deleting said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 636 Page 2, Lines 19-21, by deleting all of said section and lines; and

Further amend said amendment, Section 534.275, Page 2, Lines 32-36, to Page 3, Lines 1-5, by deleting all of said section and lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 636, Page 16, Section 400.9-311, Line 25, by inserting after all of said section and line the following:

"441.060. 1. A tenancy at will or by sufferance, or for less than one year, may be terminated by the person entitled to the possession by giving one month's notice, in writing, to the person in possession, requiring the person in possession to vacate the premises.

2. An occupancy limitation of two persons per bedroom residing in a dwelling unit shall be presumed reasonable for this state. The two-person limitation shall not apply to a child or children born to the tenants during the course of the lease.

3. Except as otherwise provided by law, all contracts or agreements for the leasing, renting or occupation

of stores, shops, houses, tenements or other buildings in cities, towns or villages, and of stores, shops, houses, tenements or other buildings except when such leasing, renting or occupation is as tenant of real estate used or rented for agricultural purposes, other than garden purposes, not made in writing, signed by the parties thereto, or their agents, shall be held and taken to be tenancies from month to month, and all such tenancies may be terminated by either party thereto, or the party's agent, giving to the other party, or the party's agent, one month's notice, in writing, of the party's intention to terminate such tenancy.

4. (1) Except as provided in subdivision (2), the landlord or the tenant may terminate a month-to-month tenancy by a written notice given to the other party stating that the tenancy shall terminate upon a periodic rent-paying date not less than one month after the receipt of the notice.

(2) When a person occupies and has an ownership interest in a mobile home and is leasing the land or the lot upon which the mobile home is located, a tenancy for less than one year may be terminated by the landlord by giving written notice to the tenant that the tenancy shall terminate not sooner than sixty days from the date the rent payment next becomes due, notwithstanding any written lease provision regarding earlier lease termination to the contrary.

5. If after the rendition of a judgment and a request for an execution on any judgment rendered in an action pursuant to chapter 524, chapter 534, chapter 535, or this chapter and there is no stay of execution, the service officer fails to deliver possession of the premises to the landlord within seven days of the delivery of the writ to such officer, the landlord may, within sixty days**, or fourteen days in cases involving residential property,** of the date of the judgment, in the presence of a municipal or county law enforcement officer of the jurisdiction in which the premises are located, without breach of the peace, break and remove locks, enter and take possession of the premises and remove any household goods, furnishings, fixtures or any other personal property left in or at the premises, provided the law enforcement officer is first presented a true copy of the judgment and order of execution, and the law enforcement officer acknowledges in writing such presentation, and such acknowledgment is filed in court by the plaintiff within five days following taking possession of the premises.

6. Except for negligent, willful or wanton acts or omissions of the landlord, or failure to both timely obtain and file the law enforcement officer acknowledgment described in the preceding subsection, the landlord shall have no liability for loss or damage to any household goods, furnishings, fixtures or any other personal property left in or at the dwelling unit, by reason of the landlord's removal of the property in accordance with the provisions of this section."; and

Further amend said bill, Section 523.010, Page 42, Line 63, by inserting after all of said section and line the following:

"**534.055. If an unauthorized pet is located on the tenant's property, the landlord may enter the tenant's property for purposes of removing such pet. As used in this section, "unauthorized pet" means a pet prohibited by the lease and any animal deemed aggressive.**

534.070. 1. When complaint to the circuit court of the proper county shall be made in writing, signed by the party aggrieved, his agent or attorney, and sworn to, specifying the lands, tenements or other possessions so forcibly entered and detained, or unlawfully detained, and by whom and when done, it shall be the duty of the clerk of the court to issue a summons directed to the sheriff or proper officer of the county, commanding him to summon the person against whom the complaint shall have been made to appear, at a day in such summons to be specified.

2. A court date shall be assigned at the time the summons is issued. The court date shall be for a day certain which is not more than **[**twenty-one**] fourteen** business days from the date the summons is issued unless, at the time the case is filed, the plaintiff or plaintiff's attorney consents in writing to a later date.

534.275. (1) If a tenant dies, the landlord may mail a notice to the last known address of the deceased tenant explaining that his or her property will be removed from the premises within ten days from the date of the certified mailing of the notice. If the property remains at such premises, the property is deemed abandoned and the landlord is not responsible for the property.

(2) The landlord may prorate any rent that has already been received if the deceased tenant's property is removed from the premises during a period for which rent has already been paid.

(3) If the landlord reaches an agreement with the next of kin to hold the property beyond the ten days as provided in this section, the landlord may charge the next of kin for reasonable and necessary charges associated with the storage of the deceased tenant's property.

535.020. **1.** Whenever any rent has become due and payable, and payment has been demanded by the landlord or the landlord's agent from the lessee or person occupying the premises, and payment thereof has not been made, the landlord or agent may file a statement, verified by affidavit, with any associate circuit judge in the county in which the property is situated, setting forth the terms on which such property was rented, and the amount of rent actually due to such landlord; that the rent has been demanded from the tenant, lessee or person occupying the premises, and that payment has not been made, and substantially describing the property rented or leased. Giving the notice provided in section 441.060 is not required prior to filing a statement or obtaining the relief provided in this chapter. In such case, the clerk of the court shall immediately issue a summons directed to such tenant or lessee and to all persons occupying the premises, by name, requiring them to appear before the judge upon a day to be therein named, and show cause why possession of the property should not be restored to the plaintiff. The landlord or agent may, in such an action for unpaid rent, join a claim for any other unpaid sums, other than property damages, regardless of how denominated or defined in the lease, to be paid by or on behalf of a tenant to a landlord for any purpose set forth in the lease; provided that such other sums shall not be considered rent for purposes of this chapter, and judgment for the landlord for recovery of such other sums shall not by itself entitle the landlord to an order for recovery of possession of the premises. The provisions of this section providing for the filing of a statement before an associate circuit judge shall not preclude adoption of a local circuit court rule providing for the centralized filing of such cases, nor the assignment of such cases to particular circuit or associate circuit judges pursuant to local circuit court rule or action by the presiding judge of the circuit. The case shall be heard and determined under the practice and procedure provided in the Missouri rules of civil procedure, except where otherwise provided by this chapter.

2. If a judgment has been entered in favor of the plaintiff under subsection 1 of this section for recovery of the premises, within ten days of such judgment, the sheriff of the county in which the premises is located shall inspect the premises for safety prior to removal of contents, if any.

535.030. 1. Such summons shall be served as in other civil cases at least four days before the court date in the summons. The summons shall include a court date which shall not be more than twenty-one business days from the date the summons is issued unless at the time of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

2. In addition to attempted personal service, the plaintiff may request, and thereupon the clerk of the court shall make an order directing that the officer, or other person empowered to execute the summons,

shall also serve the same by securely affixing a copy of such summons and the complaint in a conspicuous place on the dwelling of the premises in question at least ten days before the court date in such summons, and by also mailing a copy of the summons and complaint to the defendant at the defendant's last known address by ordinary mail at least ten days before the court date. If the officer, or other person empowered to execute the summons, shall return that the defendant is not found, or that the defendant has absconded or vacated his or her usual place of abode in this state, and if proof be made by affidavit of the posting and of the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure set forth in this section.

3. If the plaintiff does not request service of the original summons by posting and mailing as provided in subsection 2 of this section, and if the officer, or other person empowered to execute the summons, makes return that the defendant is not found, or that the defendant has absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request the issuance of an alias summons and service of the same by posting and mailing in the time and manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a copy of the summons in the time and manner provided in subsection 2 of this section. Upon proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons and the complaint, the judge shall proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure provided in subsection 2 of this section.

4. On the date judgment is rendered as provided in this section where the defendant is in default, the clerk of the court shall mail to the defendant at the defendant's last known address by ordinary mail a notice informing the defendant of the judgment and the date it was entered, and stating that the defendant has ten days from the date of the judgment to file a motion to set aside the judgment **[**or to file an application for a trial de novo in the circuit court, as the case may be,**]** and that unless the judgment is set aside **[**or an application for a trial de novo**]** is filed within ten days, the judgment will become final and the defendant will be subject to eviction from the premises without further notice.

535.035. Notwithstanding any provision of law to the contrary, in any landlord-tenant action, the summons may be served by either the sheriff or a private process server. The method of service shall be determined by the landlord.

535.040. 1. Upon the return of the summons executed, the judge shall set the case on the first available court date**, so long as such date is within thirty days,** and shall proceed to hear the cause, and if it shall appear that the rent which is due has been demanded of the tenant, lessee or persons occupying the property, and that payment has not been made, and if the payment of such rent, with all costs, shall not be tendered before the judge, on the hearing of the cause, the judge shall render judgment that the landlord recover the possession of the premises so rented or leased, and also the debt for the amount of the rent then due, with all court costs and shall issue an execution upon such judgment, commanding the officer to put the landlord into immediate possession of the property leased or rented, and to make the debt and costs of the goods and chattels of the defendant. No money judgment shall be granted to the plaintiff if the defendant is in default and service was by the posting procedure provided in section 535.030 unless the defendant otherwise enters an appearance. The officer shall deliver possession of the property to the landlord within five days from the

time of receiving the execution, and the officer shall proceed upon the execution to collect the debt and costs, and return the writ, as in the case of other executions. If the plaintiff so elects, the plaintiff may sue for possession alone, without asking for recovery of the rent due.

2. Except for willful, wanton, or malicious acts or omissions, neither the landlord nor his or her successors, assigns, agents, nor representatives shall be liable to any tenant or subtenant for loss or damage to any household goods, furnishings, fixtures, or any other personal property left in or at the dwelling by the tenant or subtenant of such dwelling, by the reason of the landlord's removal or disposal of the property under a court-ordered execution for possession of the premises.

3. Notwithstanding the provisions of subsection 2 of this section, if, after the sheriff has completed the court-ordered execution, property is left by the tenant in or at the dwelling bearing a conspicuous permanent label or marking identifying it as the property of a third party, the landlord shall notify the third party by certified mail with a return receipt requested. The third party shall be given an opportunity to recover such property within five business days of the date such notice is received. If the landlord is unable to notify the third party, the landlord may remove or dispose of such property and shall incur no liability for any loss or damage thereto.

535.110. Applications for **[**trials de novo and**]** appeals shall be allowed and conducted in the manner provided in chapter 512; but no application for **[**a trial de novo or**] an** appeal shall stay execution unless the defendant give bond, with security sufficient to secure the payment of all damages, costs and rent then due, and with condition to stay waste and to pay all subsequently accruing rent, if any, into court within **[**ten**] three** days after it becomes due, pending determination of the **[**trial de novo or**]** appeal.

535.145. On the date a judgment is entered in favor of the landlord, the landlord has the right to enter, inspect, and record the condition of the premises.

535.160. **1. After a money judgment has been entered in favor of the plaintiff, the defendant shall pay such moneys within five days of such judgment with certified funds.** If the defendant, on the date any money judgment is given in any action pursuant to this chapter, either tenders to the landlord, or brings into the court where the suit is pending, all the rent then in arrears, and all the costs, further proceedings in the action shall cease and be stayed. If on any date after the date of any original trial **[**but before any trial de novo**]** the defendant shall satisfy such money judgment and pay all costs, any execution for possession of the subject premises shall cease and be stayed; except that the landlord shall not thereby be precluded from making application for appeal from such money judgment. If for any reason no money judgment is entered against the defendant and judgment for the plaintiff is limited only to possession of the subject premises, no stay of execution shall be had, except as provided by the provisions of section 535.110 or the rules of civil procedure or by agreement of the parties.

2. If the landlord is required to hire an attorney for proceedings against the tenant, the tenant shall pay attorney fees if the landlord prevails in such action.

535.170. After the execution of any judgment for possession pursuant to this chapter, the lessee and the lessee's assignees, and all other persons deriving title under the lease from such lessee, shall be barred from reentry of such premises and from all relief, and except for error in the record or proceedings, the landlord shall from that day hold the demised premises discharged from the lease. Nothing in this section shall preclude an aggrieved party from perfecting an appeal **[**or securing a trial de novo**]** as to any judgment rendered, and may as a result of such appeal **[**or trial de novo**]** recover any damage incurred, including damages incurred from an unlawful dispossession.

535.190. If a tenant appears before a judge in an action for nonpayment of rent, the court shall inquire, on the record, about the tenant's current residence and current place of employment.

535.195. If the court does not follow the statutory time line for providing a court date and disposing of a landlord-tenant action for eviction, the court costs for the entire case shall be automatically waived by the court.

535.200. 1. In the twenty-second judicial circuit, upon adoption of an ordinance by the city of St. Louis providing for expenditure of city funds for such purpose, a majority of the circuit judges, en banc, may establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the mayor of the city of St. Louis, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of the city of St. Louis, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at city expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to **[**a trial de novo in circuit court, or**]** an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an associate circuit judge under section 535.110. The procedures for perfecting

the right of **[**a trial de novo or**]** **an** appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days. The sheriff must attempt to serve any summons within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by the city of St. Louis.

535.210. 1. In the sixteenth judicial circuit, upon adoption of an ordinance by Jackson County providing for expenditure of county funds for such purpose, a majority of the circuit court judges, en banc, may establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the county executive of Jackson County, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of Jackson County, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit court, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court, shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at county expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to **[**a trial de

novo in circuit court, or**]** an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an associate circuit judge under section 535.110. The procedures for perfecting the right of **[**a trial de novo or**] an** appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days from the date of service. The sheriff must attempt to serve any summons within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by Jackson County.

535.300. 1. A landlord may not demand or receive a security deposit in excess of **[**two**] three** months' rent.

2. Within thirty days after the date of termination of the tenancy, the landlord shall:

(1) Return the full amount of the security deposit; or

(2) Furnish to the tenant a written itemized list of the damages for which the security deposit or any portion thereof is withheld, along with the balance of the security deposit. The landlord shall have complied with this subsection by mailing such statement and any payment to the last known address of the tenant.

3. The landlord may withhold from the security deposit only such amounts as are reasonably necessary for the following reasons:

(1) To remedy a tenant's default in the payment of rent due to the landlord, pursuant to the rental agreement;

(2) To restore the dwelling unit to its condition at the commencement of the tenancy, ordinary wear and tear excepted; or

(3) To compensate the landlord for actual damages sustained as a result of the tenant's failure to give adequate notice to terminate the tenancy pursuant to law or the rental agreement; provided that the landlord makes reasonable efforts to mitigate damages.

4. The landlord shall give the tenant or his representative reasonable notice in writing at his last known address or in person of the date and time when the landlord will inspect the dwelling unit following the termination of the rental agreement to determine the amount of the security deposit to be withheld, and the inspection shall be held at a reasonable time. The tenant shall have the right to be present at the inspection of the dwelling unit at the time and date scheduled by the landlord.

5. If the landlord wrongfully withholds all or any portion of the security deposit in violation of this section, the tenant shall recover as damages not more than twice the amount wrongfully withheld.

6. Nothing in this section shall be construed to limit the right of the landlord to recover actual damages in excess of the security deposit, or to permit a tenant to apply or deduct any portion of the security deposit at any time in lieu of payment of rent.

7. As used in this section, the term "security deposit" means any deposit of money or property, however denominated, which is furnished by a tenant to a landlord to secure the performance of any part of the rental agreement, including damages to the dwelling unit. This term does not include any money or property denominated as a deposit for a pet on the premises."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 636, Page 16, Section 211.444, Line 20, by inserting after all of said section the following:

"313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) "Commission", the Missouri gaming commission;

(7) **"Credit instrument", a writing which evidences a gaming debt that is owed to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission, and includes any writing taken in consolidation, redemption or payment of a previous credit instrument;**

(8) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(8)**] (9)** "Excursion gambling boat", a boat, ferry or other floating facility licensed by the commission on which gambling games are allowed;

[(9)**] (10)** "Fiscal year" shall for the purposes of subsections 3 and 4 of section 313.820 mean the fiscal year of a home dock city or county;

[(10)**] (11)** "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

[(11)**] (12)** "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

[(12)**] (13)** "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

[(13)**] (14)** "Games of chance", any gambling game in which the player's expected return is not favorably increased by his or her reason, foresight, dexterity, sagacity, design, information or strategy;

[(14)**] (15)** "Games of skill", any gambling game in which there is an opportunity for the player to use his or her reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", and any video representation of such games;

[(15)**] (16)** "Gross receipts", the total sums wagered by patrons of licensed gambling games;

[(16)**] (17)** "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

[(17)**] (18)** "Licensee", any person licensed under sections 313.800 to 313.850;

[(18)**] (19)** "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled by the water of those rivers for docking purposes in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(19)**] (20)** "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. In addition to the games of skill **[**referred to in subdivision (14) of**] defined in** subsection 1 of this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing his or her case by a preponderance of evidence including:

(1) Is it in the best interest of gaming to allow the game; and

(2) Is the gambling game a game of chance or a game of skill? All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based

exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.812. 1. The commission may issue licenses pursuant to subsection 1 of section 313.807 when it is satisfied that the applicant has complied with all rules and regulations, including an update of all information provided to the commission in the licensee's initial application. The commission shall decide the number, location and type of excursion gambling boat in a city or county under subsection 10 of this section. The license shall set forth the name of the licensee, the type of license granted, the place where the excursion gambling boat will operate and dock, including the docking of an excursion gambling boat which is continuously docked, and other information the commission deems appropriate. The commission shall have the ultimate responsibility of deciding the number, location, and type of excursion gambling boats licensed in a city or county; however, any city or county which has complied with the provisions of subsection 10 of this section shall submit to the commission a plan outlining the following:

(1) The recommended number of licensed excursion gambling boats operating in such city or county;

(2) The recommended licensee or licensees operating in such city or county;

(3) The community's economic development or impact and affirmative action plan concerning minorities' and women's ownership, contracting and employment for the waterfront development;

(4) The city or county proposed sharing of revenue with any other municipality;

(5) Any other information such city or county deems necessary; and

(6) Any other information the commission may determine is necessary. The commission shall provide for due dates for receiving such plan from the city or county.

2. A license to operate an excursion gambling boat shall only be granted to an applicant upon the express conditions that:

(1) The applicant shall not, by a lease, contract, understanding, or arrangement of any kind, grant, assign, or turn over to a person the operation of an excursion gambling boat licensed under this section or of the system of wagering described in section 313.817. This section does not prohibit a management contract with a person licensed by the commission; and

(2) The applicant shall not in any manner permit a person other than the licensee and the management licensee to have a share, percentage, or proportion of the money received for admissions to the excursion gambling boat.

3. The commission shall require, as a condition of granting a license, that an applicant operate an excursion gambling boat which, as nearly as practicable, resembles or is a part of Missouri's or the home dock city's or county's riverboat history.

4. The commission shall encourage through its rules and regulations the use of Missouri resources, goods and services in the operation of any excursion gambling boat.

5. The excursion gambling boat shall provide for nongaming areas, food service and a Missouri theme gift shop. The amount of space used for gaming shall be determined in accordance with all rules and

regulations of the commission and the United States Coast Guard safety regulations.

6. A license to operate gambling games or to operate an excursion gambling boat shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated financial responsibility sufficient to meet adequately the requirements of the proposed enterprise.

7. Each applicant shall establish by clear and convincing evidence its fitness to be licensed. Without limitation, the commission may deny a license based solely on the fact that there is evidence that any of the following apply:

(1) The applicant has been suspended from operating an excursion gambling boat or a game of chance or gambling operation in another jurisdiction by a board or commission of that jurisdiction;

(2) The applicant is not the true owner of the enterprise proposed;

(3) The applicant is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed;

(4) The applicant is a corporation that is not publicly traded and ten percent or more of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license;

(5) The applicant has knowingly made a false statement of a material fact to the commission; or

(6) The applicant has failed to meet a valid, bona fide monetary obligation in connection with an excursion gambling boat.

8. A license shall not be granted if the applicant has not established **[**his**] the applicant's** good repute and moral character or if the applicant has pled guilty to, or has been convicted of, a felony. No licensee shall employ or contract with any person who has pled guilty to, or has been convicted of, a felony to perform any duties directly connected with the licensee's privileges under a license granted pursuant to this section, except that employees performing nongaming related occupations as determined by the commission shall be exempt from the requirements of this subsection.

9. **Except as provided in section 313.817,** a licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed**, other than a credit instrument,** must be deposited within twenty-four hours. The commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the commission.

10. Gambling excursions including the operation of gambling games on an excursion gambling boat which is not continuously docked shall be allowed only on the Mississippi River and the Missouri River. No license to conduct gambling games on an excursion gambling boat in a city or county shall be issued unless and until the qualified voters of the city or county approve such activities pursuant to this subsection. The question shall be submitted to the qualified voters of the city or county at a general, primary or special election upon the motion of the governing body of the city or county or upon the petition of fifteen percent of the qualified voters of the city or county determined on the basis of the number of votes cast for governor in the city or county at the last election held prior to the filing of the petition. The question shall be

submitted in substantially the following form:

Shall the City (County) of ..... allow the licensing of excursion gambling boats or floating facilities as now or hereafter provided by Missouri gaming law in the city (county)?

[ ] YES [ ] NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the commission may license excursion gambling boats in that city or county and such boats may operate on the Mississippi River and the Missouri River. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the commission shall not license such excursion gambling boats in such city or county unless and until the question is again submitted to and approved by a majority of the qualified voters of the city or county at a later election. Excursion gambling boats may only dock in a city or unincorporated area of a county which approves licensing of such excursion gambling boats pursuant to this subsection, but gambling operations may be conducted at any point on the Mississippi River or the Missouri River during an excursion. Those cities and counties which have approved by election pursuant to this subsection, except those cities or counties which have subsequently rejected by election, the licensing of any type of excursion gambling boats in the city or county prior to April 6, 1994, are exempt from any local election requirement of this section as such previous election shall have the same effect as if held after May 20, 1994.

11. If a docking fee is charged by a city or a county, a licensee operating an excursion gambling boat shall pay the docking fee prior to the start of the excursion season.

12. Any licensee shall not be delinquent in the payment of property taxes or other taxes or fees or in the payment of any other contractual obligation or debt due or owed to the state or a political subdivision of the state.

13. An excursion gambling boat licensed by the state shall meet all of the requirements of chapter 306 and is subject to an inspection of its sanitary facilities to protect the environment and water quality by the commission or its designee before a license to operate an excursion gambling boat is issued by the commission. Licensed excursion gambling boats shall also be subject to such inspections during the period of the license as may be deemed necessary by the commission. The cost of such inspections shall be paid by the licensee.

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming;

(3) Receiving goods or services from a person or business entity who does not hold a supplier's license

but who is required to hold such license by the provisions of sections 313.800 to 313.850 or the rules and regulations of the commission;

(4) Being suspended or ruled ineligible or having a license revoked or suspended in any state of gaming jurisdiction;

(5) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;

(6) Employing in any gambling games' operation or any excursion gambling boat operation, any person known to have been found guilty of cheating or using any improper device in connection with any gambling game;

(7) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to sections 313.800 to 313.850;

(8) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;

(9) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by sections 313.800 to 313.850.

313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money **or credit instrument** of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an

excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check**, obtain a credit instrument** or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. Credit instruments executed on or after August 28, 2012, are valid contracts creating debt that are enforceable by legal process. A licensee may accept credit instruments from a qualified person in exchange for physical tokens or chips that can be wagered on gambling games at the licensee's excursion gambling boat, or money that can be exchanged for electronic or physical tokens, chips or other forms of credit to be wagered on gambling games at the licensee's excursion gambling boat. "Qualified person" means a person who has completed a credit application provided by the licensee and who is determined by the licensee, after performing a credit check and applying usual standards to establish creditworthiness, to qualify for a line of credit of at least five thousand dollars. Approval to accept a credit instrument from a qualified person shall be made by the holder of an occupational license, except that such approval shall not be made less than twenty-four hours after the determination that a person is a qualified person. A licensee may accept multiple credit instruments from the same person to consolidate or redeem a previous credit instrument. A lost or destroyed credit instrument shall remain valid and enforceable if the party seeking enforcement can prove its existence and terms. Any person who violates this subsection is subject only to the penalties provided in section 313.812. The commission shall have no authority to determine the validity or enforceability of a credit instrument or the enforceability of the debt that the credit instrument represents. Failure to comply with any regulation promulgated by the commission shall not impact the validity or enforceability of the credit instrument or the debt that the credit instrument represents."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 636, Page 3, Section 32.056, Line 19, by inserting after all of said line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a **[**web page**] website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 5, 6, and 7 of this section,** the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) **[**Any photographs of the offender**] A current photograph of the individual, which shall be taken by the registering official**;

(6) **[**A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)**]** The nature and dates of all offenses qualifying the offender to register;

[(8)**] (7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)**] (8)** Compliance status of the offender with the provisions of section 589.400 to 589.425; and

[(10)**] (9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website."; and

Further amend said bill, Page 59, Section 570.120, Line 78, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is **[**exempted**]** **exempt** from registering under subsection **6,** 8**, or 10** of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia,** or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on

a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within **[**three**] five business** days of **[**conviction**] adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile described in subdivision (6) of subsection 1 of this section, within five business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within **[**three**] five business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official**[**, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested**]**.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender**;

(3) The registrant is **exempt or is** no longer required to register **[**and his or her name shall be removed from the registry**]** under the provisions of subsection 6**, 8, or 10** this section; or

(4) The **[**registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the**]** court orders the removal **[**or exemption**]** of such person from the registry **under subsection 7, 9, or 10 of this section or section 589.401**.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. **Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:**

(1) Felonious restraint of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child; or

(2) Nonsexual child abuse that was committed under section 568.060; or

(3) Kidnapping of a nonsexual nature when the victim was a child and he or she was the parent

or guardian of the child,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child**] any offense listed in subsection 6 of this section** shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

8. Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:

(1) Sexual misconduct in the second degree under section 566.093; or

(2) Sexual misconduct in the third degree under section 566.095; or

(3) Promoting obscenity in the first degree under section 573.020; or

(4) Promoting obscenity in the second degree under section 573.030; or

(5) Furnishing pornographic materials to minors under section 573.040; or

(6) Public display of explicit sexual material under section 573.060; or

(7) Coercing acceptance of obscene material under section 573.065,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.**] 9.** Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register**] any offense listed in subsection 8 of this section shall be removed from the registry; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425**.

[8.**] 10.** Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or

found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.**] 11.** (1) The court may grant such relief under subsection **[**7 or 8**] 9 or 10** of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.**] 12.** Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education **[**and is not entitled to relief under the provisions of subsection 9 of this section**]**. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency **[**and is not entitled to the provisions of subsection 9 of this section**]**.

[11.**] 13.** Any person whose name is removed or **who is** exempted from the sexual offender registry under subsection **[**7 or 8**] 6, 7, 8, 9, or 10** of this section shall **[**no longer**] not** be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

14. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.

589.401. 1. Any person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name and information removed from the sexual offender registry; except that, any person having

multiple offenses requiring registration under sections 589.400 to 589.425 shall not be eligible for removal from the registry until all applicable time requirements under subsections 2 and 3 of this section for all such offenses have elapsed. If the offense requiring registration was adjudicated in another state, the District of Columbia, a foreign country, or a territory, tribal, or military jurisdiction such person may file a petition in the division of the circuit court in the county in which such person resides.

2. A person who is required to register under the provisions of sections 589.400 to 589.425 for any of the following offenses or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if twenty years has not elapsed since the date the person was required to register:

(1) Kidnapping when a sexual offense under chapter 566 was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under chapter 566 and when the victim was less than eighteen years of age and excluding kidnapping by a parent or guardian under section 565.110;

(2) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(3) Forcible rape under section 566.030;

(4) Forcible sodomy under section 566.060;

(5) Sexual trafficking of a child under section 566.212;

(6) Sexual trafficking of a child under the age of twelve, under section 566.213; or

(7) Child molestation in the first degree when it is a class A felony under section 566.067.

3. A person who is required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of this section or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if ten years has not elapsed since the date the person was required to register.

4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:

(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for one year immediately preceding the filing of the petition; or

(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for one year immediately preceding the filing of the petition.

(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Date of birth;

(e) Last four digits of the Social Security number;

(f) Address;

(g) Place of employment, school, or volunteer status;

(2) The offense that required the petitioner to register;

(3) The date the petitioner pled to, was convicted of, or was adjudicated for the offense;

(4) The date the petitioner was required to register;

(5) The date the petitioner actually registered;

(6) The case number and court, including county, that entered the original order for the adjudicated sex offense;

(7) The petitioner's fingerprints on an applicant fingerprint card;

(8) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and

(9) That the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking removal, of the petition and an opportunity to present evidence in opposition to the facts alleged in the petition. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner, including but not limited to criminal history records under section 43.530, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with such petition.

11. Except as otherwise provided under subsection 12 of this section, the court shall enter an order directing the removal of the petitioner's name and information from the sexual offender registry and

from any corresponding state or local law enforcement registry or website unless it finds that the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction:

(1) Has been adjudicated of or has charges pending for failure to register;

(2) Has been adjudicated of any additional offense which would require registration as a sexual offender and which occurred after the date such person initially registered as a sexual offender;

(3) Has charges pending for any offense which would require registration as a sexual offender;

(4) Has not successfully completed any required periods of supervised release, probation, or parole; and

(5) Has not successfully completed all appropriate sexual offender treatment, including any court-ordered treatment and any treatment ordered by the department of corrections.

12. For any person who has been convicted of a crime listed in subsection 2 of this section, the court may enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from corresponding state or local law enforcement registry or website upon the filing of a petition for removal and submission of the petitioner's completed risk assessment evaluation conducted by a licensed mental health professional unless it finds that subdivisions (1) to (5) of subsection 11 apply to the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction.

13. In order to prove the facts required by subdivisions (1), (2), and (3) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol and the Federal Bureau of Investigation.

14. Except as provided in subsection 14 of this section, if it is found that the petition is denied, a successive petition requesting such relief may be filed under this section one year after the date of such denial unless such denial is based on a subsequent conviction of a sex offense or failure to register, in which case no successive petition shall be filed.

15. If it is found that the petition is denied solely on the basis of the fact that the petitioner has pending charges and those charges are subsequently dismissed or the petitioner is subsequently acquitted of such pending charges, the petitioner may file a new petition under this section at any time after the dismissal or acquittal of such pending charges.

16. If the court finds that the petitioner is entitled to have his or her name and information removed from the sexual offender registry, the court shall enter judgment directing the respondents to remove the petitioner's name and information from all law enforcement sexual offender registries and public websites within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

17. Any person subject to judgment requiring his or her name or information to be removed from the sexual offender registry shall not be required to register or report under sections 589.400 to 589.425 unless such person is required to register and report for an offense that was committed after the judgment of removal was entered.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a **[**web page**]** **website** on the internet, which shall be open to the public and shall include a registered sexual

offender search capability.

2. **Except as provided by subsections 5, 6, and 7 of this section,** the registered sexual offender search **[**shall**] may** make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. Only the information listed in this subsection **[**shall**] may** be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) **[**Any photographs of the offender**] A current photograph of the individual, which shall be taken by the registering official**;

(6) **[**A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)**]** The nature and dates of all offenses qualifying the offender to register;

[(8)**] (7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)**] (8)** Compliance status of the offender with the provisions of sections 589.400 to 589.425; **[**and**]**

[(10)**] (9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

4. The chief law enforcement officer of any county or city not within a county may **[**publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county**] give notice to any public school as defined in section 160.011, any private school giving instruction in a grade or grades not higher than the twelfth grade, any child care facility licensed under chapter 210, or any child care facility defined in section 210.201 that is exempt from state licensure but subject to state regulation under section 210.252 and holds itself out to be a child care facility, that a sex offender is residing, working, or attending school within a five mile radius of such school or child care facility. Such notice shall only include the sex offender information described in subsection 3 of this section**.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425,

offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as defined in section 589.404; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website.

589.403. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**] who is required to register under sections 589.400 to 589.425** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections **[**or**],** any mental health institution**, private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall**:**

(1) If the person plans to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release**, **to the Missouri state highway patrol and** to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release**[**. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.**]; or**

(2) If the person does not reside or plan to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section or fails to register with the chief law enforcement official within five business days as directed, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.405. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**] who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the

possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall **[**obtain the address where the person expects to reside upon discharge, parole or release and shall**] make it a condition of probation that the offender** report, within **[**three**] five** business days**[**, such address**]** to the chief law enforcement official of the county **of adjudication** or city not within a county **[**where the person expects to reside, upon discharge, parole or release.**] of adjudication, to complete the initial registration. If such offender is not placed on probation, the court shall:**

(1) If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;

(2) If the offender does not reside in Missouri, the court shall:

(a) Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and

(b) Complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.

2. If the offender refuses to complete and sign the registration information as outlined in subdivision (1) of subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief law enforcement official as outlined in subdivision (2) of subsection 1 of this section, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form **shall consist of a statement in writing, including the signature of the offender and** shall include, but is not limited to the following:

(1) **[**A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;**] The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;**

(2) The date of birth of the individual to include any alias dates of birth used;

(3) The address of the individual's residence or, if the individual is homeless, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless

shelter or other temporary residence;

(4) The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed, the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;

(5) The name and address of any institutions of higher education that the individual attends;

(6) The Social Security number of the individual including any alias Social Security numbers used;

(7) The telephone numbers of the individual including all landline and cellular telephone numbers used;

(8) The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;

(9) Any online identifiers as defined in section 43.651 which are used by the individual for personal purposes;

(10) The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;

(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;

(12) The age and gender of the victim and the offender at the time of the offense;

(13) If the offender was required to successfully complete appropriate sexual offender treatment, including any court-ordered treatment or any treatment ordered by the department of corrections, the date that the offender successfully completed such treatment, or a statement, that as of the date of registration, the offender has not yet successfully completed the required sexual offender treatment or has failed to successfully complete the required sexual offender treatment;

(14) The status of the individual's parole, probation, or supervised release, if applicable;

(15) Passport and immigration numbers to include expiration dates; and

(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.

2. The following shall be included with the form:

[(2)**] (1)** The fingerprints, palm prints, and a photograph of the person; **[**and**]**

(2) A current photograph of the individual to be taken by the registering official; and

(3) A DNA sample **from the individual**, if a sample has not already been obtained.

[2.**] 3.** The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:

(1) A photocopy of a valid driver's license or nondriver's identification card; **and**

(2) A document verifying proof of the offender's residency**[**; and

(3) A photocopy of the vehicle registration for each of the offender's vehicles**]**.

4. The Missouri state highway patrol shall maintain all required registration information in digitized form.

5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.

6. The offender shall be responsible for reviewing his or her existing registration information for accuracy at every regular in-person appearance and if any inaccuracies are found provide proof of the information in question. The registering law enforcement official shall, within three business days of receipt of proof from the offender regarding the inaccuracy, correct the inaccuracy on its law enforcement registry and on its public website, if any, and shall notify the Missouri state highway patrol of the change in information. The Missouri state highway patrol shall, within three business days of notification by the registering law enforcement official, correct the inaccuracy on its law enforcement registry and on its public website.

7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425, and a statement to such effect shall be included on the form that the individual is required to sign at each registration.

589.410. **1.** The chief law enforcement official shall forward the completed offender registration form to the Missouri state highway patrol within three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system, and other entities as provided by law, upon inquiry.

2. Upon receipt of each completed offender registration form, the Missouri state highway patrol shall review the information contained in the form to determine whether, according to the form, the offender will be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the registration form, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than **[**three**]** **five** business days **[**after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,**]** appear in person to the chief law enforcement officer of the county or city not within a county **[**and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days**]** **if there is a change to any of the following information:**

(1) Name;

(2) Residence;

(3) Employment;

(4) Student status; or

(5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall, within five business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:

(1) Vehicle information;

(2) Temporary residence information; or

(3) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.

3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.

4. The Missouri state highway patrol shall review any changes received from registering officials under subsection 3 of this section to determine whether the offender will now be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the changes, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

[2.**]** **5.** If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state**, or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state**, or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state **or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state**, or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall report in person to the chief law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

(1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;

(2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and

(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.**]** **6.** In addition to the requirements of subsections 1 **[**and**],** 2**, and 5** of this section, **[**all registrants**] any person required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction,** shall report **[**semiannually**] annually** in person in the month of their birth **[**and six months thereafter**]** to the chief law enforcement **[**agency**] official** to verify the information contained in their statement made pursuant to section 589.407**[**. All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency**] and six months thereafter shall report by mail on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender**.

7. In addition to the requirements of subsections 1, 2, and 5 of this section, any person required to register under the provisions of sections 589.400 to 589.425 for any offenses listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition, such offenders shall report by mail ninety days after each in-person report on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.

[5.**] 8.** In addition to the requirements of subsections 1 **[**and**],** 2**, and 5** of this section, all Missouri registrants who work**, including as a volunteer or unpaid intern,** or attend **any** school **[**or training**], whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education** on a full-time or part-time basis in any other state shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

[6. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.**]**

9. Whenever any person reports under the provisions of this section in person and in the month of their birth, the registering law enforcement official shall take a current photograph of the offender."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 636, Page 5, Section 67.136, Line 8, by inserting after all of said section, the following:

"67.1860. Sections 67.1860 to **[**67.1898**] 67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to **[**67.1898**] 67.1894**, the following terms mean:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;

(2) "Board", the board of directors of a district;

(3) "District", a law enforcement district organized **[**pursuant to**] under** sections 67.1860 to **[**67.1898**] 67.1894;**

(4) "Registered voter", any voter registered within the boundaries of the district or proposed district.

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification **[**without a charter form of government and a population of fifty thousand inhabitants or less**]**.

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district **[**or who is a**] and each** registered voter **[**resident**]** within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed **[**pursuant to**] under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required **[**pursuant to**] under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required **[**pursuant to**] under**

section 67.1870.

5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

67.1868. 1. Any owner of real property within the proposed district and any **[**legal**]** **registered** voter **[**who is a resident**]** within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall **[**determine and declare**]** **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized **[**pursuant to**]** **under** sections 67.1860 to **[**67.1898**]** **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created **[**pursuant to**]** **under** sections 67.1860 to **[**67.1898**]** **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters **[**resident**]** within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of **[**residents**]** **registered voters** of the district.

2. The attendees, when assembled, shall organize by **[**the election of**]** **electing** a chairman and secretary of the meeting **[**who**]**. **The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section,** each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the **[**residents**]** **registered voters** called by the board. **[**Each successor director shall serve a three-year term.**]** The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to **[**67.1898**]** **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the **[**qualified**]** **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the ..... Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than ..... (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

[ ] YES [ ] NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to **[**67.1898**]** **67.1894** the district

shall have the following general powers:

(1) To contract with the **[**local**]** **county** sheriff's department for the provision of services;

(2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(3) To fix compensation of its employees and contractors;

(4) To purchase any personal property necessary or convenient for its activities;

(5) To collect and disburse funds for its activities; and

(6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. **[**The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.**]**

67.1894. **[**1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons

interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board**] Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question**."; and

Further amend said bill, Page 59, Section 570.120, Line 78, by inserting after all of said section the following:

"**[**67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than

twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.**]**

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the ..... Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

[ ] YES [ ] NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.**]**

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the ..... Law Enforcement District to adopt property taxes be terminated?

[ ] YES [ ] NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.**]**

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission

of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall ..... (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

[ ] YES [ ] NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 636, Page 38, Section 488.5375, Line 10, by inserting after all of said section and line, the following:

"491.075. 1. A statement made by a child under the age of fourteen**, or a vulnerable person,** relating to an offense under chapter 565, 566, 568 or 573, performed **[**with or on a child**]** by another, not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings in the courts of this state as substantive evidence to prove the truth of the matter asserted if:

(1) The court finds, in a hearing conducted outside the presence of the jury that the time, content and circumstances of the statement provide sufficient indicia of reliability; and

(2) (a) The child **or vulnerable person** testifies at the proceedings; or

(b) The child **or vulnerable person** is unavailable as a witness; or

(c) The child **or vulnerable person** is otherwise physically available as a witness but the court finds that the significant emotional or psychological trauma which would result from testifying in the personal presence of the defendant makes the child **or vulnerable person** unavailable as a witness at the time of the criminal proceeding.

2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence requiring corroboration of statements, admissions or confessions of the defendant, and notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of fourteen**, or a vulnerable person,** who is alleged to be victim of an offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless of whether or not the child **or vulnerable person** is available to testify regarding the offense.

3. A statement may not be admitted under this section unless the prosecuting attorney makes known to the accused or the accused's counsel his or her intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the accused or the accused's counsel with a fair opportunity to prepare to meet the statement.

4. Nothing in this section shall be construed to limit the admissibility of statements, admissions or confessions otherwise admissible by law.

5. For the purposes of this section, "vulnerable person" shall mean a person who, as a result of an inadequately developed or impaired intelligence or a psychiatric disorder that materially affects ability to function, lacks the mental capacity to consent, or whose developmental level does not exceed that of an ordinary child of fourteen years of age."; and

Further amend said bill, Page 56, Section 559.105, Line 28, by inserting after all of said section and line, the following:

"565.072. 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010.

2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim or has previously pleaded guilty to or been found guilty of committing this crime, in which case it is a class A felony.

565.073. 1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, and he or she:

(1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or

(2) Recklessly causes serious physical injury to such family or household member; or

(3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.

2. Domestic assault in the second degree is a class C felony.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010 and:

(1) The person attempts to cause or recklessly causes physical injury to such family or household member; or

(2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or

(3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or

(5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members."; and

Further amend said bill, Page 57, Section 566.083, Line 23, by inserting after all of said section and line, the following:

"568.060. 1. **[**A person commits the crime of abuse of a child if such person:

(1) Knowingly inflicts cruel and inhuman punishment upon a child less than seventeen years old; or

(2) Photographs or films a child less than eighteen years old engaging in a prohibited sexual act or in the simulation of such an act or who causes or knowingly permits a child to engage in a prohibited sexual act or in the simulation of such an act for the purpose of photographing or filming the act.

2. As used in this section "prohibited sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism, fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Abuse of a child is a class C felony, unless:

(1) In the course thereof the person inflicts serious emotional injury on the child, or the offense is committed as part of a ritual or ceremony in which case the crime is a class B felony; or

(2) A child dies as a result of injuries sustained from conduct chargeable pursuant to the provisions of this section, in which case the crime is a class A felony.

4. As used in this section, the word "fetishism" means a condition in which erotic feelings are excited by an object or body part whose presence is psychologically necessary for sexual stimulation or gratification**] As used in this section, the following terms shall mean:**

(1) "Abuse", the infliction of physical, sexual, or mental injury against a child by any person eighteen years of age or older. For purposes of this section, abuse shall not include injury inflicted on a child by accidental means by a person with care, custody, or control of the child, or discipline of a child by a person with care, custody, or control of the child, including spanking, in a reasonable manner;

(2) "Abusive head trauma", a serious physical injury to the head or brain caused by any means, including but not limited to shaking, jerking, pushing, pulling, slamming, hitting, or kicking;

(3) "Mental injury", an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior;

(4) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result;

(5) "Physical injury", physical pain, illness, or any impairment of physical condition, including but not limited to bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ;

(6) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive, or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(7) "Serious physical injury", a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. A person commits the offense of abuse or neglect of a child if such person knowingly causes a child who is less than eighteen years of age:

(1) To suffer physical or mental injury as a result of abuse or neglect; or

(2) To be placed in a situation in which the child may suffer physical or mental injury as the result of abuse or neglect.

3. A person commits the offense of abuse or neglect of a child if such person recklessly causes a child who is less than eighteen years of age to suffer from abusive head trauma.

4. A person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person delivers or allows the delivery of child to a provider of emergency services.

5. The offense of abuse or neglect of a child is a class C felony, without eligibility for probation or parole until the defendant has served no less than one year of such sentence, unless the person has previously been found guilty of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct or the injury inflicted on the child is a serious emotional injury or a serious physical injury, in which case abuse or neglect of a child is a class B felony, without eligibility for probation or parole until the defendant has served not less than five years of such sentence.

6. Notwithstanding subsection 5 of this section to the contrary, the offense of abuse or neglect of a child is a class A felony, without eligibility for probation or parole until the defendant has served not less than fifteen years of such sentence, if:

(1) The injury is a serious emotional injury or a serious physical injury;

(2) The child is less than fourteen years of age; and

(3) The injury is the result of sexual abuse as defined under section 566.100 or sexual exploitation of a minor as defined under section 573.023.

7. The circuit or prosecuting attorney may refer a person who is suspected of abuse or neglect of a child to an appropriate public or private agency for treatment or counseling so long as the agency has consented to taking such referrals. Nothing in this subsection shall limit the discretion of the circuit or prosecuting attorney to prosecute a person who has been referred for treatment or counseling pursuant to this subsection.

8. Nothing in this section shall be construed to alter the requirement that every element of any crime referred to herein must be proven beyond a reasonable doubt.

9. Discipline, including spanking administered in a reasonable manner, shall not be construed to be abuse under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 636, Page 16, Section 211.444, Line 20, by inserting after all of said section and line, the following:

"**213.200. 1. This section shall be known and may be cited as the "Whistleblower's Protection Act".**

2. As used in this section, the following terms shall mean:

(1) "Because" or "because of", as it relates to a decision or action, the person's status as a protected person was a motivating factor;

(2) "Employer", a person engaged in an industry affecting commerce who has one or more employees for each working day in each of twenty or more calendar weeks in a current or preceding calendar year, but does not include the state or any public entity with the status of a governmental body, or any political or civil subdivision thereof, or corporations and associations owned and operated by religious or sectarian groups;

(3) "Proper authorities", a governmental or law enforcement agency, or an officer or the employee's human resources representative employed by the employer;

(4) "Protected person", a person who has reported to the proper authorities an unlawful act of the employer or its agent or serious misconduct of the employer or its agent that violates a clear mandate of public policy as articulated in a constitutional provision, statute, regulation promulgated under statute, or rule created by a governmental body, or a person who has refused to carry out a directive issued by an employer or its agent that if completed would be a violation of the law. Additionally, a person who engages in conduct otherwise protected by statute or regulation is a protected person.

3. This section is intended to codify the existing common law exceptions to the at-will employment doctrine, and to limit their future expansion by the courts. This section shall provide the exclusive remedy for any and all unlawful employment practices articulated herein and hereby abrogates any common law causes of action to the contrary.

4. It shall be an unlawful employment practice for an employer, as defined in subdivision (2) of subsection 2 of this section, to discharge or retaliate against an individual defined as a protected person in this section, because of that person's status as a protected person.

5. A protected person aggrieved by a violation of this section shall have a private right of action for damages for violations of this section which may be filed in a circuit court of competent jurisdiction. The Missouri human rights commission shall not have jurisdiction to review or adjudicate claims brought pursuant to this section. The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order, and may award to the plaintiff actual and punitive damages.

6. Any party to any action initiated under this section may demand a trial by jury.

7. The court may award to the plaintiff actual and punitive damages. An award of damages shall include all future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses, and punitive damages awarded under this section.

8. The total amount of punitive damages awarded by the court for each complainant shall not exceed:

(1) In the case of a respondent who has fewer than one hundred one employees in each of twenty or more calendar weeks in the current or preceding calendar year, fifty thousand dollars;

(2) In the case of a respondent who has more than one hundred and fewer than two hundred one employees in each of twenty or more calendar weeks in the current or preceding calendar year, one hundred thousand dollars;

(3) In the case of a respondent who has more than two hundred and fewer than five hundred one employees in each of twenty or more calendar weeks in the current or preceding calendar year, two hundred thousand dollars;

(4) In the case of a respondent who has more than five hundred employees in each of twenty or more calendar weeks in the current or preceding calendar year, three hundred thousand dollars.";
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 636, Page 5, Section 67.136, Line 8, by inserting after all of said line the following:

"67.320. 1. Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants **or any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants** may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county's orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. **Except as provided in subsection 5 of this section** in any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the term order for purposes of this section.

5. In any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants the first judges shall be appointed by the county commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 636, Page 5, Section 67.2010, Line 16, by inserting immediately after said line the following:

"70.441. 1. As used in this section, the following terms have the following meanings:

(1) "Agency", the bi-state development agency created by compact under section 70.370;

(2) "Conveyance" includes bus, paratransit vehicle, rapid transit car or train, locomotive, or other vehicle used or held for use by the agency as a means of transportation of passengers;

(3) "Facilities" includes all property and equipment, including, without limitation, rights-of-way and related trackage, rails, signals, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices, parking lots and

other real estate or personal property used or held for or incidental to the operation, rehabilitation or improvement of any public mass transportation system of the agency;

(4) "Person", any individual, firm, copartnership, corporation, association or company; and

(5) "Sound production device" includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, speaker device and any sound amplifier.

2. In interpreting or applying this section, the following provisions shall apply:

(1) Any act otherwise prohibited by this section is lawful if specifically authorized by agreement, permit, license or other writing duly signed by an authorized officer of the agency or if performed by an officer, employee or designated agent of the agency acting within the scope of his or her employment or agency;

(2) Rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another in the avoidance of any of the requirements of the rules; and

(3) The singular shall mean and include the plural; the masculine gender shall mean the feminine and the neuter genders; and vice versa.

3. (1) No person shall use or enter upon the light rail conveyances of the agency without payment of the fare or other lawful charges established by the agency. Any person on any such conveyance must have properly validated fare media in his possession. This ticket must be valid to or from the station the passenger is using, and must have been used for entry for the trip then being taken;

(2) No person shall use any token, pass, badge, ticket, document, transfer, card or fare media to gain entry to the facilities or conveyances of, or make use of the services of, the agency, except as provided, authorized or sold by the agency and in accordance with any restriction on the use thereof imposed by the agency;

(3) No person shall enter upon parking lots designated by the agency as requiring payment to enter, either by electronic gate or parking meters, where the cost of such parking fee is visibly displayed at each location, without payment of such fees or other lawful charges established by the agency;

(4) Except for employees of the agency acting within the scope of their employment, no person shall sell, provide, copy, reproduce or produce, or create any version of any token, pass, badge, ticket, document, transfer, card or any other fare media or otherwise authorize access to or use of the facilities, conveyances or services of the agency without the written permission of an authorized representative of the agency;

(5) No person shall put or attempt to put any paper, article, instrument or item, other than a token, ticket, badge, coin, fare card, pass, transfer or other access authorization or other fare media issued by the agency and valid for the place, time and manner in which used, into any fare box, pass reader, ticket vending machine, parking meter, parking gate or other fare collection instrument, receptacle, device, machine or location;

(6) Tokens, tickets, fare cards, badges, passes, transfers or other fare media that have been forged, counterfeited, imitated, altered or improperly transferred or that have been used in a manner inconsistent with this section shall be confiscated;

(7) No person may perform any act which would interfere with the provision of transit service or obstruct the flow of traffic on facilities or conveyances or which would in any way interfere or tend to

interfere with the safe and efficient operation of the facilities or conveyances of the agency;

(8) All persons on or in any facility or conveyance of the agency shall:

(a) Comply with all lawful orders and directives of any agency employee acting within the scope of his employment;

(b) Obey any instructions on notices or signs duly posted on any agency facility or conveyance; and

(c) Provide accurate, complete and true information or documents requested by agency personnel acting within the scope of their employment and otherwise in accordance with law;

(9) No person shall falsely represent himself or herself as an agent, employee or representative of the agency;

(10) No person on or in any facility or conveyance shall:

(a) Litter, dump garbage, liquids or other matter, or create a nuisance, hazard or unsanitary condition, including, but not limited to, spitting and urinating, except in facilities provided;

(b) Drink any alcoholic beverage or possess any opened or unsealed container of alcoholic beverage, except on premises duly licensed for the sale of alcoholic beverages, such as bars and restaurants;

(c) Enter or remain in any facility or conveyance while his ability to function safely in the environment of the agency transit system is impaired by the consumption of alcohol or by the taking of any drug;

(d) Loiter or stay on any facility of the agency;

(e) Consume foods or liquids of any kind, except in those areas specifically authorized by the agency;

(f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch, except in those areas or locations specifically authorized by the agency; or

(g) Throw or cause to be propelled any stone, projectile or other article at, from, upon or in a facility or conveyance;

(11) No weapon or other instrument intended for use as a weapon may be carried in or on any facility or conveyance, except for law enforcement personnel. For the purposes hereof, a weapon shall include, but not be limited to, a firearm, switchblade knife, sword, or any instrument of any kind known as blackjack, billy club, club, sandbag, metal knuckles, leather bands studded with metal, wood impregnated with metal filings or razor blades; except that this subdivision shall not apply to a rifle or shotgun which is unloaded and carried in any enclosed case, box or other container which completely conceals the item from view and identification as a weapon;

(12) No explosives, flammable liquids, acids, fireworks or other highly combustible materials or radioactive materials may be carried on or in any facility or conveyance, except as authorized by the agency;

(13) No person, except as specifically authorized by the agency, shall enter or attempt to enter into any area not open to the public, including, but not limited to, motorman's cabs, conductor's cabs, bus operator's seat location, closed-off areas, mechanical or equipment rooms, concession stands, storage areas, interior rooms, tracks, roadbeds, tunnels, plants, shops, barns, train yards, garages, depots or any area marked with a sign restricting access or indicating a dangerous environment;

(14) No person may ride on the roof, the platform between rapid transit cars, or on any other area outside any rapid transit car or bus or other conveyance operated by the agency;

(15) No person shall extend his hand, arm, leg, head or other part of his or her person or extend any item, article or other substance outside of the window or door of a moving rapid transit car, bus or other conveyance operated by the agency;

(16) No person shall enter or leave a rapid transit car, bus or other conveyance operated by the agency except through the entrances and exits provided for that purpose;

(17) No animals may be taken on or into any conveyance or facility except the following:

(a) An animal enclosed in a container, accompanied by the passenger and carried in a manner which does not annoy other passengers; and

(b) Working dogs for law enforcement agencies, agency dogs on duty, dogs properly harnessed and accompanying blind or hearing-impaired persons to aid such persons, or dogs accompanying trainers carrying a certificate of identification issued by a dog school;

(18) No vehicle shall be operated carelessly, or negligently, or in disregard of the rights or safety of others or without due caution and circumspection, or at a speed in such a manner as to be likely to endanger persons or property on facilities of the agency. The speed limit on parking lots and access roads shall be posted as fifteen miles per hour unless otherwise designated.

4. (1) Unless a greater penalty is otherwise provided by the laws of the state, any violation of this section shall constitute a misdemeanor, and any person committing a violation thereof shall be subject to arrest and, upon conviction in a court of competent jurisdiction, shall pay a fine in an amount not less than twenty-five dollars and no greater than two hundred fifty dollars per violation, in addition to court costs. Any default in the payment of a fine imposed pursuant to this section without good cause shall result in imprisonment for not more than thirty days;

(2) Unless a greater penalty is provided by the laws of the state, any person convicted a second or subsequent time for the same offense under this section shall be guilty of a misdemeanor and sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars in addition to court costs, or to undergo imprisonment for up to sixty days, or both such fine and imprisonment;

(3) Any person failing to pay the proper fare, fee or other charge for use of the facilities and conveyances of the agency shall be subject to payment of such charge as part of the judgment against the violator. All proceeds from judgments for unpaid fares or charges shall be directed to the appropriate agency official;

(4) All juvenile offenders violating the provisions of this section shall be subject to the jurisdiction of the juvenile court as provided in chapter 211;

(5) As used in this section, the term "conviction" shall include all pleas of guilty and findings of guilt.

5. **Any person who is convicted, pleads guilty, or pleads nolo contendere for failing to pay the proper fare, fee, or other charge for the use of the facilities and conveyances of the bi-state development agency, as described in subdivision (3) of subsection 4 of this section, shall, in addition to the unpaid fares or charges and any fines, penalties, or sentences imposed by law, shall be required to reimburse costs attributable to the enforcement, investigation, and prosecution of such offense by the bi-state development agency. The court shall direct the reimbursement proceeds to the appropriate agency official.**

6. (1) Stalled or disabled vehicles may be removed from the roadways of the agency property by the

agency and parked or stored elsewhere at the risk and expense of the owner;

(2) Motor vehicles which are left unattended or abandoned on the property of the agency for a period of over seventy-two hours may be removed as provided for in section 304.155, except that the removal may be authorized by personnel designated by the agency under section 70.378."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 636, Page 15, Section 211.177, Line 8, by inserting after all of said section and line, the following:

"211.393. 1. For purposes of this section, the following words and phrases mean:

(1) "County retirement plan", any public employees' defined benefit retirement plan established by law that provides retirement benefits to county or city employees, but not to include the county employees' retirement system as provided in sections 50.1000 to 50.1200;

(2) "Juvenile court employee", any person who is employed by a juvenile court in a position normally requiring one thousand hours or more of service per year;

(3) "Juvenile officer", any juvenile officer appointed pursuant to section 211.351;

(4) "Multicounty circuit", all other judicial circuits not included in the definition of a single county circuit;

(5) "Single county circuit", a judicial circuit composed of a single county of the first classification, including the circuit for the city of St. Louis;

(6) "State retirement plan", the public employees' retirement plan administered by the Missouri state employees' retirement system pursuant to chapter 104.

2. Juvenile court employees employed in a single county circuit shall be subject to the following provisions:

(1) The juvenile officer employed in such circuits on and prior to July 1, 1999, shall:

(a) Be state employees on that portion of their salary received from the state pursuant to section 211.381, and in addition be county employees on that portion of their salary provided by the county at a rate determined pursuant to section 50.640;

(b) Receive state-provided benefits, including retirement benefits from the state retirement plan, on that portion of their salary paid by the state and may participate as members in a county retirement plan on that portion of their salary provided by the county except any juvenile officer whose service as a juvenile court officer is being credited based on all salary received from any source in a county retirement plan on June 30, 1999, shall not be eligible to receive state-provided benefits, including retirement benefits, or any creditable prior service as described in this section but shall continue to participate in such county retirement plan;

(c) Receive creditable prior service in the state retirement plan for service rendered as a juvenile court employee prior to July 1, 1999, to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service, if such service was rendered in a single county circuit or a multicounty circuit; except that if the juvenile officer forfeited such credit in such county

retirement plan prior to being eligible to receive creditable prior service under this paragraph, they may receive service under this paragraph;

(d) Receive creditable prior service pursuant to paragraph (c) of this subdivision even though they already have received credit for such creditable service in a county retirement plan if they elect to forfeit their creditable service from such plan in which case such plan shall transfer to the state retirement plan an amount equal to the actuarial accrued liability for the forfeited creditable service, determined as if the person were going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

(e) Receive creditable prior service for service rendered as a juvenile court employee in a multicounty circuit in a position that was financed in whole or in part by a public or private grant, pursuant to the provisions of paragraph (e) of subdivision (1) of subsection 3 of this section;

(2) Juvenile officers who begin employment for the first time as a juvenile officer in a single county circuit on or after July 1, 1999, shall:

(a) Be county employees and receive salary from the county at a rate determined pursuant to section 50.640 subject to reimbursement by the state as provided in section 211.381; and

(b) Participate as members in the applicable county retirement plan subject to reimbursement by the state for the retirement contribution due on that portion of salary reimbursed by the state;

(3) All other juvenile court employees who are employed in a single county circuit on or after July 1, 1999:

(a) Shall be county employees and receive a salary from the county at a rate determined pursuant to section 50.640; and

(b) Shall, in accordance with their status as county employees, receive other county-provided benefits including retirement benefits from the applicable county retirement plan if such employees otherwise meet the eligibility requirements for such benefits;

(4) (a) The state shall reimburse each county comprised of a single county circuit for an amount equal to the greater of:

a. Twenty-five percent of such circuit's total juvenile court personnel budget, excluding the salary for a juvenile officer, for calendar year 1997, and excluding all costs of retirement, health and other fringe benefits; or

b. The sum of the salaries of one chief deputy juvenile officer and one deputy juvenile officer class I, as provided in section 211.381;

(b) The state may reimburse a single county circuit up to fifty percent of such circuit's total calendar year 1997 juvenile court personnel budget, subject to appropriations. The state may reimburse, subject to appropriations, the following percentages of such circuits' total juvenile court personnel budget, expended for calendar year 1997, excluding the salary for a juvenile officer, and excluding all costs of retirement, health and other fringe benefits: thirty percent beginning July 1, 2000, until June 30, 2001; forty percent beginning July 1, 2001, until June 30, 2002; fifty percent beginning July 1, 2002; however, no county shall receive any reimbursement from the state in an amount less than the greater of:

a. Twenty-five percent of the total juvenile court personnel budget of the single county circuit expended

for calendar year 1997, excluding fringe benefits; or

b. The sum of the salaries of one chief deputy juvenile officer and one deputy juvenile officer class I, as provided in section 211.381;

(5) Each single county circuit shall file a copy of its initial 1997 and each succeeding year's budget with the office of the state courts administrator after January first each year and prior to reimbursement. The office of the state courts administrator shall make payment for the reimbursement from appropriations made for that purpose on or before July fifteenth of each year following the calendar year in which the expenses were made. The office of the state courts administrator shall submit the information from the budgets relating to full-time juvenile court personnel from each county to the general assembly;

(6) Any single county circuit may apply to the office of the state courts administrator to become subject to subsection 3 of this section, and such application shall be approved subject to appropriation of funds for that purpose;

(7) The state auditor may audit any single county circuit to verify compliance with the requirements of this section, including an audit of the 1997 budget.

3. Juvenile court employees in multicounty circuits shall be subject to the following provisions:

(1) Juvenile court employees including detention personnel hired in 1998 in those multicounty circuits who began actual construction on detention facilities in 1996, employed in a multicounty circuit on or after July 1, 1999, shall:

(a) Not be state employees unless they receive all salary from the state, which shall include any salary as provided in section 211.381 in addition to any salary provided by the applicable county or counties during calendar year 1997 and any general salary increase approved by the state of Missouri for fiscal year 1999 and fiscal year 2000;

(b) Participate in the state retirement plan;

(c) Receive creditable prior service in the state retirement plan for service rendered as a juvenile court employee prior to July 1, 1999, to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service if such service was rendered in a single county circuit or a multicounty circuit, except that if they forfeited such credit in such county retirement plan prior to being eligible to receive creditable prior service under this paragraph, they may receive creditable service under this paragraph;

(d) Receive creditable prior service pursuant to paragraph (c) of this subdivision even though they already have received credit for such creditable service in a county retirement plan if they elect within six months from the date they become participants in the state retirement plan pursuant to this section to forfeit their service from such plan in which case such plan shall transfer to the state retirement plan an amount equal to the actuarial accrued liability for the forfeited creditable service, determined as if the person was going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

(e) Receive creditable prior service for service rendered as a juvenile court employee in a multicounty circuit in a position that was financed in whole or in part by a public or private grant to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service except that if they:

a. Forfeited such credit in such county retirement plan prior to being eligible to receive creditable service under this paragraph, they may receive creditable service under paragraph (e) of this subdivision;

b. Received credit for such creditable service in a county retirement plan, they may not receive creditable prior service pursuant to paragraph (e) of this subdivision unless they elect to forfeit their service from such plan, in which case such plan shall transfer to the state retirement plan an amount equal to the actuarial liability for the forfeited creditable service, determined as if the person was going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

c. Terminated employment prior to August 28, 2007, and apply to the board of trustees of the state retirement plan to be made and employed as a special consultant and be available to give opinions regarding retirement they may receive creditable service under paragraph (e) of this subdivision;

d. Retired prior to August 28, 2007, and apply to the board of trustees of the state retirement plan to be made and employed as a special consultant and be available to give opinions regarding retirement, they shall have their retirement benefits adjusted so they receive retirement benefits equal to the amount they would have received had their retirement benefit been initially calculated to include such creditable prior service; or

e. Purchased creditable prior service pursuant to section 104.344 or section 105.691 based on service as a juvenile court employee in a position that was financed in whole or in part by a public or private grant, they shall receive a refund based on the amount paid for such purchased service;

(2) Juvenile court employee positions added after December 31, 1997, shall be terminated and not subject to the provisions of subdivision (1) of this subsection, unless the office of the state courts administrator requests and receives an appropriation specifically for such positions;

(3) The salary of any juvenile court employee who becomes a state employee, effective July 1, 1999, shall **not** be limited to the salary provided by the state of Missouri, which shall be set in accordance with guidelines established by the state pursuant to a salary survey conducted by the office of the state courts administrator, but such salary shall in no event be less than the amount specified in paragraph (a) of subdivision (1) of this subsection. **[**Notwithstanding any provision to the contrary in subsection 1 of section 211.394, such employees shall not be entitled to additional compensation paid by a county as a public officer or employee.**]** Such employees shall be considered employees of the judicial branch of state government for all purposes**[**;**]:**

(a) Any contributions from the county shall not apply to the county employees retirement system fund, or the state employees retirement system fund;

(b) Additional compensation shall be approved by the judge of the juvenile court and the governing body of the city or county providing such additional compensation;

(4) All other employees of a multicounty circuit who are not juvenile court employees as defined in subsection 1 of this section shall be county employees subject to the county's own terms and conditions of employment.

4. The receipt of creditable prior service as described in paragraph (c) of subdivision (1) of subsection 2 of this section and paragraph (c) of subdivision (1) of subsection 3 of this section is contingent upon the office of the state courts administrator providing the state retirement plan information, in a form subject to verification and acceptable to the state retirement plan, indicating the dates of service and amount of

monthly salary paid to each juvenile court employee for such creditable prior service.

5. No juvenile court employee employed by any single or multicounty circuit shall be eligible to participate in the county employees' retirement system fund pursuant to sections 50.1000 to 50.1200.

6. Each county in every circuit in which a juvenile court employee becomes a state employee shall maintain each year in the local juvenile court budget an amount, defined as "maintenance of effort funding", not less than the total amount budgeted for all employees of the juvenile court including any juvenile officer, deputy juvenile officer, or other juvenile court employees in calendar year 1997, minus the state reimbursements as described in this section received for the calendar year 1997 personnel costs for the salaries of all such juvenile court employees who become state employees. The juvenile court shall provide a proposed budget to the county commission each year. The budget shall contain a separate section specifying all funds to be expended in the juvenile court. Such funding may be used for contractual costs for detention services, guardians ad litem, transportation costs for those circuits without detention facilities to transport children to and from detention and hearings, short-term residential services, indebtedness for juvenile facilities, expanding existing detention facilities or services, continuation of services funded by public grants or subsidy, and enhancing the court's ability to provide prevention, probation, counseling and treatment services. The county commission may review such budget and may appeal the proposed budget to the judicial finance commission pursuant to section 50.640.

7. Any person who is employed on or after July 1, 1999, in a position covered by the state retirement plan or the **Missouri department of** transportation **[**department**]** and highway patrol **employees'** retirement system and who has rendered service as a juvenile court employee in a judicial circuit that was not a single county of the first classification shall be eligible to receive creditable prior service in such plan or system as provided in subsections 2 and 3 of this section. For purposes of this subsection, the provisions of paragraphs (c) and (d) of subdivision (1) of subsection 2 of this section and paragraphs (c) and (d) of subdivision (1) of subsection 3 of this section that apply to the state retirement plan shall also apply to the transportation department and highway patrol retirement system.

8. (1) Any juvenile officer who is employed as a state employee in a multicounty circuit on or after July 1, 1999, shall not be eligible to participate in the state retirement plan as provided by this section unless such juvenile officer elects to:

(a) Receive retirement benefits from the state retirement plan based on all years of service as a juvenile officer and a final average salary which shall include salary paid by the county and the state; and

(b) Forfeit any county retirement benefits from any county retirement plan based on service rendered as a juvenile officer.

(2) Upon making the election described in this subsection, the county retirement plan shall transfer to the state retirement plan an amount equal to the actuarial accrued liability for the forfeited creditable service determined as if the person was going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions.

9. The elections described in this section shall be made on forms developed and made available by the state retirement plan."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 636, Page 16, Section 211.444, Line 20, by inserting immediately after said Line the following:

"217.670. 1. The board shall adopt an official seal of which the courts shall take official notice.

2. Decisions of the board regarding granting of paroles, extensions of a conditional release date or revocations of a parole or conditional release shall be by a majority vote of the hearing panel members. The hearing panel shall consist of one member of the board and two hearing officers appointed by the board. A member of the board may remove the case from the jurisdiction of the hearing panel and refer it to the full board for a decision. Within thirty days of entry of the decision of the hearing panel to deny parole or to revoke a parole or conditional release, the offender may appeal the decision of the hearing panel to the board. The board shall consider the appeal within thirty days of receipt of the appeal. The decision of the board shall be by majority vote of the board members and shall be final.

3. The orders of the board shall not be reviewable except as to compliance with the terms of sections 217.650 to 217.810 or any rules promulgated pursuant to such section.

4. The board shall keep a record of its acts and shall notify each correctional center of its decisions relating to persons who are or have been confined in such correctional center.

5. Notwithstanding any other provision of law, any meeting, record, or vote, of proceedings involving probation, parole, or pardon, may be a closed meeting, closed record, or closed vote.

6. Notwithstanding any other provision of law, when the appearance or presence of an offender before the board or a hearing panel is required for the purpose of deciding whether to grant conditional release or parole, extend the date of conditional release, revoke parole or conditional release, or for any other purpose, such appearance or presence may occur by means of a videoconference at the discretion of the board. Victims having a right to attend parole hearings may testify either at the site where the board is conducting the videoconference or at the institution where the offender is located. The use of videoconferencing in this section shall be at the discretion of the board, and shall not be utilized if either the offender, the victim or the victim's family objects to it.

559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work

cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

(1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;

(2) Have been found guilty of, or plead guilty to, forcible rape under section 566.030;

(3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;

(4) Have been found guilty of, or plead guilty to, forcible sodomy under section 566.060;

(5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;

(6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;

(7) Have been found to be a predatory sexual offender under section 558.018; or

(8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 636, Page 18, Section 452.402, Line 33, by inserting after all of said line the following:

"**452.413. 1. As used in this section, the following terms shall mean:**

(1) "Deploying parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(2) "Deployment", military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) "Military parent", the legal parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction, and who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) "Nondeploying parent", a parent or guardian not subject to military deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such custody or visitation order shall further require the nondeploying parent to provide the court and the deploying parent with a thirty day advance written notice of any change of address and any change of telephone number. However, if a valid domestic violence court order from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification.

(5) Upon motion of a deploying parent, upon reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the

filing of the motion and this shall take precedence on the court's docket.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner, or to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent shall:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Provide timely information regarding the deploying parent's leave schedule to the nondeploying parent.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a temporary hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support. Each party shall provide information to each other in an effort to facilitate agreement on custody and visitation.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days' of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint at the request of the deployed parent or on its own motion a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished by certified mail, return receipt requested, to the nondeploying parent's last known address based on an affidavit of the deploying parent.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Bill No. 636, Pages 35-36, Section 488.2250, Lines 1-20, by deleting all of said section and lines in inserting in lieu thereof the following:

"488.2250. For all transcripts of testimony given or proceedings had in any circuit court **in cases where an appeal is taken**, the court reporter shall receive the sum of **[**two dollars**] three dollars and five cents** per twenty-five-line page for the original **and up to three copies** of the transcript, and the sum of thirty-five cents per twenty-five-line page for each **[**carbon**] additional** copy thereof; the page to be approximately eight and one-half inches by eleven inches in size, with left-hand margin of approximately one and one-half inches and the right-hand margin of approximately one-half inch; answer to follow question on same line when feasible; such page to be designated as a legal page. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings, and the court reporter's fees for making the same shall be paid by the state upon a voucher approved by the court, and taxed against the state. In criminal cases where an appeal is taken by the defendant, and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court shall order the court reporter to furnish three **paper or electronic** transcripts in duplication of the notes of the evidence, for the original **and up to three copies of the transcript [**of which**]** the court reporter shall receive **the sum of** two dollars **and sixty cents** per legal page **and the sum of [**and for the copies**]** twenty cents per page **for each additional copy thereof**. The payment of court reporter's fees provided in this section shall be made by the state upon a voucher approved by the court. **An electronic version of all transcripts mentioned herein shall be provided. All copies shall be provided by a Court Reporter certified by the Missouri Supreme Court.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Bill No. 636, Page 43, Section 537.351, Lines 1-18, Page 44, Lines 19-38, by deleting all of said section and lines and inserting in lieu thereof the following:

"**537.351. 1. Except as provided in subsection 2 of this section, a possessor of real property, including an owner, lessee, or other occupant, or an agent of such owner, lessee, or other occupant, owes no duty of care to a trespasser except to refrain from harming the trespasser by an intentional, willful, or wanton act. A possessor of real property may use justifiable force to repel a criminal trespasser as provided by section 563.074.**

2. A possessor of real property may be subject to liability for physical injury or death to a trespasser in the following situations:

(1) If the trespasser is a child who is harmed by a dangerous artificial condition on the land; and

(a) The possessor knew or should have known that children were likely to trespass at the location of the condition;

(b) The condition is one which the possessor knew or reasonably should have known involved an unreasonable risk of death or serious physical injury to such children;

(c) The injured child because of the child's youth did not discover the condition or realize the risk involved in the intermeddling with the condition or in coming within the area made dangerous by the condition;

(d) The utility to the possessor of maintaining the condition and the burden of eliminating the danger were slight as compared with the risk to the child involved; and

(e) The possessor failed to exercise reasonable care to eliminate the danger or otherwise protect

the injured child; or

(2) The possessor knew or should have known that trespassers consistently intrude upon a limited area of the possessor's land where the trespasser was harmed, the harm resulted from a dangerous artificial condition on the land; and

(a) The possessor created or maintained the artificial condition that caused the injury;

(b) The possessor knew that the condition was likely to cause death or serious bodily harm to trespassers; and

(c) The possessor knew or should have known that the condition was of such a nature that trespassers would not discover it;

3. This section does not create or increase the liability of any possessor of real property and does not affect any immunities from or defenses to liability established under state law or available under common law to which a possessor of real property may be entitled under circumstances not covered by this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 16

Amend House Committee Substitute for Senate Bill No. 636, Page 41, Section 513.440, Line 7, by inserting after all of said section and line the following:

"513.653. 1. Law enforcement agencies involved in using the federal forfeiture system under federal law shall **[**be required at the end of their respective fiscal year to acquire an independent audit of the federal seizures and the proceeds received therefrom and provide this audit to their respective governing body and to the department of public safety. A copy of such audit shall be provided to the state auditor's office. This audit shall be paid for out of the proceeds of such federal forfeitures**] file a report regarding federal seizures and the proceeds therefrom. Such report shall be filed annually by January thirty-first for the previous calendar year with the department of public safety and the state auditor's office. The report for the calendar year shall include the type and value of items seized and turned over to the federal forfeiture system, the beginning balance as of January first of federal forfeiture funds or assets previously received and not expended or used, the proceeds received from the federal government (the equitable sharing amount), the expenditures resulting from the proceeds received, and the ending balance as of December thirty-first of federal forfeiture funds or assets on hand**. The department of public safety shall not issue funds to any law enforcement agency that fails to comply with the provisions of this section.

2. Intentional or knowing failure to comply with the **[**audit**] reporting** requirement contained in this section shall be a class A misdemeanor, punishable by a fine of up to one thousand dollars."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 17

Amend House Committee Substitute for Senate Bill No. 636, Page 57, Section 566.083, Line 23, by inserting after all of said section and line the following:

"568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide

adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) **"Arrearage":**

(a) The amount of money created by a failure to provide support to a child under an administrative or judicial support order; or

(b) Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or

(c) Both paragraphs (a) and (b).

The arrearage shall reflect any retroactive support ordered under a modification, and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) "Child" means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)**] (3)** "Good cause" means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)**] (4)** "Support" means food, clothing, lodging, and medical or surgical attention;

[(4)**] (5)** It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision (4) of subsection 2 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of **[**twelve**] eighteen** monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony.

6. **(1)** If at any time a defendant convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due **[**may**] shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the defendant fails to pay the **[**current**]** support and arrearages **[**as ordered**] under the terms of**

his or her probation, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) After a period of not less than eight years, an individual who has pled guilty to or has been convicted of a first felony offense for criminal nonsupport under this section and who has successfully completed probation after a plea of guilt or was sentenced may petition the court for expungement of all official records all recordations of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person has not been convicted of any subsequent offense; does not have any other felony pleas of guilt, findings of guilt or convictions; is current on all child support obligations; has paid off all arrearages; and has no other criminal charges or administrative child support actions pending at the time of the hearing on the application for expungement with respect to all children subject to orders of payment of child support or that the defendant has successfully completed a criminal nonsupport courts program under section 478.1000, the court shall enter an order of expungement. Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement under this section. Nothing in this section shall prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the **[**child support enforcement service of the**]** family support division **[**of**]** **within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

(1) In any county in which the child resided during the period of time for which the defendant is charged; or

(2) In any county in which the defendant resided during the period of time for which the defendant is charged." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 18

Amend House Committee Substitute for Senate Bill No. 636, Page 15, Section 211.031, Line 96, by inserting after all of said line the following:

"**211.069. The amendments to sections 211.071 and 211.073 enacted by the ninety-sixth general assembly, second regular session, shall be known and may be cited as "Jonathan's Law".**

211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030, forcible sodomy under section 566.060, first degree robbery under section 569.020, or distribution of drugs under section 195.211, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has

been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

(1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;

(2) Whether the offense alleged involved viciousness, force and violence;

(3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;

(4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;

(5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;

(6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;

(7) The age of the child;

(8) The program and facilities available to the juvenile court in considering disposition;

(9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

(1) Findings showing that the court had jurisdiction of the cause and of the parties;

(2) Findings showing that the child was represented by counsel;

(3) Findings showing that the hearing was held in the presence of the child and his counsel; and

(4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law **and the prosecution of the child results in a conviction**, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law

and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.073. 1. The court **[**may**] shall**, in a case when the offender is under seventeen years **and six months** of age and has been transferred to a court of general jurisdiction pursuant to section 211.071, and whose prosecution results in a conviction or a plea of guilty, **[**invoke**] consider** dual jurisdiction of both the criminal and juvenile codes, as set forth in this section. The court is authorized to impose a juvenile disposition under this chapter and simultaneously impose an adult criminal sentence, the execution of which shall be suspended pursuant to the provisions of this section. Successful completion of the juvenile disposition ordered shall be a condition of the suspended adult criminal sentence. The court may order an offender into the custody of the division of youth services pursuant to this section **[**if:

(1) A facility is designed and built by the division of youth services specifically for offenders sentenced pursuant to this section and if the division determines that there is space available, based on design capacity, in the facility; and

(2)**]:**

(1) Upon agreement of the division **of youth services; and**

(2) If the division of youth services determines that there is space available in a facility designed to serve offenders sentenced under this section.

If the division of youth services agrees to accept a youth and the court does not impose a juvenile disposition, the court shall make findings on the record as to why the division of youth services was not appropriate for the offender prior to imposing the adult criminal sentence.

2. If there is probable cause to believe that the offender has violated a condition of the suspended sentence or committed a new offense, the court shall conduct a hearing on the violation charged, unless the offender waives such hearing. If the violation is established and found the court may continue or revoke the juvenile disposition, impose the adult criminal sentence, or enter such other order as it may see fit.

3. When an offender has received a suspended sentence pursuant to this section and the division determines the child is beyond the scope of its treatment programs, the division of youth services may petition the court for a transfer of custody of the offender. The court shall hold a hearing and shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

4. When an offender who has received a suspended sentence reaches the age of seventeen, the court shall hold a hearing. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections;

(2) Direct that the offender be placed on probation; or

(3) Direct that the offender remain in the custody of the division of youth services if the division agrees to such placement.

5. The division of youth services shall petition the court for a hearing before it releases an offender who comes within subsection 1 of this section at any time before the offender reaches the age of twenty-one years. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

6. If the suspension of the adult criminal sentence is revoked, all time served by the offender under the juvenile disposition shall be credited toward the adult criminal sentence imposed."; and

Further amend said title, enacting clause and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 665**.

With House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment Nos. 4, 5 and 6.

HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 665, Page 1, Section 1, Line 1, by inserting immediately before said line the following:

"72.401. 1. If a commission has been established pursuant to section 72.400 in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498 and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, **(1)** any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, **and (2) any voluntary annexation approved by municipal ordinance provided that the municipality owns the area to be annexed, that the area is contiguous with the municipality, and that the area is utilized only for parks and recreation purposes,** shall not be subject to commission review. Such a boundary adjustment **or annexation** is not prohibited by the existence of an established unincorporated area."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 665, Page 1, Section 1, Line 1, by inserting before said section and line the following:

"177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to Senate Substitute for Senate Bill No. 665, Page 1, Line 37, by inserting after all of said line the following:

"Further amend said bill, Section 11, Page 15, Line 22, by inserting after all of said section and line the following:

"**Section 12. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 13. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 665, Page 1, Section 1, Line 1, by before all of said section and line inserting the following:

"**227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.**

301.3163. Any person may apply for **[**special**]** **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**]** **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**]** **director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**]** **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsen Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Substitute for Senate Bill No. 665, Page 1, In the Title, Lines 1-2, by deleting the words "to the state highways and transportation commission"; and

Further amend said Substitute, Page 15, Section 11, Line 22, by inserting immediately after said Line the following:

"**Section 12. 1. The governor is hereby authorized and empowered to vacate the existing one acre easement made on May 25, 1971, between the state and the City of Sedalia, Missouri, located at 2600 West 16th Street, and is hereby authorized and empowered to grant to the City of Sedalia, Missouri, an easement to construct, reconstruct, alter, replace, maintain, and operate a fire station and an entrance thereto on and over certain state owned property more particularly described as follows:**

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 45 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI; THENCE N 86°29'52"W ALONG THE

SOUTH LINE OF SAID SOUTHWEST QUARTER, 939 FEET TO THE POINT OF BEGINNING OF THE PARCEL CONVEYED TO THE STATE OF MISSOURI IN VOLUME 289 AT PAGE 242 IN THE PETTIS COUNTY RECORDERS OFFICE, AND AS SHOWN ON A SURVEY IN PLAT CABINET B AT PAGE 775 TO THE POINT OF BEGINNING; THENCE CONTINUING N 86°29'52"W ALONG SAID SOUTH LINE, 323 FEET TO THE EASTERLY RIGHT OF WAY OF THE MISSOURI PACIFIC RAILROAD COMPANY DESCRIBED IN VOLUME 140 AT PAGE 298, AND AS SHOWN ON SAID SURVEY IN PLAT CABINET B AT PAGE 775; THENCE N 2°24'46"E ALONG SAID RIGHT OF WAY, 387.32 FEET; THENCE S 87°36'42"E, 323 FEET TO THE EAST LINE OF SAID PROPERTY DESCRIBED IN VOLUME 289 AT PAGE 242; THENCE S 2°24'41"W ALONG SAID EAST LINE, 393.60 FEET TO THE POINT OF BEGINNING, CONTAINING 2.9 ACRES, MORE OR LESS, RESERVING TO THE STATE OF MISSOURI INGRESS AND EGRESS TO THE NORTH 2.1 ACRES MORE OR LESS OF THE PARCEL DESCRIBED IN VOLUME 289 AT PAGE 242.

EXCEPTING THEREFROM THE RIGHT OF WAY FOR HIGHWAY Y AS SHOWN ON SAID SURVEY IN PLAT CABINET B AT PAGE 775, AND THE MISSOURI DEPARTMENT OF TRANSPORTATIONS PLANS FOR STATE HIGHWAY Y.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Substitute for Senate Bill No. 665, Page 15, Section 12, Line 22, by inserting after all of said section and line the following:

"**Section 12. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release all interest of the state of Missouri in an easement located near the Choteau State Owned Office Building, in the City of St. Louis, described as follows:**

Ingress/Egress Easement Vacation

Book 1696M, Page 2270

A tract of land being part of Lots 2 and 4 of Chouteau-Compton Subdivision No. 3, a subdivision according to the plat thereof as recorded in Plat Book 12242003, Page 132 of the City of St. Louis Records, being more particularly described as follows:

Beginning at the southeastern corner of above said Lot 4, said point also being the southwestern corner of Lot 2, said point also being located on the northern right-of-way line of Chouteau Avenue, 80 feet wide; thence along said right-of-way line, North 75 degrees 00 minutes 00 seconds West, 25.32 feet to the western line of an Ingress/Egress Easement as established by instrument recorded in Book 1696M, Page 2270; thence departing last said right-of-way line along said western line the following courses and distances: North 15 degrees 32 minutes 58 seconds East, 78.61 feet to a point on a non-tangent curve to the right having a

radius of 75.51 feet; along said curve with an arc length of 47.00 feet, and a chord which bears North 44 degrees 16 minutes 16 seconds East, 46.24 feet; North 59 degrees 59 minutes 10 seconds East, 53.47 feet to a point on a non-tangent curve to the left having a radius of 81.83 feet; thence along said curve with an arc length of 57.03 feet, and a chord which bears North 36 degrees 21 minutes 43 seconds East, 55.88 feet to a point of tangency and North 16 degrees 23 minutes 52 seconds East, 21.30 feet to the northern line of above said Lot 4; thence along said north line South 75 degrees 00 minutes 00 seconds East, 12.52 feet to the northeastern corner of above said Lot 4, said point also being the northwestern corner of above said Lot 2; thence along the northern line of said Lot 2, South 75 degrees 00 minutes 00 seconds East, 11.21 feet to the northeastern corner of above said Ingress/Egress Easement; thence along the eastern line of said Ingress/Egress Easement the following courses and distances: South 14 degrees 42 minutes 17 seconds West, 25.31 feet to a point on a non-tangent curve to the right having a radius of 80.19 feet; along said curve with an arc length of 66.36 feet, and a chord which bears South 36 degrees 23 minutes 48 seconds West, 64.48 feet; South 60 degrees 06 minutes 17 seconds West, 45.35 feet to a point on a non-tangent curve to the left having a radius of 63.36 feet; along said curve with an arc length of 42.86 feet, and a chord which bears South 34 degrees 36 minutes 23 seconds West, 42.05 feet to a point of tangency and South 15 degrees 13 minutes 43 seconds West, 73.14 feet to the northern right-of-way line of above said Chouteau Avenue; thence along said northern right-of-way line, North 75 degrees 00 minutes 00 seconds West, 10.53 feet to the Point of Beginning and containing 7,348 square feet or 0.168 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc on March 15, 2012.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance.

Section B. Because immediate action is necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, section 12 of this act shall be in full force and effect upon its passage and approval. "; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Substitute for Senate Bill No. 665, Page 15, Section 11, Line 22, by inserting immediately after said Line the following:

"**Section 12. If the state highways and transportation commission transfers, sells, or conveys the property contained in sections 1 through 11 of section A of this act within two years of August 28, 2012, it shall use a public auction method except for transfers, sales, or conveyances to an adjacent property owner, public institution, political subdivision, or utility.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 682**, entitled:

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to interventional pain management.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 682, Page 1, Section 334.153, Line 13, by deleting the word, "**fluoroscopy**" and inserting in lieu thereof the words, "**image guidance**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 1402**, as amended: Senators Stouffer, Kehoe, Ridgeway, Justus and McKenna.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 470**, as amended: Senators Dixon, Mayer, Goodman, Justus and McKenna.

HOUSE BILLS ON THIRD READING

Senator Brown moved that **HCS** for **HB 1150**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HB 1150** was again taken up.

Senator Stouffer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1150, Page 18, Section 301.227, Line 23, by inserting after all of said line the following:

"301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying

with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure.

306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time

and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure."; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Cunningham offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House

Bill No. 1150, Page 18, Section 301.227, Line 23, by inserting immediately after said line the following:

"430.020. Every person who shall keep or store any vehicle**[**,**]** **or** part or equipment thereof, shall, for the amount due therefor, have a lien; and every person who furnishes labor or material on any vehicle **[**or aircraft,**]** or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner of the vehicle **[**or aircraft**]**, or part or equipment thereof**, and every person who furnishes labor or material on any aircraft or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner, authorized agent of the owner, or person in lawful possession of the aircraft or part or equipment thereof**, shall have a lien for the amount of such work or material as is ordered or stated in such written memorandum. Such liens shall be on the vehicle or aircraft, or part or equipment thereof, as shall be kept or stored, or be placed in the possession of the person furnishing the labor or material; provided, however, the person furnishing the labor or material **on the aircraft or part or equipment thereof,** may retain the lien after surrendering possession of the aircraft or part or equipment thereof by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof resides, if known to the claimant, and in the office of the county recorder of the county where the labor or material was furnished. Such statement shall be filed within **[**thirty**] one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless said lien has also been filed with the Federal Aviation Administration Aircraft Registry.

430.082. 1. Every person expending labor, services, skill or material upon any motor vehicle or trailer, as defined in chapter 301, vessel, as defined in chapter 306, outboard motor **[**or**], or** aircraft**, or part or equipment of an aircraft,** at a written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or who provides storage for a motor vehicle, trailer, outboard motor or vessel, at the written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or at the written request of a peace officer in lieu of the owner or owner's agent, where such owner or agent is not available to request storage thereof, shall, where the maximum amount to be charged for labor, services, skill or material has been stated as part of the written request or the daily charge for storage has been stated as part of the written request, have a lien upon the chattel beginning upon the date of commencement of the expenditure of labor, services, skill, materials or storage for the actual value of all the expenditure of labor, services, skill, materials or storage until the possession of that chattel is voluntarily relinquished to the owner, authorized agent, or one entitled to possession thereof. The person furnishing labor, services, skill or material **upon an aircraft or part or equipment thereof,** may retain the lien after surrendering possession of the aircraft or part or equipment thereof**,** by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof**,** resides, if known to the claimant, and in the office of the county recorder of the county where the claimant performed the services. Such statement shall be filed within **[**thirty**] one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless the lien has also been filed with the Federal Aviation Administration Aircraft Registry.

2. If the chattel is not redeemed within forty-five days of the completion of the requested labor, services, skill or material, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title.

3. If the charges are for storage or the service of towing the motor vehicle, trailer, outboard motor or vessel, and the chattel has not been redeemed within forty-five days after the charges for storage commenced, the lienholder shall notify by certified mail, postage prepaid, the owner and any lienholders of record other than the person making the notification, at the person's last known address that application for a lien title will be made unless the owner or lienholder within thirty days makes satisfactory arrangements with the person holding the chattel for payment of storage or service towing charges, if any, or makes satisfactory arrangements with the lienholder for paying such charges or for continued storage of the chattel if desired. Thirty days after the notification has been mailed and the chattel is unredeemed, or the notice has been returned marked "not fowardable" or "addressee unknown", and no satisfactory arrangement has been made with the lienholder for payment or continued storage, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title as provided in this section.

4. The application shall be accompanied by:

(1) The original or a conformed or photostatic copy of the written request of the owner or the owner's agent or of a peace officer with the maximum amount to be charged stated therein;

(2) An affidavit from the lienholder that written notice was provided to all owners and lienholders of the applicants' intent to apply for a certificate of ownership and the owner has defaulted on payment of labor, services, skill or material and that payment is forty-five days past due, or that owner has defaulted on payment or has failed to make satisfactory arrangements for continued storage of the chattel for thirty days since notification of intent to make application for a certificate of ownership or certificate of title. The affidavit shall be accompanied by a copy of the thirty-day notice given by certified mail to any owner and person holding a valid security interest and a copy of the certified mail receipt indicating that the owner and lienholder of record was sent a notice as required in this section;

(3) A statement of the actual value of the expenditure of labor, services, skill or material, or the amount of storage due on the date of application for a certificate of ownership or certificate of title, and the amount which is unpaid; and

(4) A fee of ten dollars.

5. If the director is satisfied with the genuineness of the application, proof of lienholder notification in the form of a certified mail receipt, and supporting documents, and if no lienholder or the owner has redeemed the chattel or no satisfactory arrangement has been made concerning payment or continuation of storage, and if no owner or lienholder has informed the director that the owner or lienholder demands a hearing as provided in this section, the director shall issue, in the same manner as a repossessed title is issued, a certificate of ownership or certificate of title to the applicant which shall clearly be captioned "Lien Title".

6. Upon receipt of a lien title, the holder shall within ten days begin proceedings to sell the chattel as prescribed in section 430.100.

7. The provisions of section 430.110 shall apply to the disposition of proceeds, and the lienholder shall also be entitled to any actual and necessary expenses incurred in obtaining the lien title, including, but not limited to, court costs and reasonable attorney's fees."; and

Further amend the title and enacting clause accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SS** for **SCS** for **HCS** for **HB 1150**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SS** for **SCS** for **HCS** for **HB 1150**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Ridgeway Wasson—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1498**, with **SCS**, entitled:

An Act to repeal sections 311.087, 311.089, 311.090, 311.093, 311.097, 311.098, 311.102, 311.104, 311.174, 311.176, 311.178, 311.273, 311.293, 311.481, 311.485, and 311.486, RSMo, and to enact in lieu thereof nine new sections relating to sales of intoxicating liquor.

Was taken up by Senator Schmitt.

SCS for **HCS** for **HB 1498**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1498

An Act to repeal sections 311.087, 311.089, 311.090, 311.093, 311.097, 311.098, 311.102, 311.104, 311.174, 311.176, 311.178, 311.196, 311.273, 311.293, 311.481, 311.485, and 311.486, RSMo, and to enact in lieu thereof ten new sections relating to sales of intoxicating liquor.

Was taken up.

Senator Schmitt moved that **SCS** for **HCS** for **HB 1498** be adopted.

Senator Schmitt offered **SS** for **SCS** for **HCS** for **HB 1498**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1498

An Act to repeal sections 311.087, 311.089, 311.090, 311.093, 311.097, 311.098, 311.102, 311.104, 311.174, 311.176, 311.178, 311.196, 311.273, 311.293, 311.481, 311.485, and 311.486, RSMo, and to enact in lieu thereof eleven new sections relating to sales of intoxicating liquor.

Senator Schmitt moved that **SS** for **SCS** for **HCS** for **HB 1498** be adopted, which motion prevailed.

On motion of Senator Schmitt, **SS** for **SCS** for **HCS** for **HB 1498** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Green	Justus	Keaveny	Kehoe	Lager	Lamping	Lembke	McKenna
Munzlinger	Nieves	Parson	Pearce	Richard	Rupp	Schaaf	Schaefer
Schmitt	Wasson	Wright-Jones—27					

NAYS—Senators

Crowell	Goodman	Kraus	Mayer	Purgason	Ridgeway	Stouffer—7

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schmitt, title to the bill was agreed to.

Senator Schmitt moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1758**, with **SCS**, entitled:

An Act to amend chapter 452, RSMo, by adding thereto one new section relating to rights of persons with parental relationships.

Was taken up by Senator Ridgeway.

SCS for **HCS** for **HB 1758**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1758

An Act to repeal section 453.005, RSMo, and to enact in lieu thereof two new sections relating to rights of persons with parental relationships.

Was taken up.

Senator Stouffer assumed the Chair.

Senator Ridgeway moved that **SCS** for **HCS** for **HB 1758** be adopted, which motion prevailed.

On motion of Senator Ridgeway, **SCS** for **HCS** for **HB 1758** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Green	Justus	Kehoe	Kraus	Lamping	Mayer	Munzlinger	Nieves
Parson	Pearce	Richard	Ridgeway	Rupp	Schaefer	Stouffer	Wasson
Wright-Jones—25							

NAYS—Senators

Callahan	Goodman	Keaveny	Lembke	McKenna	Purgason	Schaaf	Schmitt—8

Absent—Senator Lager—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Ridgeway, title to the bill was agreed to.

Senator Ridgeway moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS No. 2 for **HB 1323**, with **SCS**, entitled:

An Act to repeal sections 210.211, 210.245, and 544.455, RSMo, by adding thereto five new sections relating to the provision of child care services pending criminal charges with a penalty provision.

Was taken up by Senator Rupp.

SCS for **HCS No**. **2** for **HB 1323**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 1323

An Act to repeal sections 208.044, 210.135, 210.145, 210.211, and 210.245, RSMo, and to enact in lieu thereof seven new sections relating to the provision of child care services, with a penalty provision.

Was taken up.

Senator Rupp moved that **SCS** for **HCS No. 2** for **HB 1323** be adopted, which motion prevailed.

On motion of Senator Rupp, **SCS** for **HCS No. 2** for **HB 1323** was read the 3rd time and passed by the

following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Purgason—1

Absent—Senator Lager—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Lembke, **HCS** for **HB 1865**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Callahan, **HCS** for **HBs 1659** and **1116**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kehoe, **HCS** for **HB 1818** was placed on the Informal Calendar.

HCS for **HB 1280**, with **SCS**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

Was taken up by Senator Wasson.

SCS for **HCS** for **HB 1280**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1280

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

Was taken up.

Senator Wasson moved that **SCS** for **HCS** for **HB 1280** be adopted.

Senator Wasson offered **SS** for **SCS** for **HCS** for **HB 1280**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1280

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

Senator Wasson moved that **SS** for **SCS** for **HCS** for **HB 1280** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **HCS** for **HB 1280** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Purgason—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1141, introduced by Representative Gatschenberger, et al, entitled:

An Act to repeal section 301.3163, RSMo, and to enact in lieu thereof one new section relating to the Don’t Tread on Me license plate.

Was taken up by Senator Nieves.

On motion of Senator Nieves, **HB 1141** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Green Keaveny—2

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1357**, entitled:

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to alternatives-to-abortion agencies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 689**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 607**.

Bill ordered enrolled.

PRIVILEGED MOTIONS

Senator Keaveny moved that the Senate refuse to concur in **HCS** for **SB 636**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 1170, introduced by Representative Franz, with **SCS**, entitled:

An Act to repeal section 67.1521, RSMo, and to enact in lieu thereof one new section relating to property tax assessment.

Was called from the Informal Calendar and taken up by Senator Parson.

SCS for **HB 1170**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1170

An Act to repeal sections 67.750, 67.1521, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754, RSMo, and to enact in lieu thereof twenty-eight new sections relating to local taxation, with an emergency clause for certain sections.

Was taken up.

Senator Parson moved that **SCS** for **HB 1170** be adopted.

Senator Parson offered **SS** for **SCS** for **HB 1170**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1170

An Act to repeal sections 67.1521, 99.845, 137.016, 321.460, and 610.021, RSMo, and to enact in lieu thereof seven new sections relating to local taxation, with an emergency clause for a certain section.

Senator Parson moved that **SS** for **SCS** for **HB 1170** be adopted.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1170, Page 25, Section 144.758, Line 27 of said page, by inserting after all of said line the following:

"231.444. 1. In addition to other levies authorized by law, the governing body of any county of the third classification without a township form of government having a population of less than six thousand inhabitants **and any county of the third classification without a township form of government and with more than six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than five hundred fifty but fewer than six hundred fifty inhabitants as the county seat** according to the most recent decennial census may by ordinance levy and impose a tax pursuant to this section which shall not exceed the rate of one dollar on each acre of real property in the county which is classified as agricultural and horticultural property pursuant to section 137.016.

2. The proceeds of the tax authorized pursuant to this section shall be collected by the county collector and remitted to the county treasurer who shall deposit such proceeds in a special fund to be known as the "Special Road Rock Fund". All moneys in the special road rock fund shall be appropriated by the county governing body for the sole purpose of purchasing road rock to be placed on county roads within the boundaries of the county.

3. The ordinance levying and imposing a tax pursuant to subsection 1 of this section shall not be effective unless the county governing body submits to the qualified voters of the county a proposal to authorize the county governing body to levy and impose the tax at an election permitted pursuant to section 115.123. The ballot of submission proposing the tax shall be in substantially the following form:

Shall the county of ..... (county's name) be authorized to levy and impose a tax on all real property

in the county which is classified as agricultural or horticultural property at a rate not to exceed ..... (rate of tax) cents per acre with all the proceeds of the tax to be placed in the "Special Road Rock Fund" and used solely for the purpose of purchasing road rock to be placed on county roads within the boundaries of the county?

☐ YES ☐ NO

4. If a majority of the qualified voters of the county voting on the proposal vote "YES", then the governing body of the county may by ordinance levy and impose the tax authorized by this section in an amount not to exceed the rate proposed in the ballot of submission. If a majority of the qualified voters of the county voting on the proposal vote "NO", then the governing body of the county shall not levy and impose such tax. Nothing in this section shall prohibit a rejected proposal from being resubmitted to the qualified voters of the county at an election permitted pursuant to section 115.123."; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

Senator Justus offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 1170, Page 1, Section 231.444, Line 6 of said page, by inserting immediately after the word "inhabitants" the following: "**, any county of the third classification without a township form of government and with more than eight thousand but fewer than nine thousand inhabitants and with a city of the fourth classification with more than one thousand two hundred but fewer than one thousand three hundred fifty inhabitants as the county seat,**".

Senator Justus moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was again taken up.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1170, Page 19, Section 99.845, Line 25 of said page, by inserting after all of said line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration

of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real

property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section

99.820, section 99.942, or section 99.1027."; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1170, Page 4, Section 67.1521, Line 21 of said page, by inserting after all of said line the following:

"67.2500. 1. A theater, cultural arts, and entertainment district may be established in the manner provided in section 67.2505 by the governing body of any county, city, town, or village that has adopted transect-based zoning under chapter 89, any county described in this subsection, or any city, town, or village that is within such counties:

(1) Any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants;

(2) Any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants;

(3) Any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants;

(4) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(5) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(6) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants**;**

(7) Any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat.

2. Sections 67.2500 to 67.2530 shall be known as the "Theater, Cultural Arts, and Entertainment District Act".

3. As used in sections 67.2500 to 67.2530, the following terms mean:

(1) "District", a theater, cultural arts, and entertainment district organized under this section;

(2) "Qualified electors", "qualified voters", or "voters", registered voters residing within the district or subdistrict, or proposed district or subdistrict, who have registered to vote pursuant to chapter 115 or, if there are no persons eligible to be registered voters residing in the district or subdistrict, proposed district or subdistrict, property owners, including corporations and other entities, that are owners of real property;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115; and

(4) "Subdistrict", a subdivision of a district, but not a separate political subdivision, created for the purposes specified in subsection 5 of section 67.2505.

67.2510. As a complete alternative to the procedure establishing a district set forth in section 67.2505, a theater, cultural arts, and entertainment district may be established in the manner provided in section 67.2515 by a circuit court with jurisdiction over any county, city, town, or village that has adopted transect-based zoning under chapter 89, any county described in this section, or any city, town, or village that is within such counties:

(1) Any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants;

(2) Any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants;

(3) Any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants;

(4) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(5) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(6) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants**;**

(7) Any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat."; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Parson, **HB 1170**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 470**, as amended. Representatives: Burlison, Smith (150), Denison, Meadows and Fallert.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SS** for **SCS** for **HCS** for **HB 1402**, as amended. Representatives: Burlison, Torpey, Silvey, Talboy and Carlson.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 485**, entitled:

An Act to repeal sections 400.9-311, 430.020, and 430.082, RSMo, and to enact in lieu thereof three new sections relating to statutory liens against personalty.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 485, Page 4, Section 430.082, Line 66, by inserting after all of said section and line the following:

"430.240. No such lien shall be effective, however, unless a written notice containing the name and address of the injured person, the date of the accident, the name and location of the hospital and the name of the person or persons, firm or firms, corporation or corporations alleged to be liable to the injured party for the injuries received, shall be sent by **certified [**registered**]** mail with return receipt requested, to the person or persons, firm or firms, corporation or corporations, if known, alleged to be liable to the injured party, if known, for the injuries sustained prior to the payment of any moneys to such injured person, his attorneys or legal representative, as compensation for such injuries. Such hospital shall send by **certified [**registered**]** mail with return receipt requested a copy of such notice to any insurance carrier, if known, which has insured such person, firm or corporation against such liability."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 485, Page 1, Section A, Line 3, by inserting after all of said line the following:

"301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the

director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure.

306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days

thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 563**, entitled:

An Act to repeal sections 172.803, 173.300, 174.332, and 174.450, RSMo, and to enact in lieu thereof nine new sections relating to higher education, with an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3, 4, 5, 6 and 7.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 7, Section 173.300, Line 205, by inserting after all of said line the following:

"**173.480. 1. There is hereby created in the state treasury the "Higher Education Capital Fund",**

which shall consist of money collected under this section. The general assembly may appropriate moneys to the fund for the purpose of providing matching funds to public colleges or universities, as provided in this section.

2. Moneys in the fund may be distributed to public colleges or universities in the form of matching funds for the funding of capital projects. The state shall not issue bonds to provide funding under this section. No moneys shall be distributed through the fund without a line item appropriation for a specific project. A public college or university may use the matching funds for new construction, rehabilitation, maintenance, renovation, or reconstruction. A public college or university shall not use any matching funds received pursuant to this section for any athletic facilities, parking structures, or student housing.

3. Any matching funds distributed under this section shall be limited to the amount of fifty percent of the project's cost. To qualify for matching funds, a public college or university shall complete an application to the commissioner of higher education and demonstrate that it has obtained fifty percent of the project's cost through private donations or grants. No funds from the higher education capital fund shall be made available to match funds that a public college or university has obtained from its operating budget, tuition, fees, the issuance of revenue bonds or general obligation bonds, or from any state appropriation.

4. The commissioner of higher education shall create an application and establish procedures for public colleges or universities to follow to receive matching funds under this section. The commissioner of higher education may promulgate rules and regulations to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. The commissioner of higher education shall administer the higher education capital fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section.

6. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

7. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

8. For purposes of this section, "public colleges or universities" shall mean any public community college, public college, or public university located in the state of Missouri." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 11,

Section 174.450, Line 66, by inserting after all of said section and line the following:

"177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 8, Section 173.670, Line 29, by deleting all of said line and inserting in lieu thereof the following:

"**provide Missouri middle school, junior high, and high school students with the opportunity to**"; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 8, Section 173.670, Line 34, by inserting immediately after said line the following:

"**173.1400. 1. The state of Missouri hereby authorizes accredited Missouri colleges and universities to issue on behalf of the state a document of school social work program verification and acknowledgment of completion to any individual who has obtained a degree in social work from an accredited college or university and who:**

(1) Holds a credential in school social work issued by a nationally recognized credentialing organization in social work; or

(2) Demonstrates competency in school social work by successful passage of a school social worker examination approved by the state committee for social workers established in section 337.622 and administered by the accredited college or university.

2. The department of higher education shall develop a form, available upon request to Missouri colleges and universities, containing the following information:

(1) The words "State of Missouri";

(2) The seal of the state of Missouri;

(3) A place for inclusion of the name of the issuing accredited Missouri college or university

awarding the document;

(4) A statement of the criteria outlined in subsection 1 of this section;

(5) A place for inclusion of the name of the individual who has applied for the school social work program verification and acknowledgment of completion;

(6) A place for inclusion of the date of issuance;

(7) A place for the signatures of a college or university official and an official from the state department of higher education; and

(8) A footnote stating: "No person shall hold himself or herself out to be a social worker unless such person has met the requirements of section 337.604.".

3. The accredited Missouri college or university may issue a document on the state's behalf to any person making application as a credentialed school social worker provided such person meets the qualifications contained in this section."; and

Further amend said bill, Page 11, Section 174.450, Line 66, by inserting immediately after said line the following:

"**337.647. 1. The committee shall develop a school social work program verification and acknowledgment of completion for individuals who have met the requirements set forth in this section.**

2. The committee shall issue a document similar to the document described in subsection 2 of section 173.1400 to any individual who:

(1) Submits an application to the board;

(2) Holds a credential in school social work issued by a nationally recognized credentialing organization in social work, or demonstrates competency in school social work by successful passage of a school social worker exam approved by the committee;

(3) Holds a license issued by the committee; and

(4) Submits the fee as required by rule of the committee.

3. The committee shall promulgate rules and shall charge fees necessary to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

4. Notwithstanding any provision of law to the contrary, any school social work program verification and acknowledgment of completion issued by the committee under subsection 2 of this section shall not be deemed a license, certificate, registration or permit for any purpose, and such documents convey no authority to practice social work in Missouri and convey no authority to use any social work title in Missouri. Each school social work program verification and acknowledgment of

completion issued by the committee under subsection 2 of this section shall state on its face that it:

(1) Is not a license, certificate, registration or permit;

(2) Conveys no authority to practice social work in Missouri; and

(3) Conveys no authority to use any social work title in Missouri.

5. Notwithstanding any provision of law to the contrary, school social work program verification and acknowledgment of completion issued by the committee under subsection 2 of this section shall not:

(1) Expire;

(2) Be subject to renewal;

(3) Be subject to denial or discipline under section 337.630;

(4) Be subject to suspension under section 324.010; or

(5) Be subject to any other action to which professional licenses may be subjected."; and

Further amend said bill, Page 18, Section B, Line 6, by inserting after all of said line the following:

"Section C. Because of the need to provide school social work program verification and acknowledgement of completion before the start of the 2012-2013 school year, the enactment of section 173.1400 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 173.1400 of this act shall be in full force and effect upon its passage."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Section A, Page 1, Line 3, by inserting the following after all of said Line:

"166.415. 1. There is hereby created the "Missouri Higher Education Savings Program". The program shall be administered by the Missouri higher education savings program board which shall consist of the Missouri state treasurer who shall serve as chairman, the commissioner of the department of higher education, the commissioner of the office of administration, the director of the department of economic development, two persons having demonstrable experience and knowledge in the areas of finance or the investment and management of public funds, one of whom is selected by the president pro tem of the senate and one of whom is selected by the speaker of the house of representatives, and one person having demonstrable experience and knowledge in the area of banking or deposit rate determination and placement of depository certificates of deposit or other deposit investments. Such member shall be appointed by the governor with the advice and consent of the senate. The three appointed members shall be appointed to serve for terms of four years from the date of appointment, or until their successors shall have been appointed and shall have qualified. The members of the board shall be subject to the conflict of interest provisions of section 105.452. Any member who violates the conflict of interest provisions shall be removed from the board. In order to establish and administer the savings program, the board, in addition to its other powers and authority, shall have the power and authority to:

(1) Develop and implement the Missouri higher education savings program and, notwithstanding any

provision of sections 166.400 to 166.455 to the contrary, the savings programs and services consistent with the purposes and objectives of sections 166.400 to 166.455;

(2) Promulgate reasonable rules and regulations and establish policies and procedures to implement sections 166.400 to 166.455, to permit the savings program to qualify as a "qualified state tuition program" pursuant to Section 529 of the Internal Revenue Code and to ensure the savings program's compliance with all applicable laws;

(3) Develop and implement educational programs and related informational materials for participants, either directly or through a contractual arrangement with a financial institution for investment services, and their families, including special programs and materials to inform families with young children regarding methods for financing education and training beyond high school;

(4) Enter into agreements with any financial institution, the state or any federal or other agency or entity as required for the operation of the savings program pursuant to sections 166.400 to 166.455;

(5) Enter into participation agreements with participants;

(6) Accept any grants, gifts, legislative appropriations, and other moneys from the state, any unit of federal, state, or local government or any other person, firm, partnership, or corporation for deposit to the account of the savings program;

(7) Invest the funds received from participants in appropriate investment instruments to achieve long-term total return through a combination of capital appreciation and current income;

(8) Make appropriate payments and distributions on behalf of beneficiaries pursuant to participation agreements;

(9) Make refunds to participants upon the termination of participation agreements pursuant to the provisions, limitations, and restrictions set forth in sections 166.400 to 166.455 and the rules adopted by the board;

(10) Make provision for the payment of costs of administration and operation of the savings program;

(11) Effectuate and carry out all the powers granted by sections 166.400 to 166.455, and have all other powers necessary to carry out and effectuate the purposes, objectives and provisions of sections 166.400 to 166.455 pertaining to the savings program; and

(12) Procure insurance, guarantees or other protections against any loss in connection with the assets or activities of the savings program.

2. Any member of the board may designate a proxy for that member who will enjoy the full voting privileges of that member for the one meeting so specified by that member. No more than three proxies shall be considered members of the board for the purpose of establishing a quorum.

3. Four members of the board shall constitute a quorum. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board. No action shall be taken by the board except upon the affirmative vote of a majority of the members present.

4. The board shall meet within the state of Missouri at the time set at a previously scheduled meeting or by the request of any four members of the board. Notice of the meeting shall be delivered to all other trustees in person or by depositing notice in a United States post office in a properly stamped and addressed envelope not less than six days prior to the date fixed for the meeting. The board may meet at any time by

unanimous mutual consent. There shall be at least one meeting in each quarter.

5. The funds shall be invested only in those investments which a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims, as provided in section 105.688. **For new contracts entered into after August 28, 2012, board members shall study investment plans of other states and contract with or negotiate to provide benefit options the same as or similar to other states' qualified plans for the purpose of offering additional options for members of the plan.** The board may delegate to duly appointed investment counselors authority to act in place of the board in the investment and reinvestment of all or part of the moneys and may also delegate to such counselors the authority to act in place of the board in the holding, purchasing, selling, assigning, transferring or disposing of any or all of the securities and investments in which such moneys shall have been invested, as well as the proceeds of such investments and such moneys. Such investment counselors shall be registered as investment advisors with the United States Securities and Exchange Commission. In exercising or delegating its investment powers and authority, members of the board shall exercise ordinary business care and prudence under the facts and circumstances prevailing at the time of the action or decision. No member of the board shall be liable for any action taken or omitted with respect to the exercise of, or delegation of, these powers and authority if such member shall have discharged the duties of his or her position in good faith and with that degree of diligence, care and skill which a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims.

6. No investment transaction authorized by the board shall be handled by any company or firm in which a member of the board has a substantial interest, nor shall any member of the board profit directly or indirectly from any such investment.

7. No trustee or employee of the savings program shall receive any gain or profit from any funds or transaction of the savings program. Any trustee, employee or agent of the savings program accepting any gratuity or compensation for the purpose of influencing such trustee's, employee's or agent's action with respect to the investment or management of the funds of the savings program shall thereby forfeit the office and in addition thereto be subject to the penalties prescribed for bribery."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 11, Section 174.450, Line 66, by inserting after all of said section and line the following:

"301.449. **[**Any**]** **Only a** community college or four-year public or private institution of higher education**, or a foundation or organization representing the college or institution,** located in the state of Missouri may **itself** authorize **or may by the director of revenue be authorized to use the school's [**the use of its**]** official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to such institution derived from this section, except reasonable administrative costs, shall be used for scholarship endowment or other academically related purposes. Any vehicle owner may annually apply to the institution for the use of the emblem. Upon annual application and payment of an emblem use contribution to the institution, which shall be set by the governing body of the institution at an amount of at least twenty-five dollars, the institution shall issue to the vehicle owner, without further charge, an "emblem use authorization statement", which shall be presented by the vehicle owner to the department

of revenue at the time of registration. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the seal, emblem or logo of the institution, to the vehicle owner.

The license plate authorized by this section shall use the school colors of the institution, and those colors shall be constructed upon the license plate using a process to ensure that the school emblem shall be displayed upon the license plate in the clearest and most attractive manner possible. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. The license plate authorized by this section shall be issued with a design approved by both the institution of higher education and the advisory committee established in section 301.129. A vehicle owner, who was previously issued a plate with an institutional emblem authorized by this section and does not provide an emblem use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the institutional emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms including establishing a minimum number of license plates which can be issued with the authorized emblem of a participating institution.

301.3150. 1. An organization, other than an organization seeking a special military license plate **or a collegiate or university plate**, that seeks authorization to establish a new specialty license plate shall initially petition the department of revenue by submitting the following:

(1) An application in a form prescribed by the director for the particular specialty license plate being sought, describing the proposed specialty license plate in general terms and have a sponsor of at least one current member of the general assembly **in the same legislative session in which the application is reviewed pursuant to subsection 5 of section 21.795, RSMo**. The application may contain written testimony for support of this specialty plate;

(2) Each application submitted pursuant to this section shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate if the specialty plate is approved pursuant to this section;

(3) An application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing and programming the implementation of the specialty plate, if authorized; and

(4) All moneys received by the department of revenue, for the reviewing and development of specialty plates shall be deposited in the state treasury to the credit of the "Department of Revenue Specialty Plate Fund" which is hereby created. The state treasurer shall be custodian of the fund and shall make disbursements from the fund requested by the Missouri director of revenue for personal services, expenses, and equipment required to prepare, review, develop, and disseminate a new specialty plate and process the two hundred applications to be submitted once the plate is approved and to refund deposits for the application of such specialty plate, if the application is not approved by the joint committee on transportation oversight and for no other purpose.

2. At the end of each state fiscal year, the director of revenue shall:

(1) Determine the amount of all moneys deposited into the department of revenue specialty plate fund;

(2) Determine the amount of disbursements from the department of revenue specialty plate fund which

were made to produce the specialty plate and process the two hundred applications; and

(3) Subtract the amount of disbursements from the income figure referred to in subdivision (1) of this subsection and deliver this figure to the state treasurer.

3. The state treasurer shall transfer an amount of money equal to the figure provided by the director of revenue from the department of revenue specialty plate fund to the state highway department fund. An unexpended balance in the department of revenue specialty plate fund at the end of the biennium not exceeding twenty-five thousand dollars shall be exempt from the provisions of section 33.080 relating to transfer of unexpended balances to the general revenue fund.

4. The documents and fees required pursuant to this section shall be submitted to the department of revenue by July first prior to the next regular session of the general assembly to be approved or denied by the joint committee on transportation oversight during that legislative session.

5. The department of revenue shall give notice of any proposed specialty plate in a manner reasonably calculated to advise the public of such proposal. Reasonable notice shall include posting the proposal for the specialty plate on the department's official public website, and making available copies of the specialty plate application to any representative of the news media or public upon request and posting the application on a bulletin board or other prominent public place which is easily accessible to the public and clearly designated for that purpose at the principal office.

6. Adequate notice conforming with all the requirements of subsection 5 of this section shall be given not less than four weeks, exclusive of weekends and holidays when the facility is closed, after the submission of the application by the organization to the department of revenue. Written or electronic testimony in support or opposition of the proposed specialty plate shall be submitted to the department of revenue by November thirtieth of the year of filing of the original proposal. All written testimony shall contain the printed name, signature, address, phone number, and email address, if applicable, of the individual giving the testimony.

7. The department of revenue shall submit for approval all applications for the development of specialty plates to the joint committee on transportation oversight during a regular session of the general assembly for approval.

8. If the specialty license plate requested by an organization is approved by the joint committee on transportation oversight, the organization shall submit the proposed art design for the specialty license plate to the department as soon as practicable, but no later than sixty days after the approval of the specialty license plate. If the specialty license plate requested by the organization is not approved by the joint committee on transportation oversight, ninety-seven percent of the application fee shall be refunded to the requesting organization.

9. An emblem-use authorization fee may be charged by the organization prior to the issuance of an approved specialty plate. The organization's specialty plate proposal approved by the joint committee on transportation oversight shall state what fee is required to obtain such statement and if such fee is required annually or biennially, if the applicant has a two-year registration. An organization applying for specialty plates shall authorize the use of its official emblem to be affixed on multiyear personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the organization derived from the emblem-use contribution, except reasonable administrative costs, shall be used solely for the purposes of the organization. Any member of the organization or nonmember, if

applicable, may annually apply for the use of the emblem, if applicable.

10. The department shall begin production and distribution of each new specialty license plate within one year after approval of the specialty license plate by the joint committee on transportation oversight.

11. The department shall issue a specialty license plate to the owner who meets the requirements for issuance of the specialty plate for any motor vehicle such owner owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

12. Each new or renewed application for an approved specialty license plate shall be made to the department of revenue, accompanied by an additional fee of fifteen dollars and the appropriate emblem-use authorization statement.

13. The appropriate registration fees, fifteen dollar specialty plate fee, processing fees and documents otherwise required for the issuance of registration of the motor vehicle as set forth by law must be submitted at the time the specialty plates are actually issued and renewed or as otherwise provided by law. However, no additional fee for the personalization of this plate shall be charged.

14. Once a specialty plate design is approved, a request for such plate may be made any time during a registration period. If a request is made for a specialty license plate to replace a current valid license plate, all documentation, credits, and fees provided for in this chapter when replacing a current license plate shall apply.

15. A vehicle owner who was previously issued a plate with an organization emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration if required, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law.

16. Specialty license plates shall bear a design approved by the organization submitting the original application for approval by the joint committee on transportation oversight. The design shall be within the plate area prescribed by the director of revenue, and the designated organization's name or slogan shall be in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130 and as provided in this section. In addition to a design, the specialty license plates shall be in accordance with criteria and plate design set forth in this chapter.

17. The department is authorized to discontinue the issuance and renewal of a specialty license plate if the organization has stopped providing services and emblem-use authorization statements are no longer being issued by the organization. Such organizations shall notify the department immediately to discontinue the issuance of a specialty plate.

18. The organization that requested the specialty license plate shall not redesign the specialty personalized license plate unless such organization pays the director in advance all redesigned plate fees. All plate holders of such plates must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 11, Section 174.450, Line 66, by inserting after all of said section and line, the following:

"**620.2400. 1. There is hereby established the "Missouri Entrepreneur Resource Virtual Network (MERVN)" to be managed by Missouri small business and technology development centers. The centers shall seek sufficient private sector funding to develop, maintain, and market a virtual network to provide seamless access to statewide resources and expertise for entrepreneurs and existing businesses using private sector funding. Private sector funding shall be for general support of the virtual network and shall not be used to sponsor specific portions of the network. The network shall disclose the value of the donations and names of private sector organizations providing funding for the network. The network shall provide resources for small businesses regarding requirements for starting a business. The network shall connect Missouri entrepreneurs to available state and nonstate supported services and technical assistance. In developing and maintaining the network, the centers shall ensure that all listed resources meet established standards. The goal of the network is to assist in the creation of new Missouri ventures, the growth of existing businesses, and the ability of Missouri entrepreneurs to compete globally. To the greatest extent possible, the network shall be built on and linked to existing resources designed to make business assistance resources more accessible to Missouri businesses.**

2. The network must have specific sections containing information for anyone considering starting a business, information for anyone that has decided to start a Missouri business, information about expanding a Missouri business, information about moving a business to Missouri from another state, and information about moving a business to Missouri from another country, with links to each section prominently displayed on the website home page. Missouri small business and technology development centers must apply search engine optimization to the website's content to achieve top search engine rankings.

3. Any portion of the network that involves state information systems or state websites is subject to the authority of the centers, including, but not limited to:

(1) Evaluation and approval;

(2) Review to ensure compliance with security policies, guidelines, and standards; and

(3) Assurance of compliance with accessibility standards.

3. By September 30, 2012, the centers shall report to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over economic development and state government finances on the centers' plans and progress toward the development of the network under this section. Included in the report shall be detailed information on donations received and expenditures by the Missouri small business and technology development centers on the MERVN."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 599**.

With House Amendment No. 1, House Amendment No.1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 2 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, and House Amendment No. 5.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 599, Page 2, Section 160.522 , Line 51, by inserting after all of said section and line the following:

"**163.024. All moneys received in the Iron County School Fund, Reynolds County School Fund, Jefferson County School Fund, and Washington County School Fund from the payment of a civil penalty pursuant to a consent decree filed in the United States district court for the eastern district of Missouri in December 2012 in the case of *United States of America and State of Missouri v. the Doe Run Resources Corporation d/b/a "The Doe Run Company," and the Buick Resource Recycling Facility, LLC,* because of environmental violations shall not be included in any district's "local effort" figure, as such term is defined in section 163.011. The provisions of this section shall terminate on July 1, 2016.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to Senate Bill No. 599 Page 1, Line 21, by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 160.522, Line 51, by inserting after all of said section and line the following:

"178.530. **1.** The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical

College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 599, Page 2, Section 160.522, Line 51, by inserting after all of said section and line the following:

"**Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.**

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to Senate Bill No. 599, Page 1, Line 5, by removing all of said line and inserting in lieu thereof the following:

"**from any public or charter school unless he or she has**"; and

Further amend said amendment, Page 2, Lines 17-20, by removing all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to Senate Bill No. 599, Page 1, Line 3, by deleting said line and inserting in lieu thereof the following:

"**170.045. 1. Any public school may offer one or more courses in ballroom dance, square dance, or country dance. These activities shall be treated as a qualified physical education activity and as a fine arts activity for academic credit granting and receiving purposes when offered by a public school.**

2. Any student enrolled in a public school in this state that offers a ballroom dance, square dance, or country dance course or courses may earn academic credit for such course by completing the course with a passing grade.

3. Academic credit received for taking a ballroom dance, square dance, or country dance course shall be counted toward satisfaction of any physical education or fine arts requirements of the public school, including any entrance requirements of any public institution of higher education.

170.310. 1. For school year 2014-15, and each school year"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 599, Page 2, Section 160.522, Line 51, by inserting after all of said line the following:

"**170.310. 1. For school year 2014-15, and each school year thereafter, no pupil shall receive a certificate of graduation from any public, charter, or private school unless he or she has satisfactorily participated in instruction in cardiopulmonary resuscitation meeting the standards established in this section. Students with disabilities shall participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.**

2. Beginning in school year 2014-15, schools serving grades nine through twelve shall provide enrolled students instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course. Instruction shall be based on a program established by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines, and psychomotor skills development shall be incorporated into the instruction. For purposes of this section, "psychomotor skills" means the use of hands-on practicing and skills testing to support cognitive learning.

3. The teacher of the cardiopulmonary resuscitation course or unit shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.

4. The department of elementary and secondary education may promulgate rules to implement

this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. The requirements of this section shall not apply to a private school that objects on religious grounds, provided the school maintains its own personnel trained in cardiopulmonary resuscitation."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to Senate Bill No. 599, Page 1, Line 6, by inserting after all of said line the following:

"Further amend said bill, section and page, Line 51, by inserting after all of said line the following:

"**167.780. 1. Prior to the end of the student's seventh grade year, and in conjunction with the student's parent or guardian, each school district shall be responsible for ensuring that each student develops a personal plan of study based upon standards adopted under this section.**

2. The school district shall adopt all necessary policies to implement a comprehensive guidance and counseling program focusing on career awareness in the elementary grades, career exploration at the middle grades, and educational and career planning at the high school level, with the goal of ensuring that all students will possess the knowledge and skills to develop and implement a personal plan of study.

3. The school district policy shall include, but not be limited to, the following elements:

(1) Active participation by counselors, teachers, administrators, as well as involvement of the student's parent or guardian in the development, review and revision of personal plans of study;

(2) Adequate resources and training for the development of personal plans of study;

(3) Adequate time and opportunity for schools to implement the individual planning process required in the development of personal plans of study;

(4) Access to the statewide, web-based educational and career planning system sponsored by the department of elementary and secondary education; and

(5) Opportunities for community involvement in the program, including activities such as job shadowing, volunteer experience, and internship experiences related to the educational and career goals of the student.

4. The personal plan of study shall be reviewed at least annually by school personnel and the student's parent or guardian and updated based upon the needs of the student. Each plan shall cover a term of eight years or until the student has reached his or her post-secondary goals, with implementation of the plan of study transferring to the program of post-secondary education or

training upon the student's graduation. The plan shall include, but not be limited to:

(1) Requirements for graduation from the school district;

(2) Career or post-secondary goals based on career paths or career clusters;

(3) Course work or program of study related to career and post-secondary goals;

(4) Grade-appropriate, career-related experiences, as outlined in the grade level expectations of the Missouri Comprehensive Guidance Program;

(5) Student assessments, interest inventories or academic results needed to develop, review, and revise the personal plan of study; and

(6) Opportunities for a post-secondary experience based on the results of well-planned exploration and knowledge of all post-secondary opportunities including but not limited to on-site or virtual visits, internship, exploration and planning for financial aid, dual and articulated credit, advanced placement course work and other relevant experiences, as appropriate.

5. Except for transferring the implementation of a student's personal plan on to a training program or higher education institution, nothing in this section shall require a district to be responsible for maintaining or updating a student's personal plan or meeting the annual meeting requirement when the student is no longer enrolled in the district.

6. Notwithstanding any provision of this section, when a student leaves a district, a copy of the student's personal plan shall be made available to the student or student's parents for their review, implementation, and development."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 599, Page 2, Section 160.522, Line 31, by inserting immediately after the word "**program.**" the following:

"**Data collected on gifted students shall be collected in such a manner as to make possible tracking postsecondary outcomes of such students, so that comparisons can be made between gifted students who participate in state-approved gifted programs and services and gifted students who do not participate in such programs or services.**" ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 599, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

"160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and

any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

(1) First degree murder under section 565.020;

(2) Second degree murder under section 565.021;

(3) Kidnapping under section 565.110;

(4) First degree assault under section 565.050;

(5) Forcible rape under section 566.030;

(6) Forcible sodomy under section 566.060;

(7) Burglary in the first degree under section 569.160;

(8) Burglary in the second degree under section 569.170;

(9) Robbery in the first degree under section 569.020;

(10) Distribution of drugs under section 195.211;

(11) Distribution of drugs to a minor under section 195.212;

(12) Arson in the first degree under section 569.040;

(13) Voluntary manslaughter under section 565.023;

(14) Involuntary manslaughter under section 565.024;

(15) Second degree assault under section 565.060;

(16) Sexual assault under section 566.040;

(17) Felonious restraint under section 565.120;

(18) Property damage in the first degree under section 569.100;

(19) The possession of a weapon under chapter 571;

(20) Child molestation in the first degree pursuant to section 566.067;

(21) Deviate sexual assault pursuant to section 566.070;

(22) Sexual misconduct involving a child pursuant to section 566.083;

(23) Sexual abuse pursuant to section 566.100;

(24) Harassment under section 565.090; or

(25) Stalking under section 565.225; committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a

student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or

investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children's division within twenty-four hours of receiving the information. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the **[**juvenile officer of**]** **law enforcement in** the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the **[**juvenile officer or a**]** law enforcement officer **[**designated by the juvenile officer**]** and the superintendent of schools or, if the subject of the report is the superintendent of schools, by **[**the juvenile officer or**]** a law enforcement officer **[**designated by the juvenile officer**]** and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The **[**juvenile officer or a**]** law enforcement officer **[**designated by the juvenile officer**]** and the

investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The **[**juvenile officer or a**]** law enforcement officer **[**designated by the juvenile officer**]** and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The **[**juvenile officer or a**]** law enforcement officer **[**designated by the juvenile officer**]** and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The **[**juvenile officer or a**]** law enforcement officer **[**designated by the juvenile officer**]** and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or **[**juvenile**]** **law enforcement** officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 631**, entitled:

An Act to repeal sections 135.305, 142.031, 178.530, 276.401, 302.286, 304.180, 537.345, 537.346, 569.140, 575.010, 575.120, 578.018 and 578.030, RSMo, and to enact in lieu thereof twenty-eight new sections relating to agriculture, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 4, 5, House Amendment No. 1 to House Amendment No. 8 and House Amendment No. 8, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 20, Section 537.850, Line 1, by deleting the number "**537.862**" and inserting in lieu thereof the number "**537.859**"; and

Further amend said bill, page and section, Line 26, by deleting the number "**537.853**" and inserting in lieu thereof the number **"261.230**"; and

Further amend said bill, Page 21, Section 537.856, Line 22, by deleting the phrase "**section 537.853**" and inserting in lieu thereof the words "**subdivision (6) of subsection 2 of section 537.850**"; and

Further amend said bill, page, section and line, by deleting the number "**537.862**" and inserting in lieu thereof the number "**537.859**"; and

Further amend said bill, Page 22, Section 537.859, Line 8, by deleting the number "**537.862**" and inserting in lieu thereof the number "**537.859**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 18, Section 304.180, Line 133, by inserting after all of said section and line the following:

"350.015. After September 28, 1975, no corporation not already engaged in farming shall engage in farming; nor shall any corporation, directly or indirectly, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to agricultural land in this state; provided, however, that the restrictions set forth in this section shall not apply to the following:

(1) A bona fide encumbrance taken for purposes of security;

(2) A family farm corporation or an authorized farm corporation as defined in section 350.010;

(3) Agricultural land and land capable of being used for farming owned by a corporation as of September 28, 1975, including the normal expansion of such ownership at a rate not to exceed twenty percent, measured in acres, in any five-year period, or agricultural land and land capable of being used for farming which is leased by a corporation in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of September 28, 1975, and the additional acreage for normal expansion at a rate not to exceed twenty percent in any five-year period, and the additional acreage reasonably necessary,

whether to be owned or leased by a corporation, to meet the requirements of pollution control regulations;

(4) A farm operated wholly for research or experimental purposes, including seed research and experimentation and seed stock production for genetic improvements, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation;

(5) Agricultural land operated by a corporation for the purposes of growing nursery plants, vegetables, grain or fruit used exclusively for brewing or winemaking or distilling purposes and not for resale, for forest cropland or for the production of poultry, poultry products, fish or mushroom farming, production of registered breeding stock for sale to farmers to improve their breeding herds, for the production of raw materials for pharmaceutical manufacture, chemical processing, food additives and related products, and not for resale;

(6) Agricultural land operated by a corporation for the purposes of alfalfa dehydration exclusively and only as to said lands lying within fifteen miles of a dehydrating plant, and provided further said crops raised thereon shall be used only for further processing and not for resale in its original form;

(7) Any interest, when acquired by an educational, religious, or charitable not-for-profit or pro forma corporation or association;

(8) Agricultural land or any interest therein acquired by a corporation other than a family farm corporation or authorized farm corporation, as defined in section 350.010, for immediate or potential use in nonfarming purposes. A corporation may hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit, a family farm corporation or an authorized farm corporation, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901-3914), as amended, or a subsidiary or assign of such a corporation;

(9) Agricultural lands acquired by a corporation by process of law or voluntary conveyance in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that any corporation may hold for ten years real estate acquired in payment of a debt, by foreclosure or otherwise, and for such longer period as may be provided by law;

(10) The provisions of sections 350.010 to 350.030 shall not apply to the raising of hybrid hogs in connection with operations designed to improve the quality, characteristics, profitability, or marketability of hybrid hogs through selective breeding and genetic improvement where the primary purpose of such livestock raising is to produce hybrid hogs to be used by farmers and livestock raisers for the improvement of the quality of their herds;

(11) A bank or trust company acting as administrator or executor under the terms of a will or trustee under the terms of a testamentary or inter vivos trust created by the owner of a family farm, or an inter vivos or testamentary trust, the principal of which is shares of a family farm corporation or authorized farm corporation and which trust is created by a shareholder of the family farm corporation or authorized farm corporation. However, a bank or trust company acting in the administration of an investment trust or a management trust formed with the primary purpose of making or managing investments or income-producing property and purchasing agricultural real estate with trust funds with the primary benefits accruing to investors or shareholders in the trust is not exempt from the provisions of sections 350.010 to

350.030;

(12) Agricultural land that on June 1, 1998, was in compliance with section 350.016**;**

(13) Agricultural land in compliance with section 350.017.

350.017. The restrictions under section 350.015 shall not apply to agricultural land in use as of September 28, 2007 by a corporation, limited liability company, or limited liability partnership for the production of swine or swine products located in:

(1) Any county of the third classification without a township form of government and with fewer than two thousand five hundred inhabitants;

(2) Any county of the third classification with a township form of government and with more than six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than one thousand seven hundred but fewer than one thousand nine hundred inhabitants as the county seat; or

(3) Any county of the third classification with a township form of government and with more than eight thousand but fewer than nine thousand inhabitants and with a city of the fourth classification with more than one thousand seven hundred but fewer than one thousand nine hundred inhabitants as the county seat."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 28, Section 2, Line 6, by inserting after all of said line the following:

"**Section 3. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.**

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 3 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 3 of section A of this act shall be in full force and effect upon its passage and approval." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 28, Section 578.030, Line 29, by inserting after all of said section and line, the following:

"**620.2400. 1. There is hereby established the "Missouri Entrepreneur Resource Virtual Network (MERVN)" to be managed by Missouri small business and technology development centers. The centers shall seek sufficient private sector funding to develop, maintain, and market a virtual network to provide seamless access to statewide resources and expertise for entrepreneurs and existing businesses using private sector funding. Private sector funding shall be for general support of the virtual network and shall not be used to sponsor specific portions of the network. The network shall disclose the value of the donations and names of private sector organizations providing funding for the network. The network shall provide resources for small businesses regarding requirements for starting a business. The network shall connect Missouri entrepreneurs to available state and nonstate supported services and technical assistance. In developing and maintaining the network, the centers shall ensure that all listed resources meet established standards. The goal of the network is to assist in the creation of new Missouri ventures, the growth of existing businesses, and the ability of Missouri entrepreneurs to compete globally. To the greatest extent possible, the network shall be built on and linked to existing resources designed to make business assistance resources more accessible to Missouri businesses.**

2. The network must have specific sections containing information for anyone considering starting a business, information for anyone that has decided to start a Missouri business, information about expanding a Missouri business, information about moving a business to Missouri from another state, and information about moving a business to Missouri from another country, with links to each section prominently displayed on the website home page. Missouri small business and technology development centers must apply search engine optimization to the website's content to achieve top search engine rankings.

3. Any portion of the network that involves state information systems or state websites is subject to the authority of the centers, including, but not limited to:

(1) Evaluation and approval;

(2) Review to ensure compliance with security policies, guidelines, and standards; and

(3) Assurance of compliance with accessibility standards.

3. By September 30, 2012, the centers shall report to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over economic development and state government finances on the centers' plans and progress toward the development of the network under this section. Included in the report shall be detailed information on donations received and expenditures by the Missouri small business and technology development centers on the MERVN."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 1, Section 1.195, Line 4, by inserting after all of said section and line, the following:

"**9.155. The month of November shall be designated as "Pancreatic Cancer Awareness Month" in Missouri. The citizens of the state of Missouri are encouraged to participate in appropriate activities and events to increase awareness of pancreatic cancer, which is incurable and has a low rate of survival due to the advanced stage of the disease when symptoms typically present themselves.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 8

Amend House Amendment No. 8 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 2, Line 10, by deleting the words, "**A violation**" and inserting in lieu thereof the words, "**An intentional violation**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 25, Section 575.124, Line 6, by inserting after all of said section, the following:

"578.005. As used in sections 578.005 to 578.023, the following terms shall mean:

(1) "Adequate care", normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter and health care as necessary to maintain good health in a specific species of animal;

(2) "Adequate control", to reasonably restrain or govern an animal so that the animal does not injure itself, any person, any other animal, or property;

(3) "Animal", every living vertebrate except a human being;

(4) "Animal shelter", a facility which is used to house or contain animals and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other not-for-profit organization devoted to the welfare, protection, and humane treatment of animals;

(5) "Farm animal", an animal raised on a farm or ranch and used or intended for use in farm or ranch production, or as food or fiber;

(6) **"Farm animal professional", any individual employed at a location where farm animals are harbored;**

(7) "Harbor", to feed or shelter an animal at the same location for three or more consecutive days;

[(7)**] (8)** "Humane killing", the destruction of an animal accomplished by a method approved by the American Veterinary Medical Association's Panel on Euthanasia (JAVMA 173: 59-72, 1978); or more recent editions, but animals killed during the feeding of pet carnivores shall be considered humanely killed;

[(8)**] (9)** "Owner", in addition to its ordinary meaning, any person who keeps or harbors an animal or professes to be owning, keeping, or harboring an animal;

[(9)**] (10)** "Person", any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity;

[(10)**] (11)** "Pests", birds, rabbits, or rodents which damage property or have an adverse effect on the public health, but shall not include any endangered species listed by the United States Department of the Interior nor any endangered species listed in the Wildlife Code of Missouri.

578.013. 1. Whenever any farm animal professional videotapes or otherwise makes a digital recording of what he or she believes to depict a farm animal subjected to abuse or neglect under sections 578.009 or 578.012, such farm animal professional shall have a duty to submit such videotape or digital recording to a law enforcement agency within twenty-fours of the recording.

2. No videotape or digital recording submitted under subsection 1 of this section shall be spliced, edited, or manipulated in any way prior to its submission.

3. A violation of any provision of this section is a class A misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 33**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NO. 33

WHEREAS, the Joint Interim Committee on State Employee Wages was established under HCR 32 in the Ninety-Sixth General Assembly, First Regular Session, and was charged with studying and developing strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages; and

WHEREAS, Missouri state employees are ranked 50th out of 50 states for the wages paid to state employees; and

WHEREAS, Missouri state employees provide excellent service to Missourians; and

WHEREAS, Missouri state employees have had to do more with less resources for the past several years; and

WHEREAS, Missouri state employees have not had a pay raise since 2008; and

WHEREAS, while state employee wages have remained the same since 2008, Missouri state employee insurance costs have steadily increased; and

WHEREAS, the Missouri state employees deferred compensation state match of state employee contributions made up to $35 has not been funded for several years; and

WHEREAS, new Missouri state employees who are first employed by the state after January 1, 2011, are required to contribute 4% of their pay to their retirement plan; and

WHEREAS, the State of Missouri does not have comprehensive data on state employee compensation or total compensation; and

WHEREAS, the State of Missouri does not have a long-term or strategic plan for increasing the wages of state employees; and

WHEREAS, the State of Kansas undertook a similar initiative and has many lessons learned that could benefit the State of Missouri; and

WHEREAS, the three poorest states in the nation - West Virginia, Mississippi, and Arkansas - all rank ahead of Missouri in state employee annual compensation:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby re-authorize the "Joint Interim Committee on State Employee Wages" to function in the legislative interims through December 31, 2014, upon passage and approval of this resolution, for the purpose of further studying and developing of strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages; and

BE IT FURTHER RESOLVED that upon re-establishment, the Joint Interim Committee shall:

(1) Devise a focused and concise mission statement to guide actions of the Joint Interim Committee;

(2) Request the State Office of Administration to invest in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures, similar to what other states have done;

(3) Request the State Office of Administration, with the advice and consent of the Joint Interim Committee, to use the data from the comprehensive study to produce a long-term strategic plan for increasing state employee wages and to present such plan to the Governor, the House Budget Committee, and the Senate Appropriations Committee by January 31, 2015;

(4) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED that the Joint Interim Committee be composed of the following members:

(1) Two majority party members and one minority party member of the House of Representatives, to be appointed by the Speaker and Minority Leader of the House;

(2) Two majority party members and one minority party member of the Senate, to be appointed by the President Pro Tem and Minority Leader of the Senate;

(3) One representative from the Governor's Office;

(4) One representative from the State Personnel Advisory Board; and

(5) Two members of the public, with one to be appointed by the Speaker of the House and one to be appointed by the President Pro Tem of the Senate; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including but not limited to soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, and the general public; and

BE IT FURTHER RESOLVED that the staff of House Appropriations, Senate Appropriations, House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Senate's Joint Contingent Expenses appropriation.

PRIVILEGED MOTIONS

Senator Cunningham moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 485**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

At the request of Senator Parson, **HCS** for **HB 1300**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 1171** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 1231** was placed on the Informal Calendar.

HB 1540, introduced by Representative Jones (89), et al, entitled:

An Act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to

workers' compensation.

Was taken up by Senator Dempsey.

Senator Green offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1540, Page 3, Section 287.120, Line 67, by inserting immediately after said line the following:

"287.450. If the employer and employee or his dependents do not agree in regard to compensation payable under this chapter, either party may make application **in a manner determined by the division** for a hearing in regard to the matters at issue and for a ruling thereon, except that no application for a hearing shall be considered until fourteen days after the receipt by the division of the report of accident required under section 287.380. The fourteen-day waiting period is not applicable to applications for hardship hearings. After the application has been received, the division shall set a date for a hearing, which shall be held as soon as practicable, and shall notify the interested parties of the time and place of the hearing.

287.460. 1. The division, through an administrative law judge, shall hear in a summary proceeding the parties at issue and their representatives and witnesses and shall determine the dispute by issuing the written award within ninety days of the last day of the hearing. The hearing shall be concluded within thirty days of the date of commencement of the hearing, except in extraordinary circumstances where a lengthy trial or complex issues necessitate a longer time than ninety days. All evidence introduced at any such hearings shall be reported by a competent reporter appointed by the division or be recorded by electronic means. The award, together with a statement of the findings of fact, rulings of law and any other matters pertinent to the question at issue, shall be filed with the record of proceedings, and a copy of the award shall immediately be sent by **electronic means or in the case of an unrepresented employee, by** United States mail**,** to the parties in dispute and the employer's insurer.

2. The division of workers' compensation shall develop by rule procedures whereby mediation services are provided to the parties in a claim for workers' compensation benefits whereby claims may be mediated by the parties at a prehearing conference when the division determines that a claim may be settled or upon application for a mediation settlement conference filed by either party.

3. The division may require the parties to produce at the mediation conference all available medical records and reports. Such mediation conference shall be informal to ascertain the issues and attempt to resolve the claim or other pending issues. Such mediation conference may be set at any time prior to the commencement of the evidentiary hearing and nothing in this section shall be interpreted to delay the setting of the matter for hearing. Upon the request of any party, a person providing mediation settlement services shall be disqualified from conducting any evidentiary hearing relating to the claim without limiting the rights conferred by section 287.810.

287.520. **1.** Any notice required under this chapter shall be deemed to have been properly given and served when sent by registered or certified mail properly stamped and addressed to the person or entity to whom given, at the last known address in time to reach the person or entity in due time to act thereon, or to counsel for that person or entity in like manner. Notice may also be given and served in like manner as summons in civil actions.

2. Notwithstanding the provisions of subsection 1 of this section, the division may serve or send any notices required under this chapter by electronic means, except that any notices required to be sent to an employee not represented by counsel shall be sent by registered or certified mail to the last known address of the employee unless the employee consents to receive notices by electronic means. In the event the employee is represented by counsel and counsel is sent proper notice under this chapter, notice to the employee may be sent by regular mail.

287.650. 1. The division of workers' compensation shall have such powers as may be necessary to carry out all the provisions of this chapter **including the use of electronic processes**, and it may make such rules and regulations as may be necessary for any such purpose, subject to the approval of the labor and industrial relations commission of Missouri. The division shall have power to strike pleadings and enter awards against any party or parties who fail or refuse to comply with its lawful orders.

2. (1) The division shall have the power upon the expiration of five years after their receipt to destroy reports of injuries on which no compensation (exclusive of medical costs) was due or paid, together with the papers attendant to the filing of such reports, and also to destroy records in compensable cases after the expiration of ten years from the date of the termination of compensation.

(2) Records in cases that are submitted for hearing in the division shall include all documentary exhibits admitted as evidence at the hearing. Records in all other cases shall include all documents required to be filed with the division by this chapter or by rule of the division, medical reports or records which are relied upon by the administrative law judge or legal advisor in approving the compromise lump sum settlement, and copies of the compromise lump sum settlement. These records shall be kept and stored by the division for a minimum of ten years and shall include the originals or duplicate originals stored by electronic or other means approved by the division.

3. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

287.655. Any claim before the division may be dismissed for failure to prosecute in accordance with rules and regulations promulgated by the commission**. Such notice shall be made in a manner determined by the division**, except **that for the employee** such notice **[**need not**] shall** be by certified or registered mail **[**if**] unless** the **[**person or entity**] employee** to whom notice is directed is represented by counsel and counsel is also given such notice **[**at counsel's last known address**]**. To dismiss a claim the administrative law judge shall enter an order of dismissal which shall be deemed an award and subject to review and appeal in the same manner as provided for other awards in this chapter."; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Dempsey, **HB 1540**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce

Purgason Richard Ridgeway Rupp Schaaf Schaefer Schmitt Stouffer Wasson Wright-Jones—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

HCS for **HB 1576** was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 469**, entitled:

An Act to repeal sections 197.080, 197.100, 536.041, and 536.325, RSMo, and to enact in lieu thereof six new sections relating to administrative rules promulgated by certain state agencies.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 469, Pages 1-3, Section 197.080, Lines 1-66, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 3-4, Section 197.100, Lines 1-33, by removing all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 711**, entitled:

An Act to repeal sections 193.215, 211.071, 211.073, 211.444, 453.005, 453.040, 453.065, 453.070, and 453.080, RSMo, and to enact in lieu thereof fourteen new sections relating to adoption.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 9, Section 453.005, Line 14, by inserting after all of said section and line the following:

"453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child **[**is located at the time of**] has resided for at least ninety days prior to** the filing of the **adoption** petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

HCS for **HB 1827**, with **SCS**, entitled:

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to the Missouri electronic prior authorization committee.

Was taken up by Senator Schaefer.

SCS for **HCS** for **HB 1827**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1827

An Act to amend chapter 338, RSMo, by adding thereto one new section relating to the Missouri electronic prior authorization committee.

Was taken up.

Senator Schaefer moved that **SCS** for **HCS** for **HB 1827** be adopted, which motion prevailed.

On motion of Senator Schaefer, **SCS** for **HCS** for **HB 1827** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Kraus	Lembke	Nieves—3

Absent—Senator Purgason—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1549**, entitled:

An Act to repeal sections 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof five new sections relating to the no-call list.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **HCS** for **HB 1549** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce

Purgason Richard Ridgeway Rupp Schaaf Schaefer Schmitt Stouffer Wasson Wright-Jones—34

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Lager, **HB 2099** was placed on the Informal Calendar.

HCS for **HB 1789**, with **SCS**, entitled:

An Act to repeal sections 162.431 and 167.121, RSMo, and to enact in lieu thereof two new sections relating to travel hardships of public school pupils.

Was taken up by Senator Nieves.

SCS for **HCS** for **HB 1789**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1789

An Act to repeal sections 162.431 and 167.121, RSMo, and to enact in lieu thereof two new section relating to travel hardships of public school pupils.

Was taken up.

Senator Nieves moved that **SCS** for **HCS** for **HB 1789** be adopted.

Senator Schmitt assumed the Chair.

Photographers from KMIZ-TV were given permission to take pictures in the Senate Chamber.

Senator Dixon offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1789, Page 1, Section A, Line 3, by inserting after all of said line the following:

"161.092. The state board of education shall:

(1) Adopt rules governing its own proceedings and formulate policies for the guidance of the commissioner of education and the department of elementary and secondary education;

(2) Carry out the educational policies of the state relating to public schools that are provided by law and supervise instruction in the public schools;

(3) Direct the investment of all moneys received by the state to be applied to the capital of any permanent fund established for the support of public education within the jurisdiction of the department of elementary and secondary education and see that the funds are applied to the branches of educational interest of the state that by grant, gift, devise or law they were originally intended, and if necessary institute suit for and collect the funds and return them to their legitimate channels;

(4) Cause to be assembled information which will reflect continuously the condition and management of the public schools of the state;

(5) Require of county clerks or treasurers, boards of education or other school officers, recorders and treasurers of cities, towns and villages, copies of all records required to be made by them and all other information in relation to the funds and condition of schools and the management thereof that is deemed necessary;

(6) Provide blanks suitable for use by officials in reporting the information required by the board;

(7) When conditions demand, cause the laws relating to schools to be published in a separate volume, with pertinent notes and comments, for the guidance of those charged with the execution of the laws;

(8) Grant, without fee except as provided in section 168.021, certificates of qualification and licenses to teach in any of the public schools of the state, establish requirements therefor, formulate regulations governing the issuance thereof, and cause the certificates to be revoked for the reasons and in the manner provided in section 168.071;

(9) Classify the public schools of the state, subject to limitations provided by law **and subdivision (14) of this section**, establish requirements for the schools of each class, and formulate rules governing the inspection and accreditation of schools preparatory to classification, with such requirements taking effect not less than two years from the date of adoption of the proposed rule by the state board of education, provided that this condition shall not apply to any requirement for which a time line for adoption is mandated in either federal or state law;

(10) Make an annual report on or before the first Wednesday after the first day of January to the general assembly or, when it is not in session, to the governor for publication and transmission to the general assembly. The report shall be for the last preceding school year, and shall include:

(a) A statement of the number of public schools in the state, the number of pupils attending the schools, their sex, and the branches taught;

(b) A statement of the number of teachers employed, their sex, their professional training, and their average salary;

(c) A statement of the receipts and disbursements of public school funds of every description, their sources, and the purposes for which they were disbursed;

(d) Suggestions for the improvement of public schools; and

(e) Any other information relative to the educational interests of the state that the law requires or the board deems important;

(11) Make an annual report to the general assembly and the governor concerning coordination with other

agencies and departments of government that support family literacy programs and other services which influence educational attainment of children of all ages;

(12) Require from the chief officer of each division of the department of elementary and secondary education, on or before the thirty-first day of August of each year, reports containing information the board deems important and desires for publication;

(13) Cause fifty copies of its annual report to be reserved for the use of each division of the state department of elementary and secondary education, and ten copies for preservation in the state library;

(14) **Promulgate rules under which the board shall classify the public schools of the state. Said rules shall include but not be limited to the standards, appropriate scoring guides, forms, instruments, and procedures used in determining the accreditation status of a district. The board shall make classification and accreditation determinations consistent with said rules, and shall not deviate from said rules without properly promulgating such rules pursuant to the provisions of chapter 536;**

(15) Have other powers and duties prescribed by law."; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted.

Senator Nieves raised the point of order that **SA 1** is out of order as it goes beyond the title and scope of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Pearce offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1789, Pages 2-5, Section 167.121, by striking all of said section and inserting in lieu thereof the following:

"167.121. 1. If the residence of a pupil is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance, the commissioner of education or his **or her** designee may assign the pupil to another district. Subject to the provisions of this section, all existing assignments shall be reviewed prior to July 1, 1984, and from time to time thereafter, and may be continued or rescinded. **Any assignment granted to a pupil under this section prior to August 28, 2012, shall also be applicable to any sibling of the pupil and shall remain in effect until the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil from the assignment.** The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition shall not exceed the pro rata cost of instruction.

2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a parent or guardian residing in a lapsed public school district or a district that has scored either unaccredited or provisionally accredited, or a combination thereof, on two consecutive annual performance reports may enroll the parent's or guardian's child in the Missouri virtual school created in section 161.670 provided the pupil first enrolls in the school district of residence. The school district of residence shall include the pupil's enrollment in the virtual school created in section 161.670 in determining the district's average daily attendance. Full-time enrollment in the virtual school shall constitute one average daily attendance equivalent in the school district

of residence. Average daily attendance for part-time enrollment in the virtual school shall be calculated as a percentage of the total number of virtual courses enrolled in divided by the number of courses required for full-time attendance in the school district of residence.

(2) A pupil's residence, for purposes of this section, means residency established under section 167.020. Except for students residing in a K-8 district attending high school in a district under section 167.131, the board of the home district shall pay to the virtual school the amount required under section 161.670.

(3) Nothing in this section shall require any school district or the state to provide computers, equipment, Internet or other access, supplies, materials or funding, except as provided in this section, as may be deemed necessary for a pupil to participate in the virtual school created in section 161.670.

(4) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.".

Senator Pearce moved that the above amendment be adopted.

At the request of Senator Nieves, **HCS** for **HB 1789**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 739**, entitled:

An Act to repeal sections 454.475 and 558.019, RSMo, and to enact in lieu thereof two new sections relating to administrative child support decisions.

With House Amendment Nos. 1, 2, 3, 4 and 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2 by inserting after all of said section and line the following:

"453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child **[**is located at the time of**]** **has resided for at least ninety days prior to** the filing of the **adoption** petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"211.444. 1. The juvenile court may, upon petition of the juvenile officer or a child-placing agency licensed under sections 210.481 to 210.536 in conjunction with a placement with such agency under subsection 6 of section 453.010, **the children's division,** or the court before which a petition for adoption has been filed pursuant to the provisions of chapter 453, terminate the rights of a parent **or approve the consent to adoption or waiver of consent to adoption by a parent, as defined in section 211.442, or of a named father** to a child**, including a child who is a ward of the court,** if the court finds that such termination **or consent to adoption or waiver of consent to adoption** is in the best interests of the child and the parent**, as defined in section 211.442,** has consented in writing to the termination of his or her parental rights **or consented or waived consent to the adoption**.

2. The written consent required by subsection 1 of this section may be executed before or after the institution of the proceedings and shall be acknowledged before a notary public. In lieu of such acknowledgment, the signature of the person giving the written consent shall be witnessed by at least two adult persons who are present at the execution whose signatures and addresses shall be plainly written thereon and who determine and certify that the consent is knowingly and freely given. The two adult witnesses shall not be the prospective parents. The notary public or witnesses shall verify the identity of the party signing the consent.

3. The written consent required by subsection 1 of this section shall be valid and effective only after the

child is at least forty-eight hours old and if it complies with the other requirements of section 453.030.

453.065. As used in sections 453.065 to 453.074, the following words and terms shall have the meanings indicated:

(1) "Child", a person within the state who is under the age of eighteen or in the custody of the division of family services who is in need of medical, dental, educational, mental or other related health services and treatment, as defined in this section, or who belongs to a racial or ethnic minority, who is five years of age or older, or who is a member of a sibling group, and for whom an adoptive home is not readily available. If the physical, dental or mental condition of the child requires care after the age of eighteen, payment can be continued with the approval of the division of family services of the department of social services and subject to annual review;

(2) "Diminishing allotment", a monthly payment which periodically diminishes over a period of not longer than four years at which time it ceases;

(3) "Long term subsidy", a continuous monthly payment toward the child's care for a period of more than four years;

(4) **"Post adoption contract agreement", a written agreement approved by the court under subsection 4 of section 453.080;**

(5) "Special services", an allotment to a child who is in need of medical, dental, educational, mental health or other related health services and treatment, including treatment for physical handicap, intellectual impairment, developmental disability, mental or emotional disturbance, social maladjustment;

[(5)**] (6)** "Time limited subsidy", a monthly allotment which is continued for a limited time after legal adoption, not exceeding four years. This compensation is to aid the family in integrating the care of the new child in their home.

453.080. 1. The court shall conduct a hearing to determine whether the adoption shall be finalized. During such hearing, the court shall ascertain whether:

(1) The person sought to be adopted, if a child, has been in the lawful and actual custody of the petitioner for a period of at least six months prior to entry of the adoption decree; except that the six-month period may be waived if the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to chapter 211 and the person desiring to adopt the child is the child's current foster parent. "Lawful and actual custody" shall include a transfer of custody pursuant to the laws of this state, another state, a territory of the United States, or another country;

(2) The court has received and reviewed a postplacement assessment on the monthly contacts with the adoptive family pursuant to section 453.077, except for good cause shown in the case of a child adopted from a foreign country;

(3) The court has received and reviewed an updated financial affidavit;

(4) The court has received the recommendations of the guardian ad litem and has received and reviewed the recommendations of the person placing the child, the person making the assessment and the person making the postplacement assessment;

(5) **[**There is compliance with the uniform child custody jurisdiction act, sections 452.440 to 452.550;

(6)**]** There is compliance with the Indian Child Welfare Act, if applicable;

[(7)**] (6)** There is compliance with the Interstate Compact on the Placement of Children pursuant to section 210.620; and

[(8)**] (7)** It is fit and proper that such adoption should be made.

2. If a petition for adoption has been filed pursuant to section 453.010 and a transfer of custody has occurred pursuant to section 453.110, the court may authorize the filing for finalization in another state if the adoptive parents are domiciled in that state.

3. If the court determines the adoption should be finalized, a **[**decree**] judgment** shall be issued setting forth the facts and ordering that from the date of the **[**decree**] judgment** the adoptee shall be for all legal intents and purposes the child of the petitioner or petitioners. The court may decree that the name of the person sought to be adopted be changed, according to the prayer of the petition.

4. Before the completion of an adoption, the exchange of information among the parties shall be at the discretion of the parties. **Prospective adoptive parents and parents of a prospective adoptee may enter into a written post adoption contract agreement to allow contact after the adoption between the parents, siblings, or other relatives of the adoptee and the adoptee and the adoptive parents.** Upon completion of an adoption, further contact among the parties shall be at the discretion of the adoptive parents**, and such adoptive parents may exercise their discretion to enter into a written post adoption contract agreement with the former parents of an adoptee to allow contact between a former parent, sibling, or other relative of the adoptee and the adoptee or adoptive parents. The agreement shall be in writing, signed by the parties thereto, and be made a part of the court record. The agreement shall include:**

(1) An acknowledgment by the former parents that the adoption is irrevocable, even if the adoptive parents do not abide by the post adoption contract agreement;

(2) An acknowledgment by the adoptive parents that the agreement grants the former parents the right to seek to enforce the post adoption privileges set forth in the agreement.

The court shall enforce a written post adoption contract agreement made in accordance with this subsection unless enforcement is not in the best interest of the adoptee. The court shall not have jurisdiction to deny continuing contact between the adopted person and the birth parent, or an adoptive parent and a birth parent. Additionally, the court shall not have jurisdiction to deny an exchange of identifying information between an adoptive parent and a birth parent."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 739, Page 1, Line 3 of the Title by deleting said line and inserting in lieu thereof the following: "relating to the judiciary"; and

Further amend said bill, Page 3, Section 454.475, Line 69 by inserting after said line the following:

"483.015. 1. At the general election in the year 1982, and every four years thereafter, except as herein provided and except as otherwise provided by law, circuit clerks shall be elected by the qualified voters of each county **[**and of the city of St. Louis**]**, who shall be commissioned by the governor, and shall enter upon the discharge of their duties on the first day in January next ensuing their election, and shall hold their offices for the term of four years, and until their successors shall be duly elected and qualified, unless sooner

removed from office.

2. The court administrator for Jackson County provided by the charter of Jackson County shall be selected as provided in the county charter and shall exercise all of the powers and duties of the circuit clerk of Jackson County. The director of judicial administration and the circuit clerk of St. Louis County shall be selected as provided in the charter of St. Louis County.

3. When provision is made in a county charter for the appointment of a court administrator to perform the duties of a circuit clerk or for the appointment of a circuit clerk, such provisions shall prevail over the provisions of this chapter providing for a circuit clerk to be elected. The persons appointed to fill any such appointive positions shall be paid by the counties as provided by the county charter or ordinance; provided, however, that if provision is now or hereafter made by law for the salaries of circuit clerks to be paid by the state, the state shall pay over to the county a sum which is equivalent to the salary that would be payable by law by the state to an elected circuit clerk in such county if such charter provision was not in effect. The sum shall be paid in semimonthly or monthly installments, as designated by the commissioner of administration.

4. The circuit clerk in the sixth judicial circuit and in the seventh judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in those circuits shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. This subsection shall become effective on January 1, 2004, and the elected circuit clerks in those circuits in office at that time shall continue to hold such office for the remainder of their elected terms as if they had been appointed pursuant to the terms of this subsection.

5. The circuit clerk in the twenty-second judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in such circuit shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. The elected circuit clerk in such circuit in office on the effective date of this section shall continue to hold such office for the remainder of his or her elected term."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**452.413. 1. As used in this section, the following terms shall mean:**

(1) "Deploying parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(2) "Deployment", military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof to report for combat operations, contingency operations, peacekeeping

operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) "Military parent", the legal parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction, and who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) "Nondeploying parent", a parent or guardian not subject to military deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such custody or visitation order shall further require the nondeploying parent to provide the court and the deploying parent with a thirty day advance written notice of any change of address and any change of telephone number. However, if a valid domestic violence court order from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification.

(5) Upon motion of a deploying parent, upon reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the

child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion and this shall take precedence on the court's docket.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner, or to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent shall:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Provide timely information regarding the deploying parent's leave schedule to the nondeploying parent.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a temporary hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support. Each party shall provide information to each other in an effort to facilitate agreement on custody and visitation.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days' of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint at the request of the deployed parent or on its own motion a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished by certified mail, return receipt requested, to the nondeploying parent's last known address based on an affidavit of the deploying parent.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"285.304. The content of the withholding form shall be determined by the director of the department of revenue, in consultation with the department of social services, but, at a minimum, the form shall include the name, address and Social Security number of the employee, **the date services for remuneration were first performed by the employee,** and the name and address of, and identifying number assigned to the employer under section 6109 of the Internal Revenue Code of 1986, as amended. If the employer chooses to submit a form other than the federal W-4 withholding form, the form shall also include the date the employee signed the W-4 form or the date the employer hired the employee as defined in section 285.300."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 576**.

Bill ordered enrolled.

PRIVILEGED MOTIONS

Senator Stouffer moved that the Senate refuse to concur in **HA 1**, **HA 2**, **HA 3**, as amended, **HA 4**, **HA 5** and **HA 6** to **SS** for **SB 665** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Lamping moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 711**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Keaveny moved that the Senate refuse to concur in **HCS** for **SB 739**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Parson moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 631**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schaefer moved that the Senate refuse to concur in **HA 1**, **HA 2**, as amended, **HA 3**, as amended, **HA 4**, as amended, and **HA 5** to **SB 599** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 1337, introduced by Representative Stream, with **SCS**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to cardiopulmonary resuscitation instruction in schools.

Was called from the Informal Calendar and taken up by Senator Brown.

SCS for **HB 1337**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1337

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to cardiopulmonary resuscitation instruction in schools.

Was taken up.

Senator Brown moved that **SCS** for **HB 1337** be adopted.

Senator Kehoe assumed the Chair.

Senator Brown offered **SS** for **SCS** for **HB 1337**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1337

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to cardiopulmonary resuscitation instruction in schools.

Senator Brown moved that **SS** for **SCS** for **HB 1337** be adopted.

At the request of Senator Brown, **HB 1337**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

HCS for **HB 1171**, entitled:

An Act to repeal section 211.031, RSMo, and to enact in lieu thereof one new section relating to juvenile court jurisdiction.

Was called from the Informal Calendar and taken up by Senator Dixon.

Senator Nieves offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1171, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: "courts."; and

Further amend said bill and page, section A, line 2, by inserting immediately after said line the following:

"67.320. 1. Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants **or any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants** may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that

county's orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. **Except as provided in subsection 5 of this section** in any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the term order for purposes of this section.

5. In any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants the first judges shall be appointed by the county commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission."; and

Further amend the title and enacting clause accordingly.

Senator Nieves moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Dixon, **HCS** for **HB 1171**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1231, introduced by Representative Cauthorn, et al, entitled:

An Act to repeal section 34.070, RSMo, and to enact in lieu thereof one new section relating to state purchasing.

Was called from the Informal Calendar and taken up by Senator Munzlinger.

On motion of Senator Munzlinger, **HB 1231** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Crowell	Green	Stouffer—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1865**, with **SCS**, entitled:

An Act to repeal sections 67.463, 67.469, and 67.1305, RSMo, and to enact in lieu thereof eight new sections relating solely to due diligence given in consideration of economic development incentives.

Was called from the Informal Calendar and taken up by Senator Lembke.

SCS for **HCS** for **HB 1865**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1865

An Act to repeal sections 67.463, 67.469, and 67.1305, RSMo, and to enact in lieu thereof nine new sections relating solely to due diligence given in consideration of economic development incentives.

Was taken up.

Senator Lembke moved that **SCS** for **HCS** for **HB 1865** be adopted.

Senator Schmitt offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1865, Page 10, Section 67.1305, Line 232, by inserting immediately after said line the following:

"**67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**

(1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of revenue;

(6) "Eligible costs", shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event and direct payments to a for-profit site selection organization;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's

behalf to a site selection organization for selection as the site of one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur sporting event that is competitively bid;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed under sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in

consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars for every admission ticket sold to such event. Tax credits authorized by this section may be claimed against taxes imposed by chapters 143 and 148 and shall be claimed within one year of the close of the taxable year for which the credits were issued. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under subsection 4 of this section exceed three million dollars in any fiscal year.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2017, provided that the support contracts may be certified prior to August 28, 2017, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf

of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted.

At the request of Senator Lembke, **HCS** for **HB 1865**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

HCS for **HB 1576**, entitled:

An Act to amend chapters 103 and 210, RSMo, by adding thereto two new sections relating to the purchase of state health insurance by certain foster parents.

Was called from the Informal Calendar and taken up by Senator Parson.

Senator Parson offered **SS** for **HCS** for **HB 1576**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1576

An Act to amend chapters 103 and 210, RSMo, by adding thereto two new sections relating to the purchase of state health insurance by certain foster parents.

Senator Parson moved that **SS** for **HCS** for **HB 1576** be adopted.

Senator Crowell assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 1576, Page 1, Section 103.078, Line 10, by inserting immediately before the word "Foster" the following:

"**In order to qualify for the purchase of state health insurance under this section,**".

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 1576, Page 1, In the Title, Lines 3-4, by striking the following: "the purchase of state health insurance by certain foster parents" and inserting in lieu thereof the following: "insurance coverage for certain health care services"; and

Further amend said bill, page 2, section 210.539, line 17 of said page, by inserting after all of said line the following:

"**376.1227. 1. No contract between a health carrier or health benefit plan and an optometrist for the provision of optometric services under a vision plan shall require that the optometrist provide optometric services to insureds in the vision plan at a fee established by the health carrier or health benefit plan if such optometric services are not covered services under the vision plan.**

2. For purposes of this section, the following terms shall mean:

(1) "Covered services", services reimbursable by a health carrier or health benefit plan under an applicable vision plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;

(2) "Health benefit plan", the same meaning as such term is defined in section 376.1350;

(3) "Health carrier", the same meaning as such term is defined in section 376.1350;

(4) "Vision plan", any policy or contract of insurance which provides for coverage of vision care services."; and

Further amend the title and enacting clause accordingly.

Senator Kehoe moved that the above amendment be adopted.

Senator Keaveny raised the point of order that **SA 2** is out of order as it goes beyond the scope and intent of the underlying bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

Senator Parson moved that **SS** for **HCS** for **HB 1576**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SS** for **HCS** for **HB 1576**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Purgason moved that **HCS** for **HB 1644** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Green offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1644, Page 2, Section 313.807, Line 21, by striking the word "five" and inserting in lieu thereof "**three**".

Senator Green moved that the above amendment be adopted.

Senator Purgason offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Committee Substitute for House Bill No. 1644, Page 1, Line 3, by striking the word "three" and inserting in lieu thereof the following: "**four**".

Senator Purgason moved that the above amendment be adopted.

At the request of Senator Purgason, **HCS** for **HB 1644**, with **SA 1** and **SA 1** to **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1** to **HB 1540** and has taken up and passed **HB 1540**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 636**, as amended and grants the Senate conference thereon. The Speaker has appointed the following committee to act with a like committee from the Senate. Representatives: Diehl, Cox, Elmer, Hummel and Colona.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 726**, entitled:

An Act to repeal sections 32.069, 34.055, 34.057, 67.085, 160.281, 160.283, 161.421, 161.424, 287.160, 287.745, 335.233, 400.9-311, 408.010, 408.020, 408.040, 408.052, 409.5-509, 409.6-604, 414.356, 414.570, 443.812, 444.870, 447.539, 630.460, and 643.079, RSMo, and to enact in lieu thereof twenty-six new sections relating to financial transactions, with a penalty provision.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment Nos. 2, 3, House Substitute Amendment No. 1 for House Amendment No. 4, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4, House Amendment Nos. 5, 6 and 7.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 2, Lines 5-38, by deleting all of said Lines and inserting in lieu thereof the following:

"**paid as if the funds were paid under the county's special road and bridge levy.**

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; and

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .

Owner's telephone number and mailing address: . . . . . .

If signer is different from owner: . . . . . .

Name of signer: . . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: . . . . . .

If the owner is an individual, state if owner is single or married: . . . . . .

If owner is not an individual, state what type of entity: . . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned: . . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

. . . . . .

municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding Sections 67.1531, 67.1545 and 67.1551, if the petition was filed pursuant to subsection 2(5) of section 67.1421, by a governing body of any municipality, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "……Community Improvement District" approved by the …..(insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a community improvement district-wide sales and use tax at the maximum rate of …….(insert amount) for a period of ……(insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for …..(insert general description of purpose)?

YES NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO"; or

Shall the community improvement district, to be known as the "……Community Improvement District" approved by the ….. (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ……(insert amount) dollars per hundred dollars assessed valuation for a period of …..(insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for …..(insert general description of purpose) in the district?

YES NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

2. Within ten days after the qualified voters have approved the imposition of the sales and use tax,

the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

3. The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087.

4. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

5. In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285.

6. The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

8. A district may by resolution repeal or lower the rate of any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal or lower rate of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

9. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

10. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing such district in question** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 7, Section 67.085, Line 22, by inserting after all of said section and line the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy**."; and

Further amend said bill, Page 8, Section 161.424, Line 13, by inserting after all of said section and line the following:

"238.415. 1. A road and bridge revitalization district may be established in the portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county that

is located in a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, after voter approval pursuant to this section. A road and bridge revitalization district shall exist to revitalize, repair, replace, and construct new roads, bridges, and related public infrastructure, including storm water control systems. The boundaries of the district may be of any dimensions within the portion of the city within such county that may be deemed necessary or advisable. The governing body of the municipality may establish such district by ordinance and authorize the imposition of a tax to support the district. The ordinance shall require the ad valorem tax to be submitted to the voters for reauthorization and shall specify the period of time before such reauthorization shall be required, which time period shall not be more than ten years. No such ordinance shall become effective unless the governing body of the municipality submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the creation of the district and the imposition of the tax. The municipality shall include in the ballot a provision for a tax to support the district in an amount not to exceed ten cents per one hundred dollars assessed valuation of all taxable property within the district pursuant to available statutory authority.

2. The ballot for the proposition in the district shall be in substantially the following form:

Shall there be established a Road and Bridge Revitalization District with a tax rate of not more than .....(insert amount) cents per hundred dollars assessed valuation of all taxable property within the district for ..... years, unless reauthorized by the voters?

☐ YES ☐ NO

3. In the event that a majority of the voters voting on such proposition in the proposed district at such election cast votes for the proposition, then the district shall be established and the tax rate shall be in full force and effect as of the first day of the year following the year of the election. The results of the election shall be certified by the election officials of the city not less than thirty days after the day of election. In the event the proposition fails to receive a majority of the votes in the proposed district, then such proposition shall not be resubmitted at any election held within one year of the date of the election the proposition was rejected."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 10, Section 335.233, Line 7, by inserting after all of said section and line the following:

"**376.1192. 1. As used in this section, "health benefit plan" and "health carrier" shall have the same meaning as such terms are defined in section 376.1350.**

2. Beginning September 1, 2012, the oversight division of the joint committee on legislative research shall perform an actuarial analysis of the cost impact to health carriers, insureds with a health benefit plan, and other private and public payers if state mandates were enacted to provide health benefit plan coverage for the following:

(1) Orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier

administering the health benefit plan;

(2) Diagnosis and treatment of eating disorders that include anorexia nervosa, bulimia, binge eating, eating disorders nonspecified, and any other severe eating disorders contained in the most recent version of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. The actuarial analysis shall assume the following are included in health benefit plan coverage:

(a) Residential treatment for eating disorders, if such treatment is medically necessary in accordance with the Practice Guidelines for the Treatment of Patients with Eating Disorders, as most recently published by the American Psychiatric Association; and

(b) Access to psychiatric and medical treatment that provides coverage for integrated care and treatments as prescribed by medical and psychiatric health care professionals, including but not limited to nutrition counseling, physical therapy, dietician services, medical monitoring, and psychiatric monitoring;

(3) Diagnosis and treatment of infertility, including but not limited to in vitro fertilization, uterine embryo lavage, embryo transfer, artificial insemination, gamete intrafallopian tube transfer, zygote intrafallopian tube transfer, and low tubal ovum transfer. For purposes of this subdivision, "infertility" means the inability to conceive after one year of unprotected sexual intercourse or the inability to sustain a successful pregnancy. The actuarial analysis shall assume that included in health benefit plan coverage is coverage for procedures for in vitro fertilization, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer which shall be required only if:

(a) The covered individual has been unable to attain or sustain a successful pregnancy through reasonable less costly medically appropriate infertility treatments for which coverage is available under the policy, plan, or contract;

(b) The covered individual has not undergone four completed oocyte retrievals; except that if a live birth follows a completed oocyte retrieval, two or more completed oocyte retrievals shall be covered; and

(c) The procedures are performed at medical facilities that conform to the American College of Obstetric and Gynecological guidelines for in vitro fertilization clinics or to the American Fertility Society minimal standards for programs of in vitro fertilization.

3. By December 31, 2012, the director of the oversight division of the joint committee on legislative research shall submit a report of the actuarial findings prescribed by this section to the speaker, the president pro tem, and the chairpersons of the House of Representatives Special Committee on Health Insurance and the Senate Small Business, Insurance and Industry Committee.

4. For the purposes of this section, the actuarial analysis of health benefit plan coverage shall assume that such coverage:

(1) Shall not be subject to any greater deductible or copayment than other health care services provided by the health benefit plan; and

(2) Shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less

duration, or any other supplemental policy.

5. The cost for each actuarial analysis shall not exceed thirty thousand dollars and the oversight division of the joint committee on legislative research may utilize any actuary contracted to perform services for the Missouri consolidated health care plan to perform the analysis required under this section.

6. The provisions of this section shall expire on December 31, 2012.

376.1226. 1. No contract between a health carrier or health benefit plan and a dentist for the provision of dental services under a dental plan shall require that the dentist provide dental services to insureds in the dental plan at a fee established by the health carrier or health benefit plan if such dental services are not covered services under the dental plan.

2. For purposes of this section, the following terms shall mean:

(1) "Covered services", dental services reimbursable by a health carrier or health benefit plan or third party administrator under an applicable dental plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, copayments, coinsurance, waiting periods, annual or lifetime maximums, alternative benefit payments, or frequency limitations;

(2) "Dental plan", any policy or contract of insurance which provides for coverage of dental services;

(3) "Health benefit plan", the same meaning as such term is defined in section 376.1350;

(4) "Health carrier", the same meaning as such term is defined in section 376.1350.

376.1227. 1. No contract between a health carrier or health benefit plan and an optometrist for the provision of optometric services under a vision plan shall require that the optometrist provide optometric services to insureds in the vision plan at a fee established by the health carrier or health benefit plan if such optometric services are not covered services under the vision plan.

2. For purposes of this section, the following terms shall mean:

(1) "Covered services", services reimbursable by a health carrier or health benefit plan under an applicable vision plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;

(2) "Health benefit plan", the same meaning as such term is defined in section 376.1350;

(3) "Health carrier", the same meaning as such term is defined in section 376.1350;

(4) "Vision plan", any policy or contract of insurance which provides for coverage of vision care services."; and

Further amend said Bill, Section 643.079, Page 31, Line 102 by inserting after all of said section and line the following:

"**Section 1. The board of trustees of the Missouri consolidated health care plan shall conduct an actuarial analysis and report to the general assembly, on or before December 31, 2012, of the feasibility of including the health plan sponsored by the department of transportation into the Missouri consolidated health care plan. The health plan sponsored by the department of transportation shall provide the Missouri consolidated health care plan actuary the data and funding**

necessary to perform the actuarial analysis."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 7, Section 34.057, Line 152, by inserting after all of said line the following:

"50.1130. 1. **Notwithstanding the provisions of section 50.1150 to the contrary,** a death benefit of ten thousand dollars **and, in the case of an active member who dies after December 31, 2002, and before becoming vested, an amount equal to the amount of the member's accumulated contributions standing to his or her credit in the fund** shall be paid to the designated beneficiary of every active member upon his or her death or, if the member fails to designate a beneficiary, then to the member's surviving spouse or, if there is no spouse, then in equal shares to the member's surviving children. If there is neither a surviving spouse or surviving children, then the benefit shall be paid to the active member's estate.

2. If the member executes a beneficiary designation form and lists more than one beneficiary but fails to list the percentage of benefit that each beneficiary should receive, then the benefit shall be divided equally among the named beneficiaries.

50.1140. 1. Upon termination of employment, any member with less than eight years of creditable service shall forfeit all rights in the fund, including the member's accrued creditable service as of the date of the member's termination of employment, but may receive any refund of contributions to which the member is entitled pursuant to subsection 3 of this section **or subsection 1 of section 50.1130**.

2. A member who terminates employment with at least eight years of creditable service shall be entitled to an annuity from the fund, determined in accordance with the formula described in section 50.1060. The member may elect to defer the receipt of his or her annuity, until the member's attainment of age sixty-two, or the member may elect to begin receiving his or her annuity on the first day of any month following the later of the date of termination of employment or age fifty-five. If the member begins receiving an annuity before age sixty-two and termination of employment occurs on or after age fifty-five, the annuity shall be reduced by four-tenths of one percent for each month the commencement date of the annuity precedes age sixty-two, and an additional three-tenths of one percent for each month the commencement date of the annuity precedes age sixty.

3. In the event a member ceases to be a member other than by death before the date the member becomes vested in the system, the member shall be paid, upon his or her written application filed with the board, the member's accumulated contributions standing to his or her credit in the members' deposit fund.

4. A former member who has forfeited creditable service may have the creditable service restored by again becoming an employee, completing a total of eight years of uninterrupted creditable service, and purchasing the forfeited service by paying into the fund the forfeited amount previously refunded to the participant or credited to the participant's county plus interest equal to the current prime rate plus two percent."; and

Further amend said page, Section 67.085, Line 22, by inserting after all of said line the following:

"104.603. 1. Effective with transfers of service between the Missouri department of transportation and highway patrol employees' retirement system and the Missouri state employees' retirement system that

occur on or after September 1, 2011, upon a reciprocal transfer of creditable or credited service pursuant to section 104.602 or subsection 8 of section 104.1021, the sending system from which the service is transferred shall pay the receiving system to which the service is transferred the present value of the accrued benefit as determined pursuant to subsection 2 of this section.

2. For purposes of this section, the present value of the accrued benefit shall be determined using the actuarial assumptions of the sending system used in that system's last regular valuation assuming active member status and using the unit credit actuarial cost method. However, in no event shall the payment amount be less than the sum of the member's accumulated contributions and interest plus any purchased service payments from the member held on deposit by the sending system. If the member had received a refund of accumulated contributions from the sending system and forfeited service credit with that system, the member would need to reestablish that service with the sending system by again becoming an active member of a system covered by this chapter and satisfying requirements otherwise stipulated for reestablishing service credit. **However, in the event the member had previously transferred service from the receiving system to the sending system which was not subject to an asset transfer under this section, then that service will be excluded from the computation of the accrued benefit. In the event any prior payments by a sending system under this section included an amount for previously transferred service that was not subject to this section, the receiving system shall return to the sending system the present value amount attributable to such service, including interest as determined and agreed to by both systems.**

3. The service transfer shall not be deemed completed until the sending system makes payment to the receiving system as prescribed in this section. Payments shall be made within ninety days of the date that a completed transfer request is submitted by a member.

4. When the transfer payment includes an amount identified as corresponding to a member's accumulated contributions, the accumulated contributions portion shall be identified, and further, the accumulated contributions balance as of the preceding July first shall be identified and the receiving system shall be responsible for crediting interest according to the terms of the receiving plan.

5. The systems shall coordinate their plan administration for reciprocal transfers to give full effect to the transfer including the transfer and acceptance of corresponding division of benefit orders.

6. The member or survivor obtaining a reciprocal transfer of service covered by this section shall satisfy all requirements under section 104.602 or subsection 8 of section 104.1021 to obtain a transfer of credited or creditable service and shall satisfy the requirements under section 104.1091 with the receiving system to reestablish forfeited service previously accrued at either system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 31, Section 643.079, Line 102, by inserting after all of said line the following:

"**Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical**

organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 4

Amend House Substitute Amendment No. 1 for House Amendment No. 4 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726 Page 1, Line 15, by inserting after all of said line the following:

"Further amend said bill, Page 8, Section 161.424, Line 13, by inserting after all of said section and line the following:

"178.530. **1.** The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by

an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 7, Section 67.085, Line 22, by inserting after all of said section and line, the following:

"67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefitted in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has

incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861. Notwithstanding the provisions of this subsection and section 67.1541 to the contrary, **[**in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants,**]** the county collector may, upon certification by the district for collection, add each special assessment to the annual real estate tax bill for the property and collect the assessment in the same manner the collector uses for real estate taxes. **[**In said counties, each**] Any** special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Pages 22-23, Section 443.812, Lines 1-47, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 10, Section 287.745, Line 14,by inserting after all of said section the following:

"313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) "Commission", the Missouri gaming commission;

(7) **"Credit instrument", a writing which evidences a gaming debt that is owed to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission, and includes any writing taken in consolidation, redemption or payment of a previous credit instrument;**

(8) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(8)**] (9)** "Excursion gambling boat", a boat, ferry or other floating facility licensed by the commission on which gambling games are allowed;

[(9)**] (10)** "Fiscal year" shall for the purposes of subsections 3 and 4 of section 313.820 mean the fiscal year of a home dock city or county;

[(10)**] (11)** "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

[(11)**] (12)** "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

[(12)**] (13)** "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

[(13)**] (14)** "Games of chance", any gambling game in which the player's expected return is not favorably increased by his or her reason, foresight, dexterity, sagacity, design, information or strategy;

[(14)**] (15)** "Games of skill", any gambling game in which there is an opportunity for the player to use his or her reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", and any video representation of such games;

[(15)**] (16)** "Gross receipts", the total sums wagered by patrons of licensed gambling games;

[(16)**] (17)** "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

[(17)**] (18)** "Licensee", any person licensed under sections 313.800 to 313.850;

[(18)**] (19)** "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled by the water of those rivers for docking purposes in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(19)**] (20)** "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. In addition to the games of skill **[**referred to in subdivision (14) of**] defined in** subsection 1 of this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing his or her case by a preponderance of evidence including:

(1) Is it in the best interest of gaming to allow the game; and

(2) Is the gambling game a game of chance or a game of skill? All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.812. 1. The commission may issue licenses pursuant to subsection 1 of section 313.807 when it is satisfied that the applicant has complied with all rules and regulations, including an update of all information provided to the commission in the licensee's initial application. The commission shall decide the number, location and type of excursion gambling boat in a city or county under subsection 10 of this section. The license shall set forth the name of the licensee, the type of license granted, the place where the

excursion gambling boat will operate and dock, including the docking of an excursion gambling boat which is continuously docked, and other information the commission deems appropriate. The commission shall have the ultimate responsibility of deciding the number, location, and type of excursion gambling boats licensed in a city or county; however, any city or county which has complied with the provisions of subsection 10 of this section shall submit to the commission a plan outlining the following:

(1) The recommended number of licensed excursion gambling boats operating in such city or county;

(2) The recommended licensee or licensees operating in such city or county;

(3) The community's economic development or impact and affirmative action plan concerning minorities' and women's ownership, contracting and employment for the waterfront development;

(4) The city or county proposed sharing of revenue with any other municipality;

(5) Any other information such city or county deems necessary; and

(6) Any other information the commission may determine is necessary. The commission shall provide for due dates for receiving such plan from the city or county.

2. A license to operate an excursion gambling boat shall only be granted to an applicant upon the express conditions that:

(1) The applicant shall not, by a lease, contract, understanding, or arrangement of any kind, grant, assign, or turn over to a person the operation of an excursion gambling boat licensed under this section or of the system of wagering described in section 313.817. This section does not prohibit a management contract with a person licensed by the commission; and

(2) The applicant shall not in any manner permit a person other than the licensee and the management licensee to have a share, percentage, or proportion of the money received for admissions to the excursion gambling boat.

3. The commission shall require, as a condition of granting a license, that an applicant operate an excursion gambling boat which, as nearly as practicable, resembles or is a part of Missouri's or the home dock city's or county's riverboat history.

4. The commission shall encourage through its rules and regulations the use of Missouri resources, goods and services in the operation of any excursion gambling boat.

5. The excursion gambling boat shall provide for nongaming areas, food service and a Missouri theme gift shop. The amount of space used for gaming shall be determined in accordance with all rules and regulations of the commission and the United States Coast Guard safety regulations.

6. A license to operate gambling games or to operate an excursion gambling boat shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated financial responsibility sufficient to meet adequately the requirements of the proposed enterprise.

7. Each applicant shall establish by clear and convincing evidence its fitness to be licensed. Without limitation, the commission may deny a license based solely on the fact that there is evidence that any of the following apply:

(1) The applicant has been suspended from operating an excursion gambling boat or a game of chance or gambling operation in another jurisdiction by a board or commission of that jurisdiction;

(2) The applicant is not the true owner of the enterprise proposed;

(3) The applicant is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed;

(4) The applicant is a corporation that is not publicly traded and ten percent or more of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license;

(5) The applicant has knowingly made a false statement of a material fact to the commission; or

(6) The applicant has failed to meet a valid, bona fide monetary obligation in connection with an excursion gambling boat.

8. A license shall not be granted if the applicant has not established **[**his**] the applicant's** good repute and moral character or if the applicant has pled guilty to, or has been convicted of, a felony. No licensee shall employ or contract with any person who has pled guilty to, or has been convicted of, a felony to perform any duties directly connected with the licensee's privileges under a license granted pursuant to this section, except that employees performing nongaming related occupations as determined by the commission shall be exempt from the requirements of this subsection.

9. **Except as provided in section 313.817,** a licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed**, other than a credit instrument,** must be deposited within twenty-four hours. The commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the commission.

10. Gambling excursions including the operation of gambling games on an excursion gambling boat which is not continuously docked shall be allowed only on the Mississippi River and the Missouri River. No license to conduct gambling games on an excursion gambling boat in a city or county shall be issued unless and until the qualified voters of the city or county approve such activities pursuant to this subsection. The question shall be submitted to the qualified voters of the city or county at a general, primary or special election upon the motion of the governing body of the city or county or upon the petition of fifteen percent of the qualified voters of the city or county determined on the basis of the number of votes cast for governor in the city or county at the last election held prior to the filing of the petition. The question shall be submitted in substantially the following form:

Shall the City (County) of ..... allow the licensing of excursion gambling boats or floating facilities as now or hereafter provided by Missouri gaming law in the city (county)?

[ ] YES [ ] NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the commission may license excursion gambling boats in that city or county and such boats may operate on the Mississippi River and the Missouri River. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the commission shall not license such excursion gambling boats in such city or county unless and until the question is again submitted to and

approved by a majority of the qualified voters of the city or county at a later election. Excursion gambling boats may only dock in a city or unincorporated area of a county which approves licensing of such excursion gambling boats pursuant to this subsection, but gambling operations may be conducted at any point on the Mississippi River or the Missouri River during an excursion. Those cities and counties which have approved by election pursuant to this subsection, except those cities or counties which have subsequently rejected by election, the licensing of any type of excursion gambling boats in the city or county prior to April 6, 1994, are exempt from any local election requirement of this section as such previous election shall have the same effect as if held after May 20, 1994.

11. If a docking fee is charged by a city or a county, a licensee operating an excursion gambling boat shall pay the docking fee prior to the start of the excursion season.

12. Any licensee shall not be delinquent in the payment of property taxes or other taxes or fees or in the payment of any other contractual obligation or debt due or owed to the state or a political subdivision of the state.

13. An excursion gambling boat licensed by the state shall meet all of the requirements of chapter 306 and is subject to an inspection of its sanitary facilities to protect the environment and water quality by the commission or its designee before a license to operate an excursion gambling boat is issued by the commission. Licensed excursion gambling boats shall also be subject to such inspections during the period of the license as may be deemed necessary by the commission. The cost of such inspections shall be paid by the licensee.

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming;

(3) Receiving goods or services from a person or business entity who does not hold a supplier's license but who is required to hold such license by the provisions of sections 313.800 to 313.850 or the rules and regulations of the commission;

(4) Being suspended or ruled ineligible or having a license revoked or suspended in any state of gaming jurisdiction;

(5) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;

(6) Employing in any gambling games' operation or any excursion gambling boat operation, any person

known to have been found guilty of cheating or using any improper device in connection with any gambling game;

(7) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to sections 313.800 to 313.850;

(8) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;

(9) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by sections 313.800 to 313.850.

313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money **or credit instrument** of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check**, obtain a credit instrument** or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. Credit instruments executed on or after August 28, 2012, are valid contracts creating debt that

are enforceable by legal process. A licensee may accept credit instruments from a qualified person in exchange for physical tokens or chips that can be wagered on gambling games at the licensee's excursion gambling boat, or money that can be exchanged for electronic or physical tokens, chips or other forms of credit to be wagered on gambling games at the licensee's excursion gambling boat. "Qualified person" means a person who has completed a credit application provided by the licensee and who is determined by the licensee, after performing a credit check and applying usual standards to establish creditworthiness, to qualify for a line of credit of at least five thousand dollars. Approval to accept a credit instrument from a qualified person shall be made by the holder of an occupational license, except that such approval shall not be made less than twenty-four hours after the determination that a person is a qualified person. A licensee may accept multiple credit instruments from the same person to consolidate or redeem a previous credit instrument. A lost or destroyed credit instrument shall remain valid and enforceable if the party seeking enforcement can prove its existence and terms. Any person who violates this subsection is subject only to the penalties provided in section 313.812. The commission shall have no authority to determine the validity or enforceability of a credit instrument or the enforceability of the debt that the credit instrument represents. Failure to comply with any regulation promulgated by the commission shall not impact the validity or enforceability of the credit instrument or the debt that the credit instrument represents."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 636**, as amended: Senators Keaveny, Justus, Goodman, Dixon and Lamping.

PRIVILEGED MOTIONS

Senator Parson moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 726**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following reports:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HB 1046**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1407**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Goodman, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence,

submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS No. 2** for **HB 1524**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 1214**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 1854**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Lager, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 1029**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 1049**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 1274**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HB 1900**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schmitt, Chairman of the Committee on Jobs, Economic Development and Local Government, submitted the following report:

Mr. President: Your Committee on Jobs, Economic Development and Local Government, to which was referred **HB 1037**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Crowell assumed the Chair.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 2201, regarding Taylor Hermann and Manuel "Manny" Abarca, IV, which was adopted.

Senator Richard offered Senate Resolution No. 2202, regarding Seth Haag, which was adopted.

Senator Rupp offered Senate Resolution No. 2203, regarding Jessica Fortson, Lake Saint Louis, which

was adopted.

Senator Schmitt offered Senate Resolution No. 2204, regarding Alex Feurer, which was adopted.

Senator Schmitt offered Senate Resolution No. 2205, regarding Larry Lee Spaulding, Kirkwood, which was adopted.

Senator Goodman offered Senate Resolution No. 2206, regarding Saints Peter and Paul Catholic Church, Pierce City, which was adopted.

Senator Richard offered Senate Resolution No. 2207, regarding the Seventieth Anniversary of Ozark Christian College, Joplin, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Goodman introduced to the Senate, Miles, Carrie, Abigail and Sophia Ross, Springfield; and Abigail and Sophia were made honorary pages.

Senator Richard introduced to the Senate, sixty-two fourth grade students from Granby R-6; and Kassie Stapp and Makenzie Siler were made honorary pages.

Senator Lamping introduced to the Senate, the Physician of the Day, Dr. Han Paik, St. Louis.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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SEVENTY-SECOND DAY–WEDNESDAY, MAY 16, 2012

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FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 1357-Gatschenberger, et al

THIRD READING OF SENATE BILLS

SS#3 for SCS for SB 710-Engler

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS
SB 745-Lembke
SB 765-Schaefer
SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

1. HB 1318-Riddle, et al (Kehoe) (In Fiscal Oversight)
2. HCS for HB 1640, with SCS (Stouffer) (In Fiscal Oversight)

3. HCS for HJR 41 (Green) (In Fiscal Oversight)
4. HCS for HBs 1278 & 1152, with SCS (Purgason) (In Fiscal Oversight)
5. HCS for HB 1637, with SCS (Purgason) (In Fiscal Oversight)
6. HB 1909-Hoskins (Pearce) (In Fiscal Oversight)
7. HCS for HB 1329 (Kehoe) (In Fiscal Oversight)
8. HCS for HB 1647 (Kehoe) (In Fiscal Oversight)
9. HB 1820-Asbury and Shively, with SCS (Munzlinger)
10. HCS for HB 1608 (Lembke)
11. HB 1424-Marshall, et al (Engler)
12. HCS for HB 1383 (Munzlinger)
13. HCS for HBs 1934 & 1654 (Schaefer)
14. HB 1577-Largent, et al (Pearce)
15. HB 1131-Fisher (Pearce)
16. HB 1114-Weter (Goodman)
17. HB 1804-Molendorp, et al (Justus)
18. HCS for HB 1324, with SCS (Munzlinger)
19. HCS for HB 1860 & HCS for HB 1254, with SCS (Lager) (In Fiscal Oversight)
20. HCS for HB 1442
21. HCS for HB 1869, with SCA 1 (Parson)
22. HB 1251-Ruzicka, with SCS (Lager) (In Fiscal Oversight)
23. HCS for HB 1526 (Rupp)
24. HCS#2 for HB 1475 (Cunningham)
25. HB 1534-Bahr, et al (Mayer) (In Fiscal Oversight)
26. HB 1062-Dieckhaus and Lampe
27. HB 1315-McCaherty, et al
28. HB 1096-Wieland
29. HB 1046-Rowland (Purgason)
30. HCS for HB 1407, with SCS (Chappelle-Nadal)
31. HCS#2 for HB 1524 (Munzlinger)
32. HCS for HB 1214 (Schaefer)
33. HCS for HB 1854, with SCS
34. HB 1029-Flanigan and Allen (Dixon)
35. HCS for HB 1049, with SCS (Schmitt)
36. HCS for HB 1274 (Rupp)
37. HCS for HB 1900 (Munzlinger)
38. HB 1037-Dugger (Purgason)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham

SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason

SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HB 1051-Allen, et al, with SCS, SS for SCS & SA 1 (pending) (Lager)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HCS for HB 1123 (Brown)
HCS for HB 1140, with SCS (Brown)
HB 1170-Franz, with SCS, SS for SCS & SA 3 (pending) (Parson)
HCS for HB 1174, with SCS & SS#2 for SCS (pending) (Pearce)
HB 1192-Koenig, et al (Cunningham)
HCS for HB 1193, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 3 to SSA 1 for SA 1 (pending) (Engler)
HCS for HB 1300, with SCS (Parson)
HCS#2 for HB 1317, with SCS (Schaefer)
SCS for HB 1331-Jones (117), et al (Kehoe)
HB 1337-Stream, with SCS & SS for SCS (pending) (Brown)
HCS for HB 1361, with SS (pending) (Lager)
HB 1403-Schatz, et al, with SS (pending) (Dempsey)
HCS for HB 1623, with SCS, SS#2 for SCS & SA 12 (pending) (Schmitt)
HCS for HB 1644, with SA 1 & SA 1 to SA 1 (pending) (Purgason)
HCS for HBs 1659 & 1116, with SCS (Callahan)

HCS for HB 1722 (Pearce)
HCS for HB 1789, with SCS & SA 2 (pending) (Nieves)
HCS for HB 1818 (Kehoe)
HCS for HB 1865, with SCS & SA 1 (pending) (Lembke)
HB 2099-Elmer (Lager)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 469-Dixon, with HCS, as amended
SCS for SB 563-Dixon, with HCS, as amended
SCS for SB 591-Parson, with HCS, as amended
SS for SCS for SB 595-Kraus, with HCS
SS for SCS for SB 682-Dempsey, with HCS, as amended
SS for SCS for SB 699-Goodman, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5, as amended & HA 6
SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 455-Pearce, with HCS, as amended
SS for SCS for SB 467-Munzlinger, with HCS, as amended
SS for SCS for SB 470-Dixon, with HCS, as amended
SCS for SB 498-Munzlinger and Justus, with HCS, as amended
SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8
SCS for SB 566-Brown, with HA 1 & HA 2
SB 568-Parson, with HCS, as amended (Senate adopted CCR and passed CCS)
SCS for SB 569-Kraus, with HCS, as amended
SB 578-Parson, with HCS, as amended
SB 611-Lembke, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8
SB 628-Schaefer, with HCS, as amended
SCS for SB 635-Pearce, with HCS, as amended
SB 636-Keaveny, with HCS, as amended
SS for SCS for SB 719-Kehoe, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6
HB 1073 & HCS for HB 1477-Sater, with SS for SCS, as amended (Munzlinger)
HB 1135-Smith (150), et al, with SCS, as amended (Dixon)
HCS for HB 1402, with SS for SCS, as amended (Stouffer)

Requests to Recede or Grant Conference

SCS for SB 485-Cunningham, with HCS, as amended (Senate requests House recede or grant conference)
SB 599-Schaefer, with HA 1, HA 2, as amended, HA 3, as amended, HA 4, as amended & HA 5 (Senate requests House recede or grant conference)

SCS for SB 631-Parson, with HCS, as amended (Senate requests House recede or grant conference)
SS for SB 665-Stouffer, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 (Senate requests House recede or grant conference)
SCS for SB 711-Lamping, with HCS, as amended (Senate requests House recede or grant conference)
SCS for SB 715-Kraus, with HA 1 & HA 2 (Senate requests House recede and pass the bill)
SCS for SB 726-Parson, with HCS, as amended (Senate requests House recede or grant conference)
SB 736-Engler, with HA 1 (Senate requests House recede or grant conference)
SB 739-Keaveny, with HCS, as amended (Senate requests House recede or grant conference)
HBs 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 & 1878-Marshall, et al, with SS for SCS, as amended (Schaaf) (House requests Senate recede or grant conference)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al
SR 1762-Schmitt
HCR 12-Davis, et al (Brown)
HCR 22-Walton Gray, et al (Chappelle-Nadal)
HCR 25-Allen, et al (Dixon)
HCR 31-Schieffer, et al (Rupp)
HCS for HCR 33, with SCS (Kehoe)
HCR 42-Rowland, et al
HCR 43-Franklin (Purgason)
HCR 46-Franklin, et al (Purgason)
HCR 49-Fallert, et al (Engler)

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Journal of the Senate

SECOND REGULAR SESSION

SEVENTY-SECOND DAY—WEDNESDAY, MAY 16, 2012

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

"Know that the Lord does wonders for the faithful, when I call upon the Lord, he hears me." (Psalm 4:3)

Gracious God, we call on You today and we do so knowing that we have just three days before this session comes to an end. And You know that we have much to do so we pray for Your guidance and help to sustain us when we grow weary and have not enough rest. So we desire that You point us in the direction we need to go to complete what You would have us do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KRCG-TV and Jefferson City News Tribune were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Lamping offered Senate Resolution No. 2208, regarding Theckla Spainhower, which was adopted.

HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred the Committee indicated:

HB 1357—Governmental Accountability.

REFERRALS

President Pro Tem Mayer referred **HCS** for **HB 1900** and **HCS** for **HB 1854**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **HCS** for **HB 1637**, with **SCS**; **HB 1909**; **HCS** for **HB 1647**; **HB 1534**; **HCS** for **HB 1329**; and **HB 1318**, begs leave to report that it has considered the same and recommends that the bills do pass.

HOUSE BILLS ON THIRD READING

HB 1318 was placed on the Informal Calendar.

At the request of Senator Purgason, **HCS** for **HB 1637**, with **SCS**, was placed on the Informal Calendar.

HB 1909, introduced by Representative Hoskins, entitled:

An Act to repeal section 144.805, RSMo, and to enact in lieu thereof one new section relating to sales of aviation jet fuel.

Was taken up by Senator Pearce.

Senator Cunningham offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1909, Page 1, In the Title, Lines 2-3 of the title, by striking "sales of aviation jet fuel" and inserting in lieu thereof the following: "aviation"; and

Further amend said bill, Page 2, Section 144.805, Line 34, by inserting immediately after said line the following:

"430.020. Every person who shall keep or store any vehicle**[**,**]** **or** part or equipment thereof, shall, for the amount due therefor, have a lien; and every person who furnishes labor or material on any vehicle **[**or aircraft,**]** or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner of the vehicle **[**or aircraft**]**, or part or equipment thereof**, and every person who furnishes labor or material on any aircraft or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner, authorized agent of the owner, or person in lawful possession of the aircraft or part or equipment thereof**, shall have a lien for the amount of such work or material as is ordered or stated in such

written memorandum. Such liens shall be on the vehicle or aircraft, or part or equipment thereof, as shall be kept or stored, or be placed in the possession of the person furnishing the labor or material; provided, however, the person furnishing the labor or material **on the aircraft or part or equipment thereof,** may retain the lien after surrendering possession of the aircraft or part or equipment thereof by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof resides, if known to the claimant, and in the office of the county recorder of the county where the labor or material was furnished. Such statement shall be filed within **[**thirty**] one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless said lien has also been filed with the Federal Aviation Administration Aircraft Registry.

430.082. 1. Every person expending labor, services, skill or material upon any motor vehicle or trailer, as defined in chapter 301, vessel, as defined in chapter 306, outboard motor **[**or**], or** aircraft**, or part or equipment of an aircraft,** at a written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or who provides storage for a motor vehicle, trailer, outboard motor or vessel, at the written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or at the written request of a peace officer in lieu of the owner or owner's agent, where such owner or agent is not available to request storage thereof, shall, where the maximum amount to be charged for labor, services, skill or material has been stated as part of the written request or the daily charge for storage has been stated as part of the written request, have a lien upon the chattel beginning upon the date of commencement of the expenditure of labor, services, skill, materials or storage for the actual value of all the expenditure of labor, services, skill, materials or storage until the possession of that chattel is voluntarily relinquished to the owner, authorized agent, or one entitled to possession thereof. The person furnishing labor, services, skill or material **upon an aircraft or part or equipment thereof,** may retain the lien after surrendering possession of the aircraft or part or equipment thereof**,** by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof**,** resides, if known to the claimant, and in the office of the county recorder of the county where the claimant performed the services. Such statement shall be filed within **[**thirty**] one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless the lien has also been filed with the Federal Aviation Administration Aircraft Registry.

2. If the chattel is not redeemed within forty-five days of the completion of the requested labor, services, skill or material, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title.

3. If the charges are for storage or the service of towing the motor vehicle, trailer, outboard motor or vessel, and the chattel has not been redeemed within forty-five days after the charges for storage commenced, the lienholder shall notify by certified mail, postage prepaid, the owner and any lienholders of record other than the person making the notification, at the person's last known address that application for a lien title will be made unless the owner or lienholder within thirty days makes satisfactory arrangements with the person holding the chattel for payment of storage or service towing charges, if any, or makes satisfactory arrangements with the lienholder for paying such charges or for continued storage of the chattel if desired. Thirty days after the notification has been mailed and the chattel is unredeemed, or the notice has been returned marked “not fowardable” or “addressee unknown”, and no satisfactory

arrangement has been made with the lienholder for payment or continued storage, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title as provided in this section.

4. The application shall be accompanied by:

(1) The original or a conformed or photostatic copy of the written request of the owner or the owner's agent or of a peace officer with the maximum amount to be charged stated therein;

(2) An affidavit from the lienholder that written notice was provided to all owners and lienholders of the applicants' intent to apply for a certificate of ownership and the owner has defaulted on payment of labor, services, skill or material and that payment is forty-five days past due, or that owner has defaulted on payment or has failed to make satisfactory arrangements for continued storage of the chattel for thirty days since notification of intent to make application for a certificate of ownership or certificate of title. The affidavit shall be accompanied by a copy of the thirty-day notice given by certified mail to any owner and person holding a valid security interest and a copy of the certified mail receipt indicating that the owner and lienholder of record was sent a notice as required in this section;

(3) A statement of the actual value of the expenditure of labor, services, skill or material, or the amount of storage due on the date of application for a certificate of ownership or certificate of title, and the amount which is unpaid; and

(4) A fee of ten dollars.

5. If the director is satisfied with the genuineness of the application, proof of lienholder notification in the form of a certified mail receipt, and supporting documents, and if no lienholder or the owner has redeemed the chattel or no satisfactory arrangement has been made concerning payment or continuation of storage, and if no owner or lienholder has informed the director that the owner or lienholder demands a hearing as provided in this section, the director shall issue, in the same manner as a repossessed title is issued, a certificate of ownership or certificate of title to the applicant which shall clearly be captioned "Lien Title".

6. Upon receipt of a lien title, the holder shall within ten days begin proceedings to sell the chattel as prescribed in section 430.100.

7. The provisions of section 430.110 shall apply to the disposition of proceeds, and the lienholder shall also be entitled to any actual and necessary expenses incurred in obtaining the lien title, including, but not limited to, court costs and reasonable attorney's fees."; and

Further amend the title and enacting clause accordingly.

Senator Cunningham moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Bill No. 1909, Page 1, In the Title, Lines 2-3, by striking the words "sales of aviation jet fuel" and inserting in lieu thereof the following: "aviation"; and

Further amend said bill, page 2, section 144.805, line 34, by inserting immediately after said line the following:

"**701.550. 1. As used in this section the following terms mean:**

(1) "Anemometer", an instrument for measuring and recording the speed of the wind;

(2) "Anemometer tower", a structure, including all guy wires and accessory facilities, that has been constructed solely for the purpose of mounting an anemometer to document whether a site has wind resources sufficient for the operation of a wind turbine generator;

(3) "Area surrounding the anchor point", an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point.

2. Any anemometer tower that is fifty feet in height above the ground or higher that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law, shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before August 28, 2012, shall be marked as required in this section by January 1, 2014. Any anemometer tower that is erected on or after August 28, 2012, shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

3. A violation of this section is a class B misdemeanor."; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Justus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend House Bill No. 1909, Page 1, Section A, Line 2, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been

paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties

and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one

hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the

economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said title, enacting clause and intersectional references accordingly.

Senator Justus moved that the above amendment be adopted.

Senator Pearce raised the point of order that **SA 3** is out of order as it goes beyond the scope of the subject matter of the bill.

The point of order was referred to the President Pro Tem who ruled it well taken.

On motion of Senator Pearce, **HB 1909**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 485** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SB 599** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 631** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **SS** for **SB 665** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 711** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 739** as amended and grants the Senate a conference thereon.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 485**, as amended: Senators Cunningham, Ridgeway, Nieves, McKenna and Wright-Jones.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SB 599**, as amended: Senators Schaefer, Pearce, Kehoe, Keaveny and Chappelle-Nadal.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 631**, as amended: Senators Parson, Munzlinger, Stouffer, Callahan and Justus.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **SB 665**, as amended: Senators Stouffer, Engler, Wasson, McKenna and Wright-Jones.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 711**, as amended: Senators Lamping, Kehoe, Richard, Justus and Keaveny.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 739**, as amended: Senators Keaveny, Justus, Ridgeway, Schaaf and Schmitt.

HOUSE BILLS ON THIRD READING

HCS for **HB 1329**, entitled:

An Act to repeal sections 301.140, 301.147, 301.559, and 301.3087, RSMo, and to enact in lieu thereof four new sections relating to motor vehicle registration.

Was taken up by Senator Kehoe.

Senator Crowell offered **SS** for **HCS** for **HB 1329**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1329

An Act to repeal sections 32.087, 144.069, 144.757, and 301.140, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with an emergency clause and a contingent effective date for a certain section.

Senator Crowell moved that **SS** for **HCS** for **HB 1329** be adopted, which motion prevailed.

President Kinder assumed the Chair.

On motion of Senator Kehoe, **SS** for **HCS** for **HB 1329** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Nieves Schmitt—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Nieves Schmitt—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HBs 1659** and **1116**, with **SCS**, entitled:

An Act to repeal sections 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.430, 141.440, 141.480, 141.500, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, and 141.790 RSMo, 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, and to enact in lieu thereof thirty-seven new sections relating to land tax collection, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Callahan.

SCS for **HCS** for **HBs 1659** and **1116**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 1659 and 1116

An Act to repeal sections 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.480, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.790, RSMo, and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, and to enact in lieu thereof thirty-four new sections relating to land tax collection, with a penalty provision for a certain section.

Was taken up.

Senator Callahan moved that **SCS** for **HCS** for **HBs 1659** and **1116** be adopted.

Senator Stouffer assumed the Chair.

Senator Ridgeway offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1659 and 1116, Page 25, Section 141.980, Line 13 of said page, by inserting at the end of said line the following: "**Such land bank agency shall not be authorized to sell more than five contiguous parcels to the same entity in the course of a year.**"; and

Further amend said bill, page 32, section 141.985, line 6, by inserting immediately after the word "agency." the following: "**This inventory shall be available on the land bank agency website and include at a minimum whether a parcel is available for sale, the address of the parcel if an address has been assigned, the parcel number, if no address has been assigned, and the year that a parcel entered the land bank agency's inventory**"; and

Further amend said bill and section, page 33, line 29, by inserting after all of said line the following:

"**If a municipality in its resolution or ordinance creating a land bank agency establishes priorities for the use of real property conveyed by the land bank agency, such priorities shall be consistent with and**

no more restrictive than municipal planning and zoning ordinances."; and further amend lines 30-36, by striking all of said lines and inserting in lieu thereof the following:

"**6. The board may delegate to officers and**"; and further amend lines 40-45, by striking all of said lines and inserting in lieu thereof the following:

"**7. A land bank agency shall accept written offers equal to or greater than fair market value to purchase real property held by the land bank agency. If a land bank agency rejects a written offer equal to or greater than fair market value, or does not respond to a written offer equal to or greater than fair market value within sixty days, the land bank agency's action shall be subject to judicial review under chapter 536 or any other applicable provision of law unless the basis for the land bank agency's rejection is that is has accepted another offer equal to or greater than fair market value for that property. Venue shall be in the circuit court of the county in which the land bank agency is located.**"; and

Further amend said bill and section, page 34, line 92, by inserting after all of said line the following:

"**10. If a land bank agency owns more than five parcels of real property in a single city block and no written offer to purchase any of those properties has been submitted to the agency in the past twelve months, the land bank shall reduce its requested price for those properties and advertise the discount publicly.**".

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Ridgeway offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1659 and 1116, Page 25, Section 141.980, Lines 8-10, by striking all of said lines from the bill and inserting in lieu thereof the following:

"**status to use in private ownership. Such land bank agency shall be**".

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Callahan moved that **SCS** for **HCS** for **HBs 1659** and **1116**, as amended, be adopted, which motion prevailed.

On motion of Senator Callahan, **SCS** for **HCS** for **HBs 1659** and **1116**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Cunningham Kraus—2

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Callahan, title to the bill was agreed to.

Senator Callahan moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Photographers from the ABC 17 News were given permission to take pictures in the Senate Chamber.

HCS for **HB 1637**, with **SCS**, entitled:

An Act to repeal sections 143.111 and 408.010, RSMo, and to enact in lieu thereof three new sections relating to taxation.

Was called from the Informal Calendar and taken up by Senator Purgason.

SCS for **HCS** for **HB 1637**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1637

An Act to repeal sections 143.111 and 408.010, RSMo, and to enact in lieu thereof two new sections relating to taxation.

Was taken up.

Senator Purgason moved that **SCS** for **HCS** for **HB 1637** be adopted.

At the request of Senator Purgason, **HCS** for **HB 1637**, with **SCS** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Pearce moved that the Senate conferees on **HCS** for **SCS** for **SB 635**, as amended, be allowed to exceed the differences by correcting a reference to the date of the filing of the consent decree in *U.S.A. and state of Missouri v. Doe Run Resources Corporation*, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 1647** was placed on the Informal Calendar.

HB 1820, introduced by Representatives Asbury and Shively, with **SCS**, entitled:

An Act to authorize the conveyance of property owned by the state to the state highways and transportation commission.

Was taken up by Senator Munzlinger.

SCS for **HB 1820**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1820

An Act to authorized the conveyance of certain state properties, with an emergency clause.

Was taken up.

Senator Munzlinger moved that **SCS** for **HB 1820** be adopted.

Senator Munzlinger offered **SS** for **SCS** for **HB 1820**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1820

An Act to authorize the conveyance of certain state properties, with an emergency clause.

Senator Munzlinger moved that **SS** for **SCS** for **HB 1820** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SS** for **SCS** for **HB 1820** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Goodman—1

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Goodman—1

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1608**, entitled:

An Act to repeal sections 37.115, 37.125, 37.300, 37.310, 37.320, 37.330, 37.340, 37.360, 37.370, 37.390, 37.500, 42.014, 42.015, 160.375, 160.542, 160.950, 161.182, 161.235, 161.800, 162.1010, 162.1168, 167.229, 167.290, 167.292, 167.294, 167.296, 167.298, 167.300, 167.302, 167.304, 167.306, 167.308, 167.310, 167.320, 167.322, 167.324, 167.326, 167.328, 167.330, 167.332, 168.430, 168.550, 168.555, 168.560, 168.565, 168.570, 168.575, 168.580, 168.585, 168.590, 168.595, 168.600, 169.580, 170.254, 173.053, 173.055, 173.198, 173.199, 173.267, 173.500, 173.510, 173.515, 173.520, 173.525, 173.530, 173.535, 173.545, 173.550, 173.555, 173.560, 173.565, 173.724, 173.727, 191.390, 191.425, 191.727, 191.733, 191.735, 191.741, 191.745, 191.909, 192.640, 192.642, 192.644, 192.729, 193.295, 193.305, 198.086, 198.527, 198.531, 207.150, 208.153, 208.178, 208.179, 208.192, 208.202, 208.309, 208.311, 208.313, 208.315, 208.335, 208.500, 208.503, 208.505, 208.507, 208.612, 208.615, 208.700, 208.705, 208.710, 208.715, 208.720, 217.105, 217.378, 261.105, 261.110, 261.120, 262.460, 421.028, 453.322, 453.325, 476.415, 633.180, 633.185, 660.016, 660.019, 660.020, 660.021, 660.530, 660.532, 660.534, 660.535, 660.537, 660.539, 660.541, 660.543, 660.545, and 660.725, RSMo, and to enact in lieu thereof four new sections for the sole purpose of repealing unfunded and obsolete programs.

Was taken up by Senator Lembke.

On motion of Senator Lembke, **HCS** for **HB 1608** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Lembke moved that **HCS** for **HB 1865**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Schmitt, **SA 1** was withdrawn.

Senator Lembke offered **SS** for **SCS** for **HCS** for **HB 1865**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1865

An Act to repeal sections 67.463, 67.469, 67.1305, 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, 135.800, 135.1150, 253.550, and 253.559, RSMo, and to enact in lieu thereof twenty-two new sections relating solely to due diligence given in consideration of economic development incentives, with an emergency clause for a certain section.

Senator Lembke moved that **SS** for **SCS** for **HCS** for **HB 1865** be adopted.

At the request of Senator Lembke, **HCS** for **HB 1865,** with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SS** for **SCS** for **SB 485** as amended. Representatives: Wells, Cierpiot, Richardson, Kelly (24), and Atkins.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SS** for **SB 665** as amended. Representatives: Cox, Asbury, Richardson, McManus and Hummel.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SCS** for **SB 711** as amended. Representatives: Largent, Cox, Long, Carlson and Colona.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SB 739** as amended. Representatives: Cox, Diehl, Jones (89), McManus and Kelly (24).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **SB 599** as amended. Representatives: Dieckhaus, Stream, Fitzwater, Lampe and Aull.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **SCS** for **SB 480**, entitled:

An Act to repeal sections 70.441, 136.055, 144.030, 260.392, 301.010, 302.304, 302.341, 302.700, 306.532, 390.020, 577.023, 577.041, 577.600, and 577.606, RSMo, and to enact in lieu thereof sixteen new sections relating to regulation of motor carriers and motor vehicles, with penalty provisions and a contingent effective date for certain sections.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment Nos. 2, 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 2 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment Nos. 6, 7, 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 2 to House Amendment No. 9 and House Amendment No. 9, as amended.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Line 6, by inserting after all of said line the following:

"Further amend said bill, Page 27, Section 301.010, Line 283, by inserting after all of said line the following:

"House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7 by inserting after all of said section and line the following:

"301.449. **[**Any**]** **Only a** community college or four-year public or private institution of higher education**, or a foundation or organization representing the college or institution,** located in the state of Missouri may **itself** authorize **or may by the director of revenue be authorized to use the school's [**the use of its**]** official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to such institution derived from this section, except reasonable administrative costs, shall be used for scholarship endowment or other academically related purposes. Any vehicle owner may annually apply to the institution for the use of the emblem. Upon annual application and payment of an emblem use contribution to the institution, which shall be set by the governing body of the institution at an amount of at least twenty-five dollars, the institution shall issue to the vehicle owner, without further charge, an "emblem use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the seal, emblem or logo of the institution, to the vehicle owner.

The license plate authorized by this section shall use the school colors of the institution, and those colors shall be constructed upon the license plate using a process to ensure that the school emblem shall be displayed upon the license plate in the clearest and most attractive manner possible. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. The license plate authorized by this section shall be issued with a design approved by both the institution of higher education and the advisory committee established in section 301.129. A vehicle owner, who was

previously issued a plate with an institutional emblem authorized by this section and does not provide an emblem use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the institutional emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms including establishing a minimum number of license plates which can be issued with the authorized emblem of a participating institution.

301.3150. 1. An organization, other than an organization seeking a special military license plate **or a collegiate or university plate**, that seeks authorization to establish a new specialty license plate shall initially petition the department of revenue by submitting the following:

(1) An application in a form prescribed by the director for the particular specialty license plate being sought, describing the proposed specialty license plate in general terms and have a sponsor of at least one current member of the general assembly **in the same legislative session in which the application is reviewed pursuant to subsection 5 of section 21.795, RSMo**. The application may contain written testimony for support of this specialty plate;

(2) Each application submitted pursuant to this section shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate if the specialty plate is approved pursuant to this section;

(3) An application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing and programming the implementation of the specialty plate, if authorized; and

(4) All moneys received by the department of revenue, for the reviewing and development of specialty plates shall be deposited in the state treasury to the credit of the "Department of Revenue Specialty Plate Fund" which is hereby created. The state treasurer shall be custodian of the fund and shall make disbursements from the fund requested by the Missouri director of revenue for personal services, expenses, and equipment required to prepare, review, develop, and disseminate a new specialty plate and process the two hundred applications to be submitted once the plate is approved and to refund deposits for the application of such specialty plate, if the application is not approved by the joint committee on transportation oversight and for no other purpose.

2. At the end of each state fiscal year, the director of revenue shall:

(1) Determine the amount of all moneys deposited into the department of revenue specialty plate fund;

(2) Determine the amount of disbursements from the department of revenue specialty plate fund which were made to produce the specialty plate and process the two hundred applications; and

(3) Subtract the amount of disbursements from the income figure referred to in subdivision (1) of this subsection and deliver this figure to the state treasurer.

3. The state treasurer shall transfer an amount of money equal to the figure provided by the director of revenue from the department of revenue specialty plate fund to the state highway department fund. An unexpended balance in the department of revenue specialty plate fund at the end of the biennium not exceeding twenty-five thousand dollars shall be exempt from the provisions of section 33.080 relating to transfer of unexpended balances to the general revenue fund.

4. The documents and fees required pursuant to this section shall be submitted to the department of

revenue by July first prior to the next regular session of the general assembly to be approved or denied by the joint committee on transportation oversight during that legislative session.

5. The department of revenue shall give notice of any proposed specialty plate in a manner reasonably calculated to advise the public of such proposal. Reasonable notice shall include posting the proposal for the specialty plate on the department's official public website, and making available copies of the specialty plate application to any representative of the news media or public upon request and posting the application on a bulletin board or other prominent public place which is easily accessible to the public and clearly designated for that purpose at the principal office.

6. Adequate notice conforming with all the requirements of subsection 5 of this section shall be given not less than four weeks, exclusive of weekends and holidays when the facility is closed, after the submission of the application by the organization to the department of revenue. Written or electronic testimony in support or opposition of the proposed specialty plate shall be submitted to the department of revenue by November thirtieth of the year of filing of the original proposal. All written testimony shall contain the printed name, signature, address, phone number, and email address, if applicable, of the individual giving the testimony.

7. The department of revenue shall submit for approval all applications for the development of specialty plates to the joint committee on transportation oversight during a regular session of the general assembly for approval.

8. If the specialty license plate requested by an organization is approved by the joint committee on transportation oversight, the organization shall submit the proposed art design for the specialty license plate to the department as soon as practicable, but no later than sixty days after the approval of the specialty license plate. If the specialty license plate requested by the organization is not approved by the joint committee on transportation oversight, ninety-seven percent of the application fee shall be refunded to the requesting organization.

9. An emblem-use authorization fee may be charged by the organization prior to the issuance of an approved specialty plate. The organization's specialty plate proposal approved by the joint committee on transportation oversight shall state what fee is required to obtain such statement and if such fee is required annually or biennially, if the applicant has a two-year registration. An organization applying for specialty plates shall authorize the use of its official emblem to be affixed on multiyear personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the organization derived from the emblem-use contribution, except reasonable administrative costs, shall be used solely for the purposes of the organization. Any member of the organization or nonmember, if applicable, may annually apply for the use of the emblem, if applicable.

10. The department shall begin production and distribution of each new specialty license plate within one year after approval of the specialty license plate by the joint committee on transportation oversight.

11. The department shall issue a specialty license plate to the owner who meets the requirements for issuance of the specialty plate for any motor vehicle such owner owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

12. Each new or renewed application for an approved specialty license plate shall be made to the department of revenue, accompanied by an additional fee of fifteen dollars and the appropriate

emblem-use authorization statement.

13. The appropriate registration fees, fifteen dollar specialty plate fee, processing fees and documents otherwise required for the issuance of registration of the motor vehicle as set forth by law must be submitted at the time the specialty plates are actually issued and renewed or as otherwise provided by law. However, no additional fee for the personalization of this plate shall be charged.

14. Once a specialty plate design is approved, a request for such plate may be made any time during a registration period. If a request is made for a specialty license plate to replace a current valid license plate, all documentation, credits, and fees provided for in this chapter when replacing a current license plate shall apply.

15. A vehicle owner who was previously issued a plate with an organization emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration if required, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law.

16. Specialty license plates shall bear a design approved by the organization submitting the original application for approval by the joint committee on transportation oversight. The design shall be within the plate area prescribed by the director of revenue, and the designated organization's name or slogan shall be in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130 and as provided in this section.

In addition to a design, the specialty license plates shall be in accordance with criteria and plate design set forth in this chapter.

17. The department is authorized to discontinue the issuance and renewal of a specialty license plate if the organization has stopped providing services and emblem-use authorization statements are no longer being issued by the organization. Such organizations shall notify the department immediately to discontinue the issuance of a specialty plate.

18. The organization that requested the specialty license plate shall not redesign the specialty personalized license plate unless such organization pays the director in advance all redesigned plate fees. All plate holders of such plates must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty plate. All other applicable license plate fees in accordance with this chapter shall be required."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 8, Section 144.030, Line 36, by removing the opening and closing brackets "**[ ]**" around the phrase "motor vehicles," on said line; and

Further amend said bill, Page 9, Section 144.030, Line 64, by inserting after the word, "state" the following, "**, including any titled manufacturing or mining equipment,**"; and

Further amend said bill, Section 301.010, Page 27, Line 283, by inserting after all of said section and

line the following:

"**301.4036. 1. Notwithstanding any other provision of law, any member of the National Wild Turkey Federation, after an annual payment of an emblem-use fee to the National Wild Turkey Federation, may receive personalized specialty license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The National Wild Turkey Federation hereby authorizes the use of its official emblem to be affixed on multiyear personalized specialty license plates as provided in this section. Any contribution to the National Wild Turkey Federation derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the National Wild Turkey Federation. Any member of the National Wild Turkey Federation may annually apply for the use of the emblem.**

2. Upon annual application and payment of a fifteen dollar emblem-use contribution to the National Wild Turkey Federation, the National Wild Turkey Federation shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a fifteen-dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a personalized specialty license plate which shall bear the emblem of the National Wild Turkey Federation. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, and prescribed by section 301.130. In addition, upon each set of license plates shall be inscribed, in lieu of the words "SHOW-ME STATE", the words "National Wild Turkey Federation". Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalized specialty plates issued under this section.

3. A vehicle owner who was previously issued a plate with the National Wild Turkey Federation's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the National Wild Turkey Federation's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a National Wild Turkey Federation specialty plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such personalized specialty license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates."; and

Further amend said bill, Page 39, Section 302.768, Line 56, by inserting after all of said section and

line the following:

"303.200. After consultation with insurance companies authorized to issue automobile liability policies in this state, the director of the department of insurance, financial institutions and professional registration shall approve a reasonable plan or plans for the equitable apportionment among such companies of applicants for such policies and for motor vehicle liability policies who are in good faith entitled to but are unable to procure such policies through ordinary methods. When any such plan has been approved, all such insurance companies shall subscribe thereto and participate therein. **Any such plan shall contract with an entity or entities to accept and service applicants and policies for any company that does not elect to accept and service applicants and policies. By October 1 of each year any company that elects to accept and service applicants and policies for the next calendar year for any such plan shall so notify the plan. Any company that does not so notify a plan shall be excused form accepting and servicing applicants and policies for the next calendar year for such plan and shall pay a fee to the plan or servicing entity for providing such services. The fee shall be based on the company's market share on the kinds of insurance offered by the plan.** Any applicant for any such policy, any person insured under any such plan, and any insurance company affected, may appeal to the director from any ruling or decision of the manager or committee designated to operate such plan. Any person aggrieved hereunder by any order or act of the director may, within ten days after notice thereof, file a petition in the circuit court of the county of Cole for a review thereof. The court shall summarily hear the petition and may make any appropriate order or decree."; and

Further amend said bill, Section 577.606, Line 21, Page 52, by inserting after all of said section and line the following:

"**Section 1. 1. Any member of the National Rifle Association, after an annual payment of an emblem-use authorization fee to the National Rifle Association, may receive special license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The National Rifle Association hereby authorizes the use of its official emblem to be affixed on multi-year personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the National Rifle Association derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the National Rifle Association. Any member of the National Rifle Association may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the National Rifle Association, that organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special license plate which shall bear the emblem of the National Rifle Association and the words "National Rifle Association" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the

personalization of license plates pursuant to this section.

3. A vehicle owner who was previously issued a plate with the National Rifle Association emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 39, Section 302.768, Line 56 by inserting after said line the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				

7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000

38	60,000	67,500	72,000	77,000
39	60,000	68,000	72,500	77,500
40	60,000	68,500	73,000	78,000
41	60,000	69,500	73,500	78,500
42	60,000	70,000	74,000	79,000
43	60,000	70,500	75,000	80,000
44	60,000	71,500	75,500	80,000
45	60,000	72,000	76,000	80,000
46	60,000	72,500	76,500	80,000
47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of

vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in **[**subsection**]** **subsections** 9 **and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. **(1)** Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log trucks as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds **[**while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36**]**. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**

(2) Any vehicle hauling greater than eighty thousand pounds under the provisions of this subsection, shall apply yearly to the department of transportation for a permit and upon payment of a twenty-five dollar fee, the department shall grant the applicant a permit. Upon renewal of the permit, an applicant shall submit to the department a list of roads traveled and the number of miles traveled on each road during the year.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system.";

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Pages 15 to 19, Section 260.392, by deleting all of said section and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The

fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each **[**cask transported**]** **truck transporting** through or within the state **[**by truck of**]** high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All **[**casks**]** **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments **[**transported by truck**]** are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 2, Line 23, by inserting after all of said line the following:

"Further amend said bill, Section 577.606, Page 52, Line 21, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 2, Line 22, by inserting after all of said line the following:

"Further amend said bill, Page 39, Section 302.768, Line 56, by inserting after all of said section and line the following:

"304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles**, except that each municipality shall allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize a municipality to limit the use of all routes in the municipality;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle;

5. No ordinance shall deny the use of commercial vehicles on all routes within the municipality. For purposes of this section, the term route shall mean any state road, county road, or public street, avenue, boulevard, or parkway."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 27, Section 301.010, Line 283, by inserting after all of said line the following:

"**301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute No. 2 for Senate Committee

Substitute for Senate Bill No. 480 Page 1, Line 11, by inserting after the word "**residence**" the phrase "**or property owned or leased by the operator**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 39, Section 302.768, Line 56, by inserting after all of said section and line the following:

"**304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:**

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a

recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 40, Section 306.532, Lines 1-8, by deleting all of said lines and inserting in lieu thereof the following:

"306.532. Effective **[**January 1, 2011**] August 28, 2012**, the certificate of title for a new outboard motor shall designate the year the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW". **Any outboard motor manufactured on or after July first of any year shall be labeled with the "Year Manufactured" with the calendar year immediately following the year manufactured unless the manufacturer indicates a specific model or program year**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 27, Section 301.010, Line 283, by inserting after all of said line the following:

"302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to

disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction. If the court finds that the petitioner has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has been convicted twice within a five-year period of violating state law, or a county or municipal ordinance, of driving while intoxicated, or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023, or who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. The director shall not issue a license to such person for five years from the date such person was convicted or pled guilty for involuntary manslaughter while operating a motor vehicle in an intoxicated condition or for driving while intoxicated or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023 for the second time;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. **The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.** The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above**

the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.

Further amend said bill, Pages 27 through 31, Section 302.304, by deleting all of said section and inserting in lieu thereof the following:

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension. Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated**. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated.**

Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, **or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,** the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the armed forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections

302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less

two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

(b) Seeking medical treatment for such operator;

(c) Attending school or other institution of higher education;

(d) Attending alcohol or drug treatment programs;

(e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, **or a license revocation under paragraph (h) of subdivision (6) of this subsection,** until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. **The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.**

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving

record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; **[**or**]**

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed **the first forty-five days of** such revocation**, provided the person is not otherwise ineligible for a limited driving privilege**.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has

served at least **[**three years**] forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**three years**] forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**two years**] forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**two years**] forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void."; and

Further amend said bill, Page 32, Section 302.341, Line 46, by inserting after all of said line the following:

"302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.

If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section**. If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated**;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction

in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Page 52, Section B, Line 7, by inserting after all of said line the following:

"Section C. The repeal and reenactment of sections 302.304, 302.309, and 302.525 shall become effective July 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Section A, Line 5, by inserting after all of said section, the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the

county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy**.

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; **[**and**]**

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .

Owner's telephone number and mailing address: . . . . . .

If signer is different from owner:

Name of signer: . . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: . . . . . .

If the owner is an individual, state if owner is single or married: . . . . . .

If owner is not an individual, state what type of entity: . . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned: . . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above. . . . . .

. . . . . .

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF . . . . .)

Before me personally appeared . . . . . ., to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this . . . . . day of . . . . . (month), ... (year).

. . . . . .

Notary Public

My Commission Expires: . . . . . **; and**

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the

proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective

date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Line 7, by inserting after all of said line, the following:

"Further amend said bill, page, section, and line, by inserting all of said line, the following:

"**227.510. The portion of Interstate 29 in Platte County, from the intersection of Missouri 273/371 north to the intersection of Route U/E shall be designated the "Trooper Fred F. Guthrie Jr. Memorial Highway". Costs for such designation shall be paid by private donations.**"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Line 25, by inserting after all of said line the following:

"Further amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 27, Section 301.010, Line 283, by inserting after all of said section and line the following:

"301.3161. 1. **Notwithstanding any other provision of law to the contrary,** any person may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual contribution of twenty-five dollars to the Cass County collector of revenue. Any contribution derived from this section, except reasonable administrative costs, shall be distributed within the county as follows:

(1) **[**Eighty**]** **Seventy** percent to public safety; **[**and**]**

(2) **Fifteen percent to the Cass County Historical Society; and**

(3) [Twenty**]** **Fifteen** percent to the Cass County parks and recreation **[**department**]**.

2. Upon annual application and payment of twenty-five dollars the county shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a **[**personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" in the place of the words "SHOW-ME STATE"**]** **speciality personalized license plate which shall bear the emblem of the Cass County Burnt District and the words "CASS COUNTY -- THE BURNT DISTRICT" at the bottom of the plate in a manner prescribed by the director of revenue**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly

visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for personalization of license plates under this section.

3. **[**The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void**] Prior to the issuance of a specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.**

4. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 15, Section 144.030, Line 287, by after all of said section and line inserting the following:

"**227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.**"

Further amend said bill Page 27, Section 301.010, Line 283, by after all of said section and line inserting the following:

"301.3163. Any person may apply for **[**special**] specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**] specialty personalized** license plates on a

form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**] director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**] centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. "; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 673**, entitled:

An Act to repeal sections 136.055, 301.030, 301.032, 301.130, 301.140, 301.142, 301.160, 301.290, 301.300, 301.301, 301.302, 302.020, 302.130, 302.132, and 302.173, RSMo, and to enact in lieu thereof fifteen new sections relating to motor vehicle licensing and registration, with penalty provisions and effective dates for certain sections.

With House Amendment Nos. 1, 2, 3, 4, 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment No. 7, 8, 9, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 10, as amended, House Amendment Nos. 11, 12 and 13.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 20, Section 302.020, Lines 17-19, by deleting all of said lines; and

Further amend said bill and section, by renumbering subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7, by inserting after all of said section and line the following:

"301.580. 1. The department of revenue may issue special event motor vehicle auction licenses under the provisions of this section. For purposes of this section, a "special event motor vehicle auction" is a motor vehicle auction which:

(1) Ninety percent of the vehicles being auctioned are at least ten years old or older;

(2) The licensee shall auction no more than three percent of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners; and

(3) The duration is no more than three consecutive calendar days and is held no more than three times in a calendar year by a licensee.

2. A special event motor vehicle auction shall be considered a public motor vehicle auction for purposes of sections 301.559 and 301.564.

3. Special event motor vehicle auction licensees shall be exempt from the requirements of section 301.560, with the exception of subdivision (4) of subsection 1 of section 301.560.

4. An application for a special event motor vehicle auction license must be received by the department at least ninety days prior to the beginning of the special event auction.

5. Applicants for a special motor vehicle auction are limited to no more than three special event auctions in any calendar year. A separate application is required for each special event motor vehicle auction.

6. At least ninety percent of the vehicles being auctioned at a special event motor vehicle auction shall be ten years old or older. The licensee shall, within ten days of the conclusion of a special event motor vehicle auction, submit a report in the form approved by the director to the department that includes the make, model, year, and vehicle identification number of each vehicle included in the auction. Every vehicle included in the special event auction shall be listed, including those vehicles that were auctioned and sold and those vehicles that were auctioned but did not sell. Violation of this subsection is a class A misdemeanor.

7. The applicant for the special event motor vehicle auction shall be responsible for ensuring that a sales tax license or special event sales tax license is obtained for the event if one is required.

8. The fee for a special event motor vehicle auction license shall be one thousand dollars. For every vehicle auctioned in violation of subsection 6 of this section, an administrative fee of five hundred dollars shall be paid to the department. Such fees shall be deposited in like manner as other license fees of this section.

9. In addition to the causes set forth in section 301.562, the department may promulgate rules that establish additional causes to refuse to issue or to revoke a special event license.

10. A special motor vehicle auction shall last no more than three consecutive days.

11. The applicant for a special event motor vehicle auction shall be registered to conduct business in this state.

12. Every applicant for a special event motor vehicle auction license shall furnish with the application a corporate surety bond or an irrevocable letter of credit as defined in section 400.5-102 issued by any state or federal financial institution in the penal sum of one hundred thousand dollars on a form approved by the department. The bond or irrevocable letter of credit shall be

conditioned upon the applicant complying with the provisions of the statutes applicable to a special event auction license holder and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the revocation or denial of a special event auction license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary. The aggregate liability of the surety or financial institution to the aggrieved parties shall not exceed the amount of the bond or irrevocable letter of credit. The proceeds of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party.

13. No dealer, driveaway, auction, or wholesale plates, or temporary permit booklets, shall be issued in conjunction with a special event motor vehicle auction license.

14. Any person or entity who sells a vehicle at a special event motor vehicle auction shall provide, to the buyer, current contact information including, but not limited to, name, address, and telephone number.

15. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 2, Section 136.055, Line 47, by inserting after all of said section and line, the following:

"**227.512. The portion of Route 94 in Callaway County from one mile east of Route D to the intersection of U.S. 54 shall be designated the "AMVETS Memorial Highway". Costs for such designation shall be paid by private donation.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 20, Section 302.020, Line 40, by inserting after all of said line the following:

"302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction. If the court finds that the petitioner has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has been convicted twice within a five-year period of violating state law, or a county or municipal ordinance, of driving while intoxicated, or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023, or who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. The director shall not issue a license to such person for five years from the date such person was convicted or pled guilty for involuntary manslaughter while operating a motor vehicle in an intoxicated condition or for driving while intoxicated or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023 for the second time;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom

the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. **The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.** The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible."; and

Further amend said bill, Page 25, Section 302.173, Line 66, by inserting after all of said line the following:

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension. Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated**. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations**.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, **or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,** the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's

license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the armed forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or

rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

(b) Seeking medical treatment for such operator;

(c) Attending school or other institution of higher education;

(d) Attending alcohol or drug treatment programs;

(e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, **or a license revocation under paragraph (h) of subdivision (6) of this subsection,** until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. **The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall**

have photo identification technology and global positioning system features.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; **[**or**]**

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed

the first forty-five days of such revocation**, provided the person is not otherwise ineligible for a limited driving privilege**.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**three years**] forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**three years**] forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**two years**] forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**two years**] forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.

If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section**. If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated**;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Page 25, Section C, Line 2, by inserting after all of said line the following:

"Section D. The repeal and reenactment of sections 302.304, 302.309, and 302.525 of this act shall become effective July 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page

25, Section 302.173, Line 66, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 8, Line 13, by inserting after the word "**residence**" on said line, the phrase "**or property owned or leased by the operator**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 2, Section 136.055, Line 47, by inserting after all of said section and line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers

but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways

described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is **[**sixty**] sixty-four** inches or less in width, with an unladen dry weight of **[**one**] two** thousand **[**eight hundred fifty**]** pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on

a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, Page 25, Section 302.173, Line 66, by inserting after all of said section and line the following:

"**304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:**

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this

section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 17, Section 301.142, Line 215 by inserting after said line the following:

"301.143. 1. As used in this section, the term "vehicle" shall have the same meaning given it in section 301.010, and the term "physically disabled" shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard** issued pursuant to section 301.071 or 301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard** issued pursuant to section 301.071 or 301.142. Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and may also include any appropriate wording such as "Accessible Parking" to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard**. The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "$50 to $300 fine.". **[**Beginning August 28, 2011, When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot, one in every four accessible spaces, but not less than one, shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto.**] When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot with twenty-five or more parking spaces, the parking lot and accessible signs shall meet the minimum requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto, for the number of required accessible parking spaces, which shall not be less than one, and shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "van accessible". If any accessible space is one hundred thirty-two inches wide or wider, then the adjacent access aisle shall be a minimum of sixty inches wide. If any accessible space is less than one hundred thirty-two inches wide, then the adjacent access aisle shall be a minimum of ninety-six inches wide.**

3. Any political subdivision, by ordinance or resolution, and any person or corporation in lawful possession of a public off-street parking facility or any other owner of private property may designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing license plate or

[card**] placard** issued pursuant to section 301.071 or 301.142 as close as possible to the nearest accessible entrance. Such designation shall be made by posting immediately adjacent to, and visible from, each space, a sign upon which is inscribed the international symbol of accessibility, and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard**.

4. The local police or sheriff's department may cause the removal of any vehicle not displaying a distinguishing license plate or **[**card**] placard** on which is inscribed the international symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or **[**card**] placard** issued by any other state from a space designated for physically disabled persons if there is posted immediately adjacent to, and readily visible from, such space a sign on which is inscribed the international symbol of accessibility and may include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard**. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a **[**card**] placard** is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars. Any vehicle which has been removed and which is not properly claimed within thirty days thereafter shall be considered to be an abandoned vehicle.

5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated by political subdivisions in residential areas for the exclusive use of vehicles displaying a distinguishing license plate or **[**card**] placard** issued pursuant to section 301.071 or 301.142 shall meet the requirements of the federal Americans with Disabilities Act pursuant to this subsection and any such space shall have clearly and visibly painted upon it the international symbol of accessibility **[**and any curb adjacent to the space shall be clearly and visibly painted blue**]**.

6. Any person who, without authorization, uses a distinguishing license plate or **[**card**] placard** issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority of this section shall be guilty of a class B misdemeanor.

7. Law enforcement officials may enter upon private property open to public use to enforce the provisions of this section and section 301.142, including private property designated by the owner of such property for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard** issued pursuant to section 301.071 or 301.142.

8. Nonconforming signs or spaces otherwise required pursuant to this section which are in use prior to August 28, 2011, shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or spaces be extended by means other than those means used to maintain any sign or space on the owner's property which is not used for vehicles displaying a disabled license plate.

9. Beginning August 28, 2011, all new signs erected under this section shall not contain the words "Handicap Parking" or "Handicapped Parking".**"**; and

Further amend said bill, Page 25, Section C, Line 2 by inserting after said line the following:

"Section D. Because immediate action is necessary to ensure compliance with the federal Americans With Disabilities Act, the repeal and reenactment of section 301.143 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 301.143 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7, by inserting after all of said section and line the following:

"301.3161. 1. **Notwithstanding any other provision of law to the contrary,** any person may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual contribution of twenty-five dollars to the Cass County collector of revenue. Any contribution derived from this section, except reasonable administrative costs, shall be distributed within the county as follows:

(1) **[**Eighty**]** **Seventy** percent to public safety; **[**and**]**

(2) **Fifteen percent to the Cass County Historical Society; and**

(3) [Twenty**]** **Fifteen** percent to the Cass County parks and recreation **[**department**]**.

2. Upon annual application and payment of twenty-five dollars the county shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a **[**personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" in the place of the words "SHOW-ME STATE"**]** **speciality personalized license plate which shall bear the emblem of the Cass County Burnt District and the words "CASS COUNTY -- THE BURNT DISTRICT" at the bottom of the plate in a manner prescribed by the director of revenue**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for personalization of license plates under this section.

3. **[**The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void**]** **Prior to the issuance of a specialty personalized plate authorized under this section, the department of revenue**

must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

4. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 4, Section 136.055, Line 41, by after all of said section and line inserting the following:

"**227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.**"; and

Further amend said bill, Page 19, Section 301.302, Line 7, by after all of said section and line inserting the following:

"301.3163. Any person may apply for **[**special**] specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**] specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**] director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**] centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the**

personalization of license plates issued under this section. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend said bill Page 25, Section 302.173, Line 66, by inserting after the word "**revenue**" on said line the phrase "**and deposited into the state road fund**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 10

Amend House Amendment No. 10 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 1, Line 7, by inserting after all of said line, the following:

"Further amend said bill, Page 2, Section 136.055, Line 47, by inserting after all of said section and line, the following:

"**227.511. A portion of Business Route 54 within the city limits of Mexico, in Audrain County, shall be designated the "Christopher S. 'Kit' Bond Highway". Costs for such designation shall be paid by private donation.**"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 2, Section 136.055, Line 47, by inserting after all of said section and line the following:

"**227.501. The portion of highway 5 between the city of Ava and the city of Mansfield shall be designated the "Missouri Fox Trotting Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs for such designation to be paid for by private donation.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7, by inserting after all of said section and line the following:

"**301.4038. Any person who has received a Navy Cross awarded under Section 6242 of Title 20 of the United States Code may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Navy Cross as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the advisory committee established in section 301.129, with the words "NAVY CROSS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with**

a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the Navy Cross. There shall be an additional fee charged for each set of Navy Cross license plates issued under this section equal to the fee charged for personalized license plates. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 17, Section 301.160, Line 6, by inserting after all of said section and line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number ....." (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be **[**displayed**] a plate or,** on each side of such motor vehicle, **[**in**]** letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no. ....." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable

certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 17, Section 301.160, Line 6, by inserting after all of said line the following:

"301.193. 1. Any person who purchases or is the owner of real property on which vehicles, as defined in section **[**301.011**]** **301.010**, vessels or watercraft, as defined in section 306.010, or outboard motors, as that term is used in section 306.530, have been abandoned, without the consent of said purchaser or owner of the real property, may apply to the department of revenue for a certificate of title. Any insurer which purchases a vehicle through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make an application to the department of revenue for a salvage certificate of title pursuant to this section. Prior to making application for a certificate of title on a vehicle under this section, the insurer or owner of the real estate shall have the vehicle inspected by law enforcement pursuant to subsection 9 of section 301.190, and shall have law enforcement perform a check in the national crime information center and any appropriate statewide law enforcement computer to determine if the vehicle has been reported stolen and the name and address of the person to whom the vehicle was last titled and any lienholders of record. The insurer or owner or purchaser of the real estate shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle by certified mail that the owner intends to apply for a certificate of title from the director for the abandoned vehicle. The application for title shall be accompanied by:

(1) A statement explaining the circumstances by which the property came into the insurer, owner or purchaser's possession; a description of the property including the year, make, model, vehicle identification number and any decal or license plate that may be affixed to the vehicle; the current location of the property; and the retail value of the property;

(2) An inspection report of the property, if it is a vehicle, by a law enforcement agency pursuant to subsection 9 of section 301.190; and

(3) A copy of the thirty-day notice and certified mail receipt mailed to any owner and any person holding a valid security interest of record.

2. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue, or initiate an inquiry with another state, if the evidence presented indicated the property described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. If the latest owner or lienholder was not notified the director shall inform the insurer, owner, or purchaser of the real estate of the latest owner and lienholder

information so that notice may be given as required by subsection 1 of this section. Any owner or lienholder receiving notification may protest the issuance of title by, within the thirty-day notice period and may file a petition to recover the vehicle, naming the insurer or owner of the real estate and serving a copy of the petition on the director of revenue. The director shall not be a party to such petition but shall, upon receipt of the petition, suspend the processing of any further certificate of title until the rights of all parties to the vehicle are determined by the court. Once all requirements are satisfied the director shall issue one of the following:

(1) An original certificate of title if the vehicle examination certificate, as provided in section 301.190, indicates that the vehicle was not previously in a salvaged condition or rebuilt;

(2) An original certificate of title designated as prior salvage if the vehicle examination certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged condition or rebuilt;

(3) A salvage certificate of title designated with the words "salvage/abandoned property" or junking certificate based on the condition of the property as stated in the inspection report. An insurer purchasing a vehicle through the claims adjustment process under this section shall only be eligible to obtain a salvage certificate of title or junking certificate.

3. Any insurer which purchases a vehicle that is currently titled in Missouri through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make application to the department of revenue for a salvage certificate of title or junking certificate. Such application may be made by the insurer or its designated salvage pool on a form provided by the department and signed under penalty of perjury. The application shall include a declaration that the insurer has made at least two written attempts to obtain the certificate of title, transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims payment from the insurer, evidence that letters were delivered to the vehicle owner, a statement explaining the circumstances by which the property came into the insurer's possession, a description of the property including the year, make, model, vehicle identification number, and current location of the property, and the fee prescribed in subsection 5 of section 301.190. The insurer shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle that the insurer intends to apply for a certificate of title from the director for the vehicle. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue to verify the name and address of any owners and any lienholders. After thirty days from receipt of the application, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the insurer."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

Senator Lembke moved that **HCS** for **HB 1865**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HB 1865** was again taken up.

Senator Green offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1865, Page 24, Section 67.3005, Line 17, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment

attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems,** licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred

thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and

such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment

area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the

industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his

or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

99.848. **[**Notwithstanding subsection 1 of section 99.847,**]** Any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment. **The ambulance district board or fire protection board shall set the percentage of the district's reimbursement prior to any funds being deposited in the special allocation fund.** This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004."; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Keaveny offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House

Bill No. 1865, Page 65, Section 253.550, Line 1, by striking "seventy-five" and inserting in lieu thereof "**one-hundred forty**".

Senator Keaveny moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Callahan, Engler, Justus and McKenna.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Curls	Keaveny	Schaefer—3

NAYS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey	Dixon	Engler	Goodman
Green	Justus	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schmitt	Stouffer	Wasson	Wright-Jones—28				

Absent—Senators

Cunningham	Nieves	Purgason—3

Absent with leave—Senators—None

Vacancies—None

Senator Dempsey offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1865, Page 2, Section 67.095, Line 27, by inserting after the word "either" the following: "**an ordinance, or**".

Senator Dempsey moved that the above amendment be adopted, which motion prevailed.

Senator Lembke offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1865, Page 63, Section 253.550, Line 27, by striking the words: "but before the effective date of this act,".

Senator Lembke moved that the above amendment be adopted, which motion prevailed.

Senator Schaefer offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1865, Page 26, Section 135.090, Line 15, by striking the number "2014" and inserting in lieu thereof the following: "**2018**"; and

Further amend said bill, section 135.327, page 33, line 19 by striking the number "2013" and inserting in lieu thereof the following: "**2018**"; and

Further amend said bill, section 135.562, page 40, line 26 by striking the number "2014" and inserting in lieu thereof the following: "**2018**"; and

Further amend said bill, section 135.630, page 45, line 26 by striking the number "2013" and inserting in lieu thereof the following: "**2018**"; and

Further amend said bill, section 135.647, page 49, line 1 by striking the number "2014" and inserting in lieu thereof the following: "**2018**"; and

Further amend said bill, section 135.1150, page 58, line 5 by striking the number "2013" and inserting in lieu thereof the following: "**2018**"; and

Further amend said bill, section 135.1180, page 62, line 4 by striking the number "2016" and inserting in lieu thereof the following: "**2018**".

Senator Schaefer moved that the above amendment be adopted, which motion failed.

Senator Lembke moved that **SS** for **SCS** for **HCS** for **HB 1865**, as amended, be adopted, which motion prevailed.

On motion of Senator Lembke, **SS** for **SCS** for **HCS** for **HB 1865**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Justus	Keaveny	Schaefer—3

Absent—Senators

Cunningham	Nieves	Purgason—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Justus	Keaveny	Schaefer—3

Absent—Senators

Cunningham Nieves Purgason—3

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

On motion of Senator Dempsey, the Senate recessed until 3:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Crowell.

RESOLUTIONS

Senator Pearce offered Senate Resolution No. 2209, regarding Rebecca "Becki" Glawe, Peoria, Illinois, which was adopted.

Senator Pearce offered Senate Resolution No. 2210, regarding Michaela Martinez, Jefferson City, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 2211, regarding Dr. Cheryl Compton, which was adopted.

Senator Nieves offered Senate Resolution No. 2212, regarding Truman Hobert Loberg, which was adopted.

Senator Schaaf offered Senate Resolution No. 2213, regarding Joseph L. Richey, Parkville, which was adopted.

Senator Schaaf offered Senate Resolution No. 2214, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Gary Colvin, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 2215, regarding the Sixty-fifth Wedding Anniversary of Mr. and Mrs. Marvin White, St. Joseph, which was adopted.

Senator Kraus offered Senate Resolution No. 2216, regarding John Hansen, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 2217, regarding the Hope House, which was adopted.

Senator Kraus offered Senate Resolution No. 2218, regarding Cartridge World-Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 2219, regarding Weed Man-Turf's Up, Incorporated, which was adopted.

Senator Kraus offered Senate Resolution No. 2220, regarding ReDiscover, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the conferees on **HCS** for **SCS** for **SB 635**, as amended are allowed to exceed the differences by correcting a reference to the date of the filing of the consent decree in U.S.A. and State of Missouri v. Doe Run Resources Corporation.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 749**, entitled:

An Act to repeal section 376.1199, RSMo, and to enact in lieu thereof ten new sections relating to the protection of the religious beliefs and moral convictions of certain persons and entities.

With House Amendment Nos. 1, 2, 3 and 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 7, Section 376.1199, Line 78, by inserting opening and closing brackets around the word "and"; and

Further amend said bill, section and page, Line 80 by inserting immediately after the second occurrence of the word "contraceptives" the following:

"**;**

(4) Whether an optional rider for elective abortions has been purchased by the group contract holder pursuant to section 376.805; and

(5) That an enrollee who is a member of a group health plan with coverage for elective abortions has the right to exclude and not pay for coverage for elective abortions if such coverage is contrary to his or her moral, ethical or religious beliefs. For purposes of this subsection, if new premiums are charged for a contract, plan or policy, it shall be determined to be a new contract, plan or policy"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 2, Section 191.724, Line 17, by inserting after all of said line the following:

"**4. Whenever the attorney general has a reasonable cause to believe that any person or entity or group of persons or entities is being, has been, or is threatened to be, denied any of the rights granted by this section or other law that protects the religious beliefs or moral convictions of such persons or entities, and such denial raises an issue of general public importance, the attorney general may bring a civil action in any appropriate state or federal court. Such complaint shall set forth the facts and request such appropriate relief, including, but not limited to, an application for a permanent or temporary injunction, restraining order, mandamus, an order under the federal Administrative Procedure Act, Religious Freedom Restoration Act, or other federal law, an order under section 1.302 relating to free exercise of religion, or other order against the governmental entity, public official, or entity acting in a governmental capacity responsible for such denial or threatened denial of rights, as the attorney general deems necessary to ensure the full enjoyment of the rights granted by law. Nothing contained herein shall preclude a private cause of action**

against a governmental entity, public official, or entity acting in a governmental capacity by any person or entity or group of persons or entities aggrieved by a violation of this section or other law that protects the religious beliefs or moral convictions of such persons or entities, or be considered a limitation on any other remedy permitted by law. A court may order any appropriate relief, including recovery of damages, payment of reasonable attorney's fees, costs, and expenses."; and

Further amend said bill, Page 8, Section 338.255, Line 3, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to preserve the religious freedom and moral convictions of persons and entities who provide or obtain health plans or health care for themselves, their employees, patients or others, and because certain actions by the federal government threaten the obtaining or providing of such health plans and health care as of August 1, 2012, section 191.724 is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 191.724 shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"**191.334. 1. This section shall be known and may be cited as "Chloe's Law".**

2. By January 1, 2013, the department of health and senior services shall expand the newborn screening requirements in section 191.331 to include critical congenital heart disease, using a test approved by the department, prior to discharge of the newborn from the health care facility.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited

to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) **[**Copying**] Search and retrieval**, in an amount not more than **[**twenty-one**] twenty-two** dollars and **[**thirty-six cents**] one cent** plus **copying in an amount of** fifty **two** cents per page for the cost of supplies and labor plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty dollars, as adjusted annually pursuant to subsection 5 of this section; or

(b) **[**If the health care provider stores records in an electronic or digital format, and provides the requested records and affidavit, if requested, in an electronic or digital format, not more than five dollars plus fifty cents per page or twenty-five dollars total, whichever is less**] The records shall be furnished electronically upon payment of the search, retrieval and copying fees set under this section at the time of the request or one hundred dollars total, whichever is less, if such person:**

a. Requests health records to be delivered electronically in a format of the health care provider's choice;

b. The health care provider stores such records completely in an electronic health record; and

c. The health care provider is capable of providing the requested records and affidavit, if requested, in an electronic format;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department’s internet website by February first of each year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Stouffer moved that the Senate refuse to concur in **HCS No. 2** for **SCS** for **SB 480**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Brown moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 673**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schaaf moved that the Senate refuse to recede from its position on **SS** for **SCS** for **HBs 1807**, **1093**, **1107**, **1156**, **1221**, **1261**, **1269**, **1641**, **1668**, **1737**, **1782**, **1868**, and **1878**, as amended, and request the House to take up and pass the bill, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 2099, introduced by Representative Elmer, entitled:

An Act to amend chapter 213, RSMo, by adding thereto one new section relating to the whistleblower's protection act.

Was called from the Informal Calendar and taken up by Senator Lager.

At the request of Senator Lager, **HB 2099** was placed on the Informal Calendar.

Senator Pearce moved that **HCS** for **HB 1174**, with **SCS** and **SS No. 2** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS No. 2 for **SCS** for **HCS** for **HB 1174** was again taken up.

Senator Pearce moved that **SS No. 2** for **SCS** for **HCS** for **HB 1174** be adopted, which motion prevailed.

On motion of Senator Pearce, **SS No. 2** for **SCS** for **HCS** for **HB 1174** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Nieves Ridgeway—2

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senator Chappelle-Nadal—1

Absent—Senators

Nieves Ridgeway—2

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Engler, **HB 1424** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HB 1383** was placed on the Informal Calendar.

At the request of Senator Schaefer, **HCS** for **HBs 1934** and **1654** was placed on the Informal Calendar.

At the request of Senator Pearce, **HB 1577** was placed on the Informal Calendar.

At the request of Senator Pearce, **HB 1131** was placed on the Informal Calendar.

At the request of Senator Goodman, **HB 1114** was placed on the Informal Calendar.

At the request of Senator Justus, **HB 1804** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HB 1324**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Brown, **HCS** for **HB 1442** was placed on the Informal Calendar.

At the request of Senator Parson, **HCS** for **HB 1869**, with **SCA 1**, was placed on the Informal Calendar.

HCS for **HB 1526**, entitled:

An Act to repeal sections 168.124, 168.221, and 168.291, RSMo, and to enact in lieu thereof two new sections relating to school personnel.

Was taken up by Senator Rupp.

Senator Rupp offered **SS** for **HCS** for **HB 1526**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1526

An Act to repeal sections 168.124, 168.221, and 168.291, RSMo, and to enact in lieu thereof two new sections relating to school personnel.

Senator Rupp moved that **SS** for **HCS** for **HB 1526** be adopted.

Senator Schmitt assumed the Chair.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 1526, Page 3, Section 168.124, Line 7, by inserting after all of said line the following:

"168.128. **1. As used in this section, the following terms shall mean:**

(1) "Teacher effectiveness", teacher effects on student learning, graduation rates, and student attitudes, behavior, motivation, and well-being;

(2) "Teacher performance", classroom activities, interaction between students and teachers, learning activities outside the classroom, and teacher activities in the school and the community;

(3) "Teacher quality", personal traits, skills, and understandings, including education, experience, credentials, content knowledge, pedagogical knowledge, and understanding of learners and their learning and development.

2. The board of education of each school district shall maintain records showing periods of service, dates of appointment, and other necessary information for the enforcement of sections 168.102 to 168.130. **[**In addition, the board of education of each school district shall cause a comprehensive, performance-based evaluation for each teacher employed by the district. Such evaluations shall be ongoing and of sufficient specificity and frequency to provide for demonstrated standards of competency and academic ability.**]**

3. The board of education of each school district and each charter school shall establish and maintain a high-quality, productive evaluation system for teachers and teaching. The evaluation system shall be established in collaboration with evaluators of instruction and teachers in the district or charter school. The board of each district or charter school shall adopt and maintain a plan to commit sufficient resources to properly implement the evaluations.

4. The evaluation system shall include formative performance reviews to provide feedback to teachers focused on instructional improvement and shall include summative evaluations. The system may include annual formative performance reviews for all teachers and shall include annual summative evaluations for probationary teachers and summative evaluations of all teachers no less often than once every three years.

5. The evaluation system shall evaluate teacher quality, teacher performance, and teacher effectiveness and use multiple, valid, reliable, and objective measures that are well understood by

teachers and evaluators. The evaluation system shall place emphasis on demonstrating achievement of the district's teaching standards as prescribed in section 160.045.

6. The board of education shall provide sufficient high-quality, ongoing training for evaluators and routinely calibrate their efforts using independent evaluators to ensure consistent application of criteria.

7. All evaluations shall be maintained in the teacher's personnel file at the office of the board of education. A copy of each evaluation shall be provided to the teacher and appropriate administrator. **[**The state department of elementary and secondary education shall provide suggested procedures for such an evaluation.**] A district shall be prohibited from disclosing individual teacher and administrator evaluation information to any state or federal agency.**"; and

Further amend said bill, page 8, section 168.221, line 4, by inserting after all of said line the following:

"**168.310. 1. Each local school district and charter school shall develop guidelines for professional improvement plans for teachers and principals no later than June 30, 2013. The standards shall be applicable to all public schools including charter schools and shall be developed to promote the ongoing development of knowledge and skills of teachers and principals. In developing such guidelines, the districts and charter schools shall involve teachers chosen by the district teaching staff, administrators, and others.**

2. The purpose of the professional improvement plan is to assist the teacher in obtaining a satisfactory level of performance on any criterion as identified in subdivision (1) of subsection 3 of this section.

3. The process for development and implementation of improvement plans shall include but not be limited to the following:

(1) Identification of the performance-based teacher evaluation standard that needs improvement. Evaluation guidelines shall include but not be limited to the following criteria:

(a) Students of the teacher demonstrate appropriate progress that results in increased achievement;

(b) The teacher delivers the district curriculum utilizing effective instructional strategies;

(c) The teacher creates an effective learning environment that results in student engagement; and

(d) The teacher demonstrates reflective and positive collaborative practices resulting in improved instructional practice and attainment of board of education goals;

(2) Selection of specific criteria that the teacher needs to improve. These criteria shall be taken from the locally developed performance-based teacher evaluation required under section 168.128;

(3) Clearly defined obtainable goals based on SMART principles:

(a) S -- specific, sustainable;

(b) M -- measurable, meaningful;

(c) A -- attainable, agreed upon;

(d) R -- results-oriented, realistic;

(e) T -- time-based, trackable;

(4) Clearly defined obtainable objectives and procedures for achieving the objectives. The procedures for obtaining objectives shall include but not be limited to:

(a) A plan to expand the teacher's knowledge base;

(b) A plan for implementation;

(c) An analysis of the plan's impact on the teacher's performance and student success; and

(d) Target dates."; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

At the request of Senator Rupp, **HCS** for **HB 1526**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HB 1251,** with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

Senator Parson moved that **HB 1170**, with **SCS**, **SS** for **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Parson, **SS** for **SCS** was withdrawn, rendering the pending amendment moot.

Senator Parson offered **SS No. 2** for **SCS** for **HB 1170**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1170

An Act to repeal sections 37.850, 67.463, 67.469, 67.1018, 67.1521, 67.2500, 67.2510, 92.338, 99.845, 135.215, 135.963, 137.016, 137.076, 177.011, 231.444, 321.460, and 610.021, RSMo, and to enact in lieu thereof nineteen new sections relating to local taxation, with an emergency clause for a certain section.

Senator Parson moved that **SS No. 2** for **SCS** for **HB 1170** be adopted.

Senator Green offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 20, Section 99.845, Line 11 of said page, by inserting immediately after "system," the following: "**taxes**

levied pursuant to subsection 2 of section 67.1712,".

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Green offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 30, Section 99.845, Line 27 of said page, by inserting immediately after said line the following:

"99.848. **[**Notwithstanding subsection 1 of section 99.847,**]** Any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment. **The ambulance district board or fire protection board shall set the percentage of the district's reimbursement prior to any funds being deposited in the special allocation fund.** This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004."; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Green offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 15, Section 92.338, Line 24, by inserting after all of said line the following:

"99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by

publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. **[**Effective January 1, 2008,**]** If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality. **Except that no municipality which is a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, or a county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, or is located in any such county, shall approve such project, plan, designation, or amendments thereto, unless a majority of the commission members vote to make a recommendation to approve such project, plan, designation, or amendments, or such municipality places the question before the qualified voters of such municipality and the question is approved by a majority of the voters voting thereon at the next regularly scheduled municipal or general election.**

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Stouffer offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 3, Section 37.850, Line 16, by inserting after all of said line the following:

"50.622. **1.** Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in

appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, 2015.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget pursuant to the terms of its charter."; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Parson moved that **SS No. 2** for **SCS** for **HB 1170**, as amended, be adopted, which motion prevailed.

On motion of Senator Parson, **SS No. 2** for **SCS** for **HB 1170**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Green	Justus
Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna	Munzlinger	Parson
Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—26						

NAYS—Senators

Brown	Crowell	Goodman	Kraus	Lembke	Purgason—6

Absent—Senator Nieves—1

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Curls	Dempsey	Dixon	Engler	Green	Justus
Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna	Munzlinger	Parson
Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer

Wasson Wright-Jones—26

NAYS—Senators

Brown Crowell Goodman Kraus Lembke Purgason—6

Absent—Senator Nieves—1

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Lamping moved that the Senate refuse to concur in **HCS** for **SS** for **SB 749**, as amend, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SCS** for **SB 631** as amended. Representatives: Reiboldt, Guernsey, Loehner, Schieffer and Taylor.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 668**, entitled:

An Act to repeal sections 64.930, 94.902, 99.845, 137.010, 140.010, 140.150, 140.170, 140.470, 140.530, and 339.501, RSMo, and to enact in lieu thereof thirteen new sections relating to property tax bills of certain counties.

With House Amendment Nos. 1, 2, 3, 4, 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 2 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment No. 8, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 9, House Substitute Amendment No. 1 for House Amendment No. 9, House Amendment Nos. 10, 11, 12, 13, 14 and 15.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 668, Page 1, In the Title, Line 4, by deleting all of said line and inserting in lieu thereof the phrase “to local government.”; and

Further amend said bill, Page 20, Section 339.501, Line 36, by inserting after all of said section and line, the following:

"483.015. 1. At the general election in the year 1982, and every four years thereafter, except as herein provided and except as otherwise provided by law, circuit clerks shall be elected by the qualified voters of each county **[**and of the city of St. Louis**]**, who shall be commissioned by the governor, and shall enter upon the discharge of their duties on the first day in January next ensuing their election, and shall hold their offices for the term of four years, and until their successors shall be duly elected and qualified, unless sooner removed from office.

2. The court administrator for Jackson County provided by the charter of Jackson County shall be selected as provided in the county charter and shall exercise all of the powers and duties of the circuit clerk of Jackson County. The director of judicial administration and the circuit clerk of St. Louis County shall be selected as provided in the charter of St. Louis County.

3. When provision is made in a county charter for the appointment of a court administrator to perform the duties of a circuit clerk or for the appointment of a circuit clerk, such provisions shall prevail over the provisions of this chapter providing for a circuit clerk to be elected. The persons appointed to fill any such appointive positions shall be paid by the counties as provided by the county charter or ordinance; provided, however, that if provision is now or hereafter made by law for the salaries of circuit clerks to be paid by the state, the state shall pay over to the county a sum which is equivalent to the salary that would be payable by law by the state to an elected circuit clerk in such county if such charter provision was not in effect. The sum shall be paid in semimonthly or monthly installments, as designated by the commissioner of administration.

4. The circuit clerk in the sixth judicial circuit and in the seventh judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in those circuits shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. This subsection shall become effective on January 1, 2004, and the elected circuit clerks in those circuits in office at that time shall continue to hold such office for the remainder of their elected terms as if they had been appointed pursuant to the terms of this subsection.

5. The circuit clerk in the twenty-second judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in such circuit shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. The elected circuit clerk in such circuit in office on the effective date of this section shall continue to hold such office for the remainder of his or her elected term."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 668, In the Title, Lines 3 by deleting from said line the phrase: "bills of certain counties"; and

Further amend said bill, Page 2, Section 64.930, Line 36, by inserting after all of said section and line the following:

"**67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**

(1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of revenue;

(6) "Eligible costs", shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this

section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly**.**

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36, by

inserting after all of said section and line the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy**.

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; **[**and**]**

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .

Owner's telephone number and mailing address: . . . . . .

If signer is different from owner:

Name of signer: . . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: . . . . . .

If the owner is an individual, state if owner is single or married: . . . . . .

If owner is not an individual, state what type of entity: . . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned: . . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above. . . . . .

. . . . . .

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF . . . . .)

Before me personally appeared . . . . . ., to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this . . . . . day of . . . . . (month), ... (year).

. . . . . .

Notary Public

My Commission Expires: . . . . . **; and**

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body**

of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not

impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 668, Page 5, Section 94.902, Line 100, by inserting after all of said section and line, the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) **"Disaster area", a blighted area located within a municipality for which public and individual assistance has been requested by the President under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., provided that the municipality adopts an ordinance approving the redevelopment project within five years**

after the President declares such disaster;

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)**] (6)** "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

(a) Discourage commerce, industry or manufacturing from moving their operations to another state; or

(b) Result in increased employment in the municipality; or

(c) Result in preservation or enhancement of the tax base of the municipality;

[(6)**] (7)** "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)**] (8)** "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)**] (9)** "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)**] (10)** "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding

obligations;

[(10)**] (11)** "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)**] (12)** "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)**] (13)** "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)**] (14)** "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)**] (15)** "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)**] (16)** "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

(a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs **and, in the case of a redevelopment area that contains a disaster area, all or a portion of a taxing district's operating costs and its debt service costs** resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

[(16)**] (17)** "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)**] (18)** "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(18)**] (19)** "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)**] (20)** "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is**:**

(a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met**; or**

(b) A blighted area in which a majority of the property is located within a disaster area;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible**, provided that, in the case of a redevelopment area that contains a disaster area, such information regarding financial feasibility may be provided by and attested to by the governing body of the municipality**;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in subsection 4 **or 15** of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special

allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction."; and

Further amend said bill, Page 13, Section 99.845, Line 290, by inserting after all of said line, the following:

"**15. Beginning August 28, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, the following revenues may be available for appropriation by the general assembly as provided in subsection 21 of this section to the Missouri supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects:**

(1) Up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the businesses within the project area and identified by the municipality in

the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect; and

(2) Any additional state revenues in excess of the amount in subdivision (1) of this subsection, to the extent requested by the department of economic development in accordance with subsection 23 of this section.

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after August 28, 2012, appropriations from the state disaster recovery revenues and any additional state revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenues described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The incremental increase in state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas in which a majority of the property is located within disaster areas.

21. The initial appropriation of state disaster recovery revenues and any additional state revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions

have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues and any additional state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The estimate of additional state revenues being requested in excess of the amount of state disaster recovery revenues in one or more fiscal years in accordance with subsection 23 of this section;

(e) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;

(f) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(g) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

(h) The estimated redevelopment project costs;

(i) The anticipated sources of funds to pay such redevelopment project costs;

(j) Evidence of the commitments to finance such redevelopment project costs;

(k) The anticipated type and term of the sources of funds to pay such redevelopment project costs;

(l) The anticipated type and terms of the obligations to be issued;

(m) The most recent equalized assessed valuation of the property within the redevelopment project area;

(n) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;

(o) The general land uses to apply in the redevelopment area;

(p) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;

(q) The total number of full-time equivalent positions in the redevelopment area;

(r) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;

(s) A list of other community and economic benefits to result from the redevelopment project;

(t) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;

(u) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(v) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(w) A market study for the redevelopment area;

(x) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;

(3) The appropriation may be made from one or more of the following sources, as approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;

(a) The estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area;

(b) The estimate of the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application; and

(c) Any additional amount requested by the department of economic development in accordance with subsection 23 of this section, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee.

(4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project and any additional state revenues shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues and any additional state revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year of additional state revenues from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 21 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

(1) The amount and source of revenue in the special allocation fund;

(2) The amount and purpose of expenditures from the special allocation fund;

(3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded

indebtedness;

(4) The original assessed value of the redevelopment project;

(5) The assessed valuation added to the redevelopment project;

(6) Payments made in lieu of taxes received and expended;

(7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include **the following:**

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; **or**

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

(8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include **the following:**

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; **or**

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area and a separate entry for any additional state revenues received in accordance with subsection 23 of section 99.845;

(9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

(10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

(11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

(12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

(13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section

and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects. Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting."; and

Further amend said bill, Page 20, Section 339.501, Line 36, by inserting after all of said section and line, the following:

"Section B. Because immediate action is necessary to provide tax relief as the result of the recent natural disasters in this state, sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 668, in the Title, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"to the regulation and taxation of property by political subdivisions."; and

Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said section and line the following:

"**188.125. 1. It is the intent of the general assembly to acknowledge the rights of an alternatives-to-abortion agency and its officers, agents, employees, and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference, and that the constitutions and laws of the United States and the state of Missouri shall be interpreted, construed, applied, and enforced to fully protect such rights.**

2. A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, controls, directs, interferes with, or otherwise adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech, including but not limited to counseling, referrals, or education of, advertising or information to, or other communications with, clients, patients, other persons, or the public.

3. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, provided that such political subdivision treats an alternatives-to-abortion agency in the same manner as a similarly situated agency and that such authority is not used to circumvent the intent of this section.

4. In any action to enforce the provisions of this section, a court of competent jurisdiction may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney's fees, costs, and expenses. The remedies set forth shall not be deemed exclusive and shall be in addition to any other remedies permitted by law.

5. As used in this section, "alternatives-to-abortion agency" means:

(1) A maternity home as defined in section 135.600;

(2) A pregnancy resource center as defined in section 135.630; or

(3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist such women in carrying their unborn children to term instead of having abortions, and to assist such women in caring for their dependent children or placing their children for adoption, as described in section 188.325."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Bill No. 668, Page 2, Line 25, by inserting after all of said line the following:

"Further amend said bill, Page 18, Section 143.115, Lines 12-13, by deleting all of said lines and inserting in lieu thereof the following:

"**Publication 320 or its successor publication in effect at the time the storm shelter was completed, and in compliance with the International Code Council 500/National Storm Shelter Association standards with the National Storm Shelter Association seal of quality verification, serial number and Certificate of Installation provided with each storm shelter that is installed, and that is made in America;**"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 668, Page 1, Section 52.225, Line 4, by inserting after all of said section and line, the following:

"57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section**[**; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence**]. The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year**, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars**[**, other than regular budget allocations or land sale proceeds,**] in any calendar year** shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 668 Page 4, Line 14, by inserting after all of said line the following:

"Further amend said bill, Section 321.228, Page 19, Lines 22-27, by deleting all of said lines and inserting in lieu thereof the following:

"**3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:**

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing

in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 668 Page 4, Line 14, by inserting after all of said line the following:

"Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said line the following:

"**144.059. 1. As used in this section, the term "'Made in USA' product" means any new product that supports a claim to be made in the United States under the policy on "Made in USA" claims enforced by the Federal Trade Commission, and that is not already exempt from state sales taxes under any provision of state law.**

2. In each year beginning on or after January 1, 2013, but ending on or before December 31, 2014, there is hereby specifically exempted from state sales tax law all retail sales of any "Made in USA" product during a seven-day period beginning at 12:01 a.m. on July first and ending at midnight on July seventh, unless July first is a Sunday. If July first is a Sunday, the seven-day period shall begin on July second and end on July eighth. The exemption provided in this section shall apply only to the first fifteen thousand dollars of each purchase of a "Made in USA" product.

3. Any political subdivision may, by order or ordinance, allow the sales tax holiday established in this section to apply to its local sales taxes. A political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance applying the sales tax holiday to its local sales taxes.

4. After adopting an order or ordinance to apply the sales tax holiday established in this section to the political subdivision's local sales taxes, a political subdivision may, by order or ordinance, rescind the order or ordinance applying the sales tax holiday to its local sales taxes. The political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance rescinding an order or ordinance to apply the sales tax holiday to its local sales taxes.

5. This section shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

6. No sale of any motor vehicle, as defined in section 301.010, shall be exempt from any sales tax under this section."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 668, Page 19, Section 143.115, Line 52, by inserting after all of said section and line, the following:

"321.015. **1.** No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to**:**

(1) Members of the organized militia, of the reserve corps, public school employees and notaries public**; [**, or to**]**

(2) Fire protection districts located wholly within counties of the second, third or fourth **[**class or**]** classification;

(3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;

(4) Fire protection districts located within **[**first class**]** counties **of the first classification** not adjoining any other **[**first class**]** county **of the first classification; [**, nor shall this section apply to**]**

(5) Fire protection districts located within any county of the first or second **[**class**]** classification not having more than nine hundred thousand inhabitants which borders any three **[**first class**]** counties **of the first classification**; **[**nor shall this section apply to**]**

(6) Fire protection districts located within any **[**first class**]** county **of the first classification [**without a charter form of government**]** which adjoins both a **[**first class**]** charter county **[**with a charter form of government**]** with at least nine hundred thousand inhabitants, and adjoins at least four other counties**;**

(7) Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof.

321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district at least one year before the election or appointment and be over the age of twenty-five years; except as provided in subsections 2 and 3 of this section. The person shall also be a resident of such fire protection district. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight

thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than one year before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

5. Any director who has been found guilty of or pled guilty to any felony offense shall immediately forfeit his or her office.

6. No person shall be qualified to serve as a director, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid or past due county taxes."; and

Further amend said bill and page, Section 321.228, Line 27, by inserting after all of said section and line, the following:

"321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part,** as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective

boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the ..... Fire Protection Districts and the ..... Fire Protection District be consolidated into one fire protection district to be known as the ..... Fire Protection District, with tax levies not in excess of the following amounts: maintenance fund ..... cents per one hundred dollars assessed valuation; ambulance service ..... cents per one hundred dollars assessed valuation; pension fund ..... cents per one hundred dollars assessed valuation; and dispatching fund ..... cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36, by inserting immediately after said Line the following:

"84.190. 1. The boards of police commissioners are hereby authorized to provide themselves with such office and office furniture, and such clerks and subordinates as they shall need; and to have and use a common seal. They may divide such cities into **[**not more than twelve nor less than nine**]** police districts, **in such number and with such boundaries as the boards deem appropriate** and provide in each of them, if necessary, a station house or houses, with all things and equipments required for the same, and all such other accommodations as may be required for the use of the police.

2. The boards, for all the purposes of sections 84.010 to 84.340, shall have the use of the fire alarm telegraph of such cities for police purposes, and all station houses, watch boxes, firearms, equipments, accoutrements and other accommodations and things provided by such cities, for the use and service of the police, as fully and to the same extent as the same are now used by or for any present police, or as fully and to the same extent as the same may be used by any police force in any of the cities to which

sections 84.010 to 84.340 may hereafter apply; and the mayor and common council or municipal assembly, and all persons and municipal officers in charge thereof, are hereby ordered and required to allow such use accordingly. In case the mayor and common council or municipal assembly of any of such cities, or its officers or agents, refuse or neglect to allow such use, as and whenever the same shall be required by the boards created by sections 84.010 to 84.340, or refuse to set aside and appropriate the revenue necessary to carry out the provisions of sections 84.010 to 84.340, or place obstructions or hindrances in the way of the proper discharge of the powers of such boards, the boards may apply to the circuit courts of the judicial circuit in which such cities may be located, in the name of the state, for a mandamus to compel a compliance with the provisions of this section, and the application thereof shall be heard and decided by the court. One week's notice of the application shall be given, and the respondent or respondents shall have the right to answer within the week; and if testimony be needed on either side, the same shall be taken within ten days after the same is filed, or the week shall be expired. From the decision in the circuit court in the premises either party may appeal within ten days; and it shall be the duty of the clerk of such courts to send up the record immediately, and the appeal shall be heard immediately by the supreme court, if then in session, and if not in session, at the next term. In both courts the case shall be taken up and tried in preference to all others."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 9

Amend House Substitute Amendment No. 1 for House Amendment No. 9 to House Committee Substitute for Senate Bill No. 668 Page 14, Line 25, by inserting after all of said line the following:

"Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said section and line, the following:

"**144.055. 1. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, supplies, parts and materials used or consumed in testing, installing, calibrating, maintaining, repairing, or restoring any machinery or equipment that is exempted from sales and use taxes in accordance with section 144.054.**

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, supplies, parts and materials used or consumed in the manufacturing, processing, preparing, furnishing, compounding, or producing of food, or used in research and development related to manufacturing, processing, preparing, furnishing, compounding or producing food. For the purposes of this subsection, the term "processing" shall mean any mode of treatment, act, or series of acts performed upon materials or food products to transform or reduce them to a different state, thing or product, including treatment necessary to

maintain or preserve such processing by the producer at the location at which the food product is produced."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 668, In the Title, Line 2, by inserting after the phrase "64.930," the phrase: " 67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill no. 1504,"; and

Further amend said bill, Section A, Line 1 by inserting after the phrase "Sections 64.930," the phrase: "67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill no. 1504,"; and

Further amend said Section A, Line 3, by inserting after the phrase "Sections 64.930," the phrase: "67.5012"; and

Further amend said bill, Page 2, Section 64.930, Line 36, by inserting after all of said section, the following:

"67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:

(1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(2) "County", any county or any city not within a county;

(3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;

(5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**

(6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;

[(6)**] (7)** "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;

[(7)**] (8)** "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of

government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

[(8)**] (9)** "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district**, including any areas under concurrent jurisdiction with an agency of the United States government**. Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. **1.** The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The **[**tax**] taxes** authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the **[**proposed**]** metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. **1. For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712,** the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of . . . . ., state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood

trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall . . . . . County join such other of . . . . . (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". . . . . Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to . . . . County for local park improvements, all as authorized by the . . . . . (insert name of governing body) of . . . . . County pursuant to (insert ordinance number), on the . . . . day of . . . . (insert month), ... (insert year)?

☐ YES ☐ NO

2. For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing expanded activities and improvements of such areas, shall ..... (insert county name) County join such other of ..... (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a ..... (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to ..... (insert county name) County for local and county park improvements as authorized by the ..... (insert governing body name) of ..... (insert county name) County under ..... (insert ordinance number), on the ..... (insert day) day of ..... (insert month), ... (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?".

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and **[**sections**] subsection 1 of section** 67.1715 and **in section** 67.1718.

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769**. No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754**;

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district**. Any contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712**;

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. **1.** The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the metropolitan district shall establish its own process for awarding the

grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization.

67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:

(1) Later establishment or cessation of any park or recreation system provided by law; or

(2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". . . . . Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

(1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;

(2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;

(3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;

(4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;

(5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

(6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;

(7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;

(8) Establish and collect reasonable charges for the use of the facilities of the district;

(9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and

(10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of . . . . ., state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". . . . . Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in ..... County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to . . . . County and the cities within the County for local park improvements?

☐ YES ☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038. The question of whether to continue to impose the one-tenth of one cent local sales tax authorized under this section shall be submitted to the voters of the county every twelve years after the voters of that county approve the initial imposition of the tax.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be

administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer

than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created

pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached

thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction

or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042."; and

Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said section, the following:

"144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to **[**144.748**] 144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to **[**144.748**] 144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, **[**2013**] 2023**.

182.802. 1. **[**A**] (1) Any** public library district located **in any of the following counties may impose a tax as provided in this section:**

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; **[**or**]**

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants**;**

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented

to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district."; and

Further amend said bill, Section 339.501, Page 20, Line 36, by inserting after all of said Line the following:

"**[67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.]**

Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 668, Page 19, Section 143.115, Line 52, by inserting after all of said section and line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of ..... (insert name of county) impose a county sales tax of ..... (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall

ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants **or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants** that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. **Except as provided in subdivision (4) of this subsection,** each member shall be one of the following:

(a) The head of any of the county's fire protection districts, or a designee;

(b) The head of any of the county's ambulance districts, or a designee;

(c) The county sheriff, or a designee;

(d) The head of any of the police departments in the county, or a designee; and

(e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 668, Page 19, Section 143.115, Line 52, by inserting after all of said line the following:

"**262.900. 1. As used in this section, the following terms mean:**

(1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable product, growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product, planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either in its natural or processed state, that has been produced, processed, or otherwise had value added to it in this state;

(2) "Blighted area", that portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration have become economic and social liabilities, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes;

(3) "Department", department of agriculture;

(4) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(5) "Grower UAZ", a type of UAZ:

(a) That can either grow produce, raise livestock, or produce other value-added agricultural products;

(b) That does not exceed fifty laying hens, six hundred fifty broiler chickens, or thirty domesticated animals; and

(c) Is a qualifying small business that is approved by the department;

(6) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(7) "Locally grown", a product that was grown or raised in the same county or city not within a county in which the UAZ is located or in an adjoining county or city not within a county. For a product raised or sold in a city not within a county, locally grown also includes an adjoining county with a charter form of government with more than nine hundred fifty thousand and those counties adjoining said county;

(8) "Processing UAZ", a type of UAZ:

(a) That processes livestock or poultry for human consumption;

(b) That meets federal and state processing laws and standards; and

(c) Is a qualifying small business approved by the department;

(9) "Meat", any edible portion of a livestock or poultry carcass or part thereof;

(10) "Meat product", anything containing meat intended for or capable of use for human consumption, which is derived, in whole or in part, from livestock or poultry;

(11) "Poultry", any domesticated bird intended for human consumption;

(12) "Qualifying small business", those enterprises which are established within an urban

agricultural zone subsequent to its creation, and which meet the definition established for the small business administration and set forth in Section 121.301 of Part 121 of Title 13 of the Code of Federal Regulations;

(13) "Value-added agricultural products", any product or products that are the result of:

(a) Using an agricultural product grown in this state to produce a meat or dairy product in this state;

(b) A change in the physical state or form of the original agricultural product;

(c) An agricultural product grown in this state which has had its value enhanced by special production methods such as organically grown products; or

(d) A physical segregation of a commodity or agricultural product grown in this state that enhances its value such as identity preserved marketing systems;

(14) "Urban agricultural zone" or "UAZ", a zone within a metropolitan statistical area as defined by the United States Office of Budget and Management that has one or more of the following entities that is a qualifying small businesses, and approved by the department, as follows:

(a) Any organization or person who grows produce or other agricultural products;

(b) Any organization or person who raises livestock or poultry;

(c) Any organization or person who processes livestock or poultry; or

(d) Any organization that sells at a minimum seventy-five percent locally grown food;

(15) "Vending UAZ", a type of UAZ:

(a) That sells produce, meat, or locally grown value-added agricultural products;

(b) That is able to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program as a form of payment; and

(c) Is a qualifying small business that is approved by the department for an UAZ vendor license.

2. (1) A person or organization shall submit to any incorporated municipality an application to develop an UAZ on a blighted area of land. Such application shall demonstrate or identify on the application:

(a) If the person or organization is a grower UAZ, processing UAZ, vending UAZ, or a combination of all three types of UAZs provided in this paragraph, in which case the person or organization shall meet the requirements of each type of UAZ in order to qualify;

(b) The number of jobs to be created;

(c) The types of products to be produced; and

(d) If applying for a vending UAZ, the ability to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program if selling products to consumers.

(2) A municipality shall review and modify the application as necessary before either approving or denying the request to establish an UAZ.

(3) Approval of the UAZ by such municipality shall be reviewed five and ten years after the

development of the UAZ. After twenty-five years, the UAZ shall dissolve. If the municipality finds during its review that the UAZ is not meeting the requirements set out in this section, the municipality may dissolve the UAZ.

3. The governing authority of any municipality planning to seek designation of an urban agricultural zone shall establish an urban agricultural zone board. The number of members on the board shall be seven. One member of the board shall be appointed by the school district or districts located within the area proposed for designation as an enhanced enterprise zone. Two members of the board shall be appointed by other affected taxing districts. The remaining four members shall be chosen by the chief elected official of the municipality. The four members chosen by the chief elected officer of the municipality shall each be residents of the county or city not within a county in which the UAZ is to be located, and at least one of such four members shall have experience in or represent organizations associated with sustainable agriculture, urban farming, community gardening, or any of the activities or products authorized by this section for UAZs.

4. The school district member and the two affected taxing district members shall each have initial terms of five years. Of the four members appointed by the chief elected official, two shall have initial terms of four years, and two shall have initial terms of three years. Thereafter, members shall serve terms of five years. Each commissioner shall hold office until a successor has been appointed. All vacancies shall be filled in the same manner as the original appointment. For inefficiency or neglect of duty or misconduct in office, a member of the board may be removed by the applicable appointing authority.

5. A majority of the members shall constitute a quorum of such board for the purpose of conducting business and exercising the powers of the board and for all other purposes. Action may be taken by the board upon a vote of a majority of the members present.

6. The members of the board annually shall elect a chair from among the members.

7. The role of the board shall be to conduct the activities necessary to advise the governing authority on the designation of an urban agricultural zone and any other advisory duties as determined by the governing authority. The role of the board after the designation of an urban agricultural zone shall be review and assessment of zone activities.

8. Prior to the adoption of an ordinance proposing the designation of an urban agricultural zone, the urban agricultural board shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed urban agricultural zone. The board shall send, by certified mail, a notice of such hearing to all taxing districts and political subdivisions in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the designation at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing. At the public hearing any interested person or affected taxing district may file with the board written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The board shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing.

9. Following the conclusion of the public hearing required under subsection 8 of this section,

the governing authority of the municipality may adopt an ordinance designating an urban agricultural zone.

10. The real property of the UAZ shall not be subject to assessment or payment of ad valorem taxes on real property imposed by the cities affected by this section, or by the state or any political subdivision thereof, for a period of up to twenty-five years as specified by ordinance under subsection 9 of this section, except to such extent and in such amount as may be imposed upon such real property during such period, as was determined by the assessor of the county in which such real property is located, or, if not located within a county, then by the assessor of such city, in an amount not greater than the amount of taxes due and payable thereon during the calendar year preceding the calendar year during which the urban agricultural zone was designated. The amounts of such tax assessments shall not be increased during such period so long as the real property is used in furtherance of the activities provided under the provisions of subdivision (13) of subsection 1 of this section. At the conclusion of the period of abatement provided by the ordinance, the property shall then be reassessed. If only a portion of real property is used as an UAZ, then only that portion of real property shall be exempt from assessment or payment of ad valorem taxes on such property, as provided by this section.

11. If the water services for the UAZ are provided by the municipality, the municipality may authorize a grower UAZ to pay wholesale water rates, if available, for the cost of water consumed on the UAZ and pay fifty percent of the standard cost to hook onto the water source.

12. (1) Any local sales tax revenues received from the sale of agricultural products sold in the UAZ shall be deposited in the urban agricultural zone fund established in subdivision (2) of this subsection. An amount equal to one percent shall be retained by the director of revenue for deposit in the general revenue fund to offset the costs of collection.

(2) There is hereby created in the state treasury the "Urban Agricultural Zone Fund", which shall consist of money collected under subdivision (1) of this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, shall be used for the purposes authorized by this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. School districts may apply to the department for money in the fund to be used for the development of curriculum on or the implementation of urban farming practices under the guidance of the University of Missouri extension service and a certified vocational agricultural instructor. The funds are to be distributed on a competitive basis within the school district or districts in which the UAZ is located under rules to be promulgated by the department, with special consideration given to the relative number of students eligible for free and reduced-price lunches attending the schools within such district or districts.

13. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated under this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028."; and

Further amend said bill by amending the title, enacting clause, and intersectional references

accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 668, Page 20, Section 339.501, Line 36, by inserting after the phrase "**chapter 138**" on said line the following:

" **; or**

(7) Any person employed by the property owner or agent of the property owner to create, design, or maintain a website or multiple websites that advertise real estate for sale on the internet"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Bill No. 668, Pages 19-20, Section 339.501, by striking all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Bill No. 668, Page 20, Section 339.501, Line 36, by inserting after all of said section and line the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final

decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public.

As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) **Records, data, and reports that are in the possession of a business entity formed under section 537.620, and used by such business entity in the calculation of rates or assessments, or in adjusting claims;**

(17) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

[(17)**] 18.** Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

[(18)**] 19.** Operational guidelines and policies developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, the agency shall affirmatively state in writing that disclosure would impair its ability to protect the safety or health of persons, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records. This exception shall sunset on December 31, **[**2012**]2016**;

[(19)**] 20.** Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(d) This exception shall sunset on December 31, **[**2012**]2016**;

[(20)**] 21.** Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

[(21)**] 22.** Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using

a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

[(22)**]** **23.** Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36, by inserting after all of said section and line, the following:

"67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefitted in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay

any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861. Notwithstanding the provisions of this subsection and section 67.1541 to the contrary, **[**in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants,**]** the county collector may, upon certification by the district for collection, add each special assessment to the annual real estate tax bill for the property and collect the assessment in the same manner the collector uses for real estate taxes. **[**In said counties, each**] Any** special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 760**, entitled:

An Act to repeal sections 34.032, 59.319, 60.510, 60.530, 60.540, 60.560, 60.570, 60.580, 60.590, 60.595, 60.610, 60.620, 67.4505, 252.043, 260.255, 260.330, 260.392, 292.606, 306.127, 393.1000, 393.1003, 571.010, 571.020, 571.030, 571.101, 571.111, 571.117, 577.073, 640.100, and 644.026, RSMo, and to enact in lieu thereof thirty-one new sections relating to outdoor resources, with penalty provisions and an emergency clause for certain sections.

With House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5,

House Amendment No. 5, as amended, House Amendment Nos. 6, 7, 8 and 9.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 760, Page 5, Section 60.540, Line 4, by deleting the word "**surveyor**" and inserting in lieu thereof the word "**survey**"; and

Further amend said bill, Pages 26-27, Section 571.020, by deleting all of said section from the bill; and

Further amend said bill, Page 29, Section 571.030, Line 73, by inserting immediately following the words "**eighteen years of age**" the words "**or older**"; and

Further amend said bill, Page 32, Section 571.101, Line 19, by inserting immediately following the words "**eighteen years of age**" the words "**or older**"; and

Further amend said bill and section, Page 33, Line 62, by inserting immediately following the words "**years of age**" the words "**or older**"; and

Further amend said bill, Page 39, Section 571.117, Line 32, by inserting immediately following the words "**eighteen years of age**" the words "**or older**"; and

Further amend said bill, Page 44, Section 640.100, Line 106, by inserting after all of said section and line the following:

"643.225. 1. The provisions of sections 643.225 to 643.250 shall apply to all projects subject to 40 CFR Part 61, Subpart M as adopted by 10 CSR 10-6.080. The commission shall promulgate rules and regulations it deems necessary to implement and administer the provisions of sections 643.225 to 643.250, including requirements, procedures and standards relating to asbestos projects, as well as the authority to require corrective measures to be taken in asbestos abatement, renovation, or demolition projects as are deemed necessary to protect public health and the environment. The director shall establish any examinations for certification required by this section and shall hold such examinations at times and places as determined by the director.

2. Except as otherwise provided in sections 643.225 to 643.250, no individual shall engage in an asbestos abatement project, inspection, management plan, abatement project design or asbestos air sampling unless the person has been issued a certificate by the director, or by the commission after appeal, for that purpose.

3. In any application made to the director to obtain such certification as an inspector, management planner, abatement project designer, supervisor, contractor or worker from the department, the applicant shall include his diploma providing proof of successful completion of either a state accredited or United States Environmental Protection Agency (EPA) accredited training course as described in section 643.228. In addition, an applicant for certification as a management planner shall first be certified as an inspector. All applicants for certification as an inspector, management planner, abatement project designer, supervisor, contractor or worker shall successfully pass a state examination on Missouri state asbestos statutes and rules relating to asbestos. Certification issued hereunder shall expire one year from its effective date. Individuals applying for state certification as an asbestos air sampling professional shall have the following credentials:

(1) A bachelor of science degree in industrial hygiene plus one year of experience in the field; or

(2) A master of science degree in industrial hygiene; or

(3) Certification as an industrial hygienist as designated by the American Board of Industrial Hygiene; or

(4) Three years of practical experience in the field of industrial hygiene, including significant asbestos air monitoring experience and the completion of a forty-hour asbestos course which includes air monitoring instruction (National Institute of Occupational Safety and Health 582 course on air sampling or equivalent). In addition to these qualifications, the individual must also pass the state of Missouri asbestos examination. All asbestos air sampling technicians shall be trained and overseen by an asbestos air sampling professional and shall meet the requirements of training found in OSHA's 29 CFR 1926.1101. Certification under this section as an abatement project designer does not qualify an individual as an architect, engineer or land surveyor, as defined in chapter 327.

4. An application fee of seventy-five dollars shall be assessed for each category, except asbestos abatement worker, to cover administrative costs incurred. An application fee of twenty-five dollars shall be assessed for each asbestos abatement worker to cover administrative costs incurred. A fee of twenty-five dollars shall be assessed per state examination.

5. In order to qualify for renewal of a certificate, an individual shall have successfully completed an annual refresher course from a state of Missouri accredited training program. For each discipline, the refresher course shall review and discuss current federal and state statute and rule developments, state-of-the-art procedures and key aspects of the initial training course, as determined by the state of Missouri. For all categories except inspectors, individuals shall complete a one-day annual refresher training course for recertification. Refresher courses for inspectors shall be at least a half-day in length. Management planners shall attend the inspector refresher course, plus an additional half-day on management planning. All refresher courses shall require an individual to successfully pass an examination upon completion of the course. In the case of significant changes in Missouri state asbestos statutes or rules, an individual shall also be required to take and successfully pass an updated Missouri state asbestos examination. An individual who has failed the Missouri state asbestos examination may retake it on the next scheduled examination date. If an individual has not successfully completed the annual refresher course within twelve months of the expiration of his or her certification, the individual shall be required to retake the course in his or her specialty area as described in this section. Failure to comply with the requirements for renewal of certification in this section will result in decertification. In no event shall certification or recertification constitute permission to violate sections 643.225 to 643.250 or any standard or rule promulgated under sections 643.225 to 643.250.

6. A fee of five dollars shall be paid to the state for renewal of certificates to cover administrative costs.

7. The provisions of subsections 2 to 6 of this section, section 643.228, subdivision (4) of subsection 1 of section 643.230, sections 643.232 and 643.235, subdivisions (1) to (3) of subsection 1 of section 643.237, and subsection 2 of section 643.237 shall not apply to a person that is subject to requirements and applicable standards of the United States Environmental Protection Agency (EPA) and the United States Occupational Safety and Health Administration's (OSHA) 29 Code of Federal Regulations 1926.58 and which engages in asbestos abatement projects as part of normal operations in the facility solely at its own place or places of business. A person shall receive an exemption upon submitting to the director, on a form provided by the department, documentation

of the training provided to its employees to meet the requirements of applicable OSHA and EPA rules and regulations and the type of asbestos abatement projects which constitute normal operations performed by the applicant. If the application does not meet the requirements of this subsection and the rules and regulations promulgated by the department, the applicant shall be notified, within one hundred eighty days of the receipt of the application, that the exemption has been denied. An applicant may appeal the denial of an exemption to the commission within thirty days of the notice of denial. This exemption shall not apply to asbestos abatement contractors, to those persons who the commission by rule determines provide a service to the public in its place or places of business as the economic foundation of the facility, or to those persons subject to the requirements of the federal Asbestos Hazard Emergency Response Act of 1986 (P.L. 99-519). A representative of the department shall be permitted to attend, monitor, and evaluate any training program provided by the exempted person. Such evaluations may be conducted without prior notice. Refusal to allow such an evaluation is sufficient grounds for loss of exemption status.

8. A fee of two hundred fifty dollars shall be submitted with the application for exemption under subsection 7 of this section. This shall be a one-time fee. An exempted person shall submit to the director changes in curricula or other significant revisions to its training program under this section as they occur.

9. All applications for exemption under this section that are received and approved by the department prior to August 28, 2012, shall be considered valid. An exempted person under this subsection shall not be subject to the fee under subsection 8 of this section but shall submit to the director changes in curricula or other significant revisions to its training program as they occur."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 760, Page 24, Section 393.1003, Line 25, by inserting after all of said line the following:

"**488.650. There shall be assessed as costs a surcharge in the amount of one hundred dollars on all petitions for expungement filed under the provisions of section 610.140. Such surcharge shall be collected and disbursed by the clerk of the court as provided by sections 488.010 to 488.020. Moneys collected from this surcharge shall be payable to the general revenue fund.**"; and

Further amend said bill, Page 24, Section 393.1003, Line 25, by inserting after all of said line the following:

"561.026. Notwithstanding any other provision of law **except for section 610.140,** a person who is convicted:

(1) Of any crime shall be disqualified from registering and voting in any election under the laws of this state while confined under a sentence of imprisonment;

(2) Of a felony or misdemeanor connected with the exercise of the right of suffrage shall be forever disqualified from registering and voting;

(3) Of any felony shall be forever disqualified from serving as a juror."; and

Further amend said bill, Page 41, Section 577.073, Line 16, by inserting immediately after said line the following:

"**610.140. 1. Notwithstanding any other provision of law and subject to the provisions of this section, any person may apply to any court in which such person was found guilty of any of the offenses specified in subsection 2 of this section for an order to expunge recordations of such arrest, plea, trial, or conviction. A person may apply to have one or more offenses expunged so long as such person lists all the offenses he or she is seeking to have expunged in the same petition and so long as all such offenses are eligible under subsection 2 of this section. No person, however, who has been issued a commercial driver's license or is required to possess a commercial driver's license issued by this state or any other state may have any offenses expunged under this section.**

2. The following offenses that occurred within the state of Missouri, and were prosecuted under the jurisdiction of a Missouri municipal court or associate or circuit court, are eligible to be expunged:

(1) Any felony offense of passing a bad check under 570.120, fraudulently stopping payment of an instrument under 570.125, or fraudulent use of a credit device or debit device;

(2) Any misdemeanor offense, except any offense of chapter 565, 566, 568, or 573, any other offense that requires registration under sections 589.400 to 589.425, or any alcohol-related driving offense; and

(3) Any municipal offense or infraction, except any alcohol-related driving offense.

3. The petition shall name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses listed in the petition. The court's order of expungement shall not affect any person or entity not named as a defendant in the action.

4. The petition shall be dismissed if it does not include the following information:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Driver's license number, if applicable; and

(e) Current address;

(2) Each offense charged against the petitioner for which the petitioner is requesting expungement;

(3) The date the petitioner was arrested for each offense;

(4) The name of the county where the petitioner was arrested for each offense and if any of the offenses occurred in a municipality, the name of the municipality for each offense;

(5) The name of the agency that arrested the petitioner for each offense;

(6) The case number and name of the court for each offense; and

(7) Petitioner's fingerprints on a standard fingerprint card at the time of filing a petition for expungement which will be forwarded to the central repository for the sole purpose of positively identifying the petitioner.

5. The court shall set a hearing on the matter no sooner than thirty days from the filing of the petition and shall give reasonable notice of the hearing to each entity named in the petition. At the hearing, the court may accept evidence and hear testimony on, and shall consider, the following criteria for each of the offenses listed in the petition for expungement:

(1) It has been at least twenty years if the offense is a felony, or at least ten years if the offense is a misdemeanor, municipal offense, or infraction, since the person making the application completed:

(a) Any sentence of imprisonment; or

(b) Any period of probation or parole;

(2) The person has not been found guilty of a misdemeanor or felony, not including violations of the traffic regulations provided under chapters 304 and 307, during the time period specified for the underlying offense in subdivision (1) of this subsection;

(3) The person has paid any amount of restitution ordered by the court;

(4) The circumstances and behavior of the petitioner warrant the expungement; and

(5) The expungement is consistent with the public welfare.

6. If the court determines at the conclusion of the hearing that such person meets all the criteria set forth in subsection 5 of this section for each of the offenses listed in the petition for expungement, the court shall enter an order of expungement. A copy of the order shall be provided to each entity named in the petition, and, upon receipt of the order, each entity must destroy any record in its possession relating to any offense listed in the petition. If destruction of the record is not feasible because of the permanent nature of the record books, such record entries shall be blacked out. Entries of a record ordered expunged shall be removed from all electronic files maintained with the state of Missouri, except for the files of the court. The records and files maintained in any administrative or court proceeding in a municipal court, an associate circuit or circuit court division of the circuit court for any offense ordered expunged under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.

7. The order shall not limit any of the petitioner's rights that were restricted as a collateral consequence of such person's criminal record, and such rights shall be restored upon issuance of the order of expungement. Except as otherwise provided under this section, the effect of such order shall be to restore such person to the status he or she occupied prior to such arrests, pleas, trials, or convictions as if such events had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrests, pleas, trials, convictions, or expungement in response to an inquiry made of him or her and no such

inquiry shall be made for information relating to an expungement, except the petitioner shall disclose the expunged offense to any court when asked or upon being charged with any subsequent offense. The expunged offense may be considered a prior offense in determining a sentence to be imposed for any subsequent offense that the person is found guilty of committing.

8. Notwithstanding the provisions of subsection 7 of this section to the contrary, a person granted an expungement shall disclose all expunged offenses on any application for:

(1) A license, certificate, or permit issued by this state to practice such individual's profession;

(2) Any license issued under chapter 313; or

(3) Paid or unpaid employment with an entity licensed under chapter 313, any state-operated lottery, or any emergency services provider, including any law enforcement agency.

Such person shall also disclose any expunged felony offenses when filing as a candidate for election to any public office. Notwithstanding any provision of law to the contrary, an expunged offense shall not be grounds for automatic disqualification of a candidate or applicant, but may be a factor for denying employment, or a professional license, certificate, or permit.

9. If the court determines that such person has not met the criteria for any of the offenses listed in the petition for expungement, the court shall enter an order dismissing the petition. Any person whose petition for expungement has been dismissed by the court for failure to meet the criteria set forth in subsection 5 of this section may not refile another petition until a year has passed since the date of filing for the previous petition.

10. The Missouri supreme court shall promulgate rules establishing procedures for the handling of cases filed under the provisions of this section. Such procedures shall be similar to the procedures established in chapter 482 for the handling of small claims.

11. A person may be granted more than one expungement under this section provided that no person shall be granted more than one order of expungement from the same court. Nothing contained in this section shall prevent the court from maintaining records to ensure that an individual has only one petition for expungement granted by such court under this section.

12. All rights under the Second Amendment of the United States Constitution and enjoyment of outdoor resources shall be restored to any petitioner who is granted expungement under this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 760, Page 41, Section 577.073, Lines 9 - 12, by inserting after all of said section and line the following:

"the department of natural resources**; except that, the provisions of this subsection shall not apply to the normal and customary use of public roads by commercial and noncommercial organizations for the purpose of transporting persons or vehicles, including but not limited to canoes as defined in section 537.327**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 760, Page 9, Section 60.620, Line 51, by inserting after all of said line the following:

"67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county **[**of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five

thousand five hundred inhabitants**]**, the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or**, if applicable to that county, chapter 141, or, [**by judicial foreclosure proceeding,**]** at the option of the governing body**, by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 760 Page 4, Line 5, by inserting after all of said line, the following:

"Further amend said bill, Page 32, Section 571.101, Line 19, by deleting the number "(2)" on said line and inserting in lieu there of the letter " **(c)**"; and

Further amend said bill, page, and section, Line 21, by deleting the letter "**(a)**" on said line and inserting in lieu thereof the letter "**a.**"; and

Further amend said bill, page, and section, Line 22, by deleting the letter "**(b)**" on said line and inserting in lieu thereof the letter "**b.**"; and

Further amend said section by renumbering said subsection and subdivisions accordingly; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 760, Page 41, Section 577.073, Line 16, by inserting after all of said section and line the following:

"621.250. 1. All authority to hear appeals granted in chapters 260, 444, 640, 643, and 644, and to the hazardous waste management commission in chapter 260, the land reclamation commission in chapter 444, the safe drinking water commission in chapter 640, the air conservation commission in chapter 643, and the clean water commission in chapter 644 shall be transferred to the administrative hearing commission under this chapter. The authority to render final decisions after hearing on appeals heard by the administrative hearing commission shall remain with the commissions listed in this subsection. The administrative hearing commission may render a recommended final decision after hearing or through stipulation, consent order, agreed settlement or by disposition in the nature of default judgment, judgment on the pleadings, or summary determination, consistent with the requirements of this subsection and the rules and procedures of the administrative hearing commission.

2. Except as otherwise provided by law, any person or entity who is a party to, or who is aggrieved

or adversely affected by, any finding, order, decision, or assessment for which the authority to hear appeals was transferred to the administrative hearing commission in subsection 1 of this section may file a notice of appeal with the administrative hearing commission within thirty days after any such finding, order, decision, or assessment is placed in the United States mail or within thirty days of any such finding, order, decision, or assessment being delivered, whichever is earlier. Within **[**sixty**] ninety** days after the date on which the notice of appeal is filed the administrative hearing commission **[**shall**] may** hold hearings and **within one hundred twenty days after the date on which the notice of appeal is filed shall** make a recommended decision based on those hearings or shall make a recommended decision based on stipulation of the parties, consent order, agreed settlement or by disposition in the nature of default judgment, judgment on the pleadings, or summary determination, in accordance with the requirements of this subsection and the rules and procedures of the administrative hearing commission**; provided, however, that the dates by which the administrative hearing commission is required to hold hearings and make a recommended decision may be extended at the sole discretion of the permittee as either petitioner or intervenor in the appeal**.

3. Any decision by the director of the department of natural resources that may be appealed as provided in subsection 1 of this section shall contain a notice of the right of appeal in substantially the following language: "If you were adversely affected by this decision, you may appeal to have the matter heard by the administrative hearing commission. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission.". Within fifteen days after the administrative hearing commission renders its recommended decision, it shall transmit the record and a transcript of the proceedings, together with the administrative hearing commission's recommended decision to the commission having authority to issue a final decision. The final decision of the commission shall be issued within **[**ninety**] one hundred eighty** days of the date the notice of appeal **in subsection 2 of this section** is filed and shall be based only on the facts and evidence in the hearing record**; provided, however, that the date by which the commission is required to issue a final decision may be extended at the sole discretion of the permittee as either petitioner or intervenor in the appeal**. The commission may adopt the recommended decision as its final decision. The commission may change a finding of fact or conclusion of law made by the administrative hearing commission, or may vacate or modify the recommended decision issued by the administrative hearing commission, only if the commission states in writing the specific reason for a change made under this subsection.

4. In the event the person filing the appeal prevails in any dispute under this section, interest shall be allowed upon any amount found to have been wrongfully collected or erroneously paid at the rate established by the director of the department of revenue under section 32.065.

5. Appropriations shall be made from the respective funds of the various commissions to cover the administrative hearing commission's costs associated with these appeals.

6. In all matters heard by the administrative hearing commission under this section, the burden of proof shall comply with section 640.012. The hearings shall be conducted by the administrative hearing commission in accordance with the provisions of chapter 536 and its regulations promulgated thereunder.

7. No cause of action or appeal arising out of any finding, order, decision, or assessment of any of the commissions listed in subsection 1 of this section shall accrue in any court unless the party seeking to file such cause of action or appeal shall have filed a notice of appeal and received a final decision in accordance with the provisions of this section.

640.018. 1. In any case where the department has not issued a permit or rendered a permit decision by the expiration of a statutorily required time frame for any application for a permit under this chapter or chapters 260, 278, 319, 444, 643, or 644, **upon request of the permit applicant the department shall issue** the permit **[**shall be issued as of**]** the first day following the expiration of the required time frame, provided all necessary information has been submitted for the application and the department has been in possession of all such information for the duration of the required time frame. This subsection shall be considered in addition to, and not in lieu thereof, any other provision of law regarding consequences of failure by the department to issue a permit or permit decision by the expiration of a required time frame.

2. If engineering plans, specifications, and designs prepared by a registered professional engineer are submitted to the department of natural resources as a part of a permit application or permit modification, the permit application or permit modification shall include a statement that the plans, specifications, and designs were prepared in accordance with the applicable requirements and shall be sealed by the registered professional engineer in accordance with section 327.411, as applicable. The department shall use the complete, sealed engineering plans, specifications, and designs as submitted in addition to permit applications and other relevant information, documents, and materials in developing comments on the engineering submittals and in determining whether to issue or deny permits. The review of documents, plans, specifications, and designs sealed by a registered professional engineer for an applicant shall be conducted by a registered professional engineer or an engineering intern on behalf of the department.

3. The department shall designate supervisory registered professional engineers for permitting purposes under this chapter and chapters 260, 278, 319, 444, 643, and 644. Any permit applicant receiving written comments on an engineering submittal may request a determination from the department's supervisory registered professional engineer as to a final disposition of the department's comments regarding engineering submittals in determining a decision on the permit. The department's supervisory engineer shall inform the permit applicant of a preliminary decision within fifteen days after the permit applicant's request for a determination and shall make a final determination within thirty days of such request.

4. Nothing in this section shall be construed to require plans or other submittals to the department pursuant to an application to come under a general permit or an application for a site-specific permit to be prepared by a registered professional engineer, unless otherwise required under state or federal law."; and

Further amend said bill, Page 44, Section 640.100, Line 106, by inserting after all of said section and line the following:

"643.130. All final orders or determinations of the commission or the director hereunder shall be subject to judicial review pursuant to the provisions of sections 536.100 to 536.140, except that, the provisions of section 536.110 notwithstanding, all actions seeking judicial review of any final determination of the commission or the director **relating to part 70 operating permits and construction permits or permit applications filed under or related to the prevention of significant**

deterioration, major nonattainment area source, or major new source review programs shall be filed in the court of appeals instead of in the circuit court. No judicial review shall be available hereunder, however, unless and until all administrative remedies are exhausted."; and

Further amend said bill, Page 48, Section 644.026, Line 134, by inserting after all of said section and line the following:

"644.071. 1. All final orders or determinations of the commission or the director made pursuant to the provisions of sections 644.006 to 644.141 are subject to judicial review pursuant to the provisions of chapter 536, except that, the provisions of section 536.110 notwithstanding, all actions seeking judicial review of any final order or determination of the commission or the director **that relates to permits affecting a utility** shall be filed in the court of appeals instead of in the circuit court. No judicial review shall be available, however, unless and until all administrative remedies are exhausted.

2. In any suit filed pursuant to section 536.050 concerning the validity of the commission's standards, rules and regulations, the court shall review the record made before the commission to determine the validity and reasonableness of such standards, rules, limitations, and regulations and may hear such additional evidence as it deems necessary."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 760, Page 19, Section 292.606, Line 71, by inserting after all of said section and line the following:

"300.390. 1. **Except as otherwise provided in subsection 4 of this section,** every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

3. The foregoing rules in this section have no application under the conditions stated in section 300.395 when pedestrians are prohibited from crossing at certain designated places.

4. In any home rule city with more than four hundred thousand inhabitants and located in more than one county, vehicles shall yield the right-of-way to all pedestrians and bicyclists crossing in an appropriate crosswalk on a city or neighborhood street. For purposes of this subsection, "yield" means slowing to a stop within forty feet of a pedestrian. A violation of this subsection shall be a class A misdemeanor.

304.900. 1. Except as provided in subsection 4 of this section, every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

3. In any urbanized area as defined in section 304.010, vehicles shall yield the right-of-way to all pedestrians and bicyclists, even those crossing or operating in areas not designated as cross

walks. For purposes of this subsection, "yield" means slowing to a stop within forty feet of a pedestrian. A violation of this subsection shall be a class A misdemeanor.

4. Nothing in this section shall be construed to prohibit a political subdivision from enacting laws restricting where a person shall or shall not cross a street within a jurisdiction. Notwithstanding any other law, a pedestrian's act of crossing in a prohibited area shall not preclude a cause of action against a driver who has struck a pedestrian."; and

Further amend said bill, Page 41, Section 571.117, Line 99, by inserting after all of said section and line, the following:

"577.060. 1. A person commits the crime of leaving the scene of a motor vehicle accident when being the operator or driver of a vehicle on the highway or on any publicly or privately owned parking lot or parking facility generally open for use by the public and knowing that an injury has been caused to a person or damage has been caused to property, due to **[**his**] such person's** culpability or to accident, **[**he**] such person** leaves the place of the injury, damage or accident without stopping and giving his **or her** name, residence, including city and street number, motor vehicle number and driver's license number, if any, to the injured party or to a police officer, or if no police officer is in the vicinity, then to the nearest police station or judicial officer.

2. For the purposes of this section, all peace officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned parking lot or parking facility for the purpose of investigating an accident and performing all necessary duties regarding such accident.

3. Leaving the scene of a motor vehicle accident is a class A misdemeanor, except that it shall be a class D felony if the accident resulted in:

(1) Physical injury to another party; or

(2) Property damage in excess of one thousand dollars; or

(3) If the defendant has previously pled guilty to or been found guilty of a violation of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 760, Page 9, Section 67.4505, Line 19, by inserting after all of said line the following:

"**163.024. All moneys received in the Iron County School Fund, Reynolds County School Fund, Jefferson County School Fund, and Washington County School Fund from the payment of a civil penalty pursuant to a consent decree filed in the United Stated district court for the eastern district of Missouri in December 2011 in the case of United States of America and State of Missouri v. The Doe Run Resources Corporation d/b/a " The Doe Run Company." and the Buick Resource Recycling Facility, LLC, because of environmental violations shall not be included in any district's "local effort" figure, as such term is defined in section 163.011. The provisions of this section shall terminate on July 1, 2016.**"; and

Further amend the title and enacting clause accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 760, Pages 13-17 , Section 260.392, by removing all of said section from the bill and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each **[**cask transported**]** **truck transporting** through or within the state **[**by truck of**]** high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All **[**casks**]** **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments **[**transported by truck**]** are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through

or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 760, Page 44, Section 640.100, Line 106, by inserting after all of said section and line the following:

"644.016. When used in sections 644.006 to 644.141 and in standards, rules and regulations promulgated pursuant to sections 644.006 to 644.141, the following words and phrases mean:

(1) "Aquaculture facility", a hatchery, fish farm, or other facility used for the production of aquatic animals that is required to have a permit pursuant to the federal Clean Water Act, as amended, 33 U.S.C. 1251, et seq.;

(2) "Commission", the clean water commission of the state of Missouri created in section 644.021;

(3) "Conference, conciliation and persuasion", a process of verbal or written communications consisting of meetings, reports, correspondence or telephone conferences between authorized representatives of the department and the alleged violator. The process shall, at a minimum, consist of one offer to meet with the alleged violator tendered by the department. During any such meeting, the department and the alleged violator shall negotiate in good faith to eliminate the alleged violation and shall attempt to agree upon a plan to achieve compliance;

(4) "Department", the department of natural resources;

(5) "Director", the director of the department of natural resources;

(6) "Discharge", the causing or permitting of one or more water contaminants to enter the waters of the state;

(7) "Effluent control regulations", limitations on the discharge of water contaminants;

(8) "General permit", a permit written with a standard group of conditions and with applicability intended for a designated category of water contaminant sources that have the same or similar operations, discharges and geographical locations, and that require the same or similar monitoring, and that would be more appropriately controlled pursuant to a general permit rather than pursuant to a site-specific permit;

(9) **"General permit template", a draft general permit that is being developed through a public participation process;**

(10) "Human sewage", human excreta and wastewater, including bath and toilet waste, residential laundry waste, residential kitchen waste, and other similar waste from household or establishment appurtenances;

[(10)] **(11)** "Income" includes retirement benefits, consultant fees, and stock dividends;

[(11)] **(12)** "Minor violation", a violation which possesses a small potential to harm the environment or human health or cause pollution, was not knowingly committed, and is not defined by the United States Environmental Protection Agency as other than minor;

[(12)] **(13)** "Permit by rule", a permit granted by rule, not by a paper certificate, and conditioned by the permit holder's compliance with commission rules;

[(13)] **(14)** "Permit holders or applicants for a permit" shall not include officials or employees who work full time for any department or agency of the state of Missouri;

[(14)] **(15)** "Person", any individual, partnership, copartnership, firm, company, public or private corporation, association, joint stock company, trust, estate, political subdivision, or any agency, board, department, or bureau of the state or federal government, or any other legal entity whatever which is recognized by law as the subject of rights and duties;

[(15)] **(16)** "Point source", any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. Point source does not include agricultural storm water discharges and return flows from irrigated agriculture;

[(16)] **(17)** "Pollution", such contamination or other alteration of the physical, chemical or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the state as will or is reasonably certain to create a nuisance or render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, industrial, agricultural, recreational, or other legitimate beneficial uses, or to wild animals, birds, fish or other aquatic life;

[(17)] **(18)** "Pretreatment regulations", limitations on the introduction of pollutants or water contaminants into publicly owned treatment works or facilities which the commission determines are not susceptible to treatment by such works or facilities or which would interfere with their operation, except that wastes as determined compatible for treatment pursuant to any federal water pollution control act or guidelines shall be limited or treated pursuant to this chapter only as required by such act or guidelines;

[(18)] **(19)** "Residential housing development", any land which is divided or proposed to be divided into three or more lots, whether contiguous or not, for the purpose of sale or lease as part of a common promotional plan for residential housing;

[(19)] **(20)** "Sewer system", pipelines or conduits, pumping stations, and force mains, and all other structures, devices, appurtenances and facilities used for collecting or conducting wastes to an ultimate point for treatment or handling;

[(20)] **(21)** "Significant portion of his or her income" shall mean ten percent of gross personal income for a calendar year, except that it shall mean fifty percent of gross personal income for a calendar year if the recipient is over sixty years of age, and is receiving such portion pursuant to retirement, pension, or similar arrangement;

[(21)] **(22)** "Site-specific permit", a permit written for discharges emitted from a single water

contaminant source and containing specific conditions, monitoring requirements and effluent limits to control such discharges;

[(22)] **(23)** "Treatment facilities", any method, process, or equipment which removes, reduces, or renders less obnoxious water contaminants released from any source;

[(23)] **(24)** "Water contaminant", any particulate matter or solid matter or liquid or any gas or vapor or any combination thereof, or any temperature change which is in or enters any waters of the state either directly or indirectly by surface runoff, by sewer, by subsurface seepage or otherwise, which causes or would cause pollution upon entering waters of the state, or which violates or exceeds any of the standards, regulations or limitations set forth in sections 644.006 to 644.141 or any federal water pollution control act, or is included in the definition of pollutant in such federal act;

[(24)] **(25)** "Water contaminant source", the point or points of discharge from a single tract of property on which is located any installation, operation or condition which includes any point source defined in sections 644.006 to 644.141 and nonpoint source pursuant to any federal water pollution control act, which causes or permits a water contaminant therefrom to enter waters of the state either directly or indirectly;

[(25)] **(26)** "Water quality standards", specified concentrations and durations of water contaminants which reflect the relationship of the intensity and composition of water contaminants to potential undesirable effects;

[(26)] **(27)** "Waters of the state", all rivers, streams, lakes and other bodies of surface and subsurface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned, leased or otherwise controlled by a single person or by two or more persons jointly or as tenants in common and includes waters of the United States lying within the state."; and

Further amend said bill, Page 48, Section 644.026, Line 134, by inserting after all of said section and line the following:

"644.051. 1. It is unlawful for any person:

(1) To cause pollution of any waters of the state or to place or cause or permit to be placed any water contaminant in a location where it is reasonably certain to cause pollution of any waters of the state;

(2) To discharge any water contaminants into any waters of the state which reduce the quality of such waters below the water quality standards established by the commission;

(3) To violate any pretreatment and toxic material control regulations, or to discharge any water contaminants into any waters of the state which exceed effluent regulations or permit provisions as established by the commission or required by any federal water pollution control act;

(4) To discharge any radiological, chemical, or biological warfare agent or high-level radioactive waste into the waters of the state.

2. It shall be unlawful for any person to build, erect, alter, replace, operate, use or maintain any water contaminant or point source in this state that is subject to standards, rules or regulations promulgated pursuant to the provisions of sections 644.006 to 644.141 unless such person holds a permit from the commission, subject to such exceptions as the commission may prescribe by rule or regulation. However, no permit shall be required of any person for any emission into publicly owned treatment facilities or into

publicly owned sewer systems tributary to publicly owned treatment works.

3. Every proposed water contaminant or point source which, when constructed or installed or established, will be subject to any federal water pollution control act or sections 644.006 to 644.141 or regulations promulgated pursuant to the provisions of such act shall make application to the director for a permit at least thirty days prior to the initiation of construction or installation or establishment. Every water contaminant or point source in existence when regulations or sections 644.006 to 644.141 become effective shall make application to the director for a permit within sixty days after the regulations or sections 644.006 to 644.141 become effective, whichever shall be earlier. The director shall promptly investigate each application, which investigation shall include such hearings and notice, and consideration of such comments and recommendations as required by sections 644.006 to 644.141 and any federal water pollution control act. If the director determines that the source meets or will meet the requirements of sections 644.006 to 644.141 and the regulations promulgated pursuant thereto, the director shall issue a permit with such conditions as he or she deems necessary to ensure that the source will meet the requirements of sections 644.006 to 644.141 and any federal water pollution control act as it applies to sources in this state. If the director determines that the source does not meet or will not meet the requirements of either act and the regulations pursuant thereto, the director shall deny the permit pursuant to the applicable act and issue any notices required by sections 644.006 to 644.141 and any federal water pollution control act.

4. Before issuing a permit to build or enlarge a water contaminant or point source or reissuing any permit, the director shall issue such notices, conduct such hearings, and consider such factors, comments and recommendations as required by sections 644.006 to 644.141 or any federal water pollution control act. The director shall determine if any state or any provisions of any federal water pollution control act the state is required to enforce, any state or federal effluent limitations or regulations, water quality-related effluent limitations, national standards of performance, toxic and pretreatment standards, or water quality standards which apply to the source, or any such standards in the vicinity of the source, are being exceeded, and shall determine the impact on such water quality standards from the source. The director, in order to effectuate the purposes of sections 644.006 to 644.141, shall deny a permit if the source will violate any such acts, regulations, limitations or standards or will appreciably affect the water quality standards or the water quality standards are being substantially exceeded, unless the permit is issued with such conditions as to make the source comply with such requirements within an acceptable time schedule. **[**Prior to the development or renewal of a general permit or permit by rule, for aquaculture, the director shall convene a meeting or meetings of permit holders and applicants to evaluate the impacts of permits and to discuss any terms and conditions that may be necessary to protect waters of the state. Following the discussions, the director shall finalize a draft permit that considers the comments of the meeting participants and post the draft permit on notice for public comment. The director shall concurrently post with the draft permit an explanation of the draft permit and shall identify types of facilities which are subject to the permit conditions. Affected public or applicants for new general permits, renewed general permits or permits by rule may request a hearing with respect to the new requirements in accordance with this section. If a request for a hearing is received, the commission shall hold a hearing to receive comments on issues of significant technical merit and concerns related to the responsibilities of the Missouri clean water law. The commission shall conduct such hearings in accordance with this section. After consideration of such comments, a final action on the permit shall be rendered. The time between the date of the hearing request and the hearing itself shall not be counted as time elapsed pursuant to subdivision (1) of subsection 14 of this section.**]**

5. The director shall grant or deny the permit within sixty days after all requirements of the Federal Water Pollution Control Act concerning issuance of permits have been satisfied unless the application does not require any permit pursuant to any federal water pollution control act. The director or the commission may require the applicant to provide and maintain such facilities or to conduct such tests and monitor effluents as necessary to determine the nature, extent, quantity or degree of water contaminant discharged or released from the source, establish and maintain records and make reports regarding such determination.

6. The director shall promptly notify the applicant in writing of his or her action and if the permit is denied state the reasons therefor. The applicant may appeal to the commission from the denial of a permit or from any condition in any permit by filing notice of appeal with the commission within thirty days of the notice of denial or issuance of the permit. After a final action is taken on a new or reissued general permit **[**template**]**, a potential applicant for the general permit who can demonstrate that he or she is or may be adversely affected by any permit term or condition may appeal the terms and conditions of the general permit **[**template**]** within thirty days of the department's issuance of the general permit **[**template. The commission shall set the matter for hearing not less than thirty days after the notice of appeal is filed**]**. In no event shall a permit constitute permission to violate the law or any standard, rule or regulation promulgated pursuant thereto.

7. In any hearing held pursuant to this section that involves a permit, license, or registration, the burden of proof is on the party specified in section 640.012. Any decision of the commission made pursuant to a hearing held pursuant to this section is subject to judicial review as provided in section 644.071.

8. In any event, no permit issued pursuant to this section shall be issued if properly objected to by the federal government or any agency authorized to object pursuant to any federal water pollution control act unless the application does not require any permit pursuant to any federal water pollution control act.

9. Permits may be modified, reissued, or terminated at the request of the permittee. All requests shall be in writing and shall contain facts or reasons supporting the request.

10. **[**Unless a site-specific permit is requested by the applicant, aquaculture facilities shall be governed by a general permit issued pursuant to this section with a fee not to exceed two hundred fifty dollars pursuant to subdivision (5) of subsection 6 of section 644.052. However, any aquaculture facility which materially violates the conditions and requirements of such permit may be required to obtain a site-specific permit.

11.**]** No manufacturing or processing plant or operating location shall be required to pay more than one operating fee. Operating permits shall be issued for a period not to exceed five years after date of issuance, except that general permits shall be issued for a five-year period, and also except that neither a construction nor an annual permit shall be required for a single residence's waste treatment facilities. Applications for renewal of **[**an**] a site-specific** operating permit shall be filed at least one hundred eighty days prior to the expiration of the existing permit. **Applications seeking to renew coverage under a general permit shall be submitted at least thirty days prior to the expiration of the general permit, unless the permittee has been notified by the director that an earlier application must be made. General permits may be applied for and issued electronically once made available by the director.**

[12.**] 11.** Every permit issued to municipal or any publicly owned treatment works or facility shall require the permittee to provide the clean water commission with adequate notice of any substantial new

introductions of water contaminants or pollutants into such works or facility from any source for which such notice is required by sections 644.006 to 644.141 or any federal water pollution control act. Such permit shall also require the permittee to notify the clean water commission of any substantial change in volume or character of water contaminants or pollutants being introduced into its treatment works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility and the anticipated impact of such introduction on the quality or quantity of effluent to be released from such works or facility into waters of the state.

[13.**] 12.** The director or the commission may require the filing or posting of a bond as a condition for the issuance of permits for construction of temporary or future water treatment facilities or facilities that utilize innovative technology for wastewater treatment in an amount determined by the commission to be sufficient to ensure compliance with all provisions of sections 644.006 to 644.141, and any rules or regulations of the commission and any condition as to such construction in the permit. For the purposes of this section, "innovative technology for wastewater treatment" shall mean a completely new and generally unproven technology in the type or method of its application that bench testing or theory suggest has environmental, efficiency, and cost benefits beyond the standard technologies. No bond shall be required for designs approved by any federal agency or environmental regulatory agency of another state. The bond shall be signed by the applicant as principal, and by a corporate surety licensed to do business in the state of Missouri and approved by the commission. The bond shall remain in effect until the terms and conditions of the permit are met and the provisions of sections 644.006 to 644.141 and rules and regulations promulgated pursuant thereto are complied with.

[14.**] 13.** (1) The department shall issue or deny applications for construction and site-specific operating permits received after January 1, 2001, within one hundred eighty days of the department's receipt of an application. For general construction and operating permit applications received after January 1, 2001, that do not require a public participation process, the department shall issue or deny the **[**requested**]** permits within sixty days of the department's receipt of an application. **For an application seeking coverage under a renewed general permit that does not require an individual public participation process, the director shall issue or deny the permit within sixty days of the director's receipt of the application, or upon issuance of the general permit, whichever is later. In regard to an application seeking coverage under an initial general permit that does not require an individual public participation process, the director shall issue or deny the permit within sixty days of the department's receipt of the application. For an application seeking coverage under a renewed general permit that requires an individual public participation process, the director shall issue or deny the permit within ninety days of the director's receipt of the application, or upon issuance of the general permit, whichever is later. In regard to an application for an initial general permit that requires an individual public participation process, the director shall issue or deny the permit within ninety days of the director's receipt of the application.**

(2) If the department fails to issue or deny with good cause a construction or operating permit application within the time frames established in subdivision (1) of this subsection, the department shall refund the full amount of the initial application fee within forty-five days of failure to meet the

established time frame. If the department fails to refund the application fee within forty-five days, the refund amount shall accrue interest at a rate established pursuant to section 32.065.

(3) Permit fee disputes may be appealed to the commission within thirty days of the date established in subdivision (2) of this subsection. If the applicant prevails in a permit fee dispute appealed to the commission, the commission may order the director to refund the applicant's permit fee plus interest and reasonable attorney's fees as provided in sections 536.085 and 536.087. A refund of the initial application or annual fee does not waive the applicant's responsibility to pay any annual fees due each year following issuance of a permit.

(4) No later than December 31, 2001, the commission shall promulgate regulations defining shorter review time periods than the time frames established in subdivision (1) of this subsection, when appropriate, for different classes of construction and operating permits. In no case shall commission regulations adopt permit review times that exceed the time frames established in subdivision (1) of this subsection. The department's failure to comply with the commission's permit review time periods shall result in a refund of said permit fees as set forth in subdivision (2) of this subsection. On a semiannual basis, the department shall submit to the commission a report which describes the different classes of permits and reports on the number of days it took the department to issue each permit from the date of receipt of the application and show averages for each different class of permits.

(5) During the department's technical review of the application, the department may request the applicant submit supplemental or additional information necessary for adequate permit review. The department's technical review letter shall contain a sufficient description of the type of additional information needed to comply with the application requirements.

(6) Nothing in this subsection shall be interpreted to mean that inaction on a permit application shall be grounds to violate any provisions of sections 644.006 to 644.141 or any rules promulgated pursuant to sections 644.006 to 644.141.

[15.**]** **14.** The department shall respond to all requests for individual certification under Section 401 of the Federal Clean Water Act within the lesser of sixty days or the allowed response period established pursuant to applicable federal regulations without request for an extension period unless such extension is determined by the commission to be necessary to evaluate significant impacts on water quality standards and the commission establishes a timetable for completion of such evaluation in a period of no more than one hundred eighty days.

[16.**]** **15.** All permit fees generated pursuant to this chapter shall not be used for the development or expansion of total maximum daily loads studies on either the Missouri or Mississippi rivers.

[17.**]** **16.** The department shall implement permit shield provisions equivalent to the permit shield provisions implemented by the U.S. Environmental Protection Agency pursuant to the Clean Water Act Section 402(k), 33 U.S.C. 1342(k), and its implementing regulations, for permits issued pursuant to chapter 644.

17. Prior to the development of a new general permit or reissuance of a general permit for aquaculture, land disturbance requiring a stormwater permit, or reissuance of a general permit under which fifty or more permits were issued under a general permit during the immediately preceding five-year period for a designated category of water contaminant sources, the director shall implement a public participation process complying with the following minimum

requirements:

(1) For a new general permit or reissuance of a general permit, a general permit template shall be developed for which comments shall be sought from permittees and other interested persons prior to issuance of the general permit;

(2) The director shall publish notice of his intent to issue a new general permit or reissue a general permit by posting notice on the department's website at least one-hundred eighty days before the proposed effective date of the general permit;

(3) The director shall hold a public informational meeting to provide information on anticipated permit conditions and requirements and to receive informal comments from permittees and other interested persons. The director shall include notice of the public informational meeting with the notice of intent to issue a new general permit or reissue a general permit under subdivision (2) of this subsection. The notice of the public informational meeting, including the date, time and location, shall be posted on the department's website at least thirty days in advance of the public meeting. If the meeting is being held for reissuance of a general permit, notice shall also be made by electronic mail to all permittees holding the current general permit which is expiring. Notice to current permittees shall be made at least twenty days prior to the public meeting;

(4) The director shall hold a thirty-day public comment period to receive comments on the general permit template with the thirty-day comment period expiring at least sixty days prior to the effective date of the general permit. Scanned copies of the comments received during the public comment period shall be posted on the department's website within five business days after close of the public comment period;

(5) A revised draft of a general permit template and the director's response to comments submitted during the public comment period shall be posted on the department's website at least forty-five days prior to issuance of the general permit. At least forty-five days prior to issuance of the general permit the department shall notify all persons who submitted comments to the department that these documents have been posted to the department's website;

(6) Upon issuance of a new or renewed general permit, the general permit shall be posted to the department's website.

18. Notices required to be made by the department pursuant to subsection 17 of this section may be made by electronic mail. The department shall not be required to make notice to any permittee or other person who has not provided a current electronic mail address to the department. In the event the department chooses to make material modifications to the general permit before its expiration, the department shall follow the public participation process described in subsection 17 of this section.

19. The provisions of subsection 17 of this section shall become effective beginning January 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 854**, entitled:

An Act to repeal sections 208.895 and 660.315, RSMo, and to enact in lieu thereof two new sections relating to the employment disqualification list for home care employees.

With House Amendment Nos. 1, 2 and 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 854, Page 1, In the Title, Line 3, by deleting the phrase "employment disqualification list for home care employees" and inserting in lieu thereof the phrase "home- and community-based services"; and

Further amend said bill, Section 208.895, Page 2, Lines 42 - 45, by deleting all of said lines from the bill and renumber subsequent subsections accordingly; and

Further amend said Bill, Section and Page, Line 48, by deleting the words "**section, the**" and inserting in lieu thereof the following:

"**section, a provider has the option of completing an assessment and care plan recommendation. At such time that the department approves or modifies the assessment and care plan, the care plan shall become effective; such approval or modification shall occur within five business days after receipt of the assessment and care plan from the provider. If such approval, modification, or denial by the department does not occur within five business days the provider's care plan shall be approved and payment shall begin no later than five business days after receipt of the assessment and care plan from the provider. The**"; and

Further amend said Bill and Section, Page 3, Line 67, by deleting all of said line and insert in lieu thereof the following:

"**shall include a review of the client plan of care and provider assessments, choice and communication of home-**"; and

Further amend said bill, section and page, Line 69, by inserting after the word "**services.**" the following:

"**Such auditing shall be conducted utilizing a statistically valid sample.**"; and

Further amend said bill and section, page 3, Lines 73 - 74, by deleting all of said lines and insert in lieu thereof the following:

"**(1) "Assessment" means a face-to-face determination that a Medicaid participant is eligible for home- and community-based services and:**"; and

Further amend said bill, Section 660.315, Page 6, Lines 75 - 78, by deleting all of said lines and inserting in lieu thereof the word "disqualification list."; and

Further amend said bill and section, Pages 6 - 7, Lines 82 - 87, by deleting all of said lines and inserting in lieu thereof the word "writing"; and

Further amend said bill and section, Page 7, Line 97, by inserting after the word "employer" the phrase "**or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250**"; and

Further said bill, section and page, Lines 99 - 104, by deleting all of said lines and inserting lieu thereof the following:

"after the date of hire**] deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or**"; and

Further amend said bill, section and page, Line 107, by inserting after the word "**employer**" the phrase "**or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 854, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children's diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may

recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term "temporary leave of absence" shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, **[**or**]** podiatrist**, or an advanced practice registered nurse with a collaborative practice agreement**; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, **[**or**]** podiatrist**, or an advanced practice registered nurse with a collaborative practice agreement** may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in his professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person's physical

requirements, as opposed to housekeeping requirements, which enable a person to be treated by his physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if her or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional

in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. 301, et seq.) subject to appropriation by the general assembly;

(17) **[**Beginning July 1, 1990,**]** The services of **[**a certified pediatric or family nursing practitioner] **an advanced practice registered nurse** with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the division of medical services, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as defined in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subsection, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant

portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the Missouri MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. 1396a (a)(13)(C).

10. The MO HealthNet division, may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility

under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 854, Page 8, Section 660.315, Line 136, by inserting after all of said section and line the following:

"**Section 1. 1. The department of social services is authorized to pay for coverage for health services for non-Medicaid eligible blind individuals who receive benefits under the Missouri blind pension cash grant and have a gross family income of between zero percent and three hundred percent of the federal poverty level. Such individuals shall pay the following health care premiums based on such individual's gross income to be eligible to receive such benefits:**

(1) No premium for an individual with a gross income of up to one hundred fifty percent of the federal poverty level;

(2) Three percent of one hundred fifty percent of the federal poverty level for an individual for individuals with a gross income of more than one hundred fifty and up to one hundred eighty-five percent of the federal poverty level;

(3) Four percent of one hundred eighty-five percent of the federal poverty level for an individual for individuals with a gross income of more than one hundred eighty-five and up to two hundred twenty-five percent of the federal poverty level; and

(4) Five percent of two hundred twenty-five percent of the federal poverty level for an individual for individuals with a gross income of more than two hundred twenty-five and up to three hundred percent of the federal poverty level.

Any individual with a gross income of greater than three hundred percent of the federal poverty level is ineligible for benefits under this section.

2. (1) There is hereby created in the state treasury the "Blind Pension Health Care Fund" which shall consist of all federal moneys received by the state for the purpose of providing health care services for non-Medicaid eligible blind individuals who receive benefits under the Missouri blind pension cash grant. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of the program of health care benefits described in subsection 1 of this section.

(2) Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. (1) There is hereby created in the state treasury the "Blind Pension Premium Fund" which shall consist of all premiums collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve

disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of the program of health care benefits described in subsection 1 of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

Section B. Because of the need to protect funding for the blind pension health care fund, the enactment of section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Lembke moved that the Senate refuse to concur in **HCS** for **SB 668**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Stouffer assumed the Chair.

HOUSE BILLS ON THIRD READING

HCS for **HB 1647**, entitled:

An Act to repeal section 292.606, RSMo, and to enact in lieu thereof one new section relating to the Missouri Emergency Response Commission.

Was called from the Informal Calendar and taken up by Senator Kehoe.

Senator Kehoe offered **SS** for **HCS** for **HB 1647**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1647

An Act to repeal sections 259.010, 259.020, 259.030, 259.040, 259.070, 260.392, 292.606, 301.010, 320.106, 320.131, 320.136, 414.530, 414.560, 414.570, and 650.230, RSMo, and to enact in lieu thereof seventeen new sections relating to public safety, with an emergency clause for certain sections.

Senator Kehoe moved that **SS** for **HCS** for **HB 1647** be adopted.

At the request of Senator Kehoe, **HCS** for **HB 1647**, with **SS** (pending), was placed on the Informal Calendar.

HB 1577, introduced by Representative Largent, et al, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to foster care students.

Was called from the Informal Calendar and taken up by Senator Pearce.

On motion of Senator Pearce, **HB 1577** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Lager moved that **HCS** for **HB 1361**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HCS** for **HB 1361** was again taken up.

Senator Lager offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 1361, Page 1, Section 392.602, Line 13 of said page, by inserting immediately after "section." the following: "**Unless otherwise agreed between the parties,**"; and

Further amend said bill and section, page 6, line 10 of said page, by inserting immediately after the word "issues" the following: "**without deference to any previous determination or findings made by the rural electric cooperative on such issue or issues**"; and further amend line 27 of said page, by striking the word "any" and inserting in lieu thereof the following: "**a substantial**"; and

Further amend said bill and section, page 11, line 25 of said page, by inserting after all of said line the following:

"**12. Nothing in this section shall be deemed to apply to any land or property owned or operated by any railroad regulated by the Federal Railroad Administration.**".

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Green offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 1361, Page 1, In the Title, Line 3, by striking the word "broadband" and inserting in lieu thereof the following: "utilities"; and further amend said bill, Page 11, Section 392.602, Line 25 by inserting after all of said line the following:

"565.081. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, cable worker, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. As used in this section, the term "cable worker" means any employee including any person employed under contract, of a cable operator, as such term is defined in section 673.2677

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the first degree is a class A felony.

565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, **highway worker in a construction zone or work zone, utility worker, cable worker,** or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer,

emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. As used in this section, the term "cable worker" means any employee, including any person employed under contract, of a cable operator, as such term is defined in section 67.2677.

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony. For any violation of subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence.

565.083. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the third degree if:

(1) Such person recklessly causes physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable**

worker, or probation and parole officer;

(2) Such person purposely places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer without the consent of the law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. As used in this section, the term "cable worker" means any employee, including any person employed under contract, of a cable operator, as such term is defined in section 67.2677.

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the third degree is a class A misdemeanor."; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Lager, **HCS** for **HB 1361**, with **SS**, as amended (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Mayer moved that the Senate refuse to concur in **HCS** for **SS** for **SB 854**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HBs 1934** and **1654**, entitled:

An Act to repeal section 273.327, RSMo, and to enact in lieu thereof one new section relating to animal shelter fees.

Was called from the Informal Calendar and taken up by Senator Schaefer.

At the request of Senator Schaefer, **HCS** for **HBs 1934** and **1654** was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Dixon moved that **SCS** for **SB 563**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 563**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 563

An Act to repeal sections 172.803, 173.300, 174.332, and 174.450, RSMo, and to enact in lieu thereof nine new sections relating to higher education, with an emergency clause for certain sections.

Was taken up.

Senator Dixon moved that **HCS** for **SCS** for **SB 563**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Curls	McKenna	Nieves—3

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Dixon, **HCS** for **SCS** for **SB 563**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators—None

Absent—Senators

Curls	McKenna	Nieves	Schmitt—4

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Dempsey	Dixon	Engler	Goodman	Green
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senator Chappelle-Nadal—1

Absent—Senators

Curls	McKenna	Nieves—3

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 498**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 498

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 498;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Brian Munzlinger	/s/ Lindell F. Shumake
/s/ Jason Crowell	/s/ Charlie Davis

/s/ Dan Brown
/s/ Victor E. Callahan
/s/ Ryan McKenna
/s/ David Day
/s/ Mike Talboy
/s/ Chris Kelly

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Nieves Schmitt—2

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Munzlinger, **CCS** for **HCS** for **SCS** for **SB 498**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 498

An Act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations, with an emergency clause.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Green Nieves—2

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Green Nieves—2

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Kehoe moved that **HCS** for **HB 1647**, with **SS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HCS** for **HB 1647** was again taken up.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 54, Section 650.230, Line 27 of said page, by inserting immediately after said line the following:

"**701.550. 1. As used in this section the following terms mean:**

(1) "Anemometer", an instrument for measuring and recording the speed of the wind;

(2) "Anemometer tower", a structure, including all guy wires and accessory facilities, that has been constructed solely for the purpose of mounting an anemometer to document whether a site has wind resources sufficient for the operation of a wind turbine generator;

(3) "Area surrounding the anchor point", an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point.

2. Any anemometer tower that is fifty feet in height above the ground or higher that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law, shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before August 28, 2012, shall be marked as required in this section by January 1, 2014. Any anemometer tower that is erected on or after August 28, 2012, shall be marked as required in this section at the

time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

3. A violation of this section is a class B misdemeanor."; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 51, Section 414.570, Line 26, by inserting immediately after said line, the following:

"571.020. 1. A person commits a crime if such person knowingly possesses, manufactures, transports, repairs, or sells:

(1) An explosive weapon;

(2) An explosive, incendiary or poison substance or material with the purpose to possess, manufacture or sell an explosive weapon;

(3) A gas gun;

(4) **[**A switchblade knife;

(5)**]** A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; or

[(6)**] (5)** Knuckles; or

[(7)**] (6)** Any of the following in violation of federal law:

(a) A machine gun;

(b) A short-barreled rifle or shotgun; **[**or**]**

(c) A firearm silencer**; or**

(d) A switchblade knife.

2. A person does not commit a crime pursuant to this section if his conduct involved any of the items in subdivisions (1) to **[**(6)**] (5)** of subsection 1, the item was possessed in conformity with any applicable

federal law, and the conduct:

(1) Was incident to the performance of official duty by the armed forces, national guard, a governmental law enforcement agency, or a penal institution; or

(2) Was incident to engaging in a lawful commercial or business transaction with an organization enumerated in subdivision (1) of this section; or

(3) Was incident to using an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise; or

(4) Was incident to displaying the weapon in a public museum or exhibition; or

(5) Was incident to using the weapon in a manner reasonably related to a lawful dramatic performance.

3. A crime pursuant to subdivision (1), (2), (3) or **[**(7)**] (6)** of subsection 1 of this section is a class C felony; a crime pursuant to subdivision (4)**[**,**] or** (5) **[**or (6)**]** of subsection 1 of this section is a class A misdemeanor.

571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense;

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 11 of this section, and who carry the identification defined in subsection 12 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921 regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant circuit attorney who has completed the firearms safety training course required under subsection 2 of section 571.111; and

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of age or older **or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United**

States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

10. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such

person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

11. As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

12. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.

571.037. Any person who has a valid concealed carry endorsement, and who is lawfully carrying a firearm in a concealed manner, may briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self-defense.

571.092. 1. Any individual who has been adjudged incapacitated under chapter 475, who has been involuntarily committed under chapter 632, or who is otherwise subject to the firearms-related disabilities of 18 U.S.C. Section 922(d)(4) or (g)(4) as a result of an adjudication or commitment that occurred in this state may file a petition for the removal of the disqualification to ship, transport, receive, purchase, possess, or transfer a firearm imposed under 18 U.S.C.

Section 922(d)(4) or (g)(4) and the laws of this state.

2. The petition shall be filed in the circuit court with jurisdiction in the petitioner's place of residence or that entered the letters of guardianship or the most recent order for involuntary commitment, or the most recent disqualifying order, whichever is later. The petition shall include:

(1) The circumstances regarding the firearms disabilities;

(2) The applicant's record which at a minimum shall include the applicant's mental health and criminal history records, if any;

(3) The applicant's reputation through character witness statements, testimony, or other character evidence; and

(4) Any other information or evidence relevant to the relief sought, including but not limited to evidence concerning any changes in the petitioner's condition since the disqualifying commitment or adjudication occurred.

Upon receipt of the petition, the clerk shall schedule a hearing and provide notice of the hearing to the petitioner.

3. The court shall grant the requested relief if it finds by clear and convincing evidence that:

(1) The petitioner will not be likely to act in a manner dangerous to public safety; and

(2) Granting the relief is not contrary to the public interest.

4. In order to determine whether to grant relief under this section, the court may request the local prosecuting attorney, circuit attorney, or attorney general to provide a written recommendation as to whether relief should be granted. In any order requiring such review the court may grant access to any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The court may allow presentation of evidence at the hearing if requested by the petitioner or by the local prosecuting attorney, circuit attorney, or attorney general. A record shall be kept of the proceedings.

5. If the petitioner is filing the petition as a result of an involuntary commitment under chapter 632, the hearing and records shall be closed to the public, unless the court finds that public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in-camera inspection of mental health records. The court may allow the use of the record but shall restrict it from public disclosure, unless it finds that the public interest would be better served by making the record public.

6. The court shall include in its order the specific findings of fact on which it bases its decision.

7. Upon a judicial determination to grant a petition under this section, the clerk in the county where the petition was granted shall forward the order to the Missouri state highway patrol for updating of the petitioner's record with the National Instant Criminal Background Check System (NICS). The Missouri state highway patrol shall contact the Federal Bureau of Investigation to effect this updating no later than twenty-one days from receipt of the order.

8. Any person who has been denied a petition for the removal of the disqualification to ship, transport, receive, purchase, possess, or transfer a firearm under this section shall not be eligible

to file another petition for removal of such disqualification until the expiration of one year from the date of such denial.

9. In the event a petition is denied under this section, the petitioner may appeal such denial, and review shall be de novo.

571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for a period of three years from the date of issuance or renewal. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

(1) Is at least twenty-one years of age, is a citizen of the United States and either:

(a) Has assumed residency in this state; or

(b) Is a member of the armed forces stationed in Missouri, or the spouse of such member of the military;

(2) **Is at least twenty-one years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:**

(a) Has assumed residency in this state;

(b) Is a member of the armed forces stationed in Missouri; or

(c) The spouse of such member of the military stationed in Missouri and twenty-one years of age;

(3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

[(3)**] (4)** Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;

[(4)**] (5)** Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

[(5)**] (6)** Has not been discharged under dishonorable conditions from the United States armed forces;

[(6)**] (7)** Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;

[(7)**] (8)** Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;

[(8)**] (9)** Submits a completed application for a certificate of qualification as described in subsection 3 of this section;

[(9)**] (10)** Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;

[(10)**] (11)** Is not the respondent of a valid full order of protection which is still in effect.

3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:

(1) The applicant's name, address, telephone number, gender, and date and place of birth;

(2) An affirmation that the applicant has assumed residency in Missouri or is a member of the armed forces stationed in Missouri or the spouse of such a member of the armed forces and is a citizen of the United States;

(3) An affirmation that the applicant is at least twenty-one years of age **or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces**;

(4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;

(6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term

exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States armed forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11 of this section.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department

of revenue.

6. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section. The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

11. For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.

571.111. 1. An applicant for a concealed carry endorsement shall demonstrate knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed carry endorsement:

(1) Submits a photocopy of a certificate of firearms safety training course completion, as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as defined in subsection 5 of this section; or

(2) Submits a photocopy of a certificate that shows the applicant completed a firearms safety course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or

(4) Submits proof that the applicant currently holds any type of valid peace officer license issued under the requirements of chapter 590; or

(5) Submits proof that the applicant is currently allowed to carry firearms in accordance with the certification requirements of section 217.710; or

(6) Submits proof that the applicant is currently certified as any class of corrections officer by the Missouri department of corrections and has passed at least one eight-hour firearms training course, approved by the director of the Missouri department of corrections under the authority granted to him or her by section 217.105, that includes instruction on the justifiable use of force as prescribed in chapter 563**; or**

(7) Submits a photocopy of a certificate of firearms safety training course completion that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of subsection 2 of this section that were in effect on the date it was issued.

2. A certificate of firearms safety training course completion may be issued to any applicant by any qualified firearms safety instructor. On the certificate of course completion the qualified firearms safety instructor shall affirm that the individual receiving instruction has taken and passed a firearms safety course of at least eight hours in length taught by the instructor that included:

(1) Handgun safety in the classroom, at home, on the firing range and while carrying the firearm;

(2) A physical demonstration performed by the applicant that demonstrated his or her ability to safely

load and unload a revolver and a semiautomatic pistol and demonstrated his or her marksmanship with both;

(3) The basic principles of marksmanship;

(4) Care and cleaning of concealable firearms;

(5) Safe storage of firearms at home;

(6) The requirements of this state for obtaining a certificate of qualification for a concealed carry endorsement from the sheriff of the individual's county of residence and a concealed carry endorsement issued by the department of revenue;

(7) The laws relating to firearms as prescribed in this chapter;

(8) The laws relating to the justifiable use of force as prescribed in chapter 563;

(9) A live firing exercise of sufficient duration for each applicant to fire both a revolver and a semiautomatic pistol, from a standing position or its equivalent, a minimum of fifty rounds from each handgun at a distance of seven yards from a B-27 silhouette target or an equivalent target;

(10) A live fire test administered to the applicant while the instructor was present of twenty rounds from each handgun from a standing position or its equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.

3. A qualified firearms safety instructor shall not give a grade of passing to an applicant for a concealed carry endorsement who:

(1) Does not follow the orders of the qualified firearms instructor or cognizant range officer; or

(2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety instructor, poses a danger to the applicant or to others; or

(3) During the live fire testing portion of the course fails to hit the silhouette portion of the targets with at least fifteen rounds, with both handguns.

4. Qualified firearms safety instructors who provide firearms safety instruction to any person who applies for a concealed carry endorsement shall:

(1) Make the applicant's course records available upon request to the sheriff of the county in which the applicant resides;

(2) Maintain all course records on students for a period of no less than four years from course completion date; and

(3) Not have more than forty students in the classroom portion of the course or more than five students per range officer engaged in range firing.

5. A firearms safety instructor shall be considered to be a qualified firearms safety instructor by any sheriff issuing a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121 if the instructor:

(1) Is a valid firearms safety instructor certified by the National Rifle Association holding a rating as a personal protection instructor or pistol marksmanship instructor; or

(2) Submits a photocopy of a certificate from a firearms safety instructor's course offered by a local,

state, or federal governmental agency; or

(3) Submits a photocopy of a certificate from a firearms safety instructor course approved by the department of public safety; or

(4) Has successfully completed a firearms safety instructor course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(5) Is a certified police officer firearms safety instructor.

6. Any firearms safety instructor who knowingly provides any sheriff with any false information concerning an applicant's performance on any portion of the required training and qualification shall be guilty of a class C misdemeanor.

571.117. 1. Any person who has knowledge that another person, who was issued a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, never was or no longer is eligible for such endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's certificate of qualification for a concealed carry endorsement and such person's concealed carry endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of ....., Missouri

....., PLAINTIFF

)

)

vs.) Case Number .....

)

. . . . . , DEFENDANT,
Carry Endorsement Holder

. . . . . , DEFENDANT,
Sheriff of Issuance

PETITION FOR REVOCATION
OF CERTIFICATE OF QUALIFICATION
OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant, ..., has a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, and that the defendant's certificate of qualification or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a certificate or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant, ..., never was or no longer is eligible for such certificate or endorsement for one or more of the

following reasons:

(CHECK BELOW EACH REASON
THAT APPLIES TO THIS DEFENDANT)

☐ Defendant is not at least twenty-one years of age **or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces**.

☐ Defendant is not a citizen of the United States.

☐ Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.

☐ Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

☐ Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.

☐ Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

☐ Defendant has been discharged under dishonorable conditions from the United States armed forces.

☐ Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.

☐ Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.

☐ Defendant failed to submit a completed application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.

☐ Defendant failed to submit to or failed to clear the required background check.

☐ Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal

knowledge and is not primarily intended to harass the defendant/respondent named herein.

....., PLAINTIFF

2. If at the hearing the plaintiff shows that the defendant was not eligible for the certificate of qualification or the concealed carry endorsement issued pursuant to sections 571.101 to 571.121, at the time of issuance or renewal or is no longer eligible for a certificate of qualification or the concealed carry endorsement issued pursuant to the provisions of sections 571.101 to 571.121, the court shall issue an appropriate order to cause the revocation of the certificate of qualification or concealed carry endorsement. Costs shall not be assessed against the sheriff.

3. The finder of fact, in any action brought against an endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a certificate of qualification or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, so long as the sheriff acted in good faith."; and

Further amend said bill, page 54, section 650.230, line 27, by inserting after all of said line, the following:

"**[**475.375. 1. Any individual over the age of eighteen years who has been adjudged incapacitated under this chapter or who has been involuntarily committed under chapter 632 may file a petition for the removal of the disqualification to purchase, possess, or transfer a firearm when:

(1) The individual no longer suffers from the condition that resulted in the individual's incapacity or involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. No individual who has been found guilty by reason of mental disease or defect may petition a court for restoration under this section.

2. The petition shall be filed in the circuit court that entered the letters of guardianship or the most recent order for involuntary commitment, whichever is later. Upon receipt of the petition,

the clerk shall schedule a hearing and provide notice of the hearing to the petitioner.

3. The burden is on the petitioner to establish by clear and convincing evidence that:

(1) The petitioner no longer suffers from the condition that resulted in the incapacity or the involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest.

4. Upon the filing of the petition the court shall review the petition and determine if the petition is based upon frivolous grounds and if so may deny the petition without a hearing. In order to determine whether petitioner has met the burden pursuant to this section, the court may request the local prosecuting attorney, circuit attorney, or attorney general to provide a written recommendation as to whether relief should be granted. In any order requiring such review the court may grant access to any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The court may allow presentation of evidence at the hearing if requested by the local prosecuting attorney, circuit attorney, or attorney general.

5. If the petitioner is filing the petition as a result of an involuntary commitment under chapter 632, the hearing and records shall be closed to the public, unless the court finds that public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in-camera inspection of mental health records. The court may allow the use of the record but shall restrict from public disclosure, unless it finds that the public interest would be better served by making the record public.

6. The court shall enter an order that:

(1) The petitioner does or does not continue to suffer from the condition that resulted in commitment;

(2) The individual does or does not continue to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. The court shall include in its order the specific findings of fact on which it bases its decision.

7. Upon a judicial determination to grant a petition under this section, the clerk in the county where the petition was granted shall forward the order to the Missouri state highway patrol for updating of the petitioner's record with the National Instant Criminal Background Check System (NICS).

8. (1) Any person who has been denied a petition for the removal of the disqualification to purchase, possess, or transfer a firearm pursuant to this section shall not be eligible to file another petition for removal of the disqualification to purchase, possess, or transfer a firearm until the expiration of one year from the date of such denial.

(2) If a person has previously filed a petition for the removal of the disqualification to

purchase, possess, or transfer a firearm and the court determined that:

(a) The petitioner's petition was frivolous; or

(b) The petitioner's condition had not so changed such that the person continued to suffer form the condition that resulted in the individual's incapacity or involuntary commitment and continued to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; or

(3) Granting relief under this section would be contrary to the public interest, then the court shall deny the subsequent petition unless the petition contains the additional facts upon which the court could find the condition of the petitioner had so changed that a hearing was warranted.**]"**; and

Further amend page 55, section B, line 1, by inserting after the word "law", the following: "and to clarify the requirements for concealed carry endorsements", and further amend line 2, by striking the word "and", and further amend said line, by inserting after "320.136", the following: "and section 571.111"; and further amend line 6, by striking the word "and"; and further amend said line, by inserting after "320.136", the following: "and section 571.111"' and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted.

Senator Lembke offered **SA 1** to **SA 2**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 23, Section 571.111, Line 11, by inserting after the word "unload" the following: "**either**"; and further amend line 12 by striking the first use of the word "and" and inserting in lieu thereof the following: "**or**"; and further amend line 13 by striking the word "both" and inserting in lieu thereof the following: "**the handgun**"; and further amend line 26 by striking the word "both" and inserting in lieu thereof the following: "**either**" and further amend said line by striking the word "and" and inserting in lieu thereof the following: "**or**"; and further amend line 28 by striking the words "from each handgun"; and

Further amend said amendment, page 24, line 2 by striking the words "from each handgun"; and further amend line 15 by striking the words ", with both handguns".

Senator Lembke moved that the above amendment be adopted.

At the request of Senator Kehoe, **HCS** for **HB 1647**, with **SS**, **SA 2** and **SA 1** to **SA 2** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 569**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 569

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 569;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Will Kraus	/s/ Tony Dugger
/s/ Kevin Engler	/s/ Jason Smith
/s/ Luann Ridgeway	/s/ Myron Neth
Jolie Justus	/s/ Joseph Fallert, Jr.
Robin Wright-Jones	/s/ Pat Conway

Senator Kraus moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Crowell	Dempsey	Dixon	Engler	Green	Kehoe	Kraus
Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce
Purgason	Richard	Ridgeway	Schmitt	Stouffer	Wasson—22		

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Goodman	Justus	Keaveny	Rupp	Schaaf
Schaefer	Wright-Jones—10						

Absent—Senator Nieves—1

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Kraus, **CCS** for **HCS** for **SCS** for **SB 569**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 569

An Act to repeal sections 67.1860, 67.1862, 67.1864, 67.1866, 67.1868, 67.1870, 67.1872, 67.1874,

67.1878, 67.1880, 67.1886, 67.1888, 67.1894, 67.1890, 67.1892, 67.1896, 67.1898, 78.090, 79.070, 99.845, 115.091, 115.123, 115.241, and 115.637, RSMo, and to enact in lieu thereof nineteen new sections relating to elections, with existing penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Crowell	Dempsey	Dixon	Engler	Green	Kehoe	Kraus
Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce
Richard	Ridgeway	Schaaf	Schmitt	Stouffer	Wasson—22		

NAYS—Senators

Callahan	Chappelle-Nadal	Curls	Goodman	Justus	Keaveny	Purgason	Rupp
Schaefer	Wright-Jones—10						

Absent—Senator Nieves—1

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Kehoe moved that **HCS** for **HCR 33**, with **SCS**, be taken up for adoption, which motion prevailed.

SCS for **HCS** for **HCR 33** was taken up.

Senator Kehoe moved that **SCS** for **HCS** for **HCR 33** be adopted, which motion prevailed.

On motion of Senator Kehoe, **HCS** for **HCR 33**, as amended, by the **SCS**, was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Nieves	Parson—2

Absent with leave—Senator Cunningham—1

Vacancies—None

PRIVILEGED MOTIONS

Senator Kehoe, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **SB 719**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 719

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, with House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment Nos. 4, 5, and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, as amended;

2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 719;

3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 719 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Mike Kehoe	/s/ Wanda Brown
/s/ Eric Schmitt	/s/ Caleb Jones
/s/ Jack A.L. Goodman	/s/ Don Ruzicka
/s/ Ryan McKenna	/s/ Tim Meadows
/s/ Robin Wright-Jones	/s/ Tom McDonald

Senator Kehoe moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Purgason—1

Absent—Senator Nieves—1

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Kehoe, **CCS No. 2** for **SS** for **SCS** for **SB 719**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 719

An Act to repeal sections 302.173, 306.127, 306.532, and 577.073, RSMo, and to enact in lieu thereof four new sections relating to transportation, with existing penalty provisions and an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Nieves Ridgeway—2

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Nieves Ridgeway—2

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SB 564**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 564

The Conference Committee appointed on Senate Bill No. 564, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendments Nos. 3, 4, 6, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 564, as amended;

2. The Senate recede from its position on Senate Bill No. 564;

3. That the attached Conference Committee Substitute for Senate Bill No. 564, be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Dan Brown	/s/ Charlie Davis
/s/ Jay Wasson	/s/ David Day
/s/ Ron Richard	/s/ R. Thomas Long
/s/ Ryan McKenna	/s/ Tim Meadows
/s/ Robin Wright-Jones	/s/ Joseph Fallert Jr.

Senator Brown moved that the above conference committee report be adopted.

At the request of Senator Brown, the motion to adopt the conference committee report was withdrawn.

Senator Brown moved that the Senate refuse to adopt the **CCR** on **SB 564**, as amended, and request the House to grant further conference, which motion prevailed.

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 635**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 635

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, with House Amendment Nos. 1, 2, 3 and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7, 8 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 635;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/David Pearce	/s/ Don Phillips
/s/ Kevin Engler	/s/ Don Wells
/s/ Jay Wasson	/s/ Jason Smith
/s/ Jolie Justus	/s/ Jeanette Mott-Oxford
/s/ Robin Wright-Jones	/s/ Mary Nichols

Senator Pearce moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Pearce, **CCS** for **HCS** for **SCS** for **SB 635**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 635

An Act to repeal sections 30.270, 34.070, 178.530, 228.368, 301.600, 306.400, 339.500, 339.501, 339.503, 339.505, 339.509, 339.511, 339.513, 339.515, 339.517, 339.525, 339.527, 339.529, 339.532, 339.533, 339.535, 339.537, 339.541, 339.543, 339.545, 339.549, 339.1100, 339.1105, 339.1110, 339.1115, 339.1120, 339.1125, 339.1130, 339.1135, 339.1140, 339.1145, 339.1150, 339.1155, 339.1160, 339.1170, 339.1175, 339.1180, 339.1185, 339.1190, 339.1200, 339.1205, 339.1210, 339.1215, 339.1220, 339.1230, 339.1235, 339.1240, 362.333, and 400.9-311, RSMo, and to enact in lieu thereof thirty-four new sections relating to financial transactions, with penalty provisions and an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler

Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Purgason—1

Absent—Senator Nieves—1

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Crowell assumed the Chair.

Senator Stouffer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SB 665**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE BILL NO. 665

The Conference Committee appointed on Senate Substitute for Senate Bill No. 665, with House Amendments Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendments Nos. 4, 5, 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Bill No. 665, as amended;

2. The Senate recede from its position on Senate Substitute for Senate Bill No. 665;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Bill No. 665, be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Bill Stouffer	/s/ Randy Asbury
/s/ Kevin Engler	/s/ Stanley Cox
/s/ Jay Wasson	/s/ Todd Richardson
/s/ Ryan McKenna	/s/ Kevin McManus
/s/ Robin Wright-Jones	/s/ Jacob Hummel

Senator Stouffer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Stouffer, **CCS** for **SS** for **SB 665**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 665

An Act to repeal sections 72.401 and 177.011, RSMo, and to enact in lieu thereof fifteen new sections relating to the regulation of real property, with an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Chappelle-Nadal—1

Absent—Senator Nieves—1

Absent with leave—Senator Cunningham—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Curls	Dempsey	Dixon	Engler	Goodman
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Chappelle-Nadal Purgason—2

Absent—Senators

Green Nieves—2

Absent with leave—Senator Cunningham—1

Vacancies—None

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Keaveny, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 636**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 636

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 636, with House Amendment Nos. 1, 2 and 4 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 636, as amended;

2. The Senate recede from its position on Senate Bill No. 636;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 636 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Joseph P. Keaveny	/s/ John Diehl
/s/ Jolie L. Justus	/s/ Stanley Cox
/s/ Jack A.L. Goodman	/s/ Kevin Elmer
/s/ Bob Dixon	/s/ Jacob Hummel
/s/ John Lamping	/s/ Mike Colona

Senator Keaveny moved that the above conference committee report be adopted.

At the request of Senator Keaveny, the motion to adopt the conference committee report was withdrawn.

Senator Keaveny moved that the Senate refuse to adopt the **CCR** on **HCS** for **SB 636**, as amended, and request the House to grant further conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 568** and has taken up and passed **CCS** for **HCS** for **SB 568**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has receded from its position on **HA 1**, **HA 2** to **SCS** for **SB 715** and has again taken up and passed **SCS** for **SB 715**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HB 1135** as amended and has taken up and passed **CCS** for **SCS** for **HB 1135**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 726** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS No. 2** for **SCS** for **SB 480** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House

refuses to recede from its position on **HCS** for **SS** for **SB 854** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has receded from its position on **HA 1** to **SB 736** and has again taken up and passed **SB 736**.

Bill ordered enrolled.

INTRODUCTIONS OF GUESTS

Senator Pearce introduced to the Senate, the Physician of the Day, Dr. William Turner and Marie McCullough, Nevada.

On behalf of Senators Pearce and Stouffer, the President introduced to the Senate, Presiding Commissioner Nelson Heil and his son Garrett, Carroll County.

On motion of Senator Dempsey, the Senate adjourned under the rules.

SENATE CALENDAR

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SEVENTY-THIRD DAY–THURSDAY, MAY 17, 2012

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FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#3 for SCS for SB 710-Engler

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS
SB 745-Lembke
SB 765-Schaefer
SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 1640, with SCS (Stouffer) (In Fiscal Oversight)
2. HCS for HJR 41 (Green) (In Fiscal Oversight)
3. HCS for HBs 1278 & 1152, with SCS (Richard) (In Fiscal Oversight)
4. HCS for HB 1860 & HCS for HB 1254, with SCS (Lager) (In Fiscal Oversight)
5. HB 1251-Ruzicka, with SCS (Lager)
6. HCS#2 for HB 1475 (Cunningham)
7. HB 1534-Bahr, et al (Mayer)
8. HB 1062-Dieckhaus and Lampe
9. HB 1315-McCaherty, et al
10. HB 1096-Wieland
11. HB 1046-Rowland (Purgason)
12. HCS for HB 1407, with SCS (Wright-Jones)

13. HCS#2 for HB 1524 (Munzlinger)
14. HCS for HB 1214 (Schaefer)
15. HCS for HB 1854, with SCS (Rupp) (In Fiscal Oversight)
16. HB 1029-Flanigan and Allen (Dixon)
17. HCS for HB 1049, with SCS (Schmitt)
18. HCS for HB 1274 (Rupp)
19. HCS for HB 1900 (Munzlinger) (In Fiscal Oversight)
20. HB 1037-Dugger (Purgason)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham

SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS
SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS

SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HB 1051-Allen, et al, with SCS, SS for SCS & SA 1 (pending) (Lager)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HB 1114-Weter (Goodman)
HCS for HB 1123 (Brown)
HB 1131-Fisher (Pearce)
HCS for HB 1140, with SCS (Brown)
HB 1192-Koenig, et al (Cunningham)
HCS for HB 1193, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 3 to SSA 1 for SA 1 (pending) (Engler)
HCS for HB 1300, with SCS (Parson)
HCS#2 for HB 1317, with SCS (Schaefer)
HB 1318-Riddle, et al (Kehoe)
HCS for HB 1324, with SCS (Munzlinger)
SCS for HB 1331-Jones (117), et al (Kehoe)
HB 1337-Stream, with SCS & SS for SCS (pending) (Brown)
HCS for HB 1361, with SS (pending) (Lager)
HCS for HB 1383 (Munzlinger)
HB 1403-Schatz, et al, with SS (pending) (Dempsey)
HB 1424-Marshall, et al (Engler)
HCS for HB 1442 (Brown)
HCS for HB 1526, with SS & SA 1 (pending) (Rupp)
HCS for HB 1623, with SCS, SS#2 for SCS & SA 12 (pending) (Schmitt)
HCS for HB 1637, with SCS (pending) (Purgason)
HCS for HB 1644, with SA 1 & SA 1 to SA 1 (pending) (Purgason)
HCS for HB 1647, with SS, SA 2 & SA 1 to SA 2 (pending) (Kehoe)
HCS for HB 1722 (Pearce)
HCS for HB 1789, with SCS & SA 2 (pending) (Nieves)
HB 1804-Molendorp, et al (Justus)
HCS for HB 1818 (Kehoe)
HCS for HB 1869, with SCA 1 (Parson)
HCS for HBs 1934 & 1654 (Schaefer)
HB 2099-Elmer (Lager)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 469-Dixon, with HCS, as amended
SCS for SB 591-Parson, with HCS, as amended

SS for SCS for SB 595-Kraus, with HCS
SS for SCS for SB 682-Dempsey, with HCS, as amended
SS for SCS for SB 699-Goodman, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5, as amended & HA 6
SB 760-Dempsey, with HCS, as amended
SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 455-Pearce, with HCS, as amended
SS for SCS for SB 467-Munzlinger, with HCS, as amended
SS for SCS for SB 470-Dixon, with HCS, as amended
SCS for SB 480-Stouffer, with HCS#2, as amended
SCS for SB 485-Cunningham, with HCS, as amended
SCS for SB 498-Munzlinger and Justus, with HCS, as amended
(Senate adopted CCR and passed CCS)
SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8
(Senate requests House grant further conference)
SCS for SB 566-Brown, with HA 1 & HA 2
SCS for SB 569-Kraus, with HCS, as amended
(Senate adopted CCR and passed CCS)
SB 578-Parson, with HCS, as amended
SB 599-Schaefer, with HA 1, HA 2, as amended, HA 3, as amended, HA 4, as amended & HA 5
SB 611-Lembke, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8
SB 628-Schaefer, with HCS, as amended
SCS for SB 631-Parson, with HCS, as amended
SCS for SB 635-Pearce, with HCS, as amended
(Senate adopted CCR and passed CCS)
SB 636-Keaveny, with HCS, as amended
(Senate requests House grant further conference)
SS for SB 665-Stouffer, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6
(Senate adopted CCR and passed CCS)
SCS for SB 711-Lamping, with HCS, as amended
SS for SCS for SB 719-Kehoe, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6
(Senate adopted CCR#2 and passed CCS#2)
SCS for SB 726-Parson, with HCS, as amended
SB 739-Keaveny, with HCS, as amended
SS for SB 854-Mayer, with HCS, as amended
HB 1073 & HCS for HB 1477-Sater, with SS for SCS, as amended (Munzlinger)
HB 1135-Smith (150), et al, with SCS, as amended (Dixon)
(House adopted CCR and passed CCS)
HCS for HB 1402, with SS for SCS, as amended (Stouffer)

Requests to Recede or Grant Conference

SB 668-Lembke, with HCS, as amended
(Senate requests House recede or grant conference)

SCS for SB 673-Brown, with HCS, as amended
(Senate requests House recede or grant conference)

SS for SB 749-Lamping, with HCS, as amended
(Senate requests House recede or grant conference)

HBs 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 & 1878-Marshall, et al, with SS for SCS, as amended (Schaaf)
(Senate requests House take up and pass the bill)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp

SCR 21-Pearce, et al

SR 1762-Schmitt

HCR 12-Davis, et al (Brown)

HCR 22-Walton Gray, et al (Chappelle-Nadal)

HCR 25-Allen, et al (Dixon)

HCR 31-Schieffer, et al (Rupp)

HCR 42-Rowland, et al

HCR 43-Franklin (Purgason)

HCR 46-Franklin, et al (Purgason)

HCR 49-Fallert, et al (Engler)

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Journal of the Senate

SECOND REGULAR SESSION

SEVENTY-THIRD DAY—THURSDAY, MAY 17, 2012

The Senate met pursuant to adjournment.

Senator Pearce in the Chair.

Reverend Carl Gauck offered the following prayer:

"You will keep him in perfect peace, whose mind is stayed on you." (Isaiah 26:3)

Heavenly Father, we know that with all the demands on us and time away from those we love, we are not as centered as we have need. Help us to stay our mind on You so our lives may have the peace we need to deal with all that is before us these final days, so that we may be effective and helpful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wright-Jones offered Senate Resolution No. 2221, regarding the death of Katherine Louise (Thomas) Webster, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 769**, entitled:

An Act to repeal section 178.530, RSMo, and to enact in lieu thereof eleven new sections relating to state and local standards, with penalty provision.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment Nos. 2, 3, 4, 5 and 6.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Bill No. 769 Page 9 Line 8 by inserting after all of said line the following:

"Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved

properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such

hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page1 , Section A, Line 3, by inserting immediately after said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2

of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July

12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established

pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the

relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 8, Section 321.228, Line 26, by inserting after the word "**construction**" the following:

"**. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure**"; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 1, Section A, Line 3, by inserting after all of said line the following:

"**1.340. No provision of a statute shall require or allow for the extension or reauthorization by resolution or concurrent resolution of a credit against a tax of general applicability. Such provision shall be null and void in its entirety, but the remaining subsections of that statute shall remain in effect.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 1, Section A, Line 3, by inserting after all of said line the following:

"57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be

payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section**[**; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence**]. The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year**, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars**[**, other than regular budget allocations or land sale proceeds,**] in any calendar year** shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 2, Section 178.530, Line 26, by inserting after all of said section and line the following:

"**191.334. 1. This section shall be known and may be cited as "Chloe's Law".**

2. By January 1, 2013, the department of health and senior services shall expand the newborn screening requirements in section 191.331 to include critical congenital heart disease, using a test approved by the department, prior to discharge of the newborn from the health care facility.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 9, Section 701.550, Line 29, by inserting after all of said section and line the following:

"**Section 1. No law, rule, or contract shall compel, directly or indirectly, health care provider, or hospital to participate in any particular health information exchange.**

2. This section does not:

(1) Affect laws or regulations in effect as of January 1, 2010;

(2) Affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing health care provider, or hospital for participating in any health information exchange.

3. As used in this section, the following terms shall mean:

(1) "Compel", any penalties or fines;

(2) "Health care system", any public or private entity whose function or purpose is the management of, processing of, enrollment of individuals for or payment for, in full or in part, health care services or health care data or health care information for its participants;

(3) "Penalties or fines", any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge or any named fee with a similar effect established by law or rule by a government established, created or controlled agency that is used to punish or discourage the exercise of rights protected under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 510**, entitled:

An Act to repeal sections 71.012, 71.014, 71.015, 94.110, 137.076, and 250.140, RSMo, and to enact in lieu thereof seven new sections relating to political subdivisions.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9, as amended, House Amendment No. 10, House Amendment No. 1 to House

Amendment No. 11, House Amendment No. 11, as amended, House Amendment Nos. 12, 13, 14, 15, 17 and 18.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"**67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**

(1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of revenue;

(6) "Eligible costs", shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other

documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent

taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly**.**

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9,

Section 94.110, Line 50, by inserting after all of said section and line, the following:

"136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities **whose primary administrative office is located within the same county, legislative district, or senatorial district as the fee office bid upon** that are exempt from taxation under Section 501(c)(3) **[**or**],** 501(c)(6)**, or 501(c)(19)** of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts**, with a point preference given for the following:**

(1) Organizations and entities currently operating fee offices within the municipality or county shall be given points for the immediately preceding year of operation, with additional points awarded for each continuous five-year period of operation beyond the initial year;

(2) Organizations and entities who have previously operated fee offices within the municipality or county shall be given points for a year of operation, with additional points awarded for each continuous five-year period of operation beyond the initial year;

(3) Organizations and entities shall be given points based on lower administrative costs, with preference given to organizations and entities with lower such costs.

3. Any nonprofit entity awarded a contract under this section shall:

(1) Submit the most recent annual report to the director of the department of revenue, prior to February first of each year, which shall contain for the immediately preceding year:

(a) The net receipts of the fee office;

(b) An itemization of all expenditures and administrative fees paid including both operating expenses and charitable contributions; and

(c) A list of all charities benefitting from fees collected under this section;

(2) Prominently display at its business location all charitable entities benefitting from fees collected under this section.

The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection **and subsection 2 of this section**. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

[3.**] 4.** All fees collected by a tax-exempt organization may be retained and used by the organization.

[4.**] 5.** All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

[5.**] 6.** Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

[6.**] 7.** The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

[7.**] 8.** Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in

subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy**.

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will

provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; **[**and**]**

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .

Owner's telephone number and mailing address: . . . . . .

If signer is different from owner:

Name of signer: . . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: . . . . . .

If the owner is an individual, state if owner is single or married: . . . . . .

If owner is not an individual, state what type of entity: . . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned: . . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute

this petition on behalf of the property owner named immediately above. . . . . .
. . . . . .

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF . . . . .)

Before me personally appeared . . . . . ., to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this . . . . . day of . . . . . (month), ... (year).

. . . . . .

Notary Public

My Commission Expires: . . . . . **; and**

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice

in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 137.076, Line 5, by inserting after all of said section and line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of ..... (insert name of county) impose a county sales tax of ..... (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year

shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants **or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants** that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. **Except as provided in subdivision (4) of this subsection,** each member shall be one of the following:

(a) The head of any of the county's fire protection districts, or a designee;

(b) The head of any of the county's ambulance districts, or a designee;

(c) The county sheriff, or a designee;

(d) The head of any of the police departments in the county, or a designee; and

(e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section, the following:

"**67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:**

(1) Later establishment or cessation of any park or recreation system provided by law; or

(2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". . . . . Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

(1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;

(2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or

maintained by that district;

(3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;

(4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;

(5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

(6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;

(7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;

(8) Establish and collect reasonable charges for the use of the facilities of the district;

(9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and

(10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of . . . . ., state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". . . . . Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in ..... County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to . . . . County and the cities within the County for local park improvements?

☐ YES ☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of

one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under

this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve

for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding,

extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042."; and

Further amend said bill, Page 9, Section 137.076, Line 5, by inserting after all of said section, the following:

"144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred

thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, **[**2013**] 2023**.

182.802. 1. **[**A**] (1) Any** public library district located **in any of the following counties may impose a tax as provided in this section:**

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; **[**or**]**

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants**;**

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be

submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district."; and

Further amend said bill, Page 10, Section 339.098, Line 3, by inserting after all of said section, the following:

"Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting after all of said section and line the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) **"Disaster area", a blighted area located within a municipality for which public and individual assistance has been requested by the President under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., provided that the municipality adopts an ordinance approving the redevelopment project within five years after the President declares such disaster;**

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)**] (6)** "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

(a) Discourage commerce, industry or manufacturing from moving their operations to another state; or

(b) Result in increased employment in the municipality; or

(c) Result in preservation or enhancement of the tax base of the municipality;

[(6)**] (7)** "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat

and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)**] (8)** "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)**] (9)** "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)**] (10)** "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)**] (11)** "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)**] (12)** "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)**] (13)** "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)**] (14)** "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)**] (15)** "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)**] (16)** "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

(a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs **and, in the case of a redevelopment area that contains a disaster area, all or a portion of a taxing district's operating costs and its debt service costs** resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

[(16)**] (17)** "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)**] (18)** "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(18)**] (19)** "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)**] (20)** "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity

taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is**:**

(a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met**; or**

(b) A blighted area in which a majority of the property is located within a disaster area;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible**, provided that, in the case of a redevelopment area that contains a disaster area, such information regarding financial feasibility may be provided by and attested to by the governing body of the municipality**;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations,

when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in subsection 4 **or 15** of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by

subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing

the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within

or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project

pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

15. Beginning August 28, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, the following revenues may be available for appropriation by the general assembly as provided in subsection 21 of this section to the Missouri supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects:

(1) Up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect; and

(2) Any additional state revenues in excess of the amount in subdivision (1) of this subsection, to the extent requested by the department of economic development in accordance with subsection 23 of this section.

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after August 28, 2012, appropriations from the state disaster recovery revenues and any additional state revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be

separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenues described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The incremental increase in state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas in which a majority of the property is located within disaster areas.

21. The initial appropriation of state disaster recovery revenues and any additional state revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues and any additional state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The estimate of additional state revenues being requested in excess of the amount of state disaster recovery revenues in one or more fiscal years in accordance with subsection 23 of this section;

(e) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;

(f) The name, street and mailing address, and phone number of the mayor or chief executive

officer of the municipality;

(g) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

(h) The estimated redevelopment project costs;

(i) The anticipated sources of funds to pay such redevelopment project costs;

(j) Evidence of the commitments to finance such redevelopment project costs;

(k) The anticipated type and term of the sources of funds to pay such redevelopment project costs;

(l) The anticipated type and terms of the obligations to be issued;

(m) The most recent equalized assessed valuation of the property within the redevelopment project area;

(n) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;

(o) The general land uses to apply in the redevelopment area;

(p) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;

(q) The total number of full-time equivalent positions in the redevelopment area;

(r) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;

(s) A list of other community and economic benefits to result from the redevelopment project;

(t) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;

(u) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(v) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(w) A market study for the redevelopment area;

(x) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development

or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;

(3) The appropriation may be made from one or more of the following sources, as approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;

(a) The estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area;

(b) The estimate of the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application; and

(c) Any additional amount requested by the department of economic development in accordance with subsection 23 of this section, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee.

(4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project and any additional state revenues shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues and any additional state revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year of additional state revenues from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues

estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 21 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

(1) The amount and source of revenue in the special allocation fund;

(2) The amount and purpose of expenditures from the special allocation fund;

(3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;

(4) The original assessed value of the redevelopment project;

(5) The assessed valuation added to the redevelopment project;

(6) Payments made in lieu of taxes received and expended;

(7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include **the following:**

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; **or**

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

(8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include **the following:**

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; **or**

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area and a separate entry for any additional state revenues received in accordance with subsection 23 of section 99.845;

(9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

(10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

(11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

(12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

(13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects. Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are

subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting."; and

Further amend said bill, Page 10, Section 339.098, Line 3, bv inserting after all of said section and line the following:

"Section B. Because immediate action is necessary to provide tax relief as the result of the recent natural disasters in this state, sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 137.076, Line 5, by inserting after all of said section and line, the following:

"**[**650.325.] **190.411.** There is hereby established within the department of public safety the "[Advisory Committee for] 911 Service Oversight **Board**" which is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training and education. The [committee for] 911 service oversight **board** shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state.

[650.330.] **190.415.** 1. The [committee for] 911 service oversight **board** shall consist of [sixteen] **seven** members, one of [which] **whom** shall be [chosen from] **the director of** the department of public safety **or the director's designee,** who shall serve as chair of the [committee] **board** and only vote in the instance of a tie vote among the other members, and the other members shall be selected as follows:

(1) [One member chosen to represent an association domiciled in this state whose primary interest relates to counties;

(2) One member chosen to represent the Missouri public service commission;

(3)] One member chosen to represent emergency medical services;

[(4)] **(2)** One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

[(5)] **(3)** One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;

[(6)] **(4)** One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

[(7)] **(5)** One member chosen to represent an association whose primary interest relates to issues pertaining to [police chiefs] **law enforcement officials**; **and**

[(8) One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;

(9) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;

(10) One member chosen to represent 911 service providers in counties of the second, third and fourth classification;

(11) One member chosen to represent 911 service providers in counties of the first classification, with and without charter forms of government, and cities not within a county;

(12)] **(6)** One member chosen to represent telecommunications service providers with [at least one hundred thousand] access lines located within Missouri[;

(13) One member chosen to represent telecommunications service providers with less than one hundred thousand access lines located within Missouri;

(14) One member chosen to represent a professional association of physicians who conduct with emergency care; and

(15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers].

2. Each of the members of the [committee for] 911 service oversight **board** shall be appointed by the governor with the advice and consent of the senate for a term of four years[; except that, of those members first appointed, four members shall be appointed to serve for one year, four members shall be appointed to serve for two years, four members shall be appointed to serve for three years and four members shall be appointed to serve for four years]. Members of the [committee] **board** may serve multiple terms.

3. The [committee for] 911 service oversight **board** shall meet at least quarterly at a place and time specified by the chairperson of the [committee] **board** and it shall keep and maintain records of such meetings, as well as the other activities of the [committee] **board**. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the [committee] **board**.

4. The [committee for] 911 service oversight **board** shall:

(1) Organize and adopt standards governing the [committee's] **board's** formal and informal procedures;

(2) Provide recommendations for primary answering points and secondary answering points on statewide technical and operational standards for 911 services;

(3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;

(4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that such [committee] **board** shall not supersede decision-making authority of local political subdivisions in regard to 911 services;

(5) Provide assistance to the governor and the general assembly regarding 911 services;

(6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;

(7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;

(8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state; and

(9) Advise the department of public safety on establishing rules and regulations necessary to administer the provisions of sections [650.320 to 650.340] **190.400 to 190.445**.

5. The department of public safety shall provide staff assistance to the [committee for] 911 service oversight **board** as necessary in order for the [committee] **board** to perform its duties pursuant to sections [650.320 to 650.340] **190.400 to 190.445**.

6. The department of public safety is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within section [650.340] **190.445**. Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

[650.340.] **190.445.** 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

(1) Police telecommunicator . . . . . 16 hours;

(2) Fire telecommunicator . . . . . 16 hours;

(3) Emergency medical services telecommunicator . . . . . 16 hours;

(4) Joint communication center telecommunicator . . . . . 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section. The reporting period for the ongoing training under this subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the [committee] **board** that such person has completed training in another state which are at least as stringent as the training requirements of subsection 2 of this section.

6. The department of public safety shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or **dispatch** agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for [an] **a dispatch** agency which meets the requirements set forth in section 190.134."; and

Further amend said bill, Page 10, Section 250.140, Line 34, by inserting after all of said section and line, the following:

"302.291. 1. The director, having good cause to believe that an operator is incompetent or unqualified to retain his or her license, after giving ten days' notice in writing by certified mail directed to such person's present known address, may require the person to submit to an examination as prescribed by the director. Upon conclusion of the examination, the director may allow the person to retain his or her license, may suspend, deny or revoke the person's license, or may issue the person a license subject to restrictions as provided in section 302.301. If an examination indicates a condition that potentially impairs safe driving, the director, in addition to action with respect to the license, may require the person to submit to further periodic examinations. The refusal or neglect of the person to submit to an examination within thirty days after the date of such notice shall be grounds for suspension, denial or revocation of the person's license by the director, an associate circuit or circuit court. Notice of any suspension, denial, revocation or other restriction shall be provided by certified mail. As used in this section, the term "denial" means the act of not licensing a person who is currently suspended, revoked or otherwise not licensed to operate a motor vehicle. Denial may also include the act of withdrawing a previously issued license.

2. The examination provided for in subsection 1 of this section may include, but is not limited to, a written test and tests of driving skills, vision, highway sign recognition and, if appropriate, a physical and/or mental examination as provided in section 302.173.

3. The director shall have good cause to believe that an operator is incompetent or unqualified to retain such person's license on the basis of, but not limited to, a report by:

(1) Any certified peace officer;

(2) Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334; any chiropractic physician licensed pursuant to chapter 331; any registered nurse licensed pursuant to chapter 335; any psychologist, social worker or professional counselor licensed pursuant to chapter 337; any optometrist licensed pursuant to chapter 336; **any emergency medical technician licensed under chapter 190;** or

(3) Any member of the operator's family within three degrees of consanguinity, or the operator's spouse,

who has reached the age of eighteen, except that no person may report the same family member pursuant to this section more than one time during a twelve-month period. The report must state that the person reasonably and in good faith believes the driver cannot safely operate a motor vehicle and must be based upon personal observation or physical evidence which shall be described in the report, or the report shall be based upon an investigation by a law enforcement officer. The report shall be a written declaration in the form prescribed by the department of revenue and shall contain the name, address, telephone number, and signature of the person making the report.

4. Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334, any chiropractor licensed pursuant to chapter 331, any registered nurse licensed pursuant to chapter 335, any psychologist, social worker or professional counselor licensed pursuant to chapter 337, or any optometrist licensed pursuant to chapter 336**, or any emergency medical technician licensed under chapter 190** may report to the department any patient diagnosed or assessed as having a disorder or condition that may prevent such person from safely operating a motor vehicle. Such report shall state the diagnosis or assessment and whether the condition is permanent or temporary. The existence of a physician-patient relationship shall not prevent the making of a report by such medical professionals.

5. Any person who makes a report in good faith pursuant to this section shall be immune from any civil liability that otherwise might result from making the report. Notwithstanding the provisions of chapter 610 to the contrary, all reports made and all medical records reviewed and maintained by the department of revenue pursuant to this section shall be kept confidential except upon order of a court of competent jurisdiction or in a review of the director's action pursuant to section 302.311.

6. The department of revenue shall keep records and statistics of reports made and actions taken against driver's licenses pursuant to this section.

7. The department of revenue shall, in consultation with the medical advisory board established by section 302.292, develop a standardized form and provide guidelines for the reporting of cases and for the examination of drivers pursuant to this section. The guidelines shall be published and adopted as required for rules and regulations pursuant to chapter 536. The department of revenue shall also adopt rules and regulations as necessary to carry out the other provisions of this section. The director of revenue shall provide health care professionals and law enforcement officers with information about the procedures authorized in this section. The guidelines and regulations implementing this section shall be in compliance with the federal Americans with Disabilities Act of 1990.

8. Any person who knowingly violates a confidentiality provision of this section or who knowingly permits or encourages the unauthorized use of a report or reporting person's name in violation of this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

9. Any person who intentionally files a false report pursuant to this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

10. All appeals of license revocations, suspensions, denials and restrictions shall be made as required pursuant to section 302.311 within thirty days after the receipt of the notice of revocation, suspension, denial or restriction.

11. Any individual whose condition is temporary in nature as reported pursuant to the provisions of subsection 4 of this section shall have the right to petition the director of the department of revenue for total or partial reinstatement of his or her license. Such request shall be made on a form prescribed by the

department of revenue and accompanied by a statement from a health care provider with the same or similar license as the health care provider who made the initial report resulting in the limitation or loss of the driver's license. Such petition shall be decided by the director of the department of revenue within thirty days of receipt of the petition. Such decision by the director is appealable pursuant to subsection 10 of this section.

302.800. 1. For purposes of this section, the following terms mean:

(1) "Department", the department of revenue;

(2) "Director", the director of the department of revenue;

(3) "Emergency responder", a municipal, county, or state law enforcement officer or firefighter, or other person who has been trained to provide emergency medical first response services;

(4) "Program participant", an individual who has completed a health information card that includes health and emergency contact information, and affixed the decal provided by the department of revenue under this section to the individual's motor vehicle.

2. There is hereby established a "Missouri Yellow Dot Program" in the department of revenue. The purpose of the program is to provide emergency responders with critical health and emergency contact information about program participants so emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate.

3. The department of revenue shall design Missouri yellow dot program materials, giving consideration to the program materials used by other states in similar programs. Program materials shall include, but shall not be limited to:

(1) A yellow decal of a size and design to be determined by the department which shall be affixed to the rear driver's side window of the program participant's vehicle;

(2) A health information card which provides space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physician's names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the director deems relevant to emergency responders in the case of emergency;

(3) A yellow envelope of a size and design to be determined by the director into which the health information card established under this subsection is to be inserted and placed into the program participant's glove compartment; and

(4) A program instruction sheet including an electronic mail address required under subsection 4 of this section.

4. The department shall establish an electronic mail mechanism through which persons may ask questions about the program and receive assistance in completing the health information card.

5. The department shall provide sufficient program materials to other state departments or agencies seeking to distribute or make program materials available to interested persons.

6. The director shall notify the state highway patrol regarding the implementation of the Missouri yellow dot program so that all emergency responders are informed about the program.

7. The department may charge an individual seeking to participate in the program a nominal fee to cover the administrative cost of the program.

8. The department shall make Missouri yellow dot program materials available for pick up by any interested person at any driver's license office and shall provide for an online means through which individuals can request the materials required to participate in the program. Any other state department or agency may make the program materials available for distribution to, or pick up by, any interested person.

9. The department shall develop and undertake a public education campaign to inform the public about the program established in this section.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

320.106. As used in sections 320.106 to 320.161, unless clearly indicated otherwise, the following terms mean:

(1) "American Pyrotechnics Association (APA), Standard 87-1", or subsequent standard which may amend or supersede this standard for manufacturers, importers and distributors of fireworks;

(2) "Chemical composition", all pyrotechnic and explosive composition contained in fireworks devices as defined in American Pyrotechnics Association (APA), Standard 87-1;

(3) "Consumer fireworks", explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UNO336, [1.4G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class C common fireworks by regulation of the United States Department of Transportation] **within 49 CFR Part 172**;

(4) "Discharge site", the area immediately surrounding the fireworks mortars used for an outdoor fireworks display;

(5) "Dispenser", a device designed for the measurement and delivery of liquids as fuel;

(6) "Display fireworks", explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two grains (130 mg) of explosive composition intended for public display. These devices are classified as fireworks, **UN0333 or UN0334 or** UNO335, [1.3G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class B display fireworks by regulation of the United States Department of Transportation] **within 49 CFR Part 172**;

(7) "Display site", the immediate area where a fireworks display is conducted, including the discharge site, the fallout area, and the required separation distance from mortars to spectator viewing areas, but not spectator viewing areas or vehicle parking areas;

(8) "Distributor", any person engaged in the business of selling fireworks to wholesalers, jobbers, seasonal retailers, other persons, or governmental bodies that possess the necessary permits as specified in sections 320.106 to 320.161, including any person that imports any fireworks of any kind in any manner into the state of Missouri;

(9) "Fireworks", any composition or device for producing a visible, audible, or both visible and audible effect by combustion, deflagration, or detonation and that meets the definition of consumer, proximate, or display fireworks as set forth by 49 CFR Part 171 to end, United States Department of Transportation hazardous materials regulations[, and American Pyrotechnics Association 87-1 standards];

(10) "Fireworks season", the period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks;

(11) "Jobber", any person engaged in the business of making sales of consumer fireworks at wholesale or retail within the state of Missouri to nonlicensed buyers for use and distribution outside the state of Missouri during a calendar year from the first day of January through the thirty-first day of December;

(12) "Licensed operator", any person who supervises, manages, or directs the discharge of outdoor display fireworks, either by manual or electrical means; who has met additional requirements established by promulgated rule and has successfully completed a display fireworks training course recognized and approved by the state fire marshal;

(13) "Manufacturer", any person engaged in the making, manufacture, assembly or construction of fireworks of any kind within the state of Missouri;

(14) "NFPA", National Fire Protection Association, an international codes and standards organization;

(15) "Permanent structure", buildings and structures with permanent foundations other than tents, mobile homes, and trailers;

(16) "Permit", the written authority of the state fire marshal issued pursuant to sections 320.106 to 320.161 to sell, possess, manufacture, discharge, or distribute fireworks;

(17) "Person", any corporation, association, partnership or individual or group thereof;

(18) "Proximate fireworks", a chemical mixture used in the entertainment industry to produce visible or audible effects by combustion, deflagration, or detonation, as [defined by the most current edition of the American Pyrotechnics Association (APA), Standard 87-1, section 3.8, specific requirements for theatrical pyrotechnics] **classified within 49 CFR Part 172 as UN0431 or UN0432**;

(19) "Pyrotechnic operator" or "special effects operator", an individual who has responsibility for pyrotechnic safety and who controls, initiates, or otherwise creates special effects for proximate fireworks and who has met additional requirements established by promulgated rules and has successfully completed a proximate fireworks training course recognized and approved by the state fire marshal;

(20) "Sale", an exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one or more individuals;

(21) "Seasonal retailer", any person within the state of Missouri engaged in the business of making sales of consumer fireworks in Missouri only during a fireworks season as defined by subdivision (10) of this section;

(22) "Wholesaler", any person engaged in the business of making sales of consumer fireworks to any other person engaged in the business of making sales of consumer fireworks at retail within the state of Missouri.

320.131. 1. It is unlawful for any person to possess, sell or use within the state of Missouri, or ship into the state of Missouri, except as provided in section 320.126, any pyrotechnics commonly known as "fireworks" and defined as consumer fireworks in subdivision (3) of section 320.106 other than items now or hereafter classified as fireworks UNO336, 1.4G by the United States Department of Transportation that comply with the construction, chemical composition, labeling and other regulations relative to consumer fireworks regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public pursuant to such commission's regulations.

2. No wholesaler, jobber, or seasonal retailer, or any other person shall sell, offer for sale, store, display, or have in their possession any consumer fireworks that have not been approved as fireworks UNO336, 1.4G by the United States Department of Transportation.

3. No jobber, wholesaler, manufacturer, or distributor shall sell to seasonal retailer dealers, or any other person, in this state for the purpose of resale, or use, in this state, any consumer fireworks which do not have the numbers and letter "1.4G" printed within an orange, diamond-shaped label printed on or attached to the fireworks shipping carton.

4. This section does not prohibit a manufacturer, distributor or any other person **possessing the proper permits as specified by state and federal law** from storing, selling, shipping or otherwise transporting display or proximate fireworks[, defined as fireworks UNO335, 1.3G/UNO431, 1.4G or UNO432, 1.4S by the United States Department of Transportation, provided they possess the proper permits as specified by state and federal law].

5. Matches, toy pistols, toy canes, toy guns, party poppers, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound, provided that they are so constructed that the hand cannot come into contact with the cap when in place for use, and toy pistol paper caps which contain less than twenty-five hundredths grains of explosive mixture shall be permitted for sale and use at all times and shall not be regulated by the provisions of sections 320.106 to 320.161.

320.136. Ground salutes commonly known as "cherry bombs", "M-80's", "M-100's", "M-1000's", and any other tubular salutes or any items described as prohibited chemical components or forbidden devices as listed in the American Pyrotechnics Association Standard 87-1 or which exceed the [federal] limits set for **consumer** fireworks [UNO336, 1.4G formerly known as class C common fireworks, display fireworks

UNO335, 1.3F, and proximate fireworks UNO431, 1.4F/UNO432, 1.4S by the United States Department of Transportation]**, display fireworks, or proximate fireworks** for explosive composition are expressly prohibited from shipment into, manufacture, possession, sale, or use within the state of Missouri for consumer use. Possession, sale, manufacture, or transport of this type of illegal explosive shall be punished as provided by the provisions of section 571.020.

320.202. 1. There is hereby established within the department of public safety a "Division of Fire Safety", which shall have as its chief executive officer the fire marshal appointed under section 320.205. The fire marshal and the division shall be responsible for:

(1) The voluntary training of firefighters, investigators, inspectors, and public or private employees or volunteers in the field of emergency response, rescue, fire prevention or preparedness;

(2) Establishing and maintaining a statewide reporting system, which shall, as a minimum, include the records required by section 320.235 and a record of all fires occurring in Missouri showing:

(a) The name of all owners of personal and real property affected by the fire;

(b) The name of each occupant of each building in which a fire occurred;

(c) The total amount of insurance carried by, the total amount of insurance collected by, and the total amount of loss to each owner of property affected by the fire; and

(d) All the facts, statistics and circumstances, including, but not limited to, the origin of the fire, which are or may be determined by any investigation conducted by the division or any local firefighting agency under the laws of this state. All records maintained under this subdivision shall be open to public inspections during all normal business hours of the division;

(3) Conducting all investigations of fires mandated by sections 320.200 to 320.270;

(4) Conducting all fire inspections required of any private premises in order for any license relating to such private premises to be issued under any licensing law of this state, except those organizations and institutions licensed pursuant to chapter 197;

(5) Establishing and maintaining a voluntary training and certification program based upon nationally recognized standards. A certification testing fee and recertification fee shall be established by promulgated rules and regulations by the state fire marshal under the provisions of section 536.024.

Fees collected shall be deposited into the [general revenue] **fire education** fund **established in section 320.094**.

2. The state fire marshal shall exercise and perform all powers and duties necessary to carry out the responsibilities imposed by subsection 1 of this section, including, but not limited to, the power to contract with any person, firm, corporation, state agency, or political subdivision for services necessary to accomplish any of the responsibilities imposed by subsection 1 of this section.

3. The state fire marshal shall have the authority to promulgate rules and regulations under the provisions of section 536.024 to carry out the provisions of this section.

321.015. **1.** No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform

no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to**:**

(1) Members of the organized militia, of the reserve corps, public school employees and notaries public**;** [, or to]

(2) Fire protection districts located wholly within counties of the second, third or fourth [class or] classification;

(3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;

(4) Fire protection districts located within [first class] counties **of the first classification** not adjoining any other [first class] county **of the first classification; [**, nor shall this section apply to]

(5) Fire protection districts located within any county of the first or second [class] classification not having more than nine hundred thousand inhabitants which borders any three [first class] counties **of the first classification**; [nor shall this section apply to]

(6) Fire protection districts located within any [first class] county **of the first classification [**without a charter form of government] which adjoins both a [first class] charter county [with a charter form of government] with at least nine hundred thousand inhabitants, and adjoins at least four other counties**;**

(7) Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof.

321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district at least one year before the election or appointment and be over the age of twenty-five years; except as provided in subsections 2 and 3 of this section. The person shall also be a resident of such fire protection district. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than one year before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election

authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

5. Any director who has been found guilty of or pled guilty to any felony offense shall immediately forfeit his or her office.

6. No person shall be qualified to serve as a director, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid or past due county taxes.

321.162. 1. **In addition to the qualifications prescribed by law,** all members of the board of directors of a fire protection district first elected **or appointed** on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of a fire protection district. The training required under this section shall be conducted by an entity approved by the office of the state fire marshal. The office of the state fire marshal shall determine the content of the training to fulfill the requirements of this section. Such training shall include, at a minimum:

(1) Information relating to the roles and duties of a fire protection district director;

(2) A review of all state statutes and regulations relevant to fire protection districts;

(3) State ethics laws;

(4) State sunshine laws, chapter 610;

(5) Financial and fiduciary responsibility;

(6) State laws relating to the setting of tax rates; and

(7) State laws relating to revenue limitations.

2. If any fire protection district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session.

321.228. 1. As used in this section, the following terms shall mean:

(1) "Residential construction", new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;

(2) "Residential construction regulatory system", any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege

to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board.

3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.

321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part,** as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the ..... Fire Protection Districts and the ..... Fire Protection District be consolidated into one fire

protection district to be known as the ..... Fire Protection District, with tax levies not in excess of the following amounts: maintenance fund ..... cents per one hundred dollars assessed valuation; ambulance service ..... cents per one hundred dollars assessed valuation; pension fund ..... cents per one hundred dollars assessed valuation; and dispatching fund ..... cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners.

321.711. 1. A recall petition shall be filed with the election authority not more than one hundred eighty days after the filing of the notice of intention.

2. The number of qualified signatures required in order to recall an officer shall be equal in number to at least [twenty-five] **twenty** percent of the number of voters who voted in the most recent gubernatorial election in that district.

3. Within twenty days from the filing of the recall petition the election authority shall determine whether or not the petition was signed by the required number of qualified signatures. The election authority shall file with the petition a certificate showing the results of the examination. The authority shall give the proponents a copy of the certificate upon their request.

4. If the election authority certifies the petition to be insufficient, it may be supplemented within ten days of the date of certificate by filing additional petition sections containing all of the information required by section 321.709 and this section. Within ten days after the supplemental copies are filed, the election authority shall file with it a certificate stating whether or not the petition as supplemented is sufficient.

5. If the certificate shows that the petition as supplemented is insufficient, no action shall be taken on it; however, the petition shall remain on file."; and

Further amend said bill and page, Section 339.098, Line 3, by inserting after all of said section and line, the following:

"577.029. A licensed physician, registered nurse, or trained **in hospital** medical technician, acting at the request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his or her good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the

person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or her.

Section 1. 1. For purposes of this act, the term "anemometer" means an instrument for measuring and recording the speed of the wind, and the term "anemometer tower" means a structure, including all guy wires and accessory facilities, on which an anemometer is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator.

2. Any anemometer tower that is fifty feet in height above the ground or higher, that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before the effective date of this act shall be marked as required in this section within one year after the effective date of this act. Any anemometer tower that is erected on or after the effective date of this act shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced. For purposes of this section, the term, area surrounding the anchor point, means an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point. A violation of this section is a class C misdemeanor.

[190.400. As used in sections 190.400 to 190.440, the following words and terms shall mean:

(1) "911", the primary emergency telephone number within the wireless system;

(2) "Board", the wireless service provider enhanced 911 advisory board;

(3) "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;

(4) "Public safety answering point", the location at which 911 calls are initially answered;

(5) "Wireless service provider", a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).]

[190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:

(1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;

(2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;

(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and

(4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.

2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.

3. The board shall do the following:

(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;

(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;

(3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and

(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.

4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.]

[190.420. 1. There is hereby established in the state treasury a fund to be known as the "Wireless Service Provider Enhanced 911 Service Fund". All fees collected pursuant to sections 190.400 to 190.440 by wireless service providers shall be remitted to the director of the department of revenue. The director shall remit such payments to the state treasurer.

2. The state treasurer shall deposit such payments into the wireless service provider enhanced 911 service fund. Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the wireless service provider enhanced 911 system.

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080,

relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund.]

[190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.

2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to July 2, 1998, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 2, 1998, shall be invalid and void.

3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:

(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and

(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:

(a) The volume of wireless 911 calls received by each public safety answering point;

(b) The population of the public safety answering point jurisdiction;

(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and

(d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section;

(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;

(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published

in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.

4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.

5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.

6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.

7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.

8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.]

[190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the voters of this state. The ballot measure shall be submitted by the secretary of state for approval or rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.

2. The ballot of the submission shall contain, but is not limited to, the following language:

Shall the Missouri Office of Administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless enhanced 911 service?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the

votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.]

[650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) "Committee", the advisory committee for 911 service oversight established in section 650.325;

(2) "Public safety answering point", the location at which 911 calls are initially answered;

(3) "Telecommunicator", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.]

Section B. Because immediate action is necessary to ensure compliance with federal regulations prior to the sale of fireworks for the Independence Day holiday, sections 320.106, 320.131, and 320.136 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 320.106, 320.131, and 320.136 of section A this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 137.076, Line 5, by inserting after all of said section and line the following:

"**188.125. 1. It is the intent of the general assembly to acknowledge the rights of an alternatives-to-abortion agency and its officers, agents, employees, and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference, and that the constitutions and laws of the United States and the state of Missouri shall be interpreted, construed, applied, and enforced to fully protect such rights.**

2. A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, controls, directs, interferes with, or otherwise adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech, including but not limited to counseling, referrals, or education of, advertising or information to, or other communications with, clients, patients, other persons, or the public.

3. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, provided that such political subdivision treats an alternatives-to-abortion agency in the same manner as a similarly situated agency and that such authority is not used to circumvent the intent of this section.

4. In any action to enforce the provisions of this section, a court of competent jurisdiction may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney's fees, costs, and expenses. The remedies set forth shall not be deemed exclusive and shall be in addition to

any other remedies permitted by law.

5. As used in this section, "alternatives-to-abortion agency" means:

(1) A maternity home as defined in section 135.600;

(2) A pregnancy resource center as defined in section 135.630; or

(3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist such women in carrying their unborn children to term instead of having abortions, and to assist such women in caring for their dependent children or placing their children for adoption, as described in section 188.325."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510 Page 9, Line 7, by inserting after all of said line the following:

"Further amend said bill, Page 9, Section 94.110, Line 50, by inserting after all of said section and line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date,

and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting immediately after said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of

real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic

activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No

municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the

redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by

the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO.10

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting after all of said section and line the following:

"135.680. 1. As used in this section, the following terms shall mean:

(1) "Adjusted purchase price", the product of:

(a) The amount paid to the issuer of a qualified equity investment for such qualified equity investment; and

(b) The following fraction:

a. The numerator shall be the dollar amount of qualified low-income community investments held by the issuer in this state as of the credit allowance date during the applicable tax year; and

b. The denominator shall be the total dollar amount of qualified low-income community investments held by the issuer in all states as of the credit allowance date during the applicable tax year;

c. For purposes of calculating the amount of qualified low-income community investments held by an issuer, an investment shall be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned to or recovered by the issuer from the original investment, exclusive of any profits realized, in another qualified low-income community investment within twelve months of the receipt of such capital. An issuer shall not be required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment shall be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance;

(2) "Applicable percentage", zero percent for each of the first two credit allowance dates, seven percent for the third credit allowance date, and eight percent for the next four credit allowance dates;

(3) "Credit allowance date", with respect to any qualified equity investment:

(a) The date on which such investment is initially made; and

(b) Each of the six anniversary dates of such date thereafter;

(4) "Long-term debt security", any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least seven years from the date of its issuance, with no acceleration of repayment, amortization, or prepayment features prior to its original maturity date, and with no distribution, payment, or interest features related to the profitability of the qualified community development entity or the performance of the qualified community development entity's investment portfolio. The foregoing shall in no way limit the holder's ability to accelerate payments on the debt instrument in situations where the issuer has defaulted on covenants designed to ensure compliance with this section or Section 45D of the Internal Revenue Code of 1986, as amended;

(5) "Qualified active low-income community business", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that any business that derives or projects to derive fifteen percent or more of its annual revenue from the rental or sale of real estate shall not be considered to be a qualified active low-income community business;

(6) "Qualified community development entity", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that such entity has entered into an allocation agreement with the Community Development Financial Institutions Fund of the U.S. Treasury Department with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended, which includes the state of Missouri within the service area set forth in such allocation agreement;

(7) "Qualified equity investment", any equity investment in, or long-term debt security issued by, a qualified community development entity that:

(a) Is acquired after September 4, 2007, at its original issuance solely in exchange for cash;

(b) Has at least eighty-five percent of its cash purchase price used by the issuer to make qualified low-income community investments; and

(c) Is designated by the issuer as a qualified equity investment under this subdivision and is certified by the department of economic development as not exceeding the limitation contained in subsection 2 of this section. This term shall include any qualified equity investment that does not meet the provisions of paragraph (a) of this subdivision if such investment was a qualified equity investment in the hands of a prior holder;

(8) "Qualified low-income community investment", any capital or equity investment in, or loan to, any qualified active low-income community business. With respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments made in such business, on a collective basis with all of its affiliates, that may be used from the calculation of any numerator described in subparagraph a. of paragraph (b) of subdivision (1) of this subsection shall be ten million dollars whether issued to one or several qualified community development entities;

(9) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or otherwise due under section 375.916 or chapter 147, 148, or 153;

(10) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or the tax imposed in section 375.916 or chapter 147, 148, or 153.

2. A taxpayer that makes a qualified equity investment earns a vested right to tax credits under this section. On each credit allowance date of such qualified equity investment the taxpayer, or subsequent holder of the qualified equity investment, shall be entitled to a tax credit during the taxable year including such credit allowance date. The tax credit amount shall be equal to the applicable percentage of the adjusted purchase price paid to the issuer of such qualified equity investment. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed. No tax credit claimed under this section shall be refundable or transferable. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders. Any amount of tax credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's

five subsequent taxable years. The department of economic development shall limit the monetary amount of qualified equity investments permitted under this section to a level necessary to limit tax credit utilization at no more than twenty-five million dollars of tax credits in any fiscal year. Such limitation on qualified equity investments shall be based on the anticipated utilization of credits without regard to the potential for taxpayers to carry forward tax credits to later tax years.

3. The issuer of the qualified equity investment shall certify to the department of economic development the anticipated dollar amount of such investments to be made in this state during the first twelve-month period following the initial credit allowance date. If on the second credit allowance date, the actual dollar amount of such investments is different than the amount estimated, the department of economic development shall adjust the credits arising on the second allowance date to account for such difference.

4. The department of economic development shall recapture the tax credit allowed under this section with respect to such qualified equity investment under this section if:

(1) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(2) The issuer redeems or makes principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of such qualified equity investment. Any tax credit that is subject to recapture shall be recaptured from the taxpayer that claimed the tax credit on a return.

5. The department of economic development shall promulgate rules to implement the provisions of this section, including recapture provisions on a scaled proportional basis, and to administer the allocation of tax credits issued for qualified equity investments, which shall be conducted on a first-come, first-serve basis. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after September 4, 2007, shall be invalid and void.

6. For fiscal years following fiscal year **[**2010**] 2015**, qualified equity investments shall not be made under this section unless reauthorization is made pursuant to this subsection. For all fiscal years following fiscal year **[**2010**] 2015**, unless the general assembly adopts a concurrent resolution granting authority to the department of economic development to approve qualified equity investments for the Missouri new markets development program and clearly describing the amount of tax credits available for the next fiscal year, or otherwise complies with the provisions of this subsection, no qualified equity investments may be permitted to be made under this section. The amount of available tax credits contained in such a resolution shall not exceed the limitation provided under subsection 2 of this section. In any year in which the provisions of this section shall sunset pursuant to subsection 7 of this section, reauthorization shall be made by general law and not by concurrent resolution. Nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to the expiration of authority to make qualified equity investments from claiming tax credits relating to such qualified equity investment for each applicable credit allowance date.

7. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after September 4, **[**2007**] 2012**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. However, nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to sunset of this section under the provisions of section 23.253 from claiming tax credits relating to such qualified equity investment for each credit allowance date."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 11

Amend House Amendment No. 11 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510 Page 1, Line 6, by inserting after all of said line the following:

"Further amend said bill, Page 10, Section 339.098, Line 3, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is exempted from registering under subsection 8 of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia,**or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state **, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three days of conviction, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration;

(3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of subsection 6 of this section; or

(4) The registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the court orders the removal or exemption of such person from the registry.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or

city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. Any person currently on the sexual offender registry for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, **or sexual misconduct in the second degree** and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register.

8. Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

9. (1) The court may grant such relief under subsection 7 or 8 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any

hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

10. Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education and is not entitled to relief under the provisions of subsection 9 of this section. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency and is not entitled to the provisions of subsection 9 of this section.

11. Any person whose name is removed or exempted from the sexual offender registry under subsection 7 or 8 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said line the following:

"**1.340. No provision of a statute shall require or allow for the extension or reauthorization by resolution or concurrent resolution of a credit against a tax of general applicability. Such provision shall be null and void in its entirety, but the remaining subsections of that statute shall remain in effect.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 7, Section 71.015, Line 137, by inserting after all of said section and line the following:

"79.050. 1. The following officers shall be elected by the qualified voters of the city, and shall hold office for the term of two years, except as otherwise provided in this section, and until their successors are elected and qualified, to wit: mayor and board of aldermen. The board of aldermen may provide by ordinance, after the approval of a majority of the voters voting at an election at which the issue is submitted, for the appointment of a collector and for the appointment of a chief of police, who shall perform all duties required of the marshal by law, and any other police officers found by the board of aldermen to be necessary for the good government of the city. The marshal or chief of police shall be twenty-one years of age or older. **Except as provided in subsection 4 of this section,** if the board of aldermen does not provide for the appointment of a chief of police and collector as provided by this section, a city marshal, who shall be twenty-one years of age or older, and collector shall be elected**[**, and**]**. The board of aldermen may provide

by ordinance that the same person may be elected marshal and collector, at the same election, and hold both offices and the board of aldermen may provide by ordinance for the election of city assessor, city attorney, city clerk and street commissioner, who shall hold their respective offices for a term of two years and until their successors shall be elected or appointed and qualified, except that the term of the city marshal shall be four years.

2. The board of aldermen may provide by ordinance, after the approval of a majority of the voters voting thereon at the next municipal election at which the issue is submitted, that the term of the collector shall be four years and the term of the mayor shall be two, three, or four years. Any person elected as collector after the passage of such an ordinance shall serve for a term of four years and until his successor is elected and qualified. Any person elected as mayor after the passage of such ordinance shall serve for a term of two, three, or four years, as provided, and until his successor is elected and qualified.

3. The board of aldermen may provide by ordinance that the term of the board of aldermen shall be four years. Such ordinance shall be submitted by the board to the voters of the city and shall take effect only upon the approval of a majority of the voters voting at an election at which the issue is submitted. Any person elected to the board of aldermen after the passage of such an ordinance shall serve for a term of four years and until his successor is elected and qualified.

4. In any city of the fourth classification with more than three thousand three hundred but fewer than three thousand seven hundred inhabitants and located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the board of aldermen may provide by ordinance that the city marshal or chief of police shall be appointed instead of elected."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3 by inserting after said line the following:

"67.1018. 1. The governing body of any county of the third classification without a township form of government and with more than [five thousand nine hundred but fewer than six thousand inhabitants] **six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat** may impose a tax on the charges for all sleeping rooms**, RV sites, and campsites** paid by the transient guests of hotels **[**or**],** motels**, lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall not be **less than two percent nor** more than five percent per occupied room**, RV site, and campsite** per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room**, RV site, or campsite** and all other taxes imposed by law, and **[**fifty percent of**]** the proceeds of such tax shall be used **[**by the county to fund law enforcement with the remaining fifty percent of such proceeds to be used**]** to fund the promotion**, operation, and development** of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the county) impose a tax on the charges for all sleeping rooms**, RV sites, and campsites** paid by the transient guests of hotels **[**and**],** motels**, lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in ..... (name of county) at a rate of ..... (insert rate of percent) percent for the **[**benefit of the county**] promotion, operation, and development of tourism**?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 10, Section 250.140, Line 34, by inserting after all of said line the following:

"**320.400. As used in sections 320.400 to 320.416, the following terms shall mean:**

(1) "Certificate of registration", the document issued to a contractor under sections 320.400 to 320.416;

(2) "Contractor", an organization that offers to undertake, represents itself as being able to undertake, or does undertake the design, planning, installation, or servicing of a fire sprinkler system or any part of such a system for pay;

(3) "Fire sprinkler system", a suppression system which requires individual calculation and layout in accordance with nationally recognized standards, such as those of the National Fire Protection Association, to protect the interior or exterior of a specific building, structure, or special hazard from fire by conveying water, with or without other agents, to dispersal openings or devices. Such systems also include any overhead and underground fire mains beginning at the point of service, fire hydrants and hydrant mains, standpipes and hoses connected to sprinkler systems, sprinkler tank heaters, air lines, thermal systems used in connection with fire sprinkler systems, and tanks and pumps connected to fire sprinkler systems;

(4) "Inspection", a visual examination of a fire sprinkler system or portion thereof to verify that it appears to be in operating condition and is free of physical damage;

(5) "Installation", the initial placement of fire sprinkler equipment or the extension, modification, or alteration of equipment after the initial placement, and includes the inspection and testing of equipment attendant to the placement or alteration of fire sprinkler equipment;

(6) "NICET", National Institute of Certification in Engineering Technologies;

(7) "Organization", a corporation, a partnership or other business association, a sole proprietorship, a governmental entity, or any other legal or commercial entity;

(8) "Person", a natural person, including an owner, manager, officer, employee, or occupant;

(9) "Point of service", the point at which the underground piping for a sprinkler system using water as the extinguishing agent becomes used exclusively for the sprinkler system;

(10) "Registered firm", an organization holding a valid certificate of registration issued under sections 320.400 to 320.416;

(11) "Service", to inspect, test, or repair fire sprinkler equipment in order to furnish or return the fire sprinkler system to operational condition, and including maintenance contracts;

(12) "Special agent fire suppression system", an approved system, and components thereof, which requires individual calculations and layout in accordance with the manufacturer's instructions to determine the flow rates, nozzle pressures, quantities of extinguishing agent, and number and types of nozzles for protecting one or more hazards by suppressing or extinguishing fire. These systems include kitchen hood fire suppression systems, dry chemical systems, carbon dioxide systems, halogenated and gaseous agent systems, foam systems, and wet chemical systems not connected to fire sprinkler systems. Special agent fire suppression systems shall not include a fire sprinkler system.

320.402. 1. Any contractor who engages in the installation of fire sprinkler systems or services fire sprinkler systems may register with the state fire marshal for a certificate of registration.

2. The provisions of sections 320.400 to 320.416 and the rules and regulations promulgated under sections 320.400 to 320.416 shall have uniform force and effect throughout the state. A municipality, county, or any other local governmental body or jurisdiction may enact or enforce registration or licensing requirements, and the registration provisions of sections 320.400 to 320.416 shall not supercede them.

3. A municipality, county, or any other local governmental body or jurisdiction may require a contractor to obtain a permit and pay a fee for the installation of a fire sprinkler system and require the installation of such system in conformance with the building code or other construction requirements of the municipality, county, or any other local governmental body or jurisdiction.

320.406. 1. The state fire marshal is authorized to promulgate rules and regulations regarding:

(1) The content of applications and the procedures for filing an application for an initial or renewal certificate of registration in this state;

(2) All applicable fees, set at a level to produce revenue which shall not exceed the cost and expense of administering the provisions of sections 320.400 to 320.416;

(3) Establishment of procedures for granting reciprocity with other states.

2. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

320.408. 1. One of the following requirements shall be fulfilled in order to obtain a certificate of registration from the state fire marshal:

(1) The applicant shall employ or contract with a person with a bachelors of science degree in fire protection engineering from an accredited university, from which the employee shall have received training in design, planning, and installation of fire sprinkler systems, or such employee shall be a professional engineer licensed in the state of Missouri;

(2) The applicant shall employ or contract with a person with a NICET Level IV certification in the automatic sprinkler system layout subfield demonstrating the certified person has received training in design, planning, and installation of fire sprinkler systems; or

(3) The applicant shall employ or contract with a person with a NICET Level III certification in the automatic sprinkler system layout subfield demonstrating the certified person has received training in design, planning, and installation of fire sprinkler systems.

2. Any organization that holds a certificate of registration in this state under sections 320.400 to 320.416 may use the title "Missouri state certified fire sprinkler contractor". No other person or organization may use the title "Missouri state certified fire sprinkler contractor". No other person or organization shall assume any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person or organization using the same is a Missouri state certified fire sprinkler contractor.

3. A certificate of registration shall be valid for a period of two years from the date of issue and is renewable biennially on payment of a fee; provided however, that the initial certificates of registration issued on or after August 28, 2012, may be issued for periods of less than two years and the fee shall be prorated proportionally.

4. A fee shall be charged by the state fire marshal for any request for a duplicate certificate of registration or any request requiring change to a certificate of registration. The fee shall be set by the fire marshal.

5. Each contractor holding itself out as a "Missouri state certified fire sprinkler contractor" shall display its certificate of registration issued under sections 320.400 to 320.416 in a conspicuous place in the contractor's place of business.

6. Plans, bids, proposals, offers, and installation drawings for fire sprinkler systems may display the contractor's certificate of registration number.

7. A certificate of registration issued under sections 320.400 to 320.416 shall not be transferable.

8. There is hereby created in the state treasury the "Fire Sprinkler Contractor Registration Fund", which shall consist of money collected under sections 320.400 to 320.416. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of sections 320.400 to 320.416. Any money remaining in the fund at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

320.410. 1. As provided in subsection 3 of section 320.408, each renewal of a certificate of registration issued under sections 320.400 to 320.416 is valid for a period of two years. The certificate of registration fee is payable on renewal.

2. At least thirty days before the expiration of a certificate of registration, the state fire marshal shall send written notice of the impending certificate of registration expiration to the registrant at the last known address.

3. The state fire marshal may, by rule, adopt a system under which certificates of registration expire on various dates during the year. When the certificate of registration expiration date is less than two years from its issuance or anniversary date, the fee shall be prorated on a monthly basis so that each registrant shall pay only that portion of the fee that is allocable to the number of months during which the registration is valid. On each subsequent renewal, the total renewal fee is payable.

320.412. The state fire marshal shall not issue a certificate of registration under sections 320.400 to 320.416 unless the applicant files evidence of a general liability insurance policy that includes products and completed operations coverage. The limits of insurance coverage required by this section shall be in an amount not less than one million dollars aggregate for all occurrences per policy year. The general liability policy shall be conditioned to pay on behalf of the insured those amounts that the insured is legally obligated to pay as damages because of bodily injury and property damage caused by an occurrence involving the insured or the insured's servant, officer, agent, or employee in the conduct of any business registered under sections 320.400 to 320.416.

320.414. 1. The state fire marshal may refuse to issue any certificate of registration or renew any certificate of registration required by one or any provisions of sections 320.400 to 320.416 for one or any combination of reasons stated in subsection 2 of this section. The state fire marshal shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided in chapter 621.

2. The state fire marshal may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against the holder of any certificate of registration required by sections 320.400 to 320.416 or for any one or any combination of the following causes:

(1) Use of fraud, deception, misrepresentation, or bribery in securing a certificate issued pursuant to the provisions of sections 320.400 to 320.416;

(2) Impersonation of any organization holding a certificate or allowing any person or organization to use his or her certificate;

(3) Disciplinary action against the holder of a certificate by another state, territory, federal agency, or country upon grounds for which revocation or suspension is authorized in this state;

(4) Issuance of a certificate based upon a material mistake of fact;

(5) The person or organization has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of any profession regulated under sections 320.400 to 320.416, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(6) Incompetence, misconduct, gross negligence, fraud, misrepresentation, or dishonesty in the performance of the functions or duties of the profession that is regulated by sections 320.400 to 320.416;

(7) Violation of, or assisting or enabling any person or organization to violate, any provision of sections 320.400 to 320.416, or any lawful rule or regulation adopted pursuant to such sections;

(8) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(9) Operating without at least one million dollars in liability insurance coverage.

3. After the filing of a complaint pursuant to subsection 2 of this section, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the state fire marshal may, singly or in combination, censure or place the person or organization named in the complaint on probation on such terms and conditions as the state fire marshal deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the certificate of registration of the person or organization. An individual whose certificate of registration has been revoked shall wait three years from the date of revocation to apply for another certificate. Certification shall be at the discretion of the state fire marshal after compliance with all requirements of sections 320.400 to 320.416 relative to the certification of an applicant for the first time.

4. The state fire marshal shall maintain an information file containing each complaint filed with the state fire marshal relating to a holder of a certificate of registration.

320.416. 1. Upon proper application by the state fire marshal, a court of competent jurisdiction may grant an injunction, restraining order, or other order as may be appropriate to enjoin a person or organization from holding himself, herself, or itself out as a certified fire sprinkler contractor.

2. Any such actions shall be commenced either in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any action brought under this section shall be in addition and not in lieu of any penalty provided by law and may be brought concurrently with other actions to enforce sections 320.400 to 320.416."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Section 94.110, Page 7, by deleting all of said Section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 17

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 10, Section 250.140, Line 34, by inserting after all of said section and line the following:

"**262.975. 1. The department of economic development shall build and maintain, by contract or otherwise, a Missouri solar panel manufacturing website with search engine optimization technology. Such website shall contain content licensed by the department to promote the benefits of locating a solar panel manufacturing facility in Missouri.**

2. The website shall be designed to attract domestic or international solar panel manufacturers

to Missouri. The department must provide links to the new website from at least three other department of economic development websites, and must include content explaining the benefits of manufacturing solar panels in Missouri.

3. The state of Missouri retains ownership of all content on the website. The website developer is authorized to:

(1) Use all informational content provided by the department of economic development, and apply search engine optimization to the website content to achieve a high search engine ranking; and

(2) Sell advertising on the website to any entity that will benefit from marketing to domestic or international solar panel manufacturers. The website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the website, with the website developer retaining all advertising revenues obtained from such website to provide the financing for such website.

4. If contacted, the website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department;

(2) Demonstrate prior experience with website development projects which increased search engine rankings for the client.

5. If contacted, the department of economic development, shall review all applications and award one annual contract for the development, design, marketing, and maintenance of the solar panel manufacturer website, with annual renewals for continuing upgrades, marketing, and maintenance of the website. The department shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department may have a contract terminated for failure to operate under the department's guidelines for the website. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section.

6. The department of economic development may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 18

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any

city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may

order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

(a) Acquisition of land;

(b) Installation of infrastructure for industrial or business parks;

(c) Improvement of water and wastewater treatment capacity;

(d) Extension of streets;

(e) Public facilities directly related to economic development and job creation; and

(f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

(a) Marketing;

(b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;

(c) Training programs to prepare workers for advanced technologies and high skill jobs;

(d) Legal and accounting expenses directly associated with the economic development planning and preparation process;

(e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of **at least** five members, **but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are** to be appointed as follows:

(a) One member **of a five member board, or two members of a nine member board,** shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member **or members** shall be appointed in any manner agreed upon by the affected districts;

(b) Three members **of a five member board, or five members of a nine member board,** shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member **of a five member board, or two members of a nine member board,** shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, **except that when a nine member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years,** and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development

projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 673** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 749** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SS** for

SB 749 as amended. Representatives: Jones (89), Crawford, Cox, McCreery and Black.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SS** for **SB 854** as amended. Representatives: Long, Barnes, Silvey, Ellinger and Morgan.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SCS** for **SB 673** as amended. Representatives: Day, Pollock, Barnes, Schupp and Black.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SCS** for **SB 726** as amended. Representatives: Wells, Jones (89), Molendorp, Swinger and Talboy.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS No. 2** for **SCS** for **SB 480** as amended. Representatives: Burlison, Jones (117), Denison, McCreery and Fallert.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SCS** as amended for **HCS** for **HB 1042** and has taken up and passed **SCS** for **HCS** for **HB 1042** as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SCS** for **HCS** for **HB 1495** and has taken up and passed **SCS** for **HCS** for **HB 1495**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SCS** for **HB 1112** and has taken up and passed **SCS** for **HB 1112.**

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SS** for **SCS** for **HCS** for **HB 1400** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1400**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1**, **SA 2** to **HB 1250** and has taken up and passed **HB 1250** as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1**, **SA 2** to **HB 1103** and has taken up and passed **HB 1103** as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SS** for **HB 1128** and has taken up and passed **SS** for **HB 1128**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SCS** for **HB 1036** and has taken up and passed **SCS** for **HB 1036**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SCS** for **HB 1460** and has taken up and passed **SCS** for **HB 1460**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SS** for **SCS** for **HCS** for **HB 1563** as amended and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1563** as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SS** for **SCS** for **HCS** for **HB 1094** as amended and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1094** as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SCS** for **HCS** for **HBs 1659** and **1116** as amended and has taken up and passed **SCS** for **HCS** for **HBs 1659** and **1116** as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SS** for **HCS** for **HB 1329** and has taken up and passed **SS** for **HCS** for **HB 1329**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1**, **SA 2** to **HB 1909** and has taken up and passed **HB 1909** as amended.

President Pro Tem Mayer assumed the Chair.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS No. 2** for **SCS** for **SB 480**, as amended: Senators Stouffer, Kehoe, Engler, McKenna and Wright-Jones.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 673**, as amended: Senators Brown, Richard, Wasson, McKenna and Wright-Jones.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 726**, as amended: Senators Parson, Kehoe, Engler, Callahan and McKenna.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 854**, as amended: Senators Mayer, Goodman, Crowell, Keaveny and Curls.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HB 1172**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 1661**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which were referred **HCS** for **HB 1900** and **HCS** for **HBs 1278** and **1152**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Engler, Chairman of the Committee on Financial and Governmental Organizations and Elections, submitted the following report:

Mr. President: Your Committee on Financial and Governmental Organizations and Elections, to which was referred **HCS** for **HB 1060**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rupp, Chairman of the Committee on Small Business, Insurance and Industry, submitted the following report:

Mr. President: Your Committee on Small Business, Insurance and Industry, to which was referred **HCS** for **HB 1134**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Pearce assumed the Chair.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

PRIVILEGED MOTIONS

Senator Dixon moved that **HCS** for **SS** for **SCS** for **SB 469**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 469**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 469

An Act to repeal sections 197.080, 197.100, 536.041, and 536.325, RSMo, and to enact in lieu thereof six new sections relating to administrative rules promulgated by certain state agencies.

Was taken up.

Senator Dixon moved that **HCS** for **SS** for **SCS** for **SB 469**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Justus Keaveny—2

Absent—Senators—None

Absent with leave—Senators

Cunningham Nieves—2

Vacancies—None

On motion of Senator Dixon, **HCS** for **SS** for **SCS** for **SB 469**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Justus Keaveny—2

Absent—Senators—None

Absent with leave—Senators

Cunningham Nieves—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Dempsey moved that **SS** for **SCS** for **SB 682**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 682**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 682

An Act to amend chapter 334, RSMo, by adding thereto one new section relating to interventional pain management.

Was taken up.

Senator Dempsey moved that **HCS** for **SS** for **SCS** for **SB 682**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Purgason—1

Absent—Senators—None

Absent with leave—Senators

Cunningham Nieves—2

Vacancies—None

On motion of Senator Dempsey, **HCS** for **SS** for **SCS** for **SB 682**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway

Rupp Schaaf Schaefer Schmitt Stouffer Wasson Wright-Jones—31

NAYS—Senator Purgason—1

Absent—Senators—None

Absent with leave—Senators
Cunningham Nieves—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Dempsey, title to the bill was agreed to.

Senator Dempsey moved that the vote by which the bill passed be reconsidered.

Senator Mayer moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 749**, as amended: Senators Lamping, Dempsey, Richard, Justus and Curls.

PRIVILEGED MOTIONS

Senator Kraus moved that the Senate refuse to concur in **HCS** for **SS** for **SB 769**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HBs 1278** and **1152**, with **SCS**, was placed on the Informal Calendar.

HB 1251, introduced by Representative Ruzicka, with **SCS**, entitled:

An Act to repeal section 640.100, RSMo, and to enact in lieu thereof one new section relating to fees imposed for the enforcement of the federal Safe Drinking Water Act.

Was taken up by Senator Lager.

SCS for **HB 1251**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1251

An Act to repeal sections 59.319, 60.510, 60.530, 60.540, 60.560, 60.570, 60.580, 60.595, 60.610, 60.620, 67.4505, 259.010, 259.020, 259.030, 259.040, 259.070, 260.255, 260.330, 260.392, 292.606, 301.010, 304.120, 414.530, 414.560, 414.570, 577.073, 640.100, 643.225, 644.016, 644.026, 644.051, 644.145, and 650.230, RSMo, and to enact in lieu thereof thirty-six new sections relating to natural resources, with existing penalty provisions and an emergency clause for a certain section.

Was taken up.

Senator Lager moved that **SCS** for **HB 1251** be adopted.

Senator Lager offered **SS** for **SCS** for **HB 1251**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1251

An Act to repeal sections 59.319, 60.510, 60.530, 60.540, 60.560, 60.570, 60.580, 60.590, 60.595, 60.610, 60.620, 67.4505, 259.010, 259.020, 259.030, 259.040, 259.070, 260.255, 260.330, 260.392, 292.606, 301.010, 304.120, 414.530, 414.560, 414.570, 577.073, 621.250, 640.018, 640.100, 643.130, 643.225, 644.016, 644.026, 644.051, 644.071, 644.145, and 650.230, RSMo, and to enact in lieu thereof forty new sections relating to natural resources, with existing penalty provisions and an emergency clause for a certain section.

Senator Lager moved that **SS** for **SCS** for **HB 1251** be adopted.

Senator Green offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1251, Page 2, Section 29.380, Line 10, by inserting at the end of said line the following:

"**The state auditor may request reimbursement from the district for the costs of conducting the audit.**".

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1251, Page 112, Section 650.230, Line 23 of said page, by inserting immediately after said line the following:

"**701.550. 1. As used in this section the following terms mean:**

(1) "Anemometer", an instrument for measuring and recording the speed of the wind;

(2) "Anemometer tower", a structure, including all guy wires and accessory facilities, that has been constructed solely for the purpose of mounting an anemometer to document whether a site has wind resources sufficient for the operation of a wind turbine generator;

(3) "Area surrounding the anchor point", an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point.

2. Any anemometer tower that is fifty feet in height above the ground or higher that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law, shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before August 28, 2012, shall be marked as required in this section by January 1, 2014. Any anemometer tower that is erected on or after August 28, 2012, shall be marked as required in this section at the time it is erected.

Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

3. A violation of this section is a class B misdemeanor."; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Mayer offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1251, Page 23, Section 260.330, Line 13 of said page, by striking the following: "2015" and inserting in lieu thereof the following: "**2017**"; and further amend line 21 of said page, by striking the following: "2015" and inserting in lieu thereof the following: "**2017**"; and

Further amend said bill and section, page 25, line 9 of said page, by striking the following: "2015" and inserting in lieu thereof the following: "**2017**"; and further amend line 17 of said page, by striking the following: "2015" and inserting in lieu thereof the following: "**2017**".

Senator Mayer moved that the above amendment be adopted.

Senator Dempsey offered **SSA 1** for **SA 3**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1251, Pages 22-26, Section 260.330, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Dempsey moved that the above substitute amendment be adopted, which motion failed.

SA 3 was again taken up.

Senator Mayer moved that the above amendment be adopted, which motion prevailed.

Senator Lager moved that **SS** for **SCS** for **HB 1251**, as amended, be adopted, which motion prevailed.

Senator Lager moved that **SS** for **SCS** for **HB 1251**, as amended, be 3rd read and finally passed and was recognized to close.

President Pro Tem Mayer referred **SS** for **SCS** for **HB 1251**, as amended, to the Committee on Ways and Means and Fiscal Oversight.

HOUSE BILLS ON THIRD READING

HB 1424, introduced by Representative Marshall, et al, entitled:

An Act to repeal sections 43.260 and 43.265, RSMo, and to enact in lieu thereof two new sections relating to the state highway patrol.

Was called from the Informal Calendar and taken up by Senator Engler.

Senator Mayer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1424, Page 1, In the Title, Line 3, by striking "the state highway patrol" and inserting in lieu thereof the following: "watercraft"; and

Further amend said bill, page 2, section 43.265, line 19, by inserting immediately after said line the following:

"306.111. 1. A person commits the crime of negligent operation of a vessel if when operating a vessel he or she acts with criminal negligence, as defined in subsection 5 of section 562.016, to cause physical injury to any other person or damage to the property of any other person. A person convicted of negligent operation of a vessel is guilty of a class B misdemeanor upon conviction for the first violation, guilty of a class A misdemeanor upon conviction for the second violation, and guilty of a class D felony for conviction for the third and subsequent violations.

2. A person commits the crime of operating a vessel while intoxicated if he or she operates a vessel on the **[**Mississippi River, Missouri River or the lakes**] waters** of this state while in an intoxicated condition. Operating a vessel while intoxicated is a class B misdemeanor.

3. A person commits the crime of involuntary manslaughter with a vessel if, while in an intoxicated condition, he or she operates any vessel and, when so operating, acts with criminal negligence to cause the death of any person. Involuntary manslaughter with a vessel is a class C felony.

4. A person commits the crime of assault with a vessel in the second degree if, while in an intoxicated condition, he or she operates any vessel and, when so operating, acts with criminal negligence to cause physical injury to any other person. Assault with a vessel in the second degree is a class D felony.

5. For purposes of this section, a person is in an intoxicated condition when he or she is under the influence of alcohol, a controlled substance or drug, or any combination thereof.

306.112. 1. A person commits the crime of operating a vessel with excessive blood alcohol content if such person operates a vessel on the **[**Mississippi River, Missouri River or the lakes**] waters** of this state with eight-hundredths of one percent or more by weight of alcohol in such person's blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person's blood, breath, urine, or saliva.

3. Operating a vessel with excessive blood alcohol content is a class B misdemeanor.

306.113. 1. For purposes of sections **[**306.111**]** **306.110** to 306.119, the term "operate" means to physically control the movement of a vessel in motion under mechanical or sail power in water.

2. No arrest shall be made under sections **[**306.111**]** **306.110** to 306.119 unless probable cause exists for that arrest.

306.114. 1. No person convicted of or pleading guilty to a violation of section **306.110,** 306.111 or 306.112 shall be granted a suspended imposition of sentence, unless such person is placed on probation for a minimum of two years and a record of the conviction or plea of guilty is entered into the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol.

2. Chemical tests of a person's blood, breath, urine, or saliva to be considered valid under the provisions of sections **[**306.111**]** **306.110** to 306.119 shall be performed according to methods and devices approved by the department of health and senior services by licensed medical personnel or by a person possessing a valid permit issued by the department of health and senior services for this purpose. In addition, any state, county, or municipal law enforcement officer who is certified pursuant to chapter 590 may, prior to arrest, administer a portable chemical test to any person suspected of operating any vessel in violation of section **306.110,** 306.111**,** or 306.112. A portable chemical test shall be admissible as evidence of probable cause to arrest and as exculpatory evidence, but shall not be admissible as evidence of blood alcohol content. The provisions of section 306.116 shall not apply to a test administered prior to arrest pursuant to this section.

3. The department of health and senior services shall approve satisfactory techniques, devices, equipment, or methods to conduct tests required by sections **[**306.111**]** **306.110** to 306.119, and shall establish standards as to the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination, suspension or revocation by the department of health and senior services.

4. A licensed physician, registered nurse, or trained medical technician, acting at the request and direction of a law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless the medical personnel, in the exercise of good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test or a urine or saliva specimen. In withdrawing blood for the purpose of determining the alcohol content in the blood, only a previously unused and sterile needle and sterile vessel shall be used and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to such person.

5. No person who administers any test pursuant to the provisions of sections **[**306.111**]** **306.110** to 306.119 upon the request of a law enforcement officer, no hospital in or with which such person is employed or is otherwise associated or in which such test is administered, and no other person, firm, or corporation by whom or with which such person is employed or is in any way associated shall be civilly liable for damages to the person tested, except for negligence in administering of the test or for willful and wanton acts or omissions.

6. Any person who is dead, unconscious or who is otherwise in a condition rendering such person incapable of refusing to take a test as provided in sections **[**306.111**]** **306.110** to 306.119 shall be deemed

not to have withdrawn the consent provided by section 306.116 and the test or tests may be administered.

306.116. 1. Any person who operates a vessel upon the **[**Mississippi River, Missouri River or the lakes**]** **waters** of this state shall be deemed to have given consent to, subject to the provisions of sections **[**306.111**]** **306.110** to 306.119, a chemical test or tests of such person's breath, blood, urine, or saliva for the purpose of determining the alcohol or drug content of such person's blood if arrested for any offense arising out of acts which the arresting law enforcement officer had reasonable grounds to believe were committed while the person was operating a vessel upon the **[**Mississippi River, Missouri River or lakes**]** **waters** of this state in violation of section **306.110,** 306.111**,** or 306.112. The test shall be administered at the direction of the arresting law enforcement officer whenever the person has been arrested for the offense.

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident, or charge.

3. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of such person's choosing and at such person's expense administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

4. Upon the request of the person who is tested, full information concerning the test shall be made available to such person.

306.117. 1. Upon the trial of any person for violation of any of the provisions of section **306.110,** 306.111**,** or 306.112 the amount of alcohol or drugs in the person's blood at the time of the act alleged as shown by any chemical analysis of the person's blood, breath, urine, or saliva is admissible in evidence and the provisions of subdivision (5) of section 491.060 shall not prevent the admissibility or introduction of such evidence if otherwise admissible. Evidence of alcohol in a person's blood shall be given the following effect:

(1) If there was five-hundredths of one percent or less by weight of alcohol in such person's blood, it shall be presumed that the person was not intoxicated at the time the specimen was obtained;

(2) If there was in excess of five-hundredths of one percent but less than eight-hundredths of one percent by weight of alcohol in such person's blood, the fact shall not give rise to any presumption that the person was or was not intoxicated, but the fact may be considered with other competent evidence in determining whether the person was intoxicated;

(3) If there was eight-hundredths of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken.

2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood.

3. A chemical analysis of a person's breath, blood, urine, or saliva, in order to give rise to the presumption or to have the effect provided for in subsection 1 of this section, shall have been performed as provided in sections **[**306.111**]** **306.110** to 306.119 and in accordance with methods and standards approved by the department of health and senior services.

4. The provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was intoxicated or under the influence

of a controlled substance, or drug, or a combination of either or both with or without alcohol.

306.118. 1. For purposes of this section, unless the context clearly indicates otherwise, the following terms mean:

(1) "Aggravated offender", a person who:

(a) Has pleaded guilty to or has been found guilty of three or more intoxication-related boating offenses; or

(b) Has pleaded guilty to or has been found guilty of one or more intoxication-related boating offenses and any of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111, or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(2) "Chronic offender":

(a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related boating offenses; or

(b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082; or

(c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related boating offenses and any of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(3) "Intoxication-related boating offense", operating a vessel while intoxicated under subsection 2 of section 306.111; operating a vessel with excessive blood alcohol content under section 306.112; involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111; any violation of subsection 2 of section 306.110; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(4) "Persistent offender", one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related boating offenses;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter under subsection 3 of section 306.111, **involuntary manslaughter involving a vessel under section 565.024,** assault in the second degree under subsection 4 of section 306.111, assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(5) "Prior offender", a person who has pleaded guilty to or has been found guilty of one intoxication-related boating offense, where such prior offense occurred within five years of the occurrence

of the intoxication-related boating offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section, nor sentence such person to pay a fine in lieu of a term of imprisonment, notwithstanding the provisions of section 557.011 to the contrary notwithstanding. No prior offender shall be eligible for parole or probation until he or she has served a minimum of five days imprisonment, unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service. No persistent offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment, unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court. No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment. No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the

opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilt shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilt, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

306.119. 1. If an arresting officer requests a person under arrest to submit to a chemical test, such request shall include the reasons of the officer for requesting the person to submit to a test and shall inform the person that he or she may refuse such request but that such person's refusal may be used as evidence against him or her. If a person refuses a test as provided in this subsection, no test shall be given.

2. If a person refuses to submit to a chemical test of such person's breath, blood, urine, or saliva and that person stands trial for the crimes provided in section **306.110,** 306.111**,** or 306.112, such refusal may be admissible into evidence at the trial."; and

Further amend the title and enacting clause accordingly.

Senator Mayer moved that the above amendment be adopted.

Senator Kehoe assumed the Chair.

President Kinder assumed the Chair.

Senator Schaefer offered **SA 1** to **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to House Bill No. 1424, Page 1, Section 306.111, Line 18, by inserting a closing bracket after "the"; and further amend said line by striking "**]** waters" and inserting in lieu thereof the following: "**and rivers**"; and

Further amend said amendment, page, 2, section 306.112, line 16, by inserting a closing bracket after the word "the"; and further amend said line by striking "**]** waters" and inserting in lieu thereof the following: "**and rivers**"; and

Further amend said amendment, page 5, section 306.116, line 4, by inserting a closing bracket after "the"; and further amend said line by striking "**]** waters" and inserting in lieu thereof the following: "**and rivers**"; and further amend line 12, by inserting a closing bracket after the word "or" and further amend lines 12 to 13 by striking "**]** waters" and inserting in lieu thereof the following: "**and rivers**".

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was taken up.

Senator Mayer moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Engler, **HB 1424**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Lembke Purgason—2

Absent with leave—Senators

Cunningham Nieves—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1818**, entitled:

An Act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to residential property.

Was called from the Informal Calendar and taken up by Senator Kehoe.

Senator Kehoe offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1818, Page 3, Section 137.016, Lines 55-71, by striking all of said lines and inserting in lieu thereof the following: "percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.".

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Committee Substitute for House Bill No. 1818, Page 4, Section 137.016, Line 94, by inserting after all of said line the following:

"137.076. In establishing the value of a parcel of real property the county assessor shall consider **current market conditions and** previous decisions of the county board of equalization, the state tax commission or a court of competent jurisdiction that affected the value of such parcel. **For purposes of this section, the term "current market conditions", shall include the impact upon the housing market of foreclosures and bank sales.**"; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Kehoe, **HCS** for **HB 1818**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Rupp	Schaaf	Schaefer	Stouffer	Wright-Jones—29			

NAYS—Senators—None

Absent—Senators

Ridgeway	Schmitt	Wasson—3

Absent with leave—Senators

Cunningham	Nieves—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 789**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 813**, entitled:

An Act to repeal sections 67.085, 313.800, 313.812, 313.817, 339.500, 339.501, 339.503, 339.505, 339.509, 339.511, 339.513, 339.515, 339.517, 339.525, 339.527, 339.529, 339.532, 339.533, 339.535,

339.537, 339.541, 339.543, 339.545, 339.549, 339.1100, 339.1105, 339.1110, 339.1115, 339.1120, 339.1125, 339.1130, 339.1135, 339.1140, 339.1145, 339.1150, 339.1155, 339.1160, 339.1170, 339.1175, 339.1180, 339.1185, 339.1190, 339.1200, 339.1205, 339.1210, 339.1215, 339.1220, 339.1230, 339.1235, and 339.1240, RSMo, and to enact in lieu thereof twenty-four new sections relating to financial transactions, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment No. 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment Nos. 8, 9, 10, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11, as amended, and House Amendment No. 12.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 813, in the Title, Line 2, by inserting after the phrase "67.085," the phrase:

" 67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill No. 1504,"; and

Further amend said bill, Section A, Line 1 by inserting after the phrase "Sections 67.085," the phrase:

"section 67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill No. 1504,"; and

Further amend said section, Line 7 by inserting after the phrase " sections 67.085," the phrase "67.5012,"; and

Further amend said bill, Section 67.085, Page 2, Line 22 by inserting after all of said section the following:

"**67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038. The question of whether to continue to impose the one-tenth of one cent local sales tax authorized under this section shall be submitted to the voters of the county every twelve years after the voters of that county approve the initial imposition of the tax.**"; and

Further amend said bill, Section 339.549, Page 30, Line 17 by inserting after all of said line the following:

" **[67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to**

67.5038.]"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 813, Page 10, Section 313.817, Line 47, by deleting all of said line and inserting in lieu thereof the following: "**of an occupational license, except that such approval shall not be made less than twenty-four hours after the determination that a person is a qualified person. A licensee may accept multiple credit instruments from the**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said line the following:

"**143.115. 1. As used in this section, the following terms mean:**

(1) "Deduction", an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed;

(2) "Made in America", manufactured or produced within the United States of America or, if premanufactured, having a fair market value at least seventy percent of which results from domestic labor and materials;

(3) "Storm shelter", an above-ground safe room or an in-ground shelter in this state in the taxpayer's primary residence or on the taxpayer's real property that protects from injury or death caused by dangerous and extreme windstorms, that is in compliance with the requirements established in the Federal Emergency Management Agency's Publication 320 or its successor publication in effect at the time the storm shelter was completed, and in compliance with the International Code Council 500/Nationall Storm Shelter Association standards with the National Storm Shelter Association seal of quality verification, serial number and Certificate of Installation provided with each storm shelter that is installed, and that is made in America;

(4) "Taxpayer", any individual who is a resident of this state and who is subject to the income tax imposed in this chapter.

2. In addition to all deductions listed in this chapter, for all taxable years beginning on or after January 1, 2013, a taxpayer shall be allowed a deduction for the costs incurred in constructing or installing a storm shelter. The deduction amount shall be equal to the lesser of the full amount of the costs incurred in constructing the storm shelter or two thousand five hundred dollars. No taxpayer shall claim a tax deduction more than once under this section, and no deduction shall be issued for more than one storm shelter constructed or installed by such taxpayer for the taxpayer's primary residence.

3. The aggregate amount of tax deductions which may be issued under this section in any one fiscal year shall not exceed two million dollars. If the amount of tax deductions claimed under this section exceeds two million dollars, the director of the department of revenue shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax deductions are equally apportioned among

all taxpayers allowed a tax deduction under this section. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax deductions possible up to the cumulative amount of tax deductions available for the fiscal year.

4. The department of revenue shall establish the procedure by which the deduction provided in this section may be claimed, and may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 813, Page 30, Section 339.549, Line 17, by inserting after all of said section and line, the following:

"408.040. 1. In all nontort actions, interest shall be allowed on all money due upon any judgment or order of any court from the date judgment is entered by the trial court until satisfaction be made by payment, accord or sale of property; all such judgments and orders for money upon contracts bearing more than nine percent interest shall bear the same interest borne by such contracts, and all other judgments and orders for money shall bear nine percent per annum until satisfaction made as aforesaid.

2. Notwithstanding the provisions of subsection 1 of this section, in tort actions, interest shall be allowed on all money due upon any judgment or order of any court from the date of judgment is entered by the trial court until full satisfaction. All such judgments and orders for money shall bear a per annum interest rate equal to the **[**intended Federal Funds Rate, as established by the Federal Reserve Board, plus five percent,**]** **rate set by section 32.065 plus one percent** until full satisfaction is made. The judgment shall state the applicable interest rate, which shall not vary once entered. In tort actions, if a claimant has made a demand for payment of a claim or an offer of settlement of a claim, to the party, parties or their representatives, and to such party's liability insurer if known to the claimant, and the amount of the judgment or order exceeds

the demand for payment or offer of settlement, then prejudgment interest shall be awarded, calculated from a date ninety days after the demand or offer was received, as shown by the certified mail return receipt, or from the date the demand or offer was rejected without counter offer, whichever is earlier. In order to qualify as a demand or offer pursuant to this section, such demand must:

(1) Be in writing and sent by certified mail return receipt requested; and

(2) Be accompanied by an affidavit of the claimant describing the nature of the claim, the nature of any injuries claimed and a general computation of any category of damages sought by the claimant with supporting documentation, if any is reasonably available; and

(3) For wrongful death, personal injury, and bodily injury claims, be accompanied by a list of the names and addresses of medical providers who have provided treatment to the claimant or decedent for such injuries, copies of all reasonably available medical bills, a list of employers if the claimant is seeking damages for loss of wages or earning, and written authorizations sufficient to allow the party, its representatives, and liability insurer if known to the claimant to obtain records from all employers and medical care providers; and

(4) Reference this section and be left open for ninety days. Unless the parties agree in writing to a longer period of time, if the claimant fails to file a cause of action in circuit court prior to a date one hundred twenty days after the demand or offer was received, then the court shall not award prejudgment interest to the claimant. If the claimant is a minor or incompetent or deceased, the affidavit may be signed by any person who reasonably appears to be qualified to act as next friend or conservator or personal representative. If the claim is one for wrongful death, the affidavit may be signed by any person qualified pursuant to section 537.080 to make claim for the death. Nothing contained herein shall limit the right of a claimant, in actions other than tort actions, to recover prejudgment interest as otherwise provided by law or contract.

3. In tort actions, a judgment for prejudgment interest awarded pursuant to this subsection should bear interest at a per annum interest rate equal to the **[**intended Federal Funds Rate, as established by the Federal Reserve Board, plus three percent**] rate set by section 32.065**. The judgment shall state the applicable interest rate, which shall not vary once entered.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to House Committee Substitute for Senate Bill No. 813, Page 1, Line 1, by inserting immediately following the number “813,” the following:

“Page 2, Section 67.085, Line 22, by inserting after all of said section and line the following:

“178.530. **1.** The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of

instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational Education Act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education; however, such private school shall reimburse the department annually for the cost of oversight and maintenance of the program.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program."; and

Further amend said bill, "; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 813, Page 30, Section 339.549, Line 17, by inserting after all of said line the following:

"**Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.**

2. The department of elementary and secondary education shall continue to handle the funds from

the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds." ; and

Further amend said bill, Page 41, Section 339.1240, Line 11, by inserting after all of said line the following:

"Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said section, the following:

"**67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:**

(1) Later establishment or cessation of any park or recreation system provided by law; or

(2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". . . . . Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

(1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;

(2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;

(3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;

(4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;

(5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

(6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;

(7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;

(8) Establish and collect reasonable charges for the use of the facilities of the district;

(9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and

(10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of . . . . ., state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". . . . . Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in ..... County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to . . . . County and the cities within the County for local park improvements?

☐ YES ☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of

one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of

this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow

the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the

manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042.

67.5039. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under these sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 shall sunset automatically twenty-three years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically forty-six years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the

state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, **[**2013**] 2023**.

182.802. 1. **[**A**] (1) Any** public library district located **in any of the following counties may impose a tax as provided in this section:**

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; **[**or**]**

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants**;**

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district."; and

Further amend said bill, Page 30, Section 339.549, Line 17, by inserting after all of said section, the following:

"Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 813, Page 3, Line 19, by inserting immediately after the numeral "95.660," the following:

"**taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems,**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula

provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied

pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats

and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the

industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 813, Page 1, Section A, Line 10, by inserting after all of said line the following:

"**21.940. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on State Employee Wages" to function in the legislative interims through December 31, 2014, for the purpose of further studying and developing of strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages.**

2. The committee shall be composed of the following members:

(1) Two majority party members and one minority party member of the house of representatives, to be appointed by the speaker and minority leader of the house of representatives respectively;

(2) Two majority party members and one minority party member of the senate, to be appointed by the president pro tempore and minority leader of the senate respectively;

(3) One representative from the governor's office;

(4) One representative from the state personnel advisory board; and

(5) Two members of the public, with one to be appointed by the speaker of the house of representatives and one to be appointed by the president pro tempore of the senate.

A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

3. The committee shall be charged with the following:

(1) Devising a focused and concise mission statement to guide actions of the committee;

(2) Requesting the office of administration to use moneys in the state employee wage study fund to invest in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures, similar to what other states have done;

(3) Requesting the office of administration, with the advice and consent of the committee, to use the data from the comprehensive study to produce a long-term strategic plan for increasing state employee wages and to present such plan to the governor, the house budget committee, and the senate appropriations committee by January 31, 2015;

(4) Such other matters as the committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues.

4. The committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the committee deems relevant, political subdivisions of this state, and the general public.

5. There is hereby created in the state treasury the "State Employee Wage Study Fund" which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. The state treasurer shall deposit to the credit of such fund all moneys which may be appropriated to it by the general assembly and any gifts, contributions, grants, bequests, or other aid received from federal, private, or other sources. The general assembly may appropriate moneys into the fund to be used by the office of administration for the purpose of investing in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.

7. The provisions of this section shall expire on January 31, 2015."; and

Further amend said bill, Page 41, Section 339.1240, Line 11, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary to help attract and maintain a talented and dedicated workforce in order to best serve the needs of Missouri citizens, the enactment of section 21.940 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 21.940 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said section, the following:

"67.1860. Sections 67.1860 to **[**67.1898**] 67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to **[**67.1898**] 67.1894**, the following terms mean:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;

(2) "Board", the board of directors of a district;

(3) "District", a law enforcement district organized **[**pursuant to**] under** sections 67.1860 to **[**67.1898**] 67.1894;**

(4) "Registered voter", any voter registered within the boundaries of the district or proposed district.

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification **[**without a charter form of government and a population of fifty thousand inhabitants or less**]**.

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district **[**or who is a**] and each** registered voter **[**resident**]** within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed **[**pursuant to**] under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required **[**pursuant to**] under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required **[**pursuant to**] under** section 67.1870.

5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

67.1868. 1. Any owner of real property within the proposed district and any **[**legal**] registered** voter **[**who is a resident**]** within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall **[**determine and declare**] order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized **[**pursuant to**] under** sections 67.1860 to **[**67.1898**] 67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created **[**pursuant to**] under** sections 67.1860 to **[**67.1898**] 67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters **[**resident**]** within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed

of **[**residents**] registered voters** of the district.

2. The attendees, when assembled, shall organize by **[**the election of**] electing** a chairman and secretary of the meeting **[**who**]. The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section,** each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the **[**residents**] registered voters** called by the board. **[**Each successor director shall serve a three-year term.**]** The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to **[**67.1898**] 67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the **[**qualified**] registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the ..... Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than ..... (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

[ ] YES [ ] NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal

property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to **[**67.1898**]** **67.1894** the district shall have the following general powers:

(1) To contract with the **[**local**]** **county** sheriff's department for the provision of services;

(2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(3) To fix compensation of its employees and contractors;

(4) To purchase any personal property necessary or convenient for its activities;

(5) To collect and disburse funds for its activities; and

(6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. **[**The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.**]**

67.1894. **[**1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board**] Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question**."; and

Further amend said bill, Page 30, Section 339.549, Line 17, by inserting after all of said section the following:

"**[**67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been

made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of

subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.**]**

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the ..... Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

[ ] YES [ ] NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.**]**

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the ..... Law Enforcement District to adopt property taxes be terminated?

[ ] YES [ ] NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive.

In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.**]**

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall ..... (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

[ ] YES [ ] NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by

inserting after all of said line the following:

"67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county **[**of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants**]**, the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a

lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or**, if applicable to that county, chapter 141, or, [**by judicial foreclosure proceeding,**]** at the option of the governing body**, by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 11

Amend House Amendment No. 11 to House Committee Substitute for Senate Bill No. 813 Page 1, Line 2 by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 67.085, Line 22, by inserting after all of said section and line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any

home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said section and line the following:

"135.680. 1. As used in this section, the following terms shall mean:

(1) "Adjusted purchase price", the product of:

(a) The amount paid to the issuer of a qualified equity investment for such qualified equity investment; and

(b) The following fraction:

a. The numerator shall be the dollar amount of qualified low-income community investments held by the issuer in this state as of the credit allowance date during the applicable tax year; and

b. The denominator shall be the total dollar amount of qualified low-income community investments held by the issuer in all states as of the credit allowance date during the applicable tax year;

c. For purposes of calculating the amount of qualified low-income community investments held by an issuer, an investment shall be considered held by an issuer even if the investment has been sold or repaid;

provided that the issuer reinvests an amount equal to the capital returned to or recovered by the issuer from the original investment, exclusive of any profits realized, in another qualified low-income community investment within twelve months of the receipt of such capital. An issuer shall not be required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment shall be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance;

(2) "Applicable percentage", zero percent for each of the first two credit allowance dates, seven percent for the third credit allowance date, and eight percent for the next four credit allowance dates;

(3) "Credit allowance date", with respect to any qualified equity investment:

(a) The date on which such investment is initially made; and

(b) Each of the six anniversary dates of such date thereafter;

(4) "Long-term debt security", any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least seven years from the date of its issuance, with no acceleration of repayment, amortization, or prepayment features prior to its original maturity date, and with no distribution, payment, or interest features related to the profitability of the qualified community development entity or the performance of the qualified community development entity's investment portfolio. The foregoing shall in no way limit the holder's ability to accelerate payments on the debt instrument in situations where the issuer has defaulted on covenants designed to ensure compliance with this section or Section 45D of the Internal Revenue Code of 1986, as amended;

(5) "Qualified active low-income community business", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that any business that derives or projects to derive fifteen percent or more of its annual revenue from the rental or sale of real estate shall not be considered to be a qualified active low-income community business;

(6) "Qualified community development entity", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that such entity has entered into an allocation agreement with the Community Development Financial Institutions Fund of the U.S. Treasury Department with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended, which includes the state of Missouri within the service area set forth in such allocation agreement;

(7) "Qualified equity investment", any equity investment in, or long-term debt security issued by, a qualified community development entity that:

(a) Is acquired after September 4, 2007, at its original issuance solely in exchange for cash;

(b) Has at least eighty-five percent of its cash purchase price used by the issuer to make qualified low-income community investments; and

(c) Is designated by the issuer as a qualified equity investment under this subdivision and is certified by the department of economic development as not exceeding the limitation contained in subsection 2 of this section. This term shall include any qualified equity investment that does not meet the provisions of paragraph (a) of this subdivision if such investment was a qualified equity investment in the hands of a prior holder;

(8) "Qualified low-income community investment", any capital or equity investment in, or loan to, any

qualified active low-income community business. With respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments made in such business, on a collective basis with all of its affiliates, that may be used from the calculation of any numerator described in subparagraph a. of paragraph (b) of subdivision (1) of this subsection shall be ten million dollars whether issued to one or several qualified community development entities;

(9) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or otherwise due under section 375.916 or chapter 147, 148, or 153;

(10) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or the tax imposed in section 375.916 or chapter 147, 148, or 153.

2. A taxpayer that makes a qualified equity investment earns a vested right to tax credits under this section. On each credit allowance date of such qualified equity investment the taxpayer, or subsequent holder of the qualified equity investment, shall be entitled to a tax credit during the taxable year including such credit allowance date. The tax credit amount shall be equal to the applicable percentage of the adjusted purchase price paid to the issuer of such qualified equity investment. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed. No tax credit claimed under this section shall be refundable or transferable. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders. Any amount of tax credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's five subsequent taxable years. The department of economic development shall limit the monetary amount of qualified equity investments permitted under this section to a level necessary to limit tax credit utilization at no more than twenty-five million dollars of tax credits in any fiscal year. Such limitation on qualified equity investments shall be based on the anticipated utilization of credits without regard to the potential for taxpayers to carry forward tax credits to later tax years.

3. The issuer of the qualified equity investment shall certify to the department of economic development the anticipated dollar amount of such investments to be made in this state during the first twelve-month period following the initial credit allowance date. If on the second credit allowance date, the actual dollar amount of such investments is different than the amount estimated, the department of economic development shall adjust the credits arising on the second allowance date to account for such difference.

4. The department of economic development shall recapture the tax credit allowed under this section with respect to such qualified equity investment under this section if:

(1) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(2) The issuer redeems or makes principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of such qualified equity investment. Any tax credit that is subject to recapture shall be recaptured from the taxpayer that claimed the tax credit on a return.

5. The department of economic development shall promulgate rules to implement the provisions of this section, including recapture provisions on a scaled proportional basis, and to administer the allocation of

tax credits issued for qualified equity investments, which shall be conducted on a first-come, first-serve basis. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after September 4, 2007, shall be invalid and void.

6. For fiscal years following fiscal year **[**2010**] 2015**, qualified equity investments shall not be made under this section unless reauthorization is made pursuant to this subsection. For all fiscal years following fiscal year **[**2010**] 2015**, unless the general assembly adopts a concurrent resolution granting authority to the department of economic development to approve qualified equity investments for the Missouri new markets development program and clearly describing the amount of tax credits available for the next fiscal year, or otherwise complies with the provisions of this subsection, no qualified equity investments may be permitted to be made under this section. The amount of available tax credits contained in such a resolution shall not exceed the limitation provided under subsection 2 of this section. In any year in which the provisions of this section shall sunset pursuant to subsection 7 of this section, reauthorization shall be made by general law and not by concurrent resolution. Nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to the expiration of authority to make qualified equity investments from claiming tax credits relating to such qualified equity investment for each applicable credit allowance date.

7. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after September 4, **[**2007**] 2012**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. However, nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to sunset of this section under the provisions of section 23.253 from claiming tax credits relating to such qualified equity investment for each credit allowance date."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Bill No. 813, Page 30, Section 339.549, Line 17, by inserting after all of said section and line the following:

"**Section 1. 1. There is hereby created in the state treasury the "Law Enforcement Data Sharing Equalization Fund", which shall consist of money collected under section 2. The fund shall be administered by the peace officers standards and training commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the law enforcement data sharing equalization fund system.**

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

Section 2. A surcharge in criminal cases for law enforcement services which are disposed of by a traffic or central violations bureau established pursuant to law or supreme court rule shall be charged in an amount which shall equal the charge by sheriffs, county marshals, or other officers for their services rendered in criminal cases for infractions and the surcharge shall be distributed as follows:

(1) One-half of the surcharge collected shall be forwarded and deposited to the credit of the law enforcement data sharing equalization fund established in section 1 for the operational cost of the law enforcement data sharing equalization fund system; and

(2) One-half of the surcharge collected shall be deposited to the credit of the inmate security fund of the county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, the funds shall be deposited in the law enforcement data sharing equalization fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 625**, entitled:

An Act to repeal sections 50.1130, 50.1140, 56.807, 104.603, 104.1084, and 104.1091, RSMo, and to enact in lieu thereof six new sections relating to retirement.

With House Amendment No. 1 to House Amendment No.1 and House Amendment No. 1, as amended.

HOUSE AMENDMENT NO.1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No.1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 625 Page 1, Line 2, by deleting the following, "Pages 1 to 4, Sections 50.1130, 50.1140," and inserting in lieu thereof, "Pages 2 to 4, Section"; and

Further amend said amendment, Page 1, Line 5, by deleting, "Pages 5 to 11, Sections 104.1084 and 104.1091" and inserting in lieu thereof, "Pages 5 to 7, Section 104.1084"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 625, Pages 1 to 4, Sections 50.1130, 50.1140, 56.807, by removing all of said sections from the bill; and

Further amend said bill, Pages 5 to 11, Sections 104.1084 and 104.1091, by removing all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 648**, entitled:

An Act to repeal sections 302.130, 302.304, 304.154, 577.041, 577.600, and 577.606, RSMo, and to enact in lieu thereof six new sections relating to transportation, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8 and 9.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number ....." (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be **[**displayed**] a plate or,** on each side of such motor vehicle, **[**in**]** letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no. ....." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such

vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said line the following:

"**227.506. The portion of U.S. Highway 160 in the City of Gainesville from the intersection of Highway 5 south of the intersection of County Road 300 in Ozark County shall be designated the "Matthew J. England Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"**186.070. 1. The general assembly, giving due consideration to the experiences and continued interest of former and current members of various statewide advisory boards and commissions, as well as experience on gubernatorial-appointed boards of curators and regents of regional state colleges and universities, does hereby establish the "Missouri Advisory Boards and Commissions Association". This section enables current members and former members of Missouri's Advisory Boards and Commissions and board of curators and regents to join together in a formal organization. This association shall meet on at least an annual basis, determine association membership guidelines, develop a set of bylaws, and issue annual reports and other reports as requested by the general assembly and the executive branch.**

2. The purpose of the Missouri Advisory Boards and Commissions Association is to provide a framework which enables former and current members of Missouri's Advisory Boards and Commissions to share observations and insights derived from their participation as advisory board and commission members and members of boards of curators and regents to study and discuss matters of statewide importance, as well as to report recommendations for further action as requested to the Missouri general assembly and the offices of the governor and lieutenant governor of the State of Missouri.

3. Membership in the Missouri Advisory Boards and Commissions Association is purely voluntary and members shall serve without compensation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 3, Section 302.130, Line 87, by inserting after all of said section and line the following:

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303..... 2 points

(except any violation of municipal stop sign ordinance where no accident is involved..... 1 point)

(2) Speeding

In violation of a state law..... 3 points

In violation of a county or municipal ordinance..... 2 points

(3) Leaving the scene of an accident in violation of section 577.060..... 12 points

In violation of any county or municipal ordinance..... 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016..... 4 points

In violation of a county or municipal ordinance..... 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction..... 2 points

(b) For the second conviction..... 4 points

(c) For the third conviction..... 6 points

(6) Operating with a suspended or revoked license prior to restoration of

operating privileges..... 12 points

(7) Obtaining a license by misrepresentation..... 12 points

(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs..... 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight..... 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight In violation of state law..... 8 points
In violation of a county or municipal ordinance or federal law or regulation..... 8 points

(11) Any felony involving the use of a motor vehicle..... 12 points

(12) Knowingly permitting unlicensed operator to operate a motor vehicle..... 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025..... 4 points

(14) Endangerment of a highway worker in violation of section 304.585..... 4 points

(15) Aggravated endangerment of a

highway worker in violation of section 304.585..... 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency..... 4 points

(17) Endangerment of an emergency responder in violation of section 304.894 ..... 4 points

(18) Aggravated endangerment of an emergency responder in violation of section 304.894..... 12 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the

National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

Further amend said bill, Page 9, Section 304.154, Line 64, by inserting after all of said section and line the following:

"304.890. As used in sections 304.890 to 304.894, the following terms shall mean:

(1) "Active emergency", any incident occurring on a highway, as the term "highway" is defined in section 302.010, that requires emergency services from any emergency responder;

(2) "Active emergency zone", any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency, or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:

(a) Appropriate signs or traffic control devices posted or placed by emergency responders; or

(b) An emergency vehicle displaying active emergency lights or signals;

(3) "Emergency responder", any law enforcement officer, paid or volunteer firefighter, first responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.

304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term "moving violation" is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.

2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.

3. The driver of a motor vehicle may not overtake or pass another motor vehicle within an active emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

(1) Exceeding the posted speed limit by fifteen miles per hour or more;

(2) Passing in violation of subsection 3 of section 304.892;

(3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;

(4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;

(5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument;

(6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or

(7) Committing any of the following offenses for which points may be assessed under section 302.302:

(a) Leaving the scene of an accident in violation of section 577.060;

(b) Careless and imprudent driving in violation of subsection 4 of section 304.016;

(c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;

(d) Operating with a suspended or revoked license;

(e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content;

(f) Any felony involving the use of a motor vehicle.

2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license pursuant to section 302.302.

3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand

dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license pursuant to section 302.302.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency.

5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

"302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the

court shall review the person's habits and conduct since such conviction. If the court finds that the petitioner has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has been convicted twice within a five-year period of violating state law, or a county or municipal ordinance, of driving while intoxicated, or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023, or who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. The director shall not issue a license to such person for five years from the date such person was convicted or pled guilty for involuntary manslaughter while operating a motor vehicle in an intoxicated condition or for driving while intoxicated or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023 for the second time;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. **The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.** The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible."; and

Further amend said bill, Page 5, Section 302.304, Line 37, by inserting after the period "." on said line,

the following:

"**If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such seventy-five-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations.**"; and

Further amend said bill, page, and section, Line 39, by inserting after the comma "," on said line, the following:

"**or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,**"; and

Further amend said bill, Page 7, Section 302.304, Line 137, by inserting after the period "." on said line, the following:

"**If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.**"; and

Further amend said bill, page, and section, Line 139, by inserting after all of said section and line, the following:

"302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

(b) Seeking medical treatment for such operator;

(c) Attending school or other institution of higher education;

(d) Attending alcohol or drug treatment programs;

(e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, **or a license revocation under paragraph (h) of subdivision (6) of this subsection,** until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. **The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.**

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry

a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; **[**or**]**

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed **the first forty-five days of** such revocation**, provided the person is not otherwise ineligible for a limited driving privilege**.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this

subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**three years**] forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**three years**] forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**two years**] forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**two years**] forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.

If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section**. If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. Upon completion of such seventy-five day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated**;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of

drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Pages 13-14, Section 577.600, Lines 1-45, by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 14-15, Section 577.606, Lines 1-21, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 15, Section 577.606, Line 21, by inserting after all of said section and line, the following:

"Section B. The repeal and reenactment of sections 302.304, 302.309, and 302.525 shall become effective October 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Pages 7-9 , Section 304.154, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

"**301.4042. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Pony Express Museum in St. Joseph, may receive**

specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Pony Express Museum will provide a logo to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Pony Express Museum derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Pony Express Museum. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Pony Express Museum, the museum shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the rider on horseback emblem, and the words "Pony Express" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Pony Express Museum's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Pony Express Museum's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Pony Express specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by after all of said section and line inserting the following:

"**227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.**

301.3163. Any person may apply for **[**special**]** **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**]** **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**]** **director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**]** **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. "; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 3, Section 302.130, Line 87, by inserting after all of said section and line the following:

"302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed **or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license**, but not where **[**the**]** **a** license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license.

302.188. 1. A person may apply to the department of revenue to obtain a veteran designation on a driver's license or identification card issued under this chapter by providing:

(1) A United States Department of Defense discharge document, otherwise known as a DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States; and

(2) Payment of the fee for the driver's license or identification card authorized under this chapter.

2. If the person is seeking a duplicate driver's license with the veteran designation and his or her driver's license has not expired, the fee shall be as provided under section 302.185.

3. The department of revenue may determine the appropriate placement of the veteran designation on the driver's licenses and identification cards authorized under this section and may promulgate the necessary rules for administration of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 701**, entitled:

An Act to repeal sections 142.932, 260.392, 301.010, and 304.154, RSMo, and to enact in lieu thereof five new sections relating to road use, with penalty provisions.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 701, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"**227.506. The portion of U.S. Highway 160 in the City of Gainesville from the intersection of Highway 5 south of the intersection of County Road 300 in Ozark County shall be designated the "Matthew J. England Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 701, Pages 15-17 , Section 304.154, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 701, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"**227.508. The portion of Highway 21 in Iron County from the intersection of Highway 221 south to the intersection of Highway 72 shall be designated the "Staff Sergeant Norman J. Inman Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said section and line the following:

"**301.4038. Any person who has received a Navy Cross awarded under Section 6242 of Title 20 of the United States Code may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Navy Cross as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the advisory committee established in section 301.129, with the words "NAVY CROSS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the Navy Cross. There shall be an additional fee charged for each set of Navy Cross license plates issued under this section equal to the fee charged for personalized license plates. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 701, Pages 2 - 6, Section 260.392 by deleting said section and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly

radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each **[**cask transported**]** **truck transporting** through or within the state **[**by truck of**]** high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All **[**casks**]** **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments **[**transported by truck**]** are subject to a surcharge of twenty-five dollars per mile for every mile over two

hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the

provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said section and line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number ....." (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be **[**displayed**] a plate or,** on each side of such motor vehicle, **[**in**]** letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no. ....." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said section and line, the following:

"**301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand**

pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill, Page 17, Section 304.154, Line 64, by inserting after all of said section and line, the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 701, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"260.247. 1. Any city or political subdivision which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.

3. If the services to be provided under a contract with the city or political subdivision pursuant to subsection 2 of this section are substantially the same as the services rendered in the area prior to the decision of the city to annex the area or to enter into or expand its solid waste collection services into the area, the amount paid by the city shall be at least equal to the amount the private entity or entities would have received for providing such services during that period.

4. Any private entity or entities which provide collection service in the area which the city or political subdivision has decided to annex or enter into or expand its solid waste collection services into shall make available upon written request by the city not later than thirty days following such request all information in its possession or control which pertains to its activity in the area necessary for the city to determine the nature and scope of the potential contract.

5. **If a home rule city with more than fifty-two thousand but fewer than sixty-four thousand inhabitants located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants intends to expand solid waste collection**

services into an area where the collection of solid waste is presently being provided by one or more private entities such intent shall be put to a vote of the people in the area where the city or political subdivision intends to expand.

6. The provisions of this section shall apply to private entities that service fifty or more residential accounts or any commercial accounts in the area in question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said line and section and line the following:

"302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed **or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license**, but not where **[**the**] a** license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license.

302.188. 1. A person may apply to the department of revenue to obtain a veteran designation on a driver's license or identification card issued under this chapter by providing:

(1) A United States Department of Defense discharge document, otherwise known as a DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States; and

(2) Payment of the fee for the driver's license or identification card authorized under this chapter.

2. If the person is seeking a duplicate driver's license with the veteran designation and his or her driver's license has not expired, the fee shall be as provided under section 302.185.

3. The department of revenue may determine the appropriate placement of the veteran designation on the driver's licenses and identification cards authorized under this section and may promulgate the necessary rules for administration of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting immediately after said Line the following:

"301.4042. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Pony Express Museum in St. Joseph, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Pony Express Museum will provide a logo to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Pony Express Museum derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Pony Express Museum. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Pony Express Museum, the museum shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the rider on horseback emblem, and the words "Pony Express" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Pony Express Museum's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Pony Express Museum's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Pony Express specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be

required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Photographers from the St. Louis Post Dispatch were given permission to take pictures in the Senate Chamber.

HOUSE BILLS ON THIRD READING

HB 1318, introduced by Representative Riddle, et al, entitled:

An Act to amend chapter 630, RSMo, by adding thereto one new section relating to employees of certain mental health facilities.

Was called from the Informal Calendar and taken up by Senator Kehoe.

Senator Kehoe offered **SS** for **HB 1318**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 1318

An Act to amend chapter 630, RSMo, by adding thereto one new section relating to employees of certain mental health facilities.

Senator Kehoe moved that **SS** for **HB 1318** be adopted.

Senator Rupp assumed the Chair.

Senator Stouffer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Bill No. 1318, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"630.170. 1. A person who is listed on the department of mental health disqualification registry pursuant to this section, who is listed on the department of social services or the department of health and senior services employee disqualification list pursuant to section 660.315, or who has been convicted of or pled guilty or nolo contendere to any crime pursuant to section 565.210, 565.212, or 565.214, or section 630.155 or 630.160 shall be disqualified from holding any position in any public or private facility **[**or**],** day program**, residential facility, or specialized service** operated, **licensed, certified, accredited, in possession of deemed status, or** funded **[**or licensed**]** by the department or in any mental health facility or mental health program in which people are admitted on a voluntary or involuntary basis or are civilly detained pursuant to chapter 632.

2. A person who has been convicted of or pled guilty or nolo contendere to any felony offense against persons as defined in chapter 565; any felony sexual offense as defined in chapter 566; any felony offense defined in section 568.020, 568.045, 568.050, 568.060, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.070, or 569.160, or of an equivalent felony offense, or who has been convicted of or pled guilty or nolo contendere to any violation of subsection 3 of section 198.070, or has been convicted of or pled guilty or nolo contendere to any offense requiring registration under section 589.400, shall be disqualified from holding any direct-care position in any public or private facility, day program, residential facility or specialized service operated, **licensed, certified, accredited, in possession of deemed status,**

or funded **[**or licensed**]** by the department or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632.

3. A person who has received a suspended imposition of sentence or a suspended execution of sentence following a plea of guilty to any of the disqualifying crimes listed in subsection 1 or 2 of this section shall remain disqualified.

4. Any person disqualified pursuant to the provisions of subsection 1 or 2 of this section may seek an exception to the disqualification from the director of the department or the director's designee. The request shall be written and may not be made more than once every **[**twelve**] six** months. The request may be granted by the director or designee if in the judgment of the director or designee a clear showing has been made by written submission only, that the person will not commit any additional acts for which the person had originally been disqualified for or any other acts that would be harmful to a patient, resident or client of a facility, program or service. The director or designee may grant an exception subject to any conditions deemed appropriate and failure to comply with such terms may result in the person again being disqualified. **Any person placed on the disqualification registry prior to August 28, 2012, may be removed from the registry by the director or designee if in the judgment of the director or designee a clear showing has been made, by written submission only, that the person will not commit any additional acts for which the person had originally been disqualified for or any other acts that would be harmful to a patient, resident, or client of a facility, program, or service.** Decisions by the director or designee pursuant to the provisions of this subsection shall not be subject to appeal. The right to request an exception pursuant to this subsection shall not apply to persons who are disqualified due to being listed on the department of social services or department of health and senior services employee disqualification list pursuant to section 660.315, nor to persons disqualified from employment due to any crime pursuant to the provisions of chapter 566 or section 565.020, 565.021, 568.020, 568.060, 569.025, or 569.070.

5. An applicant for a **[**direct care**]** position in any public or private facility, day program, residential facility, or specialized service operated, **licensed, certified, accredited, in possession of deemed status, or** funded**[**, or licensed**]** by the department or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632 shall:

(1) Sign a consent form as required by section 43.540 to provide written consent for a criminal record review;

(2) Disclose the applicant's criminal history. For the purposes of this subdivision "criminal history" includes any suspended imposition of sentence, any suspended execution of sentence, or any period of probation or parole; and

(3) Disclose if the applicant is listed on the employee disqualification list as provided in section 660.315, or the department of mental health disqualification registry as provided for in this section.

6. Any person who has received a good cause waiver issued by the **[**division of**] department of health and** senior services or its predecessor under subsection 9 of section 660.317 shall not require an additional exception under this section in order to be employed in a long-term care facility licensed under chapter 198.

7. Any public or private residential facility, day program, or specialized service **operated,** licensed, certified, **accredited, in possession of deemed status,** or funded by the department **or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632** shall, not later than two working days after hiring any person for a

full-time, part-time, or temporary position that will have contact with clients, residents, or patients:

(1) Request a criminal background check as provided in section 43.540;

(2) Make an inquiry to the department of social services and department of health and senior services to determine whether the person is listed on the employee disqualification list as provided in section 660.315; and

(3) Make an inquiry to the department of mental health to determine whether the person is listed on the disqualification registry as provided in this section.

8. An applicant who knowingly fails to disclose his or her criminal history as required in subsection 5 of this section is guilty of a class A misdemeanor. A provider is guilty of a class A misdemeanor if the provider hires a person to hold a direct-care position knowing that such person has been disqualified pursuant to the provisions of subsection **[**1 or**]** 2 of this section. **A provider is guilty of a class A misdemeanor if the provider hires a person to hold any position knowing that such person has been disqualified pursuant to the provisions of subsection 1 of this section.**

9. **Any public or private residential facility, day program, or specialized service operated, licensed, certified, accredited, in possession of deemed status or funded by the department or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632 that declines to employ or discharges a person who is disqualified pursuant to the provisions of subsection 1 or 2 of this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the discharge of the person due to disqualification.**

10. Any employer who is required to discharge an employee because the employee was placed on a disqualification registry maintained by the department of mental health after the date of hire shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge pursuant to section 288.100.

11. The department **[**may**] shall** maintain a disqualification registry and place on the registry the names of any persons who have been finally determined by the department to be disqualified **[**pursuant to this section, or who have had**] based upon** administrative substantiations made against them for abuse or neglect pursuant to department rule **or regulation**. Such list shall reflect that the person is barred from holding any position in any public or private facility **[**or**],** day program**, residential facility, or specialized service** operated, **licensed, certified, accredited, in possession of deemed status, or** funded **[**or licensed**]** by the department, or any mental health facility or mental health program in which persons are admitted on a voluntary basis or are civilly detained pursuant to chapter 632. **The length of time the person's name shall appear on the disqualification registry shall be determined by the director or the director's designee, based upon the criteria contained in subsection 13 of this section.**

12. Persons notified that their name will be placed on the disqualification registry may appeal such determination pursuant to department rule or regulation. If the person appeals, the hearing tribunal shall not modify the length of time the person's name shall appear on the disqualification registry if the hearing tribunal upholds all of the administrative substantiations made by the director or the director's designee. If the hearing tribunal overturns part of the administrative substantiations made by the director or the director's designee, the hearing tribunal may consider modifying the length of time the person's name shall appear on the disqualification registry based upon testimony and

evidence received during the hearing.

13. The length of time the person's name shall appear on the disqualification registry shall be determined by the director or the director's designee based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of actual or potential injury or harm to the patient, resident, or client;

(3) The degree of actual or potential danger to the health, safety, or welfare of the patient, resident, or client;

(3) The degree of misappropriation or conversion of patient, resident, or client funds or property;

(4) Whether the person has previously been listed on the department's disqualification registry;

(5) Any mitigating circumstances; and

(6) Any aggravating circumstances.

14. The department shall provide the disqualification registry maintained pursuant to this section to other state and federal agencies upon request. The department may provide the disqualification registry maintained pursuant to this section to any public or private facility, day program, residential facility, or specialized service operated, licensed, certified, accredited, in possession of deemed status, or funded by the department or to any mental health facility or mental health program in which people are admitted on a voluntary or involuntary basis or are civilly detained pursuant to chapter 632. The department may also provide the disqualification registry to a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations are included in the employee disqualification registry."; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

Senator Green offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Bill No. 1318, Page 1, Section 630.945, Line 7, by inserting immediately after "630.945." the following: "**Beginning July 1, 2013,**".

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator McKenna offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Bill No. 1318, Page 1, Section 630.945, Line 7, by inserting after the word "facility" the following:

"or employees working for the Missouri State Senate or Missouri House of Representatives".

Further amend the title and enacting clause accordingly.

Senator McKenna moved that the above amendment be adopted.

At the request of Senator McKenna, **SA 3** was withdrawn.

Senator Engler offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Bill No. 1318, Page 1, In the Title, Lines 3-4 of said page, by striking the following: "employees of certain mental health facilities" and inserting in lieu thereof the following: "facilities that conduct mental health services"; and

Further amend said bill and page, section 630.945, line 10 of said page, by inserting after all of said line the following:

"632.501. If the director of the department of mental health determines that the person's mental abnormality has so changed that the person is not likely to commit acts of sexual violence if released, the director shall authorize the person to petition the court for release. The petition shall be served upon the court that committed the person, **the prosecutor of the jurisdiction into which the committed person is to be released,** the director of the department of mental health, the head of the facility housing the person, and the attorney general. The hearing and trial, if any, shall be conducted according to the provisions of section 632.498."; and

Further amend the title and enacting clause accordingly.

Senator Engler moved that the above amendment be adopted, which motion prevailed.

Senator Engler offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for House Bill No. 1318, Page 1, In the Title, Lines 3-4, of said page, by striking the following: "employees of certain mental health facilities" and inserting in lieu thereof the following: "facilities that conduct mental health services"; and

Further amend said bill and page, section A, line 3 of said page, by inserting after all of said line the following:

"**559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.**

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

(1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;

(2) Have been found guilty of, or plead guilty to, forcible rape under section 566.030;

(3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;

(4) Have been found guilty of, or plead guilty to, forcible sodomy under section 566.060;

(5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;

(6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;

(7) Have been found to be a predatory sexual offender under section 558.018; or

(8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide."; and

Further amend the title and enacting clause accordingly.

Senator Engler moved that the above amendment be adopted, which motion prevailed.

Senator Ridgeway offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for House Bill No. 1318, Page 1, In the Title, Lines 3-4, by striking the words "employees of certain mental health facilities" and inserting in lieu thereof the following: "employee hours and identity"; and

Further amend said bill and page, Section A, line 3 by inserting after all of said line the following:

"407.1355. 1. Except as provided in this section a person or entity, not including a state or local agency, shall not do any of the following:

(1) Publicly post or publicly display in any manner an individual's Social Security number. "Publicly post" or "publicly display" is defined in this section to intentionally communicate or otherwise make available to the general public or to an individual's co-workers;

(2) Require an individual to transmit his or her Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted;

(3) Require an individual to use his or her Social Security number to access an internet website, unless a password, unique personal identification number, or other authentication device is also required to access the internet website;

(4) Require an individual to use his or her Social Security number as an employee number for any type of employment-related activity**;**

(5) Require an individual to use the last four digits of his or her Social Security number as an employee number for any type of employment-related activity.

2. The provisions of **[**subsection 1 of this section apply only to the use of Social Security numbers on or after January 1, 2006**] subdivision (5) of subsection 1 of this section shall only apply to such use after December 31, 2015**.

3. This section does not prevent the collection, use, or release of a Social Security number as required by state or federal law or the use of a Social Security number for internal verification or administrative purposes.

4. This section does not apply to documents that are recorded or required to be open to the public pursuant to chapter 610. This section does not apply to records that are required by statute, case law, or Missouri court rules to be made available to the public.

5. If a federal law takes effect requiring the United States Department of Health and Human Services to establish a national unique patient health identifier program, any person or entity that complies with the federal law shall be deemed in compliance with this section.”; and

Further amend the title and enacting clause accordingly.

Senator Ridgeway moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe moved that **SS** for **HB 1318**, as amended, be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **HB 1318**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Kraus Lembke—2

Absent—Senator Green—1

Absent with leave—Senators

Cunningham Nieves—2

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Richard moved that the Senate refuse to concur in **HCS** for **SB 813**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS No. 2** for **SCS** as amended for **HB 1170** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 1072** and requests the Senate recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 769** as amended and grants the Senate a conference thereon.

PRIVILEGED MOTIONS

Senator Parson moved that the Senate refuse to recede from its position on **SS No. 2** for **SCS** for **HB 1170**, as amended, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 769**, as amended: Senators Kraus, Rupp, Kehoe, Green and McKenna.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **SCS** for **SB 729**, entitled:

An Act to repeal sections 49.272, 50.332, 50.622, 50.660, 50.783, 50.1130, 50.1140, 52.230, 52.240, 67.463, 67.469, 67.548, 67.1305, 67.1521, 67.2010, 67.4505, 71.012, 71.014, 71.015, 94.902, 137.016, 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.430, 141.440, 141.480, 141.500, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.790, 190.335, 479.011, 544.455, 557.011, and 610.021, RSMo, and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, and to

enact in lieu thereof seventy-one new sections relating to political subdivisions, with penalty provisions and an emergency clause for a certain section.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8, as amended, and House Amendment No. 9.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 69, Section 321.228, Line 26, by inserting after the word "**construction**" the following: "**. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure**"; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 68, Section 162.485, Lines 1 to 11, by deleting said section from the bill; and

Further amend said bill, Page 81, Section 1, Lines 1 to 14, by deleting said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 7, Section 52.240, Line 27, by inserting after all of said line the following:

"57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff

without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section**[**; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence**]. The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year**, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars**[**, other than regular budget allocations or land sale proceeds,**] in any calendar year** shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 77, Section 557.011, Line 42, by inserting after all of said section and line, the following:

"610.020. 1. All public governmental bodies shall give notice of the time, date, and place of each meeting, and its tentative agenda, in a manner reasonably calculated to advise the public of the matters to be considered, and if the meeting will be conducted by telephone or other electronic means, the notice of the meeting shall identify the mode by which the meeting will be conducted and the designated location where the public may observe and attend the meeting. If a public body plans to meet by Internet chat, Internet message board, or other computer link, it shall post a notice of the meeting on its website in addition to its principal office and shall notify the public how to access that meeting. Reasonable notice shall include making available copies of the notice to any **member of the public or** representative of the news media who requests notice of meetings of a particular public governmental body concurrent with the notice being made available to the members of the particular governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the

building in which the meeting is to be held.

2. Notice conforming with all of the requirements of subsection 1 of this section shall be given at least **[**twenty-four**] forty-eight** hours, **or twenty-four hours for the general assembly and any committee thereof,** exclusive of weekends and holidays when the facility is closed, prior to the commencement of any meeting of a governmental body unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given. Each meeting shall be held at a place reasonably accessible to the public and of sufficient size to accommodate the anticipated attendance by members of the public, and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impractical. Every reasonable effort shall be made to grant special access to the meeting to handicapped or disabled individuals.

3. A public body shall allow for the recording by audiotape, videotape, or other electronic means of any open meeting. A public body may establish guidelines regarding the manner in which such recording is conducted so as to minimize disruption to the meeting. No audio recording of any meeting, record, or vote closed pursuant to the provisions of section 610.021 shall be permitted without permission of the public body; any person who violates this provision shall be guilty of a class C misdemeanor.

4. When it is necessary **for such governmental bodies** to hold a meeting on less than **[**twenty-four**] forty-eight** hours' notice, **or twenty-four hours' notice for the general assembly and any committee thereof,** or at a place that is not reasonably accessible to the public, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes.

5. A formally constituted subunit of a parent governmental body may conduct a meeting without notice as required by this section during a lawful meeting of the parent governmental body, a recess in that meeting, or immediately following that meeting, if the meeting of the subunit is publicly announced at the parent meeting and the subject of the meeting reasonably coincides with the subjects discussed or acted upon by the parent governmental body.

6. If another provision of law requires a manner of giving specific notice of a meeting, hearing or an intent to take action by a governmental body, compliance with that section shall constitute compliance with the notice requirements of this section.

7. A journal or minutes of open and closed meetings shall be taken and retained by the public governmental body, including, but not limited to, a record of any votes taken at such meeting. The minutes shall include**, but not be limited to,** the date, time, place, members present, members absent**,** and a record of any votes taken. When a roll call vote is taken, the minutes shall attribute each "yea" and "nay" vote or abstinence if not voting to the name of the individual member of the public governmental body. **Minutes shall reflect a summary of the discussions occurring during any closed meeting, but nothing in this subsection shall require the disclosure of records or votes that are properly closed under section 610.021.**"; and

Further amend said bill, Pages 77-80, Section 610.021, Lines 1-114, by deleting all of said section and lines and inserting in lieu thereof, the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any

confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be **[**made public**] publicly disclosed in an open meeting** upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be **[**announced or become public**] publicly disclosed in an open meeting** immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record**. When public disclosure in an open meeting is prescribed, such disclosure shall be done orally or in writing, or both, and shall occur at the next scheduled open meeting of the public body, or at the resumption of a recessed or subsequent open meeting, whatever is applicable soonest to the time lines for disclosure as prescribed in this section**;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public.

As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body

or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) Operational guidelines and policies developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, the agency shall affirmatively state in writing that disclosure would impair its ability to protect the safety or health of persons, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records. This exception shall sunset on December 31, **[**2012**]** **2016**;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving

agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(d) This exception shall sunset on December 31, **[**2012**] 2016**;

(20) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(21) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

(22) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business.

610.022. 1. Except as set forth in subsection 2 of this section, no meeting or vote may be closed without an affirmative public vote of the majority of a quorum of the public governmental body. The vote of each member of the public governmental body on the question of closing a public meeting or vote and the specific reason for closing that public meeting or vote by reference to a specific section of this chapter shall be announced publicly at an open meeting of the governmental body and entered into the minutes.

2. A public governmental body proposing to hold a closed meeting or vote shall give notice of the time, date and place of such closed meeting or vote and the reason for holding it by reference to the specific exception allowed pursuant to the provisions of section 610.021. Such notice shall comply with the procedures set forth in section 610.020 for notice of a public meeting.

3. Any meeting or vote closed pursuant to section 610.021 shall be closed only to the extent necessary for the specific reason announced to justify the closed meeting or vote. Public governmental bodies shall not discuss any business in a closed meeting, record or vote which does not directly relate to the specific reason announced to justify the closed meeting or vote. **Only members of a public governmental body, their attorney and staff assistants, and any other person necessary to provide information needed by or requested by the public governmental body in regard to the matter being discussed shall be permitted in a closed meeting.** Public governmental bodies holding a closed meeting shall close only an existing portion of the meeting facility necessary to house the members of the public governmental body in the closed session, allowing members of the public to remain to attend any subsequent open session held by the public governmental body following the closed session.

4. Nothing in sections 610.010 to 610.028 shall be construed as to require a public governmental body to hold a closed meeting, record or vote to discuss or act upon any matter.

5. Public records shall be presumed to be open unless otherwise exempt pursuant to the provisions of this chapter.

6. In the event any member of a public governmental body makes a motion to close a meeting, or a record, or a vote from the public and any other member believes that such motion, if passed, would cause a meeting, record or vote to be closed from the public in violation of any provision in this chapter, such latter member shall state his or her objection to the motion at or before the time the vote is taken on the motion. The public governmental body shall enter in the minutes of the public governmental body any objection made pursuant to this subsection. Any member making such an objection shall be allowed to fully participate in any meeting, record or vote that is closed from the public over the member's objection. In the event the objecting member also voted in opposition to the motion to close the meeting, record or vote at issue, the objection and vote of the member as entered in the minutes shall be an absolute defense to any claim filed against the objecting member pursuant to section 610.027.

610.023. 1. Each public governmental body is to appoint a custodian who is to be responsible for the maintenance of that body's records. The identity and location of a public governmental body's custodian is to be made available upon request. **Each custodian of a public governmental body is encouraged to create and maintain an index of all public records maintained by its public governmental body.**

2. Each public governmental body shall make available for inspection and copying by the public of that body's public records. No person shall remove original public records from the office of a public governmental body or its custodian without written permission of the designated custodian. No public governmental body shall, after August 28, 1998, grant to any person or entity, whether by contract, license or otherwise, the exclusive right to access and disseminate any public record unless the granting of such right is necessary to facilitate coordination with, or uniformity among, industry regulators having similar authority.

3. Each request for access to a public record shall be acted upon as soon as possible, but in no event later than the end of the third business day following the date the request is received by the custodian of records of a public governmental body. If records are requested in a certain format, the public body shall provide the records in the requested format, if such format is available. If access to the public record is not granted immediately, the custodian shall give a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available for inspection. This period for document production may exceed three days for reasonable cause.

4. If a request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for such denial. Such statement shall cite the specific provision of law under which access is denied and shall be furnished to the requester no later than the end of the third business day following the date that the request for the statement is received.

610.027. 1. The remedies provided by this section against public governmental bodies shall be in addition to those provided by any other provision of law. Any aggrieved person, taxpayer to, or citizen of, this state, or the attorney general or prosecuting attorney, may seek judicial enforcement of the requirements of sections 610.010 to 610.026. Suits to enforce sections 610.010 to 610.026 shall be brought in the circuit court for the county in which the public governmental body has its principal place of business. Upon service of a summons, petition, complaint, counterclaim, or cross-claim in a civil action brought to enforce the

provisions of sections 610.010 to 610.026, the custodian of the public record that is the subject matter of such civil action shall not transfer custody, alter, destroy, or otherwise dispose of the public record sought to be inspected and examined, notwithstanding the applicability of an exemption pursuant to section 610.021 or the assertion that the requested record is not a public record until the court directs otherwise.

2. **[**Once a party seeking judicial enforcement of sections 610.010 to 610.026 demonstrates to the court that the body in question is subject to the requirements of sections 610.010 to 610.026 and has held a closed meeting, record or vote, the burden of persuasion shall be on the body and its members to demonstrate compliance with the requirements of sections 610.010 to 610.026.**] In any legal proceeding, there shall be a presumption that a meeting, record, or vote is open to the public. The burden shall be on a public governmental body or a member of a public governmental body to prove that such meeting, record, or vote may be closed to the public.**

3. Upon a finding by a preponderance of the evidence that a public governmental body or a member of a public governmental body has knowingly violated sections 610.010 to 610.026, the public governmental body or the member shall be subject to a civil penalty in an amount up to one thousand dollars. If the court finds that there is a knowing violation of sections 610.010 to 610.026, the court may order the payment by such body or member of all costs and reasonable attorney fees to any party successfully establishing a violation. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the public governmental body or member of a public governmental body has violated sections 610.010 to 610.026 previously.

4. Upon a finding by a preponderance of the evidence that a public governmental body or a member of a public governmental body has purposely violated sections 610.010 to 610.026, the public governmental body or the member shall be subject to a civil penalty in an amount up to five thousand dollars. If the court finds that there was a purposeful violation of sections 610.010 to 610.026, then the court shall order the payment by such body or member of all costs and reasonable attorney fees to any party successfully establishing such a violation. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the public governmental body or member of a public governmental body has violated sections 610.010 to 610.026 previously.

5. Upon a finding by a preponderance of the evidence that a public governmental body has violated any provision of sections 610.010 to 610.026, a court shall void any action taken in violation of sections 610.010 to 610.026, if the court finds under the facts of the particular case that the public interest in the enforcement of the policy of sections 610.010 to 610.026 outweighs the public interest in sustaining the validity of the action taken in the **[**closed**]** meeting, record or vote. Suit for enforcement shall be brought within one year from which the violation is ascertainable and in no event shall it be brought later than two years after the violation. This subsection shall not apply to an action taken regarding the issuance of bonds or other evidence of indebtedness of a public governmental body if a public hearing, election or public sale has been held regarding the bonds or evidence of indebtedness.

6. A public governmental body which is in doubt about the legality of closing a particular meeting, record or vote may bring suit at the expense of that public governmental body in the circuit court of the county of the public governmental body's principal place of business to ascertain the propriety of any such action, or seek a formal opinion of the attorney general or an attorney for the governmental body."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 10, Section 67.548, Line 37, by inserting after said line the following:

"67.1018. 1. The governing body of any county of the third classification without a township form of government and with more than [five thousand nine hundred but fewer than six thousand inhabitants] **six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat** may impose a tax on the charges for all sleeping rooms**, RV sites, and campsites** paid by the transient guests of hotels **[**or**],** motels**, lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall not be **less than two percent nor** more than five percent per occupied room**, RV site, and campsite** per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room**, RV site, or campsite** and all other taxes imposed by law, and **[**fifty percent of**]** the proceeds of such tax shall be used **[**by the county to fund law enforcement with the remaining fifty percent of such proceeds to be used**]** to fund the promotion**, operation, and development** of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the county) impose a tax on the charges for all sleeping rooms**, RV sites, and campsites** paid by the transient guests of hotels **[**and**],** motels**, lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in ..... (name of county) at a rate of ..... (insert rate of percent) percent for the **[**benefit of the county**] promotion, operation, and development of tourism**?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 16, Section 67.1305, Line 201, by inserting after all of said section and line the following:

"67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk,

it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; **[**and**]**

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .

Owner's telephone number and mailing address: . . . . . .

If signer is different from owner:

Name of signer: . . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: . . . . . .

If the owner is an individual, state if owner is single or married: . . . . . .

If owner is not an individual, state what type of entity: . . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned: . . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above. . . . . .

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF . . . . .)

Before me personally appeared . . . . . ., to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this . . . . . day of . . . . . (month), ... (year).

. . . . . .

Notary Public

My Commission Expires: . . . . . **; and**

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set

forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair

the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot."; and

Further amend said bill, Page 18, Section 67.1521, Line 59, by inserting after all of said line the following:

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 8

Amend House Amendment No. 8 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 2, Line 32, by inserting after said line the following:

"Further amend said bill, Page 2, Section A, Line 17 by inserting after said line the following:

"32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local

sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the

local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of **[**his**] the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering **[**himself**] the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on **[**his**] the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the

local sales tax law. **[**He**] The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by **[**him**] such person** under the local sales tax law or in the event a determination has been made against **[**him**] such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the

name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal.

No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires

the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department."; and

Further amend said bill, Page 28, Section 94.902, Line 100, by inserting after all of said line the following:

"105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a

delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.; and

Further amend said bill, Page 31, Section 137.016, Line 94 by inserting after said line the following:

"**140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.**

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien

against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial

account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest."; and

Further amend said bill, Page 67, Section 141.1015, Line 2 by inserting after said line the following:

"144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was

reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**] 8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**] 9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**] 10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend said bill, Page 81, Section B, Lines 1-6, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because immediate action is necessary to secure adequate state and local revenues, the enactment of section 32.383 and the repeal and reenactment of section 50.622 of this act is deemed

necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 and the repeal and reenactment of section 50.622 of this act shall be in full force and effect upon its passage and approval."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Section 71.015, Page 25, Line 137, by inserting the following after all of said Line:

"94.837. 1. **(1)** The governing body of **the following cities may impose a tax as provided in this section:**

(a) Any city of the fourth classification with more than two thousand five hundred but fewer than two thousand six hundred inhabitants and located in any county of the third classification without a township form of government and with more than ten thousand four hundred but fewer than ten thousand five hundred inhabitants**[**, the governing body of**];**

(b) Any special charter city**[**, and the governing body of**];**

(c) Any city of the fourth classification with more than one thousand two hundred but fewer than one thousand three hundred inhabitants and located in any county of the third classification without a township form of government and with more than four thousand three hundred but fewer than four thousand four hundred inhabitants**.**

(2) The governing body of any city listed in subdivision (1) of this subsection may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and **except as provided in subsection 4 of this section,** the proceeds of such tax shall be used by the city solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in ..... (name of city) at a rate of ..... (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of

the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

4. In any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants, any tax imposed under this section shall be used by the city solely for the promotion of tourism and cultural activities, the development, construction, and operation of convention facilities, the promotion of business development, and the construction of related infrastructure and improvements. The ballot of submission for the tax authorized in this subsection shall be in substantially the following form:

"Shall ..... (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels and bed and breakfast inns situated in ..... (insert name of city) at a rate of up to five percent for the sole purpose of the promotion of tourism and cultural activities, development, construction, and operation of convention facilities, the promotion of business development, and the construction of related infrastructure and improvements?".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the political subdivision and such question is approved by a majority of the qualified voters voting on the question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 2, Section A, Line 17, by inserting after all of said section and line the following:

"**9.015. No state or local governmental entity, public building, public park, public school, or public setting or place shall ban or otherwise restrict the practice, mention, celebration, or discussion of any federal holiday.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 893**.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 893, Page 7, Section 302.060, Line 92, by inserting after the period "." on said

line, the following:

"**The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.**

Further amend said bill, page, and section Line 94, by inserting after the period "." on said line, the following:

"**If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.**"; and

Further amend said bill, Page 8, Section 302.060, Line 119, by inserting after all of said section and line, the following:

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension. Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated**. If a person, otherwise subject to the**

provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such seventy-five-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, **or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,** the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the

armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the armed forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of

funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor."; and

Further amend said bill, Pages 8-13, Section 302.309, Lines 1-199, by deleting all of said section and lines from the bill and inserting in lieu thereof, the following:

"302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

(b) Seeking medical treatment for such operator;

(c) Attending school or other institution of higher education;

(d) Attending alcohol or drug treatment programs;

(e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, **or a license revocation under paragraph (h) of subdivision (6) of this subsection,** until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. **The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.**

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry

a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; **[**or**]**

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed **the first forty-five days of** such revocation**, provided the person is not otherwise ineligible for a limited driving privilege**.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this

subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**three years**] forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**three years**] forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**two years**] forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**two years**] forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void."; and

Further amend said bill, Page 13, Section 302.309, Line 199, by inserting after all of said section and line, the following:

"302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject

person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.

If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section**. If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. Upon completion of such seventy-five day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated**;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state

for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Page 13, Section 302.309, Line 199, by inserting after all of said section and line, the following:

"Section B. The repeal and reenactment of sections 302.304, 302.309, and 302.525 shall become effective October 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Dempsey, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Pearce.

HOUSE BILLS ON THIRD READING

HCS for **HB 1123**, entitled:

An Act to repeal sections 197.080 and 197.100, RSMo, and to enact in lieu thereof two new sections relating to hospital licensure.

Was called from the Informal Calendar and taken up by Senator Brown.

At the request of Senator Brown, **HCS** for **HB 1123** was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Schaefer moved that the Senate refuse to concur in **HCS No. 2** for **SCS** for **SB 729**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Kraus moved that the Senate refuse to concur in **HA 1** to **SB 893** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SS** for **SB 769** as amended. Representatives: Richardson, Zerr, Cierpiot, Taylor and Sifton.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to concur in **SA 1** to **SA 1**, **SA 1** as amended to **HB 1424** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 633**.

With House Amendment No. 1

HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 633, Page 1, Line 3 of the Title by deleting the words "scrap metal operators" and inserting in lieu thereof the words "the department of revenue"; and

Further amend said bill, Page 1, Section A, Line 2 by inserting after said line the following:

"32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the

director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of **[**his**] the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under

the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering **[**himself**] the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on **[**his**] the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. **[**He**] The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by **[**him**] such person** under the local sales tax law or in the event a determination has been made against **[**him**] such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall

be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation,

public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services

on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department.

105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal

expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.

140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify

the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile

telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**]** **8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**]** **9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**]** **10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend said bill, Page 4, Section 301.227, Line 112, by inserting after all of said section, the following:

"Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives that the House refuses to concur in **SS** as amended to **HB 1318** and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 813** as amended and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following conferees to act with a like committee from the Senate on **HCS** for **SB 813** as amended. Representatives: Richardson, Franz, Dieckhaus, McCann-Beatty and Rizzo.

PRIVILEGED MOTIONS

On behalf of Senator Cunningham, Senator Mayer moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 510**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SCS** for **SB 813**, as amended: Senators Richard, Kehoe, Rupp, Justus and Wright-Jones.

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS No. 2** for **SCS** for **HB 1170**, as amended: Senators Parson, Schmitt, Mayer, Callahan and Green.

HOUSE BILLS ON THIRD READING

Senator Kehoe moved that **HCS** for **HB 1647**, with **SS**, **SA 2** and **SA 1** to **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 to **SA 2** was again taken up.

At the request of Senator Lembke, **SA 1** to **SA 2** was withdrawn.

SA 2 was again taken up.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 51, Section 414.570, Line 26 of said page, by inserting after all of said line the following:

"**488.650. There shall be assessed as costs a surcharge in the amount of one hundred dollars on all petitions for expungement filed under the provisions of section 610.140. Such surcharge shall be collected and disbursed by the clerk of the court as provided by sections 488.010 to 488.020. Moneys collected from this surcharge shall be payable to the general revenue fund.**

561.026. Notwithstanding any other provision of law **except for section 610.140,** a person who is convicted:

(1) Of any crime shall be disqualified from registering and voting in any election under the laws of this state while confined under a sentence of imprisonment;

(2) Of a felony or misdemeanor connected with the exercise of the right of suffrage shall be forever disqualified from registering and voting;

(3) Of any felony shall be forever disqualified from serving as a juror.

610.140. 1. Notwithstanding any other provision of law and subject to the provisions of this section, any person may apply to any court in which such person was found guilty of any of the offenses specified in subsection 2 of this section for an order to expunge recordations of such arrest, plea, trial, or conviction. A person may apply to have one or more offenses expunged so long as such person lists all the offenses he or she is seeking to have expunged in the same petition and so long as all such offenses are eligible under subsection 2 of this section.

2. Any felony or misdemeanor offense of passing a bad check under 570.120, fraudulently stopping payment of an instrument under 570.125, or fraudulent use of a credit device or debit device under section 570.130 is eligible to be expunged when such felony or misdemeanor offense occurred within the state of Missouri, and was prosecuted under the jurisdiction of a Missouri municipal, associate, or circuit court.

3. The petition shall name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses listed in the petition. The court's order of expungement shall not affect any person or entity not named as a defendant in the action.

4. The petition shall be dismissed if it does not include the following information:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Driver's license number, if applicable; and

(e) Current address;

(2) Each offense charged against the petitioner for which the petitioner is requesting

expungement;

(3) The date the petitioner was arrested for each offense;

(4) The name of the county where the petitioner was arrested for each offense and if any of the offenses occurred in a municipality, the name of the municipality for each offense;

(5) The name of the agency that arrested the petitioner for each offense;

(6) The case number and name of the court for each offense; and

(7) Petitioner's fingerprints on a standard fingerprint card at the time of filing a petition for expungement which will be forwarded to the central repository for the sole purpose of positively identifying the petitioner.

5. The court may set a hearing on the matter no sooner than thirty days from the filing of the petition and shall give reasonable notice of the hearing to each entity named in the petition. At the hearing, the court may accept evidence and hear testimony on, and may consider, the following criteria for each of the offenses listed in the petition for expungement:

(1) It has been at least twenty years if the offense is a felony, or at least ten years if the offense is a misdemeanor, municipal offense, or infraction, since the person making the application completed:

(a) Any sentence of imprisonment; or

(b) Any period of probation or parole;

(2) The person has not been found guilty of a misdemeanor or felony, not including violations of the traffic regulations provided under chapters 304 and 307, during the time period specified for the underlying offense in subdivision (1) of this subsection;

(3) The person has paid any amount of restitution ordered by the court;

(4) The circumstances and behavior of the petitioner warrant the expungement; and

(5) The expungement is consistent with the public welfare.

6. If the court determines at the conclusion of the hearing that such person meets all the criteria set forth in subsection 5 of this section for each of the offenses listed in the petition for expungement, the court may enter an order of expungement. A copy of the order shall be provided to each entity named in the petition, and, upon receipt of the order, each entity shall destroy any record in its possession relating to any offense listed in the petition. If destruction of the record is not feasible because of the permanent nature of the record books, such record entries shall be blacked out. Entries of a record ordered expunged shall be removed from all electronic files maintained with the state of Missouri, except for the files of the court. The records and files maintained in any administrative or court proceeding in a municipal, associate, or circuit court for any offense ordered expunged under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.

7. The order shall not limit any of the petitioner's rights that were restricted as a collateral consequence of such person's criminal record, and such rights shall be restored upon issuance of the order of expungement. Except as otherwise provided under this section, the effect of such order shall

be to restore such person to the status he or she occupied prior to such arrests, pleas, trials, or convictions as if such events had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrests, pleas, trials, convictions, or expungement in response to an inquiry made of him or her and no such inquiry shall be made for information relating to an expungement, except the petitioner shall disclose the expunged offense to any court when asked or upon being charged with any subsequent offense. The expunged offense may be considered a prior offense in determining a sentence to be imposed for any subsequent offense that the person is found guilty of committing.

8. Notwithstanding the provisions of subsection 7 of this section to the contrary, a person granted an expungement shall disclose any expunged offense when the disclosure of such information is necessary to complete any application for:

(1) A license, certificate, or permit issued by this state to practice such individual's profession;

(2) Any license issued under chapter 313; or

(3) Paid or unpaid employment with an entity licensed under chapter 313, any state-operated lottery, or any emergency services provider, including any law enforcement agency.

Notwithstanding any provision of law to the contrary, an expunged offense shall not be grounds for automatic disqualification of an applicant, but may be a factor for denying employment, or a professional license, certificate, or permit.

9. If the court determines that such person has not met the criteria for any of the offenses listed in the petition for expungement, the court shall enter an order dismissing the petition. Any person whose petition for expungement has been dismissed by the court for failure to meet the criteria set forth in subsection 5 of this section may not refile another petition until a year has passed since the date of filing for the previous petition.

10. A person may be granted more than one expungement under this section provided that no person shall be granted more than one order of expungement from the same court. Nothing contained in this section shall prevent the court from maintaining records to ensure that an individual has only one petition for expungement granted by such court under this section."; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted.

Senator Curls offered **SA 1** to **SA 3**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 2, Section 610.140, Line 8 of said page, by inserting immediately after "2." the following: "**The following offenses are eligible to be expunged when such offenses occurred within the state of Missouri and were prosecuted under the jurisdiction of a Missouri municipal associate or circuit court:**

(1)"; and further amend line 11 of said page, by striking "is eligible to be expunged when such" and

inserting in lieu thereof the following: "**;**

(2) Any misdemeanor offense of sections 569.065, 569.067, 569.090, subdivision (1) of subsection 1 of section 569.120, sections 569.140, 569.145, 572.020, 574.020, or 574.075; or

(3) Any class B or C misdemeanor offense of section 574.010."; and further amend lines 12-14 of said page, by striking all of said lines.

Senator Curls moved that the above amendment be adopted, which motion prevailed.

SA 3, as amended, was again taken up.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 45, Section 320.136, Line 25 of said page, by inserting immediately after said line the following:

"**321.228. 1. As used in this section, the following terms shall mean:**

(1) "Residential construction", new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;

(2) "Residential construction regulatory system", any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board.

3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.

321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part,** as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the ..... Fire Protection Districts and the ..... Fire Protection District be consolidated into one fire protection district to be known as the ..... Fire Protection District, with tax levies not in excess of the following amounts: maintenance fund ..... cents per one hundred dollars assessed valuation; ambulance service ..... cents per one hundred dollars assessed valuation; pension fund ..... cents per one hundred dollars assessed valuation; and dispatching fund ..... cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its

order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners."; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

Senator Green offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 51, Section 414.570, Line 26, by inserting after all of said line the following:

"565.081. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker**, or probation and parole officer in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. As used in this section, the term "cable worker" means any employee including any person employed under contract, of a cable operator, as such term is defined in section 673.2677

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the first degree is a class A felony.

565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, **highway worker in a construction zone or work zone, utility worker, cable worker,** or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. As used in this section, the term "cable worker" means any employee, including any person employed under contract, of a cable operator, as such term is defined in section 67.2677.

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony. For any violation of subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence.

565.083. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the third degree if:

(1) Such person recklessly causes physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer;

(2) Such person purposely places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer without the consent of the law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. As used in this section, the term "cable worker" means any employee, including any person employed under contract, of a cable operator, as such term is defined in section 67.2677.

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the third degree is a class A misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

Senator Lager offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 23, Section 292.606, Line 18, by inserting after all of said line the following:

"**292.655. 1. For purposes of this section, the following terms mean:**

(1) "Engineered injury protection device", a mechanical device or feature to a device that renders the needle incapable of inflicting a needlestick injury either by:

(a) Destruction of the medical needle sharp metal point at the point of procedure or use; or

(b) Covering the sharp end of the needle at the time the needle is removed from the skin of the subject human or animal. Recapping the medical needle with the original needle packaging cover is not considered an engineered injury protection device.

(2) "Medical needles", hypodermic needles or other similar hollow-bore needles, syringes, or blood extraction apparatus with a primary function to penetrate the skin of a living human or animal.

2. Employers that use medical needles in the routine course of conducting business in the state may use any commercially available engineered injury protection device that can be reasonably expected to reduce the risk of accidental needlestick injuries to employees, patients, or customers.

3. This section shall not apply to needles for sewing dead animal skins or parts, fish hooks, gaffs, animal tags, or other similar sharp objects related to animals but unrelated to healthcare or testing of live animals. This section shall not apply to any veterinary care provided by a licensed veterinarian or veterinary care provider in or outside of a designated veterinary office, including but not limited to, a ranch, farm, or private residence being provided in the scope of veterinary practices under chapter 340."; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Goodman offered **SA 7**:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 1, Section A, Line 7, by inserting after all of said line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of ..... (insert name of county) impose a county sales tax of ..... (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the

proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants **or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants** that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. **Except as provided in subdivision (4) of this subsection,** each member shall be one of the following:

(a) The head of any of the county's fire protection districts, or a designee;

(b) The head of any of the county's ambulance districts, or a designee;

(c) The county sheriff, or a designee;

(d) The head of any of the police departments in the county, or a designee; and

(e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member."; and

Further amend the title and enacting clause accordingly.

Senator Goodman moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Kehoe, **HCS** for **HB 1647**, with **SS**, as amended (pending), was placed on the Informal Calendar.

Senator Nieves moved that **HCS** for **HB 1789**, with **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 2 was again taken up.

Senator Schmitt assumed the Chair.

At the request of Senator Nieves, **HCS** for **HB 1789**, with **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **SS** for **SCS** for **HB 1251**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

Senator Lager moved that **SS** for **SCS** for **HB 1251**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

On motion of Senator Lager, **SS** for **SCS** for **HB 1251**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Green	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Goodman Justus—2

Absent—Senators—None

Absent with leave—Senators

Cunningham Lembke—2

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Green	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Goodman Justus Ridgeway—3

Absent—Senators—None

Absent with leave—Senators

Cunningham Lembke—2

Vacancies—None

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1131, introduced by Representative Fisher, entitled:

An Act to repeal section 285.304, RSMo, and to enact in lieu thereof one new section relating to contents of a withholding form.

Was called from the Informal Calendar and taken up by Senator Pearce.

On motion of Senator Pearce, **HB 1131** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Nieves moved that **HCS** for **HB 1789**, with **SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 2 was again taken up.

At the request of Senator Pearce, **SA 2** was withdrawn.

Senator Pearce offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1789, Pages 2-5, Section 167.121, by striking all of said section from the bill and inserting in lieu thereof the following:

"167.121. 1. If the residence of a pupil is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance, the commissioner of education or his **or her** designee may assign the pupil to another district**, except as provided in section 1 of this act**. Subject to the provisions of this section, all existing assignments shall be reviewed prior to July 1, 1984, and from time to time thereafter, and may be continued or rescinded. **Any assignment granted to a pupil under this section prior to August 28, 2012, shall**

remain in effect until the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil from the assignment. Any assignment granted to a pupil under this section prior to August 28, 2012, shall also be applicable to any sibling of the pupil and shall remain in effect until the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil from the assignment. The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition shall not exceed the pro rata cost of instruction.

2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a parent or guardian residing in a lapsed public school district or a district that has scored either unaccredited or provisionally accredited, or a combination thereof, on two consecutive annual performance reports may enroll the parent's or guardian's child in the Missouri virtual school created in section 161.670 provided the pupil first enrolls in the school district of residence. The school district of residence shall include the pupil's enrollment in the virtual school created in section 161.670 in determining the district's average daily attendance. Full-time enrollment in the virtual school shall constitute one average daily attendance equivalent in the school district of residence. Average daily attendance for part-time enrollment in the virtual school shall be calculated as a percentage of the total number of virtual courses enrolled in divided by the number of courses required for full-time attendance in the school district of residence.

(2) A pupil's residence, for purposes of this section, means residency established under section 167.020. Except for students residing in a K-8 district attending high school in a district under section 167.131, the board of the home district shall pay to the virtual school the amount required under section 161.670.

(3) Nothing in this section shall require any school district or the state to provide computers, equipment, Internet or other access, supplies, materials or funding, except as provided in this section, as may be deemed necessary for a pupil to participate in the virtual school created in section 161.670.

(4) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

Section 1. 1. For any pupil residing in any unincorporated area located in a county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants that also borders on a county with a charter form of government and with more than nine hundred fifty thousand inhabitants and a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, for any pupil residing in any village with more than three hundred twenty but fewer than three hundred sixty inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a village with more than two hundred but fewer than two hundred fifty inhabitants as the county seat, or for any pupil residing in a village with more than one hundred forty but fewer than one hundred sixty inhabitants and located in any county of the third classification without a township form of government and with more than twenty thousand but fewer than twenty-three thousand inhabitants and with a city of the fourth classification with more than two

thousand four hundred but fewer than two thousand seven hundred inhabitants as the county seat, the commissioner of education or his or her designee shall, upon proper application by the parent or guardian of the pupil, assign the pupil and any sibling of the pupil to another school district if the following conditions are met:

(1) The actual driving distance from the student's residence to the attendance center in the district of residence is seventeen miles or more by the shortest route available as determined by the commissioner or his or her designee;

(2) The attendance center to which the student would be assigned in the receiving district is at least seven miles closer in actual driving distance by the shortest route available to the student's residence than the current attendance center in the residence district as determined by the commissioner or his or her designee; and

(3) The attendance of the student will not cause the classroom in the receiving district to exceed the number of students per class as determined by the receiving district.

2. For pupils applying to the commissioner of education under this section, the commissioner, or his or her designee, shall assign pupils in the order in which applications are received, provided the applications are properly completed and the conditions of subsection 1 of this section are met. Once granted, the hardship assignment shall continue until the pupil, and any sibling of the pupil who attends the same attendance center, completes his or her course of study in the receiving district or the parent or guardian withdraws the pupil. If a parent or guardian withdraws a pupil from a hardship assignment, the granting of a subsequent application is discretionary. A pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in his or her district of residence during the school year prior to the application. Any pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in a district other than his or her district of residence and paid nonresident tuition for such enrollment during the school year prior to the application. Pupils who reside in the district who become eligible for kindergarten or first grade shall also be eligible to apply to the commissioner of education to be assigned to another district. A pupil who is not currently enrolled in a public school district shall become eligible to apply to the commissioner of education to be assigned to another district after the student has enrolled in and completed a full school year in a public school in his or her district of residence.

3. The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition amount shall not exceed the pro rata cost of instruction."; and

Further amend the title and enacting clause accordingly.

Senator Pearce moved that the above amendment be adopted.

At the request of Senator Nieves, **HCS** for **HB 1789**, with **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

Senator Kehoe moved that **HCS** for **HB 1647**, with **SS**, as amended (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **HCS** for **HB 1647**, as amended, was again taken up.

Senator Schaefer offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 51, Section 414.570, Line 26, by inserting after all of said line the following:

"488.5026. 1. Upon approval of the governing body of a city, county, or a city not within a county, a surcharge of two dollars shall be assessed as costs in each court proceeding filed in any court in any city, county, or city not within a county adopting such a surcharge, in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of two dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031.

2. Notwithstanding any other provision of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable to the treasurer of the governmental unit authorizing such surcharge.

3. The treasurer shall deposit funds generated by the surcharge into the "Inmate **Prisoner Detainee** Security Fund". Funds deposited shall be utilized to **acquire and** develop biometric verification systems **and information sharing** to ensure that inmates**, prisoners, or detainees in a holding cell facility or other detention facility or area which hold persons detained only for a shorter period of time after arrest or after being formally charged** can be properly identified **upon booking** and tracked within **the local law enforcement administration system, criminal justice administration system, or** the local jail system. Upon the installation of the **information sharing or** biometric verification system, funds in the inmate **prisoner detainee** security fund may **also** be used for the maintenance**, repair, and replacement** of the **information sharing or** biometric verification system, and **also** to pay for any expenses related to **detention,** custody**,** and housing and other expenses for **inmates,** prisoners**, and detainees**."; and

Further amend the title and enacting clause accordingly.

Senator Schaefer moved that the above amendment be adopted, which motion prevailed.

Senator Lager offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 54, Section 650.230, Line 27, by inserting after all of said line the following:

"**Section 1. Notwithstanding any provision of section 292.655 to the contrary, employers that use medical needles in the routine course of conducting business in this state may use any Occupational Safety and Health Administration- or Food and Drug Administration-approved device.**"; and

Further amend the title and enacting clause accordingly.

Senator Lager moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe moved that **SS** for **HCS** for **HB 1647**, as amended, be adopted, which motion prevailed.

On motion of Senator Kehoe, **SS** for **HCS** for **HB 1647**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Goodman Justus Schmitt—3

Absent—Senators—None

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators

Goodman Justus Schmitt—3

Absent—Senators—None

Absent with leave—Senator Lembke—1

Vacancies—None

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Dixon moved that **HCR 25** be taken up for adoption, which motion prevailed.

On motion of Senator Dixon, **HCR 25** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon

Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—31	

NAYS—Senators—None

Absent—Senators

Richard Wasson—2

Absent with leave—Senator Lembke—1

Vacancies—None

Senator Purgason moved that **HCR 43** be taken up for adoption, which motion prevailed.

On motion of Senator Purgason, **HCR 43** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Nieves Richard Wasson—3

Absent with leave—Senator Lembke—1

Vacancies—None

Senator Kehoe assumed the Chair.

Senator Purgason moved that **HCR 46** be taken up for adoption, which motion prevailed.

On motion of Senator Purgason, **HCR 46** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Nieves Richard Wasson—3

Absent with leave—Senator Lembke—1

Vacancies—None

Senator Engler moved that **HCR 49** be taken up for adoption, which motion prevailed.

On motion of Senator Engler, **HCR 49** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Kehoe	Kraus	Lager	Mayer	McKenna	Munzlinger	Parson
Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer—24

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Wright-Jones—5

Absent—Senators

Lamping	Nieves	Schaefer	Wasson—4

Absent with leave—Senator Lembke—1

Vacancies—None

Senator Brown moved that **HCR 12** be taken up for adoption, which motion prevailed.

On motion of Senator Brown, **HCR 12** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senator Lembke—1

Vacancies—None

Senator Rupp moved that **HCR 31** be taken up for adoption, which motion prevailed.

On motion of Senator Rupp, **HCR 31** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Lamping Nieves Ridgeway—3

Absent with leave—Senator Lembke—1

Vacancies—None

Senator Justus moved that **HCR 42** be taken up for adoption, which motion prevailed.

On motion of Senator Justus, **HCR 42** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Lamping Nieves Ridgeway—3

Absent with leave—Senator Lembke—1

Vacancies—None

Senator Chappelle-Nadal moved that **HCR 22** be taken up for adoption, which motion prevailed.

On motion of Senator Chappelle-Nadal, **HCR 22** was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Lamping Nieves Richard—3

Absent with leave—Senator Lembke—1

Vacancies—None

RESOLUTIONS

Senator Schmitt moved that **SR 1762** be taken up for adoption, which motion prevailed.

On motion of Senator Schmitt, **SR 1762** was adopted.

PRIVILEGED MOTIONS

Senator Cunningham moved that the conference on **HCS** for **SCS** for **SB 485**, as amended, be dissolved and **SCS** for **SB 485**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 485**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 485

An Act to repeal sections 400.9-311, 430.020, and 430.082, RSMo, and to enact in lieu thereof three new sections relating to statutory liens against personalty.

Was taken up.

Senator Cunningham moved that **HCS** for **SCS** for **SB 485**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—29			

NAYS—Senators—None

Absent—Senators

Lamping	Nieves	Richard	Wasson—4

Absent with leave—Senator Lembke—1

Vacancies—None

On motion of Senator Cunningham, **HCS** for **SCS** for **SB 485**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Pearce, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 455**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 455

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 455, with House Amendments Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 455, as amended;

2. The Senate recede from its position on Senate Bill No. 455;

3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 455 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ David Pearce	/s/ Mike Thomson
/s/ Dan Brown	Timothy Jones
/s/ Bob Dixon	Anne Zerr
Robin Wright-Jones	/s/ Gail McCann Beatty
Joseph Keaveny	/s/ Tishaura Jones

Senator Pearce moved that the above conference committee report no. 2 be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senator Lembke—1

Vacancies—None

On motion of Senator Pearce, **CCS No. 2** for **HCS** for **SB 455**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 455

An Act to repeal sections 173.005, 173.040, 173.300, 173.606, 173.608, 173.612, 173.614, 173.616, 173.618, and 174.450, RSMo, and to enact in lieu thereof ten new sections relating to higher education, with existing penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Keaveny—1

Absent—Senator Nieves—1

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SCS** for **SB 470**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 470

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendments Nos. 3, 4, 5, 6,

House Amendment Nos. 1 and 3 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment Nos. 8, 9, 10, 11, House Substitute Amendment No. 1 for House Amendment No. 12 and House Amendment No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, as amended;

2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 470;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Bob Dixon	/s/ Eric Burlison
/s/ Robert N. Mayer	/s/ Jason Smith
/s/ Jack A.L. Goodman	/s/ Charlie Denison
/s/ Jolie Justus	/s/ Tim Meadows
/s/ Ryan McKenna	/s/ Joseph Fallert Jr.

Senator Dixon moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senator Lembke—1

Vacancies—None

On motion of Senator Dixon, **CCS** for **HCS** for **SS** for **SCS** for **SB 470**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 470

An Act to repeal sections 142.932, 144.030, 260.392, 301.010, 301.140, 301.147, 302.185, 302.341, 302.700, 303.200, 304.022, 304.120, 304.180, 304.190, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof thirty-one new sections relating

to transportation, with penalty provisions, an effective date for a certain section, and contingent effective dates for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senator Nieves—1

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Stouffer, on behalf of the conference committee appointed to act with a like committee from the House on **HCS No. 2** for **SCS** for **SB 480**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 480

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2 and 3, House Amendment Nos. 1 and 2 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7 and 8, House Amendment Nos. 1 and 2 to House Amendment No. 9, House Amendment No. 9 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 480;

3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480 be Third Read and Finally Passed.

FOR THE SENATE:
/s/ Bill Stouffer
/s/ Mike Kehoe
/s/ Kevin Engler
/s/ Ryan McKenna
/s/ Robin Wright-Jones

FOR THE HOUSE:
/s/ Eric Burlison
/s/ Caleb Jones
/s/ Charlie Denison
Tracy McCreery
/s/ Joseph Fallert Jr.

Senator Stouffer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna	Munzlinger
Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

NAYS—Senators

Goodman	Green	Kraus	Purgason—4

Absent—Senators

Chappelle-Nadal	Nieves—2

Absent with leave—Senator Lembke—1

Vacancies—None

On motion of Senator Stouffer, **CCS** for **HCS No. 2** for **SCS** for **SB 480**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 480

An Act to repeal sections 67.548, 67.1421, 67.1561, 70.441, 144.030, 260.392, 301.010, 301.449, 301.3150, 301.3161, 302.060, 302.304, 302.309, 302.341, 302.525, 302.700, 303.200, 304.120, 306.532, and 577.023, RSMo, and to enact in lieu thereof twenty-nine new sections relating to transportation, with penalty provisions and a contingent effective date for certain sections and an effective date for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna	Munzlinger
Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

NAYS—Senators

Goodman	Green	Kraus	Purgason—4

Absent—Senators

Chappelle-Nadal	Nieves—2

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Brown moved that the conference be dissolved and **SCS** for **SB 566**, with **HA 1** and **HA 2**, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1 was taken up.

Senator Brown moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping	Munzlinger
Parson	Pearce	Purgason	Richard	Rupp	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—26						

NAYS—Senators

Kraus	Mayer	Ridgeway	Schaaf—4

Absent—Senators

Chappelle-Nadal	McKenna	Nieves—3

Absent with leave—Senator Lembke—1

Vacancies—None

HA 2 was taken up.

Senator Brown moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	Munzlinger
Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaefer	Schmitt

Stouffer Wasson Wright-Jones—27

NAYS—Senators

Kraus Schaaf—2

Absent—Senators

Chappelle-Nadal Green McKenna Nieves—4

Absent with leave—Senator Lembke—1

Vacancies—None

On motion of Senator Brown, **SCS** for **SB 566**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Lager	Lamping	Mayer	Munzlinger
Parson	Pearce	Purgason	Richard	Rupp	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—26						

NAYS—Senators

Kraus Ridgeway Schaaf—3

Absent—Senators

Chappelle-Nadal Green McKenna Nieves—4

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Parson, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 631**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 631

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute

for Senate Bill No. 631, with House Amendment Nos. 1, 2, 3, 4, 5, House Amendment No. 1 to House Amendment No. 8, and House Amendment No. 8 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 631;

3. That the attached Conference Committee Substitute on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Michael Parson	/s/ Bill Reiboldt
/s/ Brian Munzlinger	/s/ Casey Guernsey
/s/ Bill Stouffer	/s/ Tom Loehner
/s/ Victor E. Callahan	/s/ Ed Schieffer
/s/ Jolie Justus	/s/ Sylvester Taylor

Senator Parson moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Green
Kehoe	Kraus	Lager	Lamping	Mayer	Munzlinger	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer	Wasson—24

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	McKenna	Wright-Jones—6

Absent—Senators

Goodman	Nieves	Schaefer—3

Absent with leave—Senator Lembke—1

Vacancies—None

On motion of Senator Parson, **CCS** for **HCS** for **SCS** for **SB 631**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 631

An Act to repeal sections 178.530, 276.401, 304.180, 350.015, and 578.005, RSMo, and to enact in lieu

thereof thirteen new sections relating to agriculture, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Green	Kehoe	Kraus	Lager	Lamping	Mayer	Munzlinger	Parson
Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schmitt	Stouffer
Wasson—25							

NAYS—Senators

Chappelle-Nadal	Justus	Keaveny	McKenna	Wright-Jones—5

Absent—Senators

Goodman	Nieves	Schaefer—3

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Parson, title to the bill was agreed to.

Senator Parson moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **SB 599**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 599

The Conference Committee appointed on Senate Bill No. 599, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 1 and 2 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, and House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 599, as amended;

2. The Senate recede from its position on Senate Bill No. 599;

3. That the attached Conference Committee Substitute for Senate Bill No. 599 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Scott Dieckhaus
/s/ David Pearce	/s/ Rick Stream

/s/ Mike Kehoe	/s/ Paul Fitzwater
/s/ Joseph P. Keaveny	/s/ Sara Lampe
/s/ Maria Chappelle-Nadal	/s/ Joe Aull

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Green Purgason—2

Absent—Senators

Nieves Parson—2

Absent with leave—Senator Lembke—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **SB 599**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 599

An Act to repeal sections 160.261, 160.522, and 178.530, RSMo, and to enact in lieu thereof six new sections relating to education, with an existing penalty provision and an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Pearce	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Green Purgason—2

Absent—Senators

Nieves Parson—2

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Pearce	Richard	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Green	Purgason	Ridgeway—3

Absent—Senators

Nieves	Parson—2

Absent with leave—Senator Lembke—1

Vacancies—None

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Schaefer, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 628**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 628

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 628, with House Amendments Nos. 1, 2, House Amendment Nos. 1 and 2 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendments Nos. 5, 6, 7, 8, 9, 10, 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12 as amended, House Amendment No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 628, as amended;

2. The Senate recede from its position on Senate Bill No. 628;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 628, be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Kurt Schaefer	/s/ Stan Cox

/s/ Mike Kehoe	/s/ John Diehl
/s/ Bob Dixon	/s/ Kevin Elmer
/s/ Jolie Justus	/s/ Susan Carlson
/s/ Joseph Keaveny	/s/ Chris Kelly

Senator Schaefer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna	Munzlinger
Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt
Stouffer	Wasson	Wright-Jones—27					

NAYS—Senators

Goodman	Green	Justus	Kraus—4

Absent—Senators

Nieves	Purgason—2

Absent with leave—Senator Lembke—1

Vacancies—None

On motion of Senator Schaefer, **CCS** for **HCS** for **SB 628**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 628

An Act to repeal sections 32.056, 57.280, 67.1305, 67.2010, 135.953, 195.222, 195.223, 211.031, 386.510, 400.9-311, 456.950, 456.8-808, 476.055, 479.011, 479.040, 483.015, 488.5026, 491.075, 508.050, 513.430, 513.440, 513.653, 523.010, 537.345, 537.346, 537.528, 542.301, 558.019, 565.072, 565.073, 565.074, 566.083, 568.060, and 569.100, RSMo, and to enact in lieu thereof forty-one new sections relating to the judiciary, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Keaveny	Kehoe	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones—28				

NAYS—Senators

Goodman	Justus	Kraus—3

Absent—Senators

Nieves Purgason—2

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Schaefer, title to the bill was agreed to.

Senator Schaefer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Mayer moved that the Senate refuse to concur in **HCS** for **SB 701**, as amended, and request the House to recede from its position and take up and pass the bill, which motion prevailed.

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HB 1135**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1135

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1135, with Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. The Senate recede from its position on Senate Committee Substitute for House Bill No. 1135, as amended;

2. That the House recede from its position on House Bill No. 1135;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1135 be Third Read and Finally Passed.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Jason Smith	/s/ Bob Dixon
/s/ Cole McNary	/s/ Jane Cunningham
/s/ Lyndall Fraker	/s/ Luann Ridgeway
/s/ Sara Lampe	/s/ Timothy P. Green
/s/ Gail McCann Beatty	/s/ Joseph P. Keaveny

Senator Dixon moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Kehoe	Kraus	Lager	Lamping	Mayer
McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway	Rupp	Schaaf

Schaefer Schmitt Stouffer Wasson Wright-Jones—29

NAYS—Senators

Justus Keaveny Purgason—3

Absent—Senator Nieves—1

Absent with leave—Senator Lembke—1

Vacancies—None

On motion of Senator Dixon, **CCS** for **SCS** for **HB 1135**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1135

An Act to repeal sections 536.041 and 536.325, RSMo, and to enact in lieu thereof four new sections relating to administrative procedures and review.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Green	Kehoe	Kraus	Lager	Lamping	Mayer	McKenna
Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—29			

NAYS—Senators

Curls Justus Keaveny—3

Absent—Senator Nieves—1

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Kehoe moved that the Senate refuse to recede from its position on **SS** for **HB 1318**, as amended, and grant the House a conference thereon, which motion prevailed.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Mayer appointed the following conference committee to act with a like committee from the House on **SS** for **HB 1318**, as amended: Senators Kehoe, Munzlinger, Richard, McKenna and Chappelle-Nadal.

HOUSE BILLS ON THIRD READING

Senator Purgason moved that **HCS** for **HB 1644**, with **SA 1** and **SA 1** to **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 to **SA 1** was again taken up.

Senator Purgason moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was taken up.

Senator Green moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Purgason, **HCS** for **HB 1644**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Chappelle-Nadal—1

Absent—Senator Nieves—1

Absent with leave—Senator Lembke—1

Vacancies—None

The President declared the bill passed.

On motion of Senator Purgason, title to the bill was agreed to.

Senator Purgason moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

President Pro Tem Mayer assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 1639**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

REFERRALS

President Pro Tem Mayer referred **HCS** for **HB 1639**, with **SCS**, to the Committee on Ways and Means and Fiscal Oversight.

RESOLUTIONS

Senator Lager offered Senate Resolution No. 2222, regarding Garrett Thomas Hayden Giles, which was adopted.

Senator Lager offered Senate Resolution No. 2223, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Don Marrs, Spickard, which was adopted.

Senator Lager offered Senate Resolution No. 2224, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Dudley Williams, Trenton, which was adopted.

Senator Lager offered Senate Resolution No. 2225, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Paul Read, Maryville, which was adopted.

Senator Mayer offered Senate Resolution No. 2226, regarding Connie V. Dildine, Hiram, which was adopted.

Senator Mayer offered Senate Resolution No. 2227, regarding Rachel Treppler, which was adopted.

Senator Brown offered Senate Resolution No. 2228, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Norman Gan, Waynesville, which was adopted.

Senator Parson offered Senate Resolution No. 2229, regarding the Fiftieth Wedding Anniversary of Mr. and Mrs. Lee Hoover, Windsor, which was adopted.

Senator Parson offered Senate Resolution No. 2230, regarding the Seventieth Wedding Anniversary of Mr. and Mrs. Greer Jenkins, Bolivar, which was adopted.

Senator Mayer offered Senate Resolution No. 2231, regarding Twin Rivers Regional Medical Center, Kennett, which was adopted.

Senator Kehoe offered Senate Resolution No. 2232, regarding Leo Lutz, which was adopted.

On motion of Senator Dempsey, the Senate adjourned until 9:00 a.m., Friday, May 18, 2012.

SENATE CALENDAR

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SEVENTY-FOURTH DAY–FRIDAY, MAY 18, 2012

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FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#3 for SCS for SB 710-Engler

SENATE BILLS FOR PERFECTION

SB 809-Lamping, with SCS
SB 745-Lembke
SB 765-Schaefer
SB 860-Nieves, with SCS

HOUSE BILLS ON THIRD READING

1. HCS for HB 1640, with SCS (Stouffer) (In Fiscal Oversight)
2. HCS for HJR 41 (Green) (In Fiscal Oversight)
3. HCS for HB 1860 & HCS for HB 1254, with SCS (Lager) (In Fiscal Oversight)
4. HCS#2 for HB 1475 (Cunningham)
5. HB 1534-Bahr, et al (Mayer)
6. HB 1062-Dieckhaus and Lampe (Schaefer)
7. HB 1315-McCaherty, et al (McKenna)
8. HB 1096-Wieland (McKenna)
9. HB 1046-Rowland (Purgason)
10. HCS for HB 1407, with SCS (Wright-Jones)
11. HCS#2 for HB 1524 (Munzlinger)
12. HCS for HB 1214 (Schaefer)
13. HCS for HB 1854, with SCS (Rupp) (In Fiscal Oversight)
14. HB 1029-Flanigan and Allen (Dixon)
15. HCS for HB 1049, with SCS (Schmitt)
16. HCS for HB 1274 (Rupp)
17. HCS for HB 1900 (Munzlinger)
18. HB 1037-Dugger (Purgason)
19. HB 1172-Franz (Stouffer)
20. HCS for HB 1661 (Pearce)
21. HCS for HB 1060, with SCS (Kraus)
22. HCS for HB 1134, with SCS (Brown)
23. HCS for HB 1639, with SCS (Purgason) (In Fiscal Oversight)

INFORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 806-Cunningham
SCS for SB 842-Lamping

SENATE BILLS FOR PERFECTION

SB 438-Mayer
SB 439-Mayer, with SCS, SA 1, SSA 1 for SA 1 & SA 1 to SSA 1 for SA 1 (pending)
SB 442-Stouffer, with SCS
SB 449-Rupp
SB 451-Cunningham, with SCS
SB 454-Pearce, with SA 1 (pending)
SB 457-Schmitt, with SCS & SS for SCS (pending)
SB 465-Schaaf
SB 474-Kraus, with SCS & SA 1 (pending)
SB 475-Lamping
SB 479-Crowell
SB 490-Munzlinger, with SCS
SB 491-Munzlinger, with SCS
SB 516-Schaaf, with SCS (pending)
SB 547-Purgason
SB 548-Purgason, with SCS
SB 549-Lembke
SBs 553 & 435-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 577-Goodman and Rupp, with SCS

SB 584-Richard and Kehoe, with SCS
SBs 588 & 585-Schmitt, with SCS (pending)
SB 589-Kraus, with SCS (pending)
SB 596-Brown, with SCS
SB 621-Brown, with SCS, SS for SCS & SA 1 (pending)
SB 623-Cunningham, with SCS
SB 645-Schaefer
SB 650-Ridgeway, with SS & SA 2 (pending)
SB 652-Lager
SB 656-Lager and Dixon, with SCS
SB 657-Rupp, with SCS (pending)
SB 659-Dempsey and Rupp
SB 661-Schmitt, with SCS (pending)
SB 666-Keaveny, with SCS & SS for SCS (pending)
SB 675-Crowell, with SCS (pending)
SB 676-Nieves, with SCA 1 (pending)
SB 693-Crowell
SB 695-Parson
SB 706-Cunningham, with SCS
SB 717-Stouffer
SB 743-Brown
SB 744-Wright-Jones, with SCS & SA 2 (pending)
SB 795-Callahan, et al, with SCS
SB 807-Dempsey
SB 816-Kraus, with SCS
SBs 817 & 774-Parson, with SCS
SB 818-Parson, with SCS
SB 834-Mayer and Parson, with SCS
SB 843-Lamping, with SCS & SS for SCS (pending)
SB 865-Pearce, with SCS
SB 903-Lamping
SB 905-Mayer
SB 906-Kraus, with SCS
SB 909-Cunningham, et al
SJR 25-Crowell
SJR 29-Lamping, with SS & SA 1 (pending)
SJR 30-Lamping
SJR 39-Cunningham
SJR 45-Nieves
SJR 47-Rupp, with SCS
SJR 50-Curls

HOUSE BILLS ON THIRD READING

HB 1051-Allen, et al, with SCS, SS for SCS & SA 1 (pending) (Lager)
HB 1104-Schoeller and Smith (150), with SCS (Engler)
HB 1114-Weter (Goodman)
HCS for HB 1123 (Brown)
HCS for HB 1140, with SCS (Brown)
HB 1192-Koenig, et al (Cunningham)
HCS for HB 1193, with SCS, SS for SCS, SA 1, SSA 1 for SA 1 & SA 3 to SSA 1 for SA 1 (pending) (Engler)
HCS for HBs 1278 & 1152, with SCS (Richard)
HCS for HB 1300, with SCS (Parson)
HCS#2 for HB 1317, with SCS (Schaefer)
HCS for HB 1324, with SCS (Munzlinger)
SCS for HB 1331-Jones (117), et al (Kehoe)
HB 1337-Stream, with SCS & SS for SCS (pending) (Brown)
HCS for HB 1361, with SS (pending) (Lager)
HCS for HB 1383 (Munzlinger)
HB 1403-Schatz, et al, with SS (pending) (Dempsey)
HCS for HB 1442 (Brown)
HCS for HB 1526, with SS & SA 1 (pending) (Rupp)
HCS for HB 1623, with SCS, SS#2 for SCS & SA 12 (pending) (Schmitt)
HCS for HB 1637, with SCS (pending) (Purgason)
HCS for HB 1722 (Pearce)
HCS for HB 1789, with SCS & SA 3 (pending) (Nieves)
HB 1804-Molendorp, et al (Justus)

HCS for HB 1869, with SCA 1 (Engler)
HCS for HBs 1934 & 1654 (Schaefer)
HB 2099-Elmer (Lager)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 591-Parson, with HCS, as amended
SS for SCS for SB 595-Kraus, with HCS
SCS for SB 625-Kehoe, with HCS, as amended
SS for SCS for SB 633-Engler, with HA 1
SCS for SB 648-Dempsey, with HCS, as amended
SS for SCS for SB 699-Goodman, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5, as amended & HA 6
SB 760-Dempsey, with HCS, as amended
SCS for SB 773-Parson, with HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 455-Pearce, with HCS, as amended (Senate adopted CCR#2 and passed CCS#2)
SS for SCS for SB 467-Munzlinger, with HCS, as amended
SS for SCS for SB 470-Dixon, with HCS, as amended (Senate adopted CCR and passed CCS)
SCS for SB 480-Stouffer, with HCS#2, as amended (Senate adopted CCR and passed CCS)
SCS for SB 498-Munzlinger and Justus, with HCS, as amended (Senate adopted CCR and passed CCS)
SB 564-Brown, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 (Senate requests House grant further conference)
SCS for SB 569-Kraus, with HCS, as amended (Senate adopted CCR and passed CCS)
SB 578-Parson, with HCS, as amended
SB 599-Schaefer, with HA 1, HA 2, as amended, HA 3, as amended, HA 4, as amended & HA 5 (Senate adopted CCR and passed CCS)
SB 611-Lembke, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8
SB 628-Schaefer, with HCS, as amended (Senate adopted CCR and passed CCS)
SCS for SB 631-Parson, with HCS, as amended (Senate adopted CCR and passed CCS)
SCS for SB 635-Pearce, with HCS, as amended (Senate adopted CCR and passed CCS)
SB 636-Keaveny, with HCS, as amended (Senate requests House grant further conference)
SS for SB 665-Stouffer, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 (Senate adopted CCR and passed CCS)
SCS for SB 673-Brown, with HCS, as amended
SCS for SB 711-Lamping, with HCS, as amended
SS for SCS for SB 719-Kehoe, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 (Senate adopted CCR#2 and passed CCS#2)

SCS for SB 726-Parson, with HCS, as amended
SB 739-Keaveny, with HCS, as amended
SS for SB 749-Lamping, with HCS, as amended
SS for SB 769-Kraus, with HCS, as amended
SB 813-Richard, with HCS, as amended
SS for SB 854-Mayer, with HCS, as amended
HB 1073 & HCS for HB 1477-Sater, with SS for SCS, as amended (Munzlinger)
HB 1170-Franz, with SS#2 for SCS, as amended (Parson)
HB 1318-Riddle, et al, with SS, as amended (Kehoe)
HCS for HB 1402, with SS for SCS, as amended (Stouffer)

Requests to Recede or Grant Conference

SCS for SB 510-Cunningham, with HCS, as amended (Senate requests House recede or grant conference)
SB 668-Lembke, with HCS, as amended (Senate requests House recede or grant conference)
SB 701-Mayer, with HCS, as amended (Senate requests House recede and take up and pass the bill)
SCS for SB 729-Schaefer, with HCS#2, as amended (Senate requests House recede or grant conference)
SB 893-Kraus, with HA 1 (Senate requests House recede or grant conference)
HCS for HB 1072, with SCS (Brown) (House requests Senate recede or grant conference)
HB 1424-Marshall, et al, with SA 1, as amended (Engler) (House requests Senate recede or grant conference)
HBs 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 & 1878-Marshall, et al, with SS for SCS, as amended (Schaaf) (Senate requests House take up and pass the bill)

RESOLUTIONS

Reported from Committee

SCR 20-Rupp
SCR 21-Pearce, et al

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Journal of the Senate

SECOND REGULAR SESSION

SEVENTY-FOURTH DAY—FRIDAY, MAY 18, 2012

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

Reverend Carl Gauck offered the following prayer:

"You show me the path of life. In your presence there is fullness of joy; in your right hand are pleasures forevermore." (Psalm 16:11)

Gracious God, we know that the political commenters are already assessing what we have done here and whether good or ill we have done our best. Let us be mindful that our comfort and joy comes from our relationship with You and our efforts to follow Your lead and accomplish what You have given us to do. May we know Your blessings this day and end this session in praise and thanksgiving. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

President Kinder assumed the Chair.

The Journal of the previous day was read and approved.

Senator Dempsey announced photographers from KRCG-TV and the Daily Star Journal were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer
Wasson	Wright-Jones—34						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The Lieutenant Governor was present.

RESOLUTIONS

Senator Stouffer, joined by the entire membership offered Senate Resolution No. 2233, regarding The Rolling Pin Bakery, Glasgow, which was adopted.

Senator Green offered Senate Resolution No. 2234, regarding Alan Phipps, which was adopted.

Senator Green offered Senate Resolution No. 2235, regarding Mara Berry, Hazelwood, which was adopted.

Senator Pearce offered Senate Resolution No. 2236, regarding Johnson County Ambulance District, which was adopted.

Senator Pearce offered Senate Resolution No. 2237, regarding PrimeLending, Raymore, which was adopted.

PRIVILEGED MOTIONS

Senator Kraus moved that **SS** for **SCS** for **SB 595**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 595**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 595

An Act to repeal sections 162.961 and 162.962, RSMo, and to enact in lieu thereof four new sections relating to due process hearing panel members, with an emergency clause for certain sections.

Was taken up.

Senator Kraus moved that **HCS** for **SS** for **SCS** for **SB 595** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Rupp	Schaaf	Schmitt	Stouffer	Wasson—29			

NAYS—Senators

Brown Purgason—2

Absent—Senators

Ridgeway Schaefer Wright-Jones—3

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kraus, **HCS** for **SS** for **SCS** for **SB 595** was read the 3rd time and passed by the following vote:

YEAS—Senators

Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson—29			

NAYS—Senators

Brown Purgason—2

Absent—Senators

Goodman	Ridgeway	Wright-Jones—3

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson—29			

NAYS—Senator Purgason—1

Absent—Senators

Lamping	Nieves	Ridgeway	Wright-Jones—4

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Kehoe moved that **SCS** for **SB 625**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 625**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 625

An Act to repeal sections 50.1130, 50.1140, 56.807, 104.603, 104.1084, and 104.1091, RSMo, and to enact in lieu thereof six new sections relating to retirement.

Was taken up.

Senator Kehoe moved that **HCS** for **SCS** for **SB 625**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Purgason	Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer

Wasson—33

NAYS—Senators—None

Absent—Senator Wright-Jones—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kehoe, **HCS** for **SCS** for **SB 625**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson—32

NAYS—Senators—None

Absent—Senators

Cunningham Wright-Jones—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Engler moved that the Senate refuse to concur in **HA 1** to **SS** for **SCS** for **SB 633** and request the House to recede from its position and take up and pass **SS** for **SCS** for **SB 633**, which motion prevailed.

Senator Lembke, on behalf of the conference committee appointed to act with a like committee from the House on **SB 611**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 611

The Conference Committee appointed on Senate Bill No. 611, with House Amendments Nos. 1, 2, 3, 4, 5, 6, 7, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 611, as amended;

2. The Senate recede from its position on Senate Bill No. 611;

3. That the attached Conference Committee Substitute for Senate Bill No. 611 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Jim Lembke	/s/ Rick Stream
/s/ Bill Stouffer	Ryan Silvey
/s/ Mike Kehoe	Tom Flanigan
/s/ Ryan McKenna	/s/ Chris Kelly
/s/ Robin Wright-Jones	/s/ Sara Lampe

Senator Lembke moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Cunningham Wasson—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Lembke, **CCS** for **SB 611**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 611

An Act to repeal sections 301.140 and 304.022, RSMo, and to enact in lieu thereof three new sections relating to transportation, with existing penalty provisions, and a contingent effective date for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Cunningham Wasson—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lembke, title to the bill was agreed to.

Senator Lembke moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Pearce assumed the Chair.

Senator Lamping, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 749**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 749

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 749, with House Amendment Nos. 1, 2, 3 and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 749, as amended;

2. The Senate recede from its position on Senate Substitute for Senate Bill No. 749;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ John Lamping	/s/ Tim Jones
/s/ Tom Dempsey	/s/ Sandy Crawford
/s/ Ron Richard	/s/ Stan Cox
Jolie Justus	Tracy McCreery
Shalonn “Kiki” Curls	Linda Black

Senator Lamping moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson—29			

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Wright-Jones—5

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Lamping, **CCS** for **HCS** for **SS** for **SB 749**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 749

An Act to repeal section 376.1199, RSMo, and to enact in lieu thereof two new sections relating to the protection of the religious beliefs and moral convictions of certain persons and entities, with an emergency clause.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schmitt	Stouffer	Wasson—28				

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Schaefer	Wright-Jones—6

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Dempsey	Dixon	Engler	Goodman
Green	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schmitt	Stouffer	Wasson—28				

NAYS—Senators

Chappelle-Nadal	Curls	Justus	Keaveny	Schaefer	Wright-Jones—6

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Lamping, title to the bill was agreed to.

Senator Lamping moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Kraus, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 769**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 769

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 769, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2, 3, 4, 5 and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 769, as amended;

2. The Senate recede from its position on Senate Substitute for Senate Bill No. 769;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 769 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Will Kraus	/s/ Todd Richardson
/s/ Scott Rupp	/s/ Anne Zerr
/s/ Mike Kehoe	/s/ Mike Cierpiot
/s/ Timothy Green	/s/ Sylvester Taylor II
Ryan McKenna	/s/ Scott Sifton

Senator Kraus moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senator Goodman—1

Absent—Senators

Kehoe Parson—2

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Kraus, **CCS** for **HCS** for **SS** for **SB 769**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 769

An Act to repeal sections 99.845, 135.215, and 135.963, RSMo, and to enact in lieu thereof six new sections relating to state and local standards, with a penalty provision.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Goodman Purgason—2

Absent—Senator Parson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Rupp assumed the Chair.

Senator Engler moved that the Senate recede from its position on **SA 1**, as amended to **HB 1424** and **HB 1424** be taken up for 3rd reading and final passage, which motion prevailed.

HB 1424 was taken up.

On motion of Senator Engler, **HB 1424** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon

Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Purgason—1

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Engler, title to the bill was agreed to.

Senator Engler moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Nieves moved that **HCS** for **HB 1789**, with **SCS** and **SA 3** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 3 was again taken up.

Senator Pearce moved that the above amendment be adopted, which motion prevailed.

Senator Nieves moved that **SCS** for **HCS** for **HB 1789**, as amended, be adopted, which motion prevailed.

On motion of Senator Nieves, **SCS** for **HCS** for **HB 1789**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Goodman
GreenJustus	Keaveny	Kehoe	Kraus	Lager	Lamping	Mayer	
Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer—28				

NAYS—Senators

Chappelle-Nadal	Engler	Lembke	McKenna	Wright-Jones—5

Absent—Senator Wasson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Nieves, title to the bill was agreed to.

Senator Nieves moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Photographers from the St. Louis Post-Dispatch and Columbia Daily Tribune were given permission to take pictures in the Senate Chamber.

Senator Lager moved that **HB 1051**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage.

SA 1 was again taken up.

Senator Schaaf assumed the Chair.

Senator Keaveny moved that the above amendment be adopted, which motion failed.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1051, Page 1, Section A, Line 4, by inserting immediately after said line the following:

"23.140. 1. Legislation, with the exception of appropriation bills, introduced into either house of the general assembly shall, before being acted upon, be submitted to the oversight division of the committee on legislative research for the preparation of a fiscal note. The staff of the oversight division shall prepare a fiscal note, examining the items contained in subsection 2 and such additional items as may be provided either by joint rule of the house and senate or by resolution adopted by the committee or the oversight subcommittee.

2. The fiscal note shall state:

(1) The cost of the proposed legislation to the state for the next two fiscal years;

(2) Whether or not the proposed legislation will establish a program or agency that will duplicate an existing program or agency;

(3) Whether or not there is a federal mandate for the program or agency;

(4) Whether or not the proposed program or agency will have significant direct fiscal impact upon any political subdivision of the state;

(5) Whether or not any new physical facilities will be required; and

(6) Whether or not the proposed legislation will have an economic impact on small businesses. For the purpose of this subdivision "small business" means a corporation, partnership, sole proprietorship or other business entity, including its affiliates, that:

(a) Is independently owned and operated; and

(b) Employs fifty or fewer full-time employees.

3. The fiscal note for a bill shall accompany the bill throughout its course of passage. No member of the general assembly, lobbyist or persons other than oversight division staff members shall participate in the preparation of any fiscal note unless the communication is in writing, with a duplicate to be filed with the

fiscal note or unless requested for information by the fiscal analyst preparing the note. Violations of this provision shall be reported to the chairman of the legislative research committee and subject the fiscal note and proposed bill to subcommittee review. Once a fiscal note has been signed and approved by the director of the oversight division, the note shall not be changed or revised without prior approval of the chairman of the legislative research committee, except to reflect changes made in the bill it accompanies, or to correct patent typographical, clerical or drafting errors that do not involve changes of substance, nor shall substitution be made therefor. Appeals to revise, change or to substitute a fiscal note shall be made in writing by a member of the general assembly to the chairman of the legislative research committee and a hearing before the committee or subcommittee shall be granted as soon as possible. Any member of the general assembly, upon presentation of new or additional material, may, within three legislative days after the hearing on the request to revise, change or substitute a fiscal note, request one rehearing before the full committee to further consider the requested change.

The subcommittee, if satisfied that new or additional material has been presented, may recommend such rehearing to the full committee, and the rehearing shall be held as soon as possible thereafter.

4. The director of the division, hereinafter provided for, or the director's designees, shall seek information and advice from the affected department, division or agency of state government and shall call upon the research staffs of the house of representatives and of the senate, and upon the staffs of the house and senate appropriations committees for assistance in carrying out fiscal notes and **[**auditing functions and duties**] evaluations of programs selected by the committee**, during the interim, and each staff shall supply such information or advice as it **[**may possess**] deems appropriate** in response to the inquiry. The state auditor shall, upon request, cooperate and provide assistance in the conduct of audits and the preparation of reports made in connection therewith.

23.150. 1. The committee on legislative research shall organize an oversight division to prepare fiscal notes and to conduct **[**management audits and**]** program **[**audits**] evaluations** of state agencies**, including program evaluations involving budget transparency and accountability**. The committee may form a subcommittee of not less than six members to provide direct supervision of the personnel and practices of the division. The subcommittee shall consist of one-half of the members appointed by the **[**chairman**] chair** from the house which he **or she** represents and one-half of the members appointed by the vice **[**chairman**] chair** from the house which he **or she** represents.

2. Within the limits of the appropriations made for this division, the committee shall employ a director of the oversight division and other personnel as it deems necessary. The director shall be qualified by training and experience to conduct such **[**audits**] evaluations**, and he **or she** shall be directly responsible for those activities. The director of the oversight division, with the consent of the joint committee, may employ personnel necessary to carry out the duties prescribed in this chapter. Persons employed to work in the oversight division shall be professional persons possessing a wide knowledge and demonstrated expertise in governmental programming and financial planning, in conducting program review evaluations and analytic studies, and of federal, state, and local government budgetary processes, laws and regulations of the state of Missouri. **[**Office space, furniture and equipment formerly assigned to the committee on state fiscal affairs, and appropriations made therefor, shall be transferred to the committee on legislative research.**]**

23.160. 1. **[**As used in this chapter, the term "management audit" means a postaudit which determines, with regard to the purpose, functions, and duties of an audited agency:

(1) Whether the agency is managing and utilizing its resources in an economical and efficient manner;

and

(2) Which identifies causes of inefficiencies or uneconomical practices including inadequacies in the use and management of information systems, internal and administrative procedures, organizational structure, use of resources, allocation of personnel, and purchasing policies.

2.**]** As used in this chapter, the term "program **[**audit"**] evaluation"** means a **[**postaudit**] study** which determines and evaluates program performance according to program objectives, responsibilities, and duties as set forth by statute or regulation. Program **[**audits**] evaluations**, in accordance with generally accepted program evaluation standards, shall determine:

(1) Whether the program is being performed and administered as authorized or required by law, and whether this action conforms with statutory intent;

(2) Whether the objectives and intended benefits are being achieved, and whether **[**efficiently and effectively**] the absence of such achievements suggest the need for correction or additional legislation**;

(3) Benefits derived from any program in relation to the expenditures made therefor; and

(4) Whether the program duplicates, overlaps, or conflicts with any other state program. **[**A program audit may include determinations within the scope of a management audit to the extent necessary or appropriate to the conduct of a particular program audit.

3.**] 2.** As used in this chapter, the term "resources" includes appropriated funds, federal funds, grants, and personnel, and also includes equipment and space, whether assigned, owned or leased.

[4.**] 3.** As used in this chapter, the term "agency" includes each department and office within the executive branch of government and each identifiable unit thereof, including institutions of higher learning, and each identifiable unit of the legislative and judicial branches of government.

23.170. 1. The oversight division of the committee on legislative research shall, pursuant to a duly adopted concurrent resolution of the general assembly, or pursuant to a resolution adopted by the committee on legislative research, conduct **[**management audits and**]** program **[**audits**] evaluations** of agencies as directed by any such resolution.

2. The staff of any agency subject to a **[**management or**]** program **[**audit**] evaluation** shall fully cooperate with the staff of the oversight division and shall provide all necessary information and assistance for such an **[**audit**] evaluation**. All records of an agency, unless otherwise expressly declared by law to be confidential, may be inspected by the oversight division staff while conducting the **[**audit**] evaluation**, and the agency subject to the **[**audit**] evaluation** shall afford the oversight division staff with ample opportunity to observe agency operations.

3. All **[**audits**] evaluations** shall be completed within one year unless an extension is authorized by the committee, but progress reports shall be made to the committee at least **[**monthly**] quarterly**. **[**The subcommittee supervising the oversight division shall meet monthly to review progress reports, hear requests for changes in fiscal notes, and provide supervision for the oversight division staff.**]**

4. Any member of the general assembly and any committee of either house of the general assembly may submit requests for **[**audits**] program evaluations** to the committee on legislative research, and any agency may request an **[**audit**] evaluation** of its operations. **The director of the division shall present program evaluations completed during the previous legislative interim period to appropriate committees of each chamber during early hearings of those committees at the next regular session.**

23.180. The committee may:

(1) Subpoena and examine witnesses by subpoena issued under the hand of the speaker of the house or the president pro tem of the senate and may require the appearance of any person and the production of any paper or document in the same manner;

(2) Cause witnesses appearing before the committee or **[**the**] its** staff **[**of the division**]** to give testimony under oath;

(3) Require that testimony given or a record of the proceedings of any hearing be recorded by an official court reporter or other competent person, under oath, in writing or by electronic, magnetic, or mechanical sound or video recording devices. Any such transcript or record, when certified by the reporter or recorder, shall be prima facie a correct statement of the testimony or proceedings.

23.190. 1. In making **[**audits**] program evaluations** the division shall make recommendations and suggestions, in writing, to the personnel of the agency being **[**audited**] evaluated**. Such personnel shall be given an opportunity to respond, in writing, to those recommendations and suggestions. Thereafter, as soon as practicable after completion of the **[**audit**] evaluation**, the committee shall issue a public report of the **[**audit**] evaluation**. The report shall contain recommendations for changes in practices and policies as well as recommendations for changes in statutes and regulations, and shall contain the response of the agency involved. Each report shall be a public record and shall be signed by the committee **[**chairman**] chair**. Each report shall be presented to the governor and the agency involved. Copies may be made available to members of the general assembly and to the general public. The committee may charge a fee to recover publication costs for copies made available to the general public.

2. One year after completion of each **[**audit**] evaluation**, the oversight division shall review the operations of the agency **[**audited**] evaluated** to determine whether or not there has been substantial compliance with the recommendations contained in the report, and if not, a further review shall be conducted at the end of another year. In each instance a further report shall be made and distributed in the same manner as an initial report is made and distributed.

23.265. 1. At the beginning of each regular session of the general assembly, the committee shall present to the general assembly and the governor a report on the programs scheduled to be sunset.

2. In the report, the committee shall include:

(1) Its specific findings regarding each of the criteria prescribed by section 23.268;

(2) Its recommendations based on the matters prescribed by section 23.271; and

(3) Any other information the committee deems necessary for a complete evaluation of the program.

3. The director of the oversight division shall present such reports to the house budget committee and the senate appropriations committee at such time as requested by the chairs of such committees."; and

Further amend said bill, page 2, section 513.653, line 22, by inserting immediately after said line the following:

"**[**23.200. The staff of the committee on legislative research shall prepare a transfer-revision bill to be submitted to the ninetieth general assembly to revise the statutes so as to reflect the changes made by or pursuant to this act; except that, the committee on legislative research shall use

fully the provisions of section 3.060 where such provisions will suffice. At such time as all statutory revision changes required pursuant to this act have gone into effect the revisor of statutes may prepare legislation to repeal this section.**]**"; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe offered **SA 3:**

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1051, Page 1, Section A, Line 4, by inserting after all of said line the following:

"21.940. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on State Employee Wages" to function in the legislative interims through December 31, 2014, for the purpose of further studying and developing of strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages.

2. The committee shall be composed of the following members:

(1) Two majority party members and one minority party member of the house of representatives, to be appointed by the speaker and minority leader of the house of representatives respectively;

(2) Two majority party members and one minority party member of the senate, to be appointed by the president pro tempore and minority leader of the senate respectively;

(3) One representative from the governor's office;

(4) One representative from the state personnel advisory board; and

(5) Two members of the public, with one to be appointed by the speaker of the house of representatives and one to be appointed by the president pro tempore of the senate.

A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

3. The committee shall be charged with the following:

(1) Devising a focused and concise mission statement to guide actions of the committee;

(2) Requesting the office of administration to use moneys in the state employee wage study fund to invest in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures, similar to what other states have done;

(3) Requesting the office of administration, with the advice and consent of the committee, to use the data from the comprehensive study to produce a long-term strategic plan for increasing state employee wages and to present such plan to the governor, the house budget committee, and the senate appropriations committee by January 31, 2015;

(4) Such other matters as the committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues.

4. The committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the committee deems

relevant, political subdivisions of this state, and the general public.

5. There is hereby created in the state treasury the "State Employee Wage Study Fund" which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. The state treasurer shall deposit to the credit of such fund all moneys which may be appropriated to it by the general assembly and any gifts, contributions, grants, bequests, or other aid received from federal, private, or other sources. The general assembly may appropriate moneys into the fund to be used by the office of administration for the purpose of investing in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.

7. The provisions of this section shall expire on January 31, 2015."; and

Further amend said bill, page 8, section 513.653, line 26, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary to help attract and maintain a talented and dedicated workforce in order to best serve the needs of Missouri citizens, the enactment of section 21.940 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 21.940 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

Senator Callahan offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1051, Page 1, Section 29.375, Lines 8-9, by striking all of said lines and inserting in lieu thereof the following: "**appropriation for fiscal year 2012.**".

Senator Callahan moved that the above amendment be adopted, which motion prevailed.

Senator Lager moved that **SS** for **SCS** for **HB 1051**, as amended, be adopted, which motion prevailed.

On motion of Senator Lager, **SS** for **SCS** for **HB 1051**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping

Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Lager, title to the bill was agreed to.

Senator Lager moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SCS** for **HCS** for **HB 1402**, as amended and has taken up and passed **CCS** for **SS** for **SCS** for **HCS** for **HB 1402**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **SCS** for **HCS** for **HB 1498** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1498**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SS** as amended for **SCS** for **HCS** for **HB 1150**, and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1150**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 722**, entitled:

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to restricting public contracts with entities that invest in the energy sector in Iran.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2 and House Amendment No. 2, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 2,

Section 34.225, Line 22, by inserting after the phrase "**person that**" on said line, the word "**directly**"; and

Further amend said bill, page and section, Line 23, by inserting after the word "**person**" on said line, the word "**directly**"; and

Further amend said bill, page, and section, Line 25, by deleting the phrase "**has an investment of**" on said line and inserting in lieu thereof the phrase "**directly invests**"; and

Further amend said bill, page, and section, Lines 30-32, by deleting all of said lines and inserting in lieu thereof the following:

"**(c) The person is a financial institution that directly provides a commercial loan of twenty million dollars or more to another person, for forty-five days or more, if such financial institution had actual knowledge that such person would use the proceeds from the commercial loan to invest in the energy sector in Iran;**"; and

Further amend said bill, page, and section, Lines 41-42, by deleting the phrase "**or within the previous three years has had**" on said lines and inserting in lieu thereof the word "**has**"; and

Further amend said bill, page, and section, Line 43, by inserting after the period "**.**" on said line, the following:

"**A person may rely on one or more lists of persons engaging in investment activities in the energy sector in Iran developed by other states acting under the authority of the Federal Comprehensive Iran Sanctions Accountability and Divestment Act of 2010 when certifying that it is not a proscribed investor.**"; and

Further amend said bill, page, and section, Lines 46-47, by deleting the phrase "**, upon such report or any complaint from any individual, shall**" on said lines and inserting in lieu thereof the phrase "**has the sole authority to**"; and

Further amend said bill, page, and section, Line 49, by inserting after the period "**.**" on said line, the following:

"**No private right of action is created by this section.**"; and

Further amend said bill, Page 3, Section 34.225, Line 67, by inserting after the phrase "**ceases its**" on said line, the word "**direct**"; and

Further amend said bill, page, and section, Line 69, by inserting after the word "**demonstrate**" on said line, the phrase "**in writing**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 2, Line 13, by inserting after all of said line the following:

"Further amend said bill, Section 67.2010, Page 13, Line 8, by inserting after all of said section and line the following:

"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the

existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term "contiguous and compact" does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and **the** Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a **[**verified**]** **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term "common-interest community" shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A "common-interest community" shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation

is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.014. **1.** Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon **[**verified**]** **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed.

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition

precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection**[**, etc.**]**;

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any

city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.**"; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 3, Section 34.225, Line 73, by inserting after all of said section and line the following:

"**262.975. 1. The department of economic development shall build and maintain, by contract or otherwise, a Missouri solar panel manufacturing website with search engine optimization technology. Such website shall contain content licensed by the department to promote the benefits of locating a solar panel manufacturing facility in Missouri.**

2. The website shall be designed to attract domestic or international solar panel manufacturers to Missouri. The department must provide links to the new website from at least three other

department of economic development websites, and must include content explaining the benefits of manufacturing solar panels in Missouri.

3. The state of Missouri retains ownership of all content on the website. The website developer is authorized to:

(1) Use all informational content provided by the department of economic development, and apply search engine optimization to the website content to achieve a high search engine ranking; and

(2) Sell advertising on the website to any entity that will benefit from marketing to domestic or international solar panel manufacturers. The website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the website, with the website developer retaining all advertising revenues obtained from such website to provide the financing for such website.

4. If contacted, the website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department;

(2) Demonstrate prior experience with website development projects which increased search engine rankings for the client.

5. If contacted, the department of economic development, shall review all applications and award one annual contract for the development, design, marketing, and maintenance of the solar panel manufacturer website, with annual renewals for continuing upgrades, marketing, and maintenance of the website. The department shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department may have a contract terminated for failure to operate under the department's guidelines for the website. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section.

6. The department of economic development may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 755**, entitled:

An Act to repeal sections 43.260, 43.265, 210.1014, 306.130, 455.020, 455.035, 455.040, 455.060, 455.085, 455.505, 455.513, 455.523, 455.538, 488.5050, 513.653, 527.290, 565.074, 565.182, 570.145,

575.060, 575.070, 575.080, 650.055, 650.100, and 650.120, RSMo, and to enact in lieu thereof thirty-four new sections relating to public safety, with penalty provisions and an effective date for a certain section.

With House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, House Amendment No.1 to House Amendment No. 13, House Amendment No. 13, as amended, House Amendment Nos. 14, 15 and 16.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 43.265, Line 19, by inserting after all of said section and line the following:

"195.246. 1. It is unlawful for any person to possess any methamphetamine precursor drug with the intent to manufacture amphetamine, methamphetamine or any of their analogs.

2. Possession of more than **[**twenty-four**] fifteen** grams of any methamphetamine precursor drug or combination of methamphetamine precursor drugs shall be prima facie evidence of intent to violate this section. This subsection shall not apply to any practitioner or to any product possessed in the course of a legitimate business.

3. A person who violates this section is guilty of a class D felony.

195.417. 1. The limits specified in this section shall not apply to any quantity of such product, mixture, or preparation which must be dispensed, sold, or distributed in a pharmacy pursuant to a valid prescription.

2. Within any thirty-day period, no person shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

(1) The sole active ingredient; or

(2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection; in any total amount greater than **[**nine**] seven and one-half** grams, without regard to the number of transactions.

3. Within any twenty-four-hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

(1) The sole active ingredient; or

(2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection; in any total amount greater than three and six-tenths grams without regard to the number of transactions.

4. **Within any twelve-month period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall**

purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

(1) The sole active ingredient; or

(2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection; in any total amount greater than sixty grams without regard to the number of transactions.

The monthly and annual purchase limits contained in this section shall include any quantities of such products that are purchased in other states, where such other state is utilizing the same electronic tracking system utilized in this state.

5. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

[5.**] 6. Each pharmacy and pharmacist licensed in this state shall have the discretion to, in good faith, refuse to sell, dispense, or otherwise provide any individual with any methamphetamine precursor drug and such pharmacy shall not be subject to criminal or civil liability for failure to sell, dispense, or otherwise provide such methamphetamine precursor drug.**

7. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation.

[6.**] 8.** This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.

[7.**] 9.** All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

[8.**] 10.** Within thirty days of June 15, 2005, all persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

[9.**] 11.** Any person who knowingly or recklessly violates this section is guilty of a class A misdemeanor.

195.419. Any person who has been found guilty or pled guilty or nolo contendere to any felony drug crime shall be required to obtain a prescription to purchase, receive, or otherwise acquire any drug or drug product containing any detectable amount of ephedrine, phenylpropanolamine, or

pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers."; and

Further amend said bill, Section 650.120, Page 30, Line 81 by inserting after all of said section and line the following:

"**Section 1. In order to protect the privacy interests of persons purchasing controlled substances, the department of public safety shall implement a method of coordination between the MULES system and any electronic tracking system which tracks purchases of controlled substances. If the purchase of a controlled substance is denied due to a felony drug conviction by the purchaser or such purchase would exceed the purchaser's allowable limit, the only notation in the MULES system and electronic tracking system shall be "sale denied" without disclosure of the reason for such denial.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 3, Section 210.1014, Line 36 by inserting after said line the following:

"**301.4042. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Pony Express Museum in St. Joseph, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Pony Express Museum will provide a logo to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Pony Express Museum derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Pony Express Museum. Any person may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Pony Express Museum, the museum shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the rider on horseback emblem, and the words "Pony Express" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Pony Express Museum's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Pony Express Museum's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by

this section.

4. Prior to the issuance of a Pony Express specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 3, Section 210.1014, Line 36, by inserting after all of said line the following:

"**211.069. The amendments to sections 211.071 and 211.073 enacted by the ninety-sixth general assembly, second regular session, shall be known and may be cited as "Jonathan's Law".**

211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030, forcible sodomy under section 566.060, first degree robbery under section 569.020, or distribution of drugs under section 195.211, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only

to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

(1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;

(2) Whether the offense alleged involved viciousness, force and violence;

(3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;

(4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;

(5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;

(6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;

(7) The age of the child;

(8) The program and facilities available to the juvenile court in considering disposition;

(9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

(1) Findings showing that the court had jurisdiction of the cause and of the parties;

(2) Findings showing that the child was represented by counsel;

(3) Findings showing that the hearing was held in the presence of the child and his counsel; and

(4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law **and the prosecution of the child results in a conviction**, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.073. 1. The court **[**may**] shall**, in a case when the offender is under seventeen years **and six months** of age and has been transferred to a court of general jurisdiction pursuant to section 211.071, and whose prosecution results in a conviction or a plea of guilty, **[**invoke**] consider** dual jurisdiction of both the criminal and juvenile codes, as set forth in this section. The court is authorized to impose a juvenile disposition under this chapter and simultaneously impose an adult criminal sentence, the execution of which shall be suspended pursuant to the provisions of this section. Successful completion of the juvenile disposition ordered shall be a condition of the suspended adult criminal sentence. The court may order an offender into the custody of the division of youth services pursuant to this section **[**if:

(1) A facility is designed and built by the division of youth services specifically for offenders sentenced pursuant to this section and if the division determines that there is space available, based on design capacity, in the facility; and

(2)**]:**

(1) Upon agreement of the division **of youth services; and**

(2) If the division of youth services determines that there is space available in a facility designed to serve offenders sentenced under this section.

If the division of youth services agrees to accept a youth and the court does not impose a juvenile disposition, the court shall make findings on the record as to why the division of youth services was not appropriate for the offender prior to imposing the adult criminal sentence.

2. If there is probable cause to believe that the offender has violated a condition of the suspended sentence or committed a new offense, the court shall conduct a hearing on the violation charged, unless the offender waives such hearing. If the violation is established and found the court may continue or revoke the juvenile disposition, impose the adult criminal sentence, or enter such other order as it may see fit.

3. When an offender has received a suspended sentence pursuant to this section and the division

determines the child is beyond the scope of its treatment programs, the division of youth services may petition the court for a transfer of custody of the offender. The court shall hold a hearing and shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

4. When an offender who has received a suspended sentence reaches the age of seventeen, the court shall hold a hearing. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections;

(2) Direct that the offender be placed on probation; or

(3) Direct that the offender remain in the custody of the division of youth services if the division agrees to such placement.

5. The division of youth services shall petition the court for a hearing before it releases an offender who comes within subsection 1 of this section at any time before the offender reaches the age of twenty-one years. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

6. If the suspension of the adult criminal sentence is revoked, all time served by the offender under the juvenile disposition shall be credited toward the adult criminal sentence imposed."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 22, Section 577.172, Line 11, by inserting after all of said section and line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is exempted from registering under subsection 8 of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in

the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia,**or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state **, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three days of conviction, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration;

(3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of subsection 6 of this section; or

(4) The registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the court orders the removal or exemption of such person from the registry.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. Any person currently on the sexual offender registry for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, **or sexual misconduct in the second degree** and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register.

8. Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

9. (1) The court may grant such relief under subsection 7 or 8 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

10. Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education and is not entitled to relief under the provisions of subsection 9 of this section. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency and is not entitled to the provisions of subsection 9 of this section.

11. Any person whose name is removed or exempted from the sexual offender registry under subsection 7 or 8 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 22, Section 575.080, Line 18, by inserting after all of said section and line the following:

"**575.124. 1. No person shall attempt by means of any threat or violence to deter or prevent an inspector, agent, or other employee of the department of agriculture from performing any duties imposed by law upon such inspector, agent, or employee or the department.**

2. Any person who violates the provisions of this section is guilty of a class B misdemeanor. Any second or subsequent violation of this section is a class A misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Pages 22 and 23, Section 610.205, Lines 1 to 39, by deleting all of said lines and inserting in lieu thereof the following:

"**610.205. 1. After an investigation is inactive, as defined in section 610.100, crime scene or death scene photographs and video recordings, including photographs and video recordings created or**

produced by a state or local agency or by a perpetrator or suspect at a crime scene, which depict or describe a deceased person in a state of dismemberment, decapitation, or similar mutilation including, without limitation, where the deceased person's genitalia are exposed, shall be considered open records for inspection, but closed records for purposes of copying under the provisions of this chapter. Unless dissemination is prohibited under 18 U.S.C. Section 2252, this section shall not prohibit disclosure of such material to:

(1) State and local law enforcement agencies, prosecuting attorneys, juvenile officers, courts and court personnel, coroners, the state technical assistance team, child fatality review panels, the department of social services, or other state or local officials who need access to the photograph and video recordings in order to perform their duties; and

(2) The deceased's nonoffending next of kin or to an individual who has secured a written release from the nonoffending next of kin. It shall be the responsibility of the nonoffending next of kin to show proof of the familial relationship. For purposes of such access, the deceased's nonoffending next of kin shall be:

(a) The spouse of the deceased if living;

(b) If there is no living spouse of the deceased, an adult child of the deceased; or

(c) If there is no living spouse or adult child, a parent of the deceased.

Any person who is otherwise a next of kin of the deceased under this section who has been found guilty of the crime that resulted in the deceased's death shall be an offending next of kin and shall not be authorized to access such records or consent to the disclosure of such materials under this section.

2. Subject to the provisions of subsection 3 of this section, in the case of closed criminal investigations a circuit court judge may order the disclosure of such photographs or video recordings not otherwise prohibited under 18 U.S.C. Section 2252 upon findings in writing that disclosure is in the public interest and outweighs any privacy interest that may be asserted by the deceased person's next of kin. In making such determination, the court shall consider whether such disclosure is necessary for public evaluation of governmental performance, the seriousness of the intrusion into the family's right to privacy, and whether such disclosure is the least intrusive means available considering the availability of similar information in other public records. In any such action, the court shall review the photographs or video recordings in question in camera with the custodian of the crime scene materials present and may condition any disclosure on such condition as the court may deem necessary to accommodate the interests of the parties.

3. Prior to releasing any crime scene material described in subsection 1 of this section, the custodian of such material shall give the deceased person's nonoffending next of kin at least two weeks' notice. No court shall order a disclosure under subsection 2 of this section which would disregard or shorten the duration of such notice requirement. No court order or notification to the next of kin shall be required for the release or disclosure of information to state and local law enforcement agencies, prosecuting attorneys, juvenile officers, courts and court personnel, coroners, the state technical assistance team, child fatality review panels, the department of social services or other state or local officials who need access to the photograph and video recordings in order to perform their duties.

4. The provisions of this section shall apply to all undisclosed material which is in the custody of a state or local agency on the effective date of this section and to any such material which comes into

the custody of a state or local agency after such date.

5. The provisions of this section shall not apply to disclosure of crime scene material to counsel representing a defendant. Unless otherwise prohibited under 18 U.S.C. Section 2252, counsel may disclose such materials to his or her client and any expert or investigator assisting counsel but shall not otherwise disseminate such materials, except to the extent they may be necessary exhibits in court proceedings. A request under this subsection shall clearly state that such request is being made for the purpose of preparing to file and litigate proceedings enumerated in this subsection."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Section 455.513.3, Page 13, Line 11, by deleting the following: "jurisdiction under section 211.031" and inserting in lieu thereof the following:

"**allegations of abuse under section 210.110**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 15, Section 488.5050, by deleting all of said section from the bill; and

Further amend said bill, Pages 23-27, Section 650.055, by deleting all of said section from the bill; and

Further amend said bill, Pages 27-28, Section 650.100, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 16, Section 527.290, Line 14, by inserting after all of said section and line the following:

"535.030. 1. Such summons shall be served as in other civil cases at least four days before the court date in the summons. The summons shall include a court date which shall not be more than twenty-one business days from the date the summons is issued unless at the time of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

2. In addition to attempted personal service, the plaintiff may request, and thereupon the clerk of the court shall make an order directing that the officer, or other person empowered to execute the summons, shall also serve the same by securely affixing a copy of such summons and the complaint in a conspicuous place on the dwelling of the premises in question at least ten days before the court date in such summons, and by also mailing a copy of the summons and complaint to the defendant at the defendant's last known address by ordinary mail at least ten days before the court date. If the officer, or other person empowered to execute the summons, shall return that the defendant is not found, or that the defendant has absconded or vacated his or her usual place of abode in this state, and if proof be made by affidavit of the posting and of the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and

service is by the posting and mailing procedure set forth in this section.

3. If the plaintiff does not request service of the original summons by posting and mailing as provided in subsection 2 of this section, and if the officer, or other person empowered to execute the summons, makes return that the defendant is not found, or that the defendant has absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request the issuance of an alias summons and service of the same by posting and mailing in the time and manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a copy of the summons in the time and manner provided in subsection 2 of this section. Upon proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons and the complaint, the judge shall proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure provided in subsection 2 of this section.

4. On the date judgment is rendered as provided in this section where the defendant is in default, the clerk of the court shall mail to the defendant at the defendant's last known address by ordinary mail a notice informing the defendant of the judgment and the date it was entered, and stating that the defendant has ten days from the date of the judgment to file a motion to set aside the judgment or to file an application for a trial de novo in the circuit court, as the case may be, and that unless the judgment is set aside or an application for a trial de novo is filed within ten days, the judgment will become final and the defendant will be subject to eviction from the premises without further notice.

5. If, after ten days from the date of the judgment the judgment is not set aside or an application for a trial de novo has not been filed, the defendant shall willfully refuse to vacate and surrender the possession of the premises to the plaintiff or the plaintiff's agent, the defendant shall be guilty of a class B misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 43.265, Line 19, by inserting after all of said section and line, the following:

"**[**650.325.] **190.411.** There is hereby established within the department of public safety the "[Advisory Committee for] 911 Service Oversight **Board**" which is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training and education. The [committee for] 911 service oversight **board** shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state.

[650.330.] **190.415.** 1. The [committee for] 911 service oversight **board** shall consist of [sixteen] **seven** members, one of [which] **whom** shall be [chosen from] **the director of** the department of public safety **or the director's designee,** who shall serve as chair of the [committee] **board** and only vote in the instance of a tie vote among the other members, and the other members shall be selected as follows:

(1) [One member chosen to represent an association domiciled in this state whose primary interest relates to counties;

(2) One member chosen to represent the Missouri public service commission;

(3)] One member chosen to represent emergency medical services;

[(4)] **(2)** One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

[(5)] **(3)** One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;

[(6)] **(4)** One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

[(7)] **(5)** One member chosen to represent an association whose primary interest relates to issues pertaining to [police chiefs] **law enforcement officials**; **and**

[(8) One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;

(9) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;

(10) One member chosen to represent 911 service providers in counties of the second, third and fourth classification;

(11) One member chosen to represent 911 service providers in counties of the first classification, with and without charter forms of government, and cities not within a county;

(12)] **(6)** One member chosen to represent telecommunications service providers with [at least one hundred thousand] access lines located within Missouri[;

(13) One member chosen to represent telecommunications service providers with less than one hundred thousand access lines located within Missouri;

(14) One member chosen to represent a professional association of physicians who conduct with emergency care; and

(15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers].

2. Each of the members of the [committee for] 911 service oversight **board** shall be appointed by the governor with the advice and consent of the senate for a term of four years[; except that, of those members first appointed, four members shall be appointed to serve for one year, four members shall be appointed to serve for two years, four members shall be appointed to serve for three years and four members shall be appointed to serve for four years]. Members of the [committee] **board** may serve multiple terms.

3. The [committee for] 911 service oversight **board** shall meet at least quarterly at a place and time specified by the chairperson of the [committee] **board** and it shall keep and maintain records of such meetings, as well as the other activities of the [committee] **board**. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the [committee] **board**.

4. The [committee for] 911 service oversight **board** shall:

(1) Organize and adopt standards governing the [committee's] **board's** formal and informal procedures;

(2) Provide recommendations for primary answering points and secondary answering points on statewide technical and operational standards for 911 services;

(3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;

(4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that such [committee] **board** shall not supersede decision-making authority of local political subdivisions in regard to 911 services;

(5) Provide assistance to the governor and the general assembly regarding 911 services;

(6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;

(7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;

(8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state; and

(9) Advise the department of public safety on establishing rules and regulations necessary to administer the provisions of sections [650.320 to 650.340] **190.400 to 190.445**.

5. The department of public safety shall provide staff assistance to the [committee for] 911 service oversight **board** as necessary in order for the [committee] **board** to perform its duties pursuant to sections [650.320 to 650.340] **190.400 to 190.445**.

6. The department of public safety is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within section [650.340] **190.445**. Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

[650.340.] **190.445.** 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

(1) Police telecommunicator . . . . . 16 hours;

(2) Fire telecommunicator . . . . . 16 hours;

(3) Emergency medical services telecommunicator . . . . . 16 hours;

(4) Joint communication center telecommunicator . . . . . 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section. The reporting period for the ongoing training under this

subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the [committee] **board** that such person has completed training in another state which are at least as stringent as the training requirements of subsection 2 of this section.

6. The department of public safety shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or **dispatch** agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for [an] **a dispatch** agency which meets the requirements set forth in section 190.134."; and

Further amend said bill, Page 3, Section 210.1014, Line 36, by inserting after all of said section and line, the following:

"302.291. 1. The director, having good cause to believe that an operator is incompetent or unqualified to retain his or her license, after giving ten days' notice in writing by certified mail directed to such person's present known address, may require the person to submit to an examination as prescribed by the director. Upon conclusion of the examination, the director may allow the person to retain his or her license, may suspend, deny or revoke the person's license, or may issue the person a license subject to restrictions as provided in section 302.301. If an examination indicates a condition that potentially impairs safe driving, the director, in addition to action with respect to the license, may require the person to submit to further periodic examinations. The refusal or neglect of the person to submit to an examination within thirty days after the date of such notice shall be grounds for suspension, denial or revocation of the person's license by the director, an associate circuit or circuit court. Notice of any suspension, denial, revocation or other restriction shall be provided by certified mail. As used in this section, the term "denial" means the act of not licensing a person who is currently suspended, revoked or otherwise not licensed to operate a motor vehicle. Denial may also include the act of withdrawing a previously issued license.

2. The examination provided for in subsection 1 of this section may include, but is not limited to, a written test and tests of driving skills, vision, highway sign recognition and, if appropriate, a physical and/or mental examination as provided in section 302.173.

3. The director shall have good cause to believe that an operator is incompetent or unqualified to retain such person's license on the basis of, but not limited to, a report by:

(1) Any certified peace officer;

(2) Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334; any chiropractic physician licensed pursuant to chapter 331; any registered nurse licensed pursuant to chapter 335; any psychologist, social worker or professional counselor licensed pursuant to chapter 337; any optometrist licensed pursuant to chapter 336; **any emergency medical technician licensed under chapter**

190; or

(3) Any member of the operator's family within three degrees of consanguinity, or the operator's spouse, who has reached the age of eighteen, except that no person may report the same family member pursuant to this section more than one time during a twelve-month period. The report must state that the person reasonably and in good faith believes the driver cannot safely operate a motor vehicle and must be based upon personal observation or physical evidence which shall be described in the report, or the report shall be based upon an investigation by a law enforcement officer. The report shall be a written declaration in the form prescribed by the department of revenue and shall contain the name, address, telephone number, and signature of the person making the report.

4. Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334, any chiropractor licensed pursuant to chapter 331, any registered nurse licensed pursuant to chapter 335, any psychologist, social worker or professional counselor licensed pursuant to chapter 337, or any optometrist licensed pursuant to chapter 336**, or any emergency medical technician licensed under chapter 190** may report to the department any patient diagnosed or assessed as having a disorder or condition that may prevent such person from safely operating a motor vehicle. Such report shall state the diagnosis or assessment and whether the condition is permanent or temporary. The existence of a physician-patient relationship shall not prevent the making of a report by such medical professionals.

5. Any person who makes a report in good faith pursuant to this section shall be immune from any civil liability that otherwise might result from making the report. Notwithstanding the provisions of chapter 610 to the contrary, all reports made and all medical records reviewed and maintained by the department of revenue pursuant to this section shall be kept confidential except upon order of a court of competent jurisdiction or in a review of the director's action pursuant to section 302.311.

6. The department of revenue shall keep records and statistics of reports made and actions taken against driver's licenses pursuant to this section.

7. The department of revenue shall, in consultation with the medical advisory board established by section 302.292, develop a standardized form and provide guidelines for the reporting of cases and for the examination of drivers pursuant to this section. The guidelines shall be published and adopted as required for rules and regulations pursuant to chapter 536. The department of revenue shall also adopt rules and regulations as necessary to carry out the other provisions of this section. The director of revenue shall provide health care professionals and law enforcement officers with information about the procedures authorized in this section. The guidelines and regulations implementing this section shall be in compliance with the federal Americans with Disabilities Act of 1990.

8. Any person who knowingly violates a confidentiality provision of this section or who knowingly permits or encourages the unauthorized use of a report or reporting person's name in violation of this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

9. Any person who intentionally files a false report pursuant to this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

10. All appeals of license revocations, suspensions, denials and restrictions shall be made as required pursuant to section 302.311 within thirty days after the receipt of the notice of revocation, suspension, denial or restriction.

11. Any individual whose condition is temporary in nature as reported pursuant to the provisions of

subsection 4 of this section shall have the right to petition the director of the department of revenue for total or partial reinstatement of his or her license. Such request shall be made on a form prescribed by the department of revenue and accompanied by a statement from a health care provider with the same or similar license as the health care provider who made the initial report resulting in the limitation or loss of the driver's license. Such petition shall be decided by the director of the department of revenue within thirty days of receipt of the petition. Such decision by the director is appealable pursuant to subsection 10 of this section."; and

Further amend said bill, Page 3, Section 302.790, Line 14, by inserting after all of said section, the following:

"302.800. 1. For purposes of this section, the following terms mean:

(1) "Department", the department of revenue;

(2) "Director", the director of the department of revenue;

(3) "Emergency responder", a municipal, county, or state law enforcement officer or firefighter, or other person who has been trained to provide emergency medical first response services;

(4) "Program participant", an individual who has completed a health information card that includes health and emergency contact information, and affixed the decal provided by the department of revenue under this section to the individual's motor vehicle.

2. There is hereby established a "Missouri Yellow Dot Program" in the department of revenue. The purpose of the program is to provide emergency responders with critical health and emergency contact information about program participants so emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate.

3. The department of revenue shall design Missouri yellow dot program materials, giving consideration to the program materials used by other states in similar programs. Program materials shall include, but shall not be limited to:

(1) A yellow decal of a size and design to be determined by the department which shall be affixed to the rear driver's side window of the program participant's vehicle;

(2) A health information card which provides space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physician's names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the director deems relevant to emergency responders in the case of emergency;

(3) A yellow envelope of a size and design to be determined by the director into which the health information card established under this subsection is to be inserted and placed into the program participant's glove compartment; and

(4) A program instruction sheet including an electronic mail address required under subsection 4 of this section.

4. The department shall establish an electronic mail mechanism through which persons may ask questions about the program and receive assistance in completing the health information card.

5. The department shall provide sufficient program materials to other state departments or

agencies seeking to distribute or make program materials available to interested persons.

6. The director shall notify the state highway patrol regarding the implementation of the Missouri yellow dot program so that all emergency responders are informed about the program.

7. The department may charge an individual seeking to participate in the program a nominal fee to cover the administrative cost of the program.

8. The department shall make Missouri yellow dot program materials available for pick up by any interested person at any driver's license office and shall provide for an online means through which individuals can request the materials required to participate in the program. Any other state department or agency may make the program materials available for distribution to, or pick up by, any interested person.

9. The department shall develop and undertake a public education campaign to inform the public about the program established in this section.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill, Page 6, Section 306.130, Line 20, by inserting after all of said section, the following:

"320.106. As used in sections 320.106 to 320.161, unless clearly indicated otherwise, the following terms mean:

(1) "American Pyrotechnics Association (APA), Standard 87-1", or subsequent standard which may amend or supersede this standard for manufacturers, importers and distributors of fireworks;

(2) "Chemical composition", all pyrotechnic and explosive composition contained in fireworks devices as defined in American Pyrotechnics Association (APA), Standard 87-1;

(3) "Consumer fireworks", explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UNO336, [1.4G by regulation of the United States Department of Transportation, as amended from time to

time, and which were formerly classified as class C common fireworks by regulation of the United States Department of Transportation] **within 49 CFR Part 172**;

(4) "Discharge site", the area immediately surrounding the fireworks mortars used for an outdoor fireworks display;

(5) "Dispenser", a device designed for the measurement and delivery of liquids as fuel;

(6) "Display fireworks", explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two grains (130 mg) of explosive composition intended for public display. These devices are classified as fireworks, **UN0333 or UN0334 or** UNO335, [1.3G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class B display fireworks by regulation of the United States Department of Transportation] **within 49 CFR Part 172**;

(7) "Display site", the immediate area where a fireworks display is conducted, including the discharge site, the fallout area, and the required separation distance from mortars to spectator viewing areas, but not spectator viewing areas or vehicle parking areas;

(8) "Distributor", any person engaged in the business of selling fireworks to wholesalers, jobbers, seasonal retailers, other persons, or governmental bodies that possess the necessary permits as specified in sections 320.106 to 320.161, including any person that imports any fireworks of any kind in any manner into the state of Missouri;

(9) "Fireworks", any composition or device for producing a visible, audible, or both visible and audible effect by combustion, deflagration, or detonation and that meets the definition of consumer, proximate, or display fireworks as set forth by 49 CFR Part 171 to end, United States Department of Transportation hazardous materials regulations[, and American Pyrotechnics Association 87-1 standards];

(10) "Fireworks season", the period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks;

(11) "Jobber", any person engaged in the business of making sales of consumer fireworks at wholesale or retail within the state of Missouri to nonlicensed buyers for use and distribution outside the state of Missouri during a calendar year from the first day of January through the thirty-first day of December;

(12) "Licensed operator", any person who supervises, manages, or directs the discharge of outdoor display fireworks, either by manual or electrical means; who has met additional requirements established by promulgated rule and has successfully completed a display fireworks training course recognized and approved by the state fire marshal;

(13) "Manufacturer", any person engaged in the making, manufacture, assembly or construction of fireworks of any kind within the state of Missouri;

(14) "NFPA", National Fire Protection Association, an international codes and standards organization;

(15) "Permanent structure", buildings and structures with permanent foundations other than tents, mobile homes, and trailers;

(16) "Permit", the written authority of the state fire marshal issued pursuant to sections 320.106 to

320.161 to sell, possess, manufacture, discharge, or distribute fireworks;

(17) "Person", any corporation, association, partnership or individual or group thereof;

(18) "Proximate fireworks", a chemical mixture used in the entertainment industry to produce visible or audible effects by combustion, deflagration, or detonation, as [defined by the most current edition of the American Pyrotechnics Association (APA), Standard 87-1, section 3.8, specific requirements for theatrical pyrotechnics] **classified within 49 CFR Part 172 as UN0431 or UN0432**;

(19) "Pyrotechnic operator" or "special effects operator", an individual who has responsibility for pyrotechnic safety and who controls, initiates, or otherwise creates special effects for proximate fireworks and who has met additional requirements established by promulgated rules and has successfully completed a proximate fireworks training course recognized and approved by the state fire marshal;

(20) "Sale", an exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one or more individuals;

(21) "Seasonal retailer", any person within the state of Missouri engaged in the business of making sales of consumer fireworks in Missouri only during a fireworks season as defined by subdivision (10) of this section;

(22) "Wholesaler", any person engaged in the business of making sales of consumer fireworks to any other person engaged in the business of making sales of consumer fireworks at retail within the state of Missouri.

320.131. 1. It is unlawful for any person to possess, sell or use within the state of Missouri, or ship into the state of Missouri, except as provided in section 320.126, any pyrotechnics commonly known as "fireworks" and defined as consumer fireworks in subdivision (3) of section 320.106 other than items now or hereafter classified as fireworks UNO336, 1.4G by the United States Department of Transportation that comply with the construction, chemical composition, labeling and other regulations relative to consumer fireworks regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public pursuant to such commission's regulations.

2. No wholesaler, jobber, or seasonal retailer, or any other person shall sell, offer for sale, store, display, or have in their possession any consumer fireworks that have not been approved as fireworks UNO336, 1.4G by the United States Department of Transportation.

3. No jobber, wholesaler, manufacturer, or distributor shall sell to seasonal retailer dealers, or any other person, in this state for the purpose of resale, or use, in this state, any consumer fireworks which do not have the numbers and letter "1.4G" printed within an orange, diamond-shaped label printed on or attached to the fireworks shipping carton.

4. This section does not prohibit a manufacturer, distributor or any other person **possessing the proper permits as specified by state and federal law** from storing, selling, shipping or otherwise transporting display or proximate fireworks[, defined as fireworks UNO335, 1.3G/UNO431, 1.4G or UNO432, 1.4S by the United States Department of Transportation, provided they possess the proper permits as specified by state and federal law].

5. Matches, toy pistols, toy canes, toy guns, party poppers, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound, provided that they are so

constructed that the hand cannot come into contact with the cap when in place for use, and toy pistol paper caps which contain less than twenty-five hundredths grains of explosive mixture shall be permitted for sale and use at all times and shall not be regulated by the provisions of sections 320.106 to 320.161.

320.136. Ground salutes commonly known as "cherry bombs", "M-80's", "M-100's", "M-1000's", and any other tubular salutes or any items described as prohibited chemical components or forbidden devices as listed in the American Pyrotechnics Association Standard 87-1 or which exceed the [federal] limits set for **consumer** fireworks [UNO336, 1.4G formerly known as class C common fireworks, display fireworks UNO335, 1.3F, and proximate fireworks UNO431, 1.4F/UNO432, 1.4S by the United States Department of Transportation]**, display fireworks, or proximate fireworks** for explosive composition are expressly prohibited from shipment into, manufacture, possession, sale, or use within the state of Missouri for consumer use. Possession, sale, manufacture, or transport of this type of illegal explosive shall be punished as provided by the provisions of section 571.020.

320.202. 1. There is hereby established within the department of public safety a "Division of Fire Safety", which shall have as its chief executive officer the fire marshal appointed under section 320.205. The fire marshal and the division shall be responsible for:

(1) The voluntary training of firefighters, investigators, inspectors, and public or private employees or volunteers in the field of emergency response, rescue, fire prevention or preparedness;

(2) Establishing and maintaining a statewide reporting system, which shall, as a minimum, include the records required by section 320.235 and a record of all fires occurring in Missouri showing:

(a) The name of all owners of personal and real property affected by the fire;

(b) The name of each occupant of each building in which a fire occurred;

(c) The total amount of insurance carried by, the total amount of insurance collected by, and the total amount of loss to each owner of property affected by the fire; and

(d) All the facts, statistics and circumstances, including, but not limited to, the origin of the fire, which are or may be determined by any investigation conducted by the division or any local firefighting agency under the laws of this state. All records maintained under this subdivision shall be open to public inspections during all normal business hours of the division;

(3) Conducting all investigations of fires mandated by sections 320.200 to 320.270;

(4) Conducting all fire inspections required of any private premises in order for any license relating to such private premises to be issued under any licensing law of this state, except those organizations and institutions licensed pursuant to chapter 197;

(5) Establishing and maintaining a voluntary training and certification program based upon nationally recognized standards. A certification testing fee and recertification fee shall be established by promulgated rules and regulations by the state fire marshal under the provisions of section 536.024. Fees collected shall be deposited into the [general revenue] **fire education** fund **established in section 320.094**.

2. The state fire marshal shall exercise and perform all powers and duties necessary to carry out the responsibilities imposed by subsection 1 of this section, including, but not limited to, the power to contract with any person, firm, corporation, state agency, or political subdivision for services necessary to accomplish any of the responsibilities imposed by subsection 1 of this section.

3. The state fire marshal shall have the authority to promulgate rules and regulations under the provisions of section 536.024 to carry out the provisions of this section.

321.015. **1.** No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to**:**

(1) Members of the organized militia, of the reserve corps, public school employees and notaries public**;** [, or to]

(2) Fire protection districts located wholly within counties of the second, third or fourth [class or] classification;

(3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;

(4) Fire protection districts located within [first class] counties **of the first classification** not adjoining any other [first class] county **of the first classification; [**, nor shall this section apply to]

(5) Fire protection districts located within any county of the first or second [class] classification not having more than nine hundred thousand inhabitants which borders any three [first class] counties **of the first classification**; [nor shall this section apply to]

(6) Fire protection districts located within any [first class] county **of the first classification [**without a charter form of government] which adjoins both a [first class] charter county [with a charter form of government] with at least nine hundred thousand inhabitants, and adjoins at least four other counties**;**

(7) Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof.

321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district at least one year before the election or appointment and be over the age of twenty-five years; except as provided in subsections 2 and 3 of this section. The person shall also be a resident of such fire protection district. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than one year before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

5. Any director who has been found guilty of or pled guilty to any felony offense shall immediately forfeit his or her office.

6. No person shall be qualified to serve as a director, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid or past due county taxes.

321.162. 1. **In addition to the qualifications prescribed by law,** all members of the board of directors of a fire protection district first elected **or appointed** on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of a fire protection district. The training required under this section shall be conducted by an entity approved by the office of the state fire marshal. The office of the state fire marshal shall determine the content of the training to fulfill the requirements of this section. Such training shall include, at a minimum:

(1) Information relating to the roles and duties of a fire protection district director;

(2) A review of all state statutes and regulations relevant to fire protection districts;

(3) State ethics laws;

(4) State sunshine laws, chapter 610;

(5) Financial and fiduciary responsibility;

(6) State laws relating to the setting of tax rates; and

(7) State laws relating to revenue limitations.

2. If any fire protection district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session.

321.228. 1. As used in this section, the following terms shall mean:

(1) "Residential construction", new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;

(2) "Residential construction regulatory system", any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the

whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board.

3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.

321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part,** as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the ..... Fire Protection Districts and the ..... Fire Protection District be consolidated into one fire protection district to be known as the ..... Fire Protection District, with tax levies not in excess of the following amounts: maintenance fund ..... cents per one hundred dollars assessed valuation; ambulance service ..... cents per one hundred dollars assessed valuation; pension fund ..... cents per one hundred dollars assessed valuation; and dispatching fund ..... cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners.

321.711. 1. A recall petition shall be filed with the election authority not more than one hundred eighty days after the filing of the notice of intention.

2. The number of qualified signatures required in order to recall an officer shall be equal in number to at least [twenty-five] **twenty** percent of the number of voters who voted in the most recent gubernatorial election in that district.

3. Within twenty days from the filing of the recall petition the election authority shall determine whether or not the petition was signed by the required number of qualified signatures. The election authority shall file with the petition a certificate showing the results of the examination. The authority shall give the proponents a copy of the certificate upon their request.

4. If the election authority certifies the petition to be insufficient, it may be supplemented within ten days of the date of certificate by filing additional petition sections containing all of the information required by section 321.709 and this section. Within ten days after the supplemental copies are filed, the election authority shall file with it a certificate stating whether or not the petition as supplemented is sufficient.

5. If the certificate shows that the petition as supplemented is insufficient, no action shall be taken on it; however, the petition shall remain on file."; and

Further amend said bill, Page 22, Section 575.080, Line 18, by inserting after all of said section and line, the following:

"577.029. A licensed physician, registered nurse, or trained **in hospital** medical technician, acting at the

request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his or her good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or her."; and

Further amend said bill, Page 30, Section 650.120, Line 81, by inserting after all of said section, the following:

"**Section 1. 1. For purposes of this act, the term "anemometer" means an instrument for measuring and recording the speed of the wind, and the term "anemometer tower" means a structure, including all guy wires and accessory facilities, on which an anemometer is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator.**

2. Any anemometer tower that is fifty feet in height above the ground or higher, that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before the effective date of this act shall be marked as required in this section within one year after the effective date of this act. Any anemometer tower that is erected on or after the effective date of this act shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced. For purposes of this section, the term, area surrounding the anchor point, means an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point. A violation of this section is a class C misdemeanor.

[190.400. As used in sections 190.400 to 190.440, the following words and terms shall mean:

(1) "911", the primary emergency telephone number within the wireless system;

(2) "Board", the wireless service provider enhanced 911 advisory board;

(3) "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;

(4) "Public safety answering point", the location at which 911 calls are initially answered;

(5) "Wireless service provider", a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).]

[190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:

(1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;

(2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;

(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and

(4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.

2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.

3. The board shall do the following:

(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;

(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;

(3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and

(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.

4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.]

[190.420. 1. There is hereby established in the state treasury a fund to be known as the "Wireless Service Provider Enhanced 911 Service Fund". All fees collected pursuant to sections 190.400 to 190.440 by wireless service providers shall be remitted to the director of the department of revenue. The director shall remit such payments to the state treasurer.

2. The state treasurer shall deposit such payments into the wireless service provider enhanced 911 service fund. Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the wireless service provider enhanced 911 system.

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund.]

[190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.

2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to July 2, 1998, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 2, 1998, shall be invalid and void.

3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:

(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and

(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:

(a) The volume of wireless 911 calls received by each public safety answering point;

(b) The population of the public safety answering point jurisdiction;

(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and

(d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section;

(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;

(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.

4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.

5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.

6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.

7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.

8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.]

[190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the voters of this state. The ballot measure shall be submitted by the secretary of state for approval or rejection at the general election held and conducted on the Tuesday

immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.

2. The ballot of the submission shall contain, but is not limited to, the following language:

Shall the Missouri Office of Administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless enhanced 911 service?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.]

[650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) "Committee", the advisory committee for 911 service oversight established in section 650.325;

(2) "Public safety answering point", the location at which 911 calls are initially answered;

(3) "Telecommunicator", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.]"; and

Further amend said bill, Page 31, Section B, Line 4, by inserting after all of said section, the following:

"Section C. Because immediate action is necessary to ensure compliance with federal regulations prior to the sale of fireworks for the Independence Day holiday, sections 320.106, 320.131, and 320.136 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 320.106, 320.131, and 320.136 of section A this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 16, Section 527.290, Line 14, by inserting after all of said line the following:

"**565.066. 1. A person commits the crime of assault of a utility worker or an employee of a mass**

transit system while in the scope of his or her duties in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

3. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

4. Assault of a utility worker or an employee of a mass transit system in the first degree is a class B felony.

565.067. 1. A person commits the crime of assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties;

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties;

(5) Acts with criminal negligence to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a utility worker or an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

3. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

4. Assault of a utility worker or an employee of a mass transit system while in the scope of his or

her duties in the second degree is a class C felony unless committed under subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class B felony.

565.068. 1. A person commits the crime of assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the third degree if:

(1) Such person recklessly causes physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties;

(2) Such person purposely places a utility worker or an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a utility worker or an employee of a mass transit system while in the scope of his or her duties without the consent of the utility worker or employee of the mass transit system.

2. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

3. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

4. Assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the third degree is a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 13

Amend House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755 Page 1, Line 20, by inserting after all of said line, the following:

" Further amend said bill, Page 30, Section 650.120, Line 81, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 43.265, Line 19, by inserting after all of said section and line the following:

"57.104. 1. The sheriff of any county **[**of the first classification not having a charter form of government**]** may employ an attorney at law to aid and advise him **or her** in the discharge of his **or her** duties and to represent him **or her** in court. The sheriff shall set the compensation for an attorney hired pursuant to this section within the allocation made by the county commission to the sheriff's department for compensation of employees to be paid out of the general revenue fund of the county.

2. The attorney employed by a sheriff pursuant to subsection 1 of this section shall be employed at the pleasure of the sheriff."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 3, Section 210.1014, Line 36, by after all of said section and line inserting the following:

"**227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.**

301.3163. Any person may apply for **[**special**] specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**] specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**] director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**] centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. "; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 15

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 6, Section 407.293, Lines 3-5, by deleting all of said lines and inserting in lieu thereof,

the following:

"**magnesium.**"; and

Further amend said bill, page, and section, Line 8, by inserting after the phrase "**part of the vehicle**", a semicolon "**;**"; and

Further amend said bill, page, and section, Line 9, by inserting after the phrase "**section 367.011**" the following:

"**; nor does it include retail jewelers**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 16

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 1, Section A, Line 8 by inserting after said line the following:

"32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in

subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of **[**his**] the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering **[**himself**] the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on **[**his**] the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. **[**He**] The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by **[**him**] such person** under

the local sales tax law or in the event a determination has been made against **[**him**]** **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity

issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies

afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department."; and

Further amend said bill, Page 2, Section 43.265, Line 19, by inserting after all of said section, the following:

"105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.

140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's

designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer,

or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due

from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct

the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**] 8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**] 9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**] 10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend said bill, Page 31, Section B, Line 4, by inserting after all of said section, the following:

"Section C. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SBs 767**, **653**, **754**, **705**, **441**, **528**, **831**, **833** and **847**, entitled:

An Act to repeal sections 143.1009, 301.3084, and 301.3161, RSMo, and to enact in lieu thereof thirty-

one new sections relating to transportation.

With House Amendment Nos. 2, 3 and 4.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 767, 653, 754, 705, 441, 528, 831, 833, & 847 Page 6, Section 301.473, line 45 through 50 by deleting all of said lines and inserting in lieu thereof the following:

"**5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a person chooses to replace the specialty personalized plate for the new design, the person must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plates fees in accordance with this chapter shall be required.**"; and

Further amend said bill Pages 8 through 11, Section 301.3161 and 301.3165, by deleting all of said sections and inserting in lieu thereof the following:

"301.3161. 1. **Notwithstanding any other provision of law to the contrary,** any person may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual contribution of twenty-five dollars to the Cass County collector of revenue. Any contribution derived from this section, except reasonable administrative costs, shall be distributed within the county as follows:

(1) **[**Eighty**] Seventy** percent to public safety; **[**and**]**

(2) **Fifteen percent to the Cass County Historical Society; and**

(3) [Twenty**] Fifteen** percent to the Cass County parks and recreation department.

2. Upon annual application and payment of twenty-five dollars **to the Cass County collector of revenue,** the county shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the **[**department**] director** of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a **[**personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" in the place of the words "SHOW-ME STATE"**] speciality personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" at the bottom of the plate in a manner prescribed by the director of revenue. Such license plates shall be yellow beginning at the top with the color fading into orange at the bottom and shall have a black decorative scroll on the left and right side of the plate configuration. The scrolls shall not be more than one inch in width or three and a half inches in height**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for personalization of license plates under this section.

3. **[**The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that

term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void**] A vehicle owner who was previously issued a plate with the emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Cass County Burnt District emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.**

4. Prior to the issuance of a specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.

301.3165. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Martin Luther King Jr. state celebration commission, may receive specialty personalized license plates for any vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Martin Luther King Jr. state celebration commission hereby authorizes the use of its official emblem to be affixed on specialty personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Martin Luther King Jr. state celebration commission derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Martin Luther King Jr. state celebration commission. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar contribution to the Martin Luther King Jr. state celebration commission fund, the Martin Luther King Jr. state celebration commission shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the

director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Martin Luther King Jr. state celebration commission and the words "I HAVE A DREAM" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.

3. A vehicle owner who was previously issued a plate with the Martin Luther King Jr. state celebration commission's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Martin Luther King Jr. state celebration commission's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a "I HAVE A DREAM" specialty personalized plate authorized under this section the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If an applicant chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plates fees in accordance with this chapter shall be required.";and

Further amend said bill Pages 18 and 19, Section 301.4043, lines 1 through 23, by deleting all of said sections and inserting in lieu thereof the following:

"**301.4043. 1. Any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from such service may apply for special personalized motor vehicle license plates for any vehicle the person owns,** either **solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.**

2. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof of military service as the director may require.

3. Upon presentation of such proof of military service and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special personalized license plate which shall bear the words "WOMEN VETERANS" at the bottom of the plate, in a manner

prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. There shall be an additional fee of fifteen dollars charged for each set of special personalized license plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.

5. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person.

6. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

7. The director may consult with any organization which represents the interests of women veterans when formulating the design for the special license plates described in this section.

8. The director shall make all necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rule making authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 767, 653,754, 705, 441, 528, 831, 833 & 847 Page 9, Section 301.3161, Line 49, by after all of said section and line inserting the following:

"301.3163. Any person may apply for **[**special**] specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**] specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**] director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**] centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-**

quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 767, 653, 754, 705, 441, 528, 831, 833, & 847, Page 2, Section 143.1009, Line 39,

"**143.1026. 1. This section shall be known and may be cited as "Sahara's Law".**

2. For all taxable years beginning on or after January 1, 2012, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that one dollar or any amount in excess of one dollar on a single return, and two dollars or any amount in excess of two dollars on a combined return, of the refund due be credited to the pediatric cancer research trust fund. If any individual or corporation that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, that amount the individual or corporation wishes to contribute. Such amounts shall be clearly designated for the fund.

3. There is hereby created in the state treasury the "Pediatric Cancer Research Trust Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. All moneys credited to the trust fund shall be considered nonstate funds under section 15, article IV, Constitution of Missouri. The treasurer shall distribute all moneys deposited in the fund at times the treasurer deems appropriate to CureSearch for children's cancer.

4. The director of revenue shall deposit at least monthly all contributions designated by individuals under this section to the state treasurer for deposit to the fund. The director of revenue shall deposit at least monthly all contributions designated by the corporations under this section, less an amount sufficient to cover the costs of collection and handling by the department of revenue, to the state treasury for deposit to the fund. A contribution designated under this section shall only be deposited in the fund after all other claims against the refund from which such contribution is to be made have been satisfied.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after August 28, 2012, unless reauthorized by an act of the general

assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 758**, entitled:

An Act to repeal sections 135.327, 210.135, 210.145, 210.950, 211.031, 211.036, and 211.444, RSMo, and to enact in lieu thereof ten new sections relating to children.

With House Amendment Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, and House Amendment No. 8.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 453.350, Line 15, by inserting after all of said section and line the following:

"**544.456. 1. This section shall be known and may be cited as "Sam Pratt's Law".**

2. In any case involving abuse, neglect, or death of a child, any court with competent jurisdiction may impose as a condition of release of a defendant under section 544.455 that such defendant be prohibited from providing child care services for compensation pending final disposition of the case. The court shall notify the department of health and senior services and the department of social services when it makes such a determination, as well as the final disposition of the case."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 211.444, Line 24, by inserting after all of said section and line the following:

"453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child **[**is located at the time of**] has resided for at least ninety days prior to** the filing of the **adoption** petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled

or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 6, Section 135.327, Line 131, by deleting the numeral "**2016,**" and inserting in lieu thereof the following:

"**2013,**" ; and

Further amend said bill, page and section, Line 141, by inserting after all of said line the following:

"135.630. 1. As used in this section, the following terms mean:

(1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;

(2) "Director", the director of the department of social services;

(3) "Pregnancy resource center", a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and

(d) Which provides direct client services at the facility, as opposed to merely providing counseling or

referral services by telephone; and

(e) Which provides its services at no cost to its clients; and

(f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and

(g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;

(4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million

dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. **[**Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

(1) For no less than seventy-five percent of the par value of such credits; and

(2) In an amount not to exceed one hundred percent of annual earned credits.

10.**]** Pursuant to section 23.253 of the Missouri sunset act:

(1) **[**Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized,**]** The program authorized under this section shall **[**automatically sunset twelve years after the effective date of the reauthorization of this section**] expire on December 31, 2013, unless reauthorized by the general assembly**; and

[(3)**] (2)** This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset**; and**

(3) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 17, Section 210.950, Lines 53 and 54, by deleting “**[**one year**][forty-five days**” and inserting in lieu thereof the following: “one year”; and

Further amend said bill and section, Page 18, Line 104, by deleting “**forty-five days**” and inserting in

lieu thereof the following:

"**one year**" ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 9, Section 160.1990, Line 87, by inserting after all of said section and line the following:

"**208.031. 1. Electronic benefit transfer transactions made by each applicant or recipient who is otherwise eligible for temporary assistance for needy families benefits under this chapter and who is found to have made a cash withdrawal at any casino, gambling casino, or gaming establishment shall, after an administrative hearing conducted by the department under the provisions of chapter 536, be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing decision. For purposes of this section, "casino, gambling casino, or gaming establishment" does not include a grocery store which sells groceries including such staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities.**

2. Other members of a household which includes a person who has been declared ineligible for temporary assistance for needy families assistance shall, if otherwise eligible, continue to receive temporary assistance for needy families benefits as protective or vendor payments to a third-party payee for the benefit of the members of the household.

3. Any person who, in good faith, reports a suspected violation of this section by a TANF recipient shall not be held civilly or criminally liable for reporting such suspected violation.

4. The department of social services shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

208.032. 1. In accordance with the Social Security Act, 42 U.S.C. Section 608(a)(12), the department of social services shall implement and maintain policies and practices which prevent a temporary assistance for needy families electronic benefit transfer transaction in:

(1) Any liquor store;

(2) Any casino, gambling casino, or gambling establishment; or

(3) Any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

2. As used in this section, the term:

(1) "Casino, gambling casino, or gaming establishment" shall not include:

(a) A grocery store which sells groceries including staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities;

(b) "Electronic benefit transfer transaction" means the use of a credit or debit card service, automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of funds or the processing of a payment for merchandise or a service;

(c) "Liquor store" means any retail establishment which sells exclusively or primarily intoxicating liquor. Liquor store does not include a grocery store which sells both intoxicating liquor and groceries including staple foods within the meaning of Section 3(r) of the Food and Nutrition Act of 2008, 7 U.S.C. Section 2012(r).

3. In accordance with 42 U.S.C. Section 602(a)(1)(A), the department of social services shall:

(1) Implement policies and procedures as necessary to prevent access to assistance provided under Missouri's temporary assistance for needy families (TANF) program through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in subsections 1 and 2 of this section, including a plan to ensure that recipients of the assistance have adequate access to their cash assistance; and

(2) Ensure that recipients of assistance provided under Missouri's TANF program have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and charges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.

4. On or before December 31, 2013, the department shall submit a report to the governor and the general assembly detailing the policies and practices implemented in accordance with the requirements of this section and the requirements of 42 U.S.C. Section 608(a)(12). In addition, the department shall report Missouri's implementation of the policies and practices to the Secretary of Health and Human Services as required under 42 U.S.C. Section 609(a)(16) within two years of the enactment of such federal law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 9, Section 160.1990, Line 87, by inserting after all of said section and line the following:

"162.700. 1. The board of education of each school district in this state, except school districts which are part of a special school district, and the board of education of each special school district shall provide special educational services for children with disabilities three years of age or more residing in the district as required by P.L. 99-457, as codified and as may be amended. Any child, determined to be a child with disabilities, shall be eligible for such services upon reaching his or her third birthday and state school funds shall be apportioned accordingly. This subsection shall apply to each full school year beginning on or after July 1, 1991. In the event that federal funding fails to be appropriated at the authorized level as described in 20 U.S.C. 1419(b)(2), the implementation of this subsection relating to services for children with disabilities three and four years of age may be delayed until such time as funds are appropriated to meet such level. Each local school district and each special school district shall be responsible to engage in a

planning process to design the service delivery system necessary to provide special education and related services for children three and four years of age with disabilities. The planning process shall include public, private, and private not-for-profit agencies which have provided such services for this population. The school district, or school districts, or special school district, shall be responsible for designing an efficient service delivery system which uses the present resources of the local community which may be funded by the department of elementary and secondary education or the department of mental health. School districts may coordinate with public, private, and private not-for-profit agencies presently in existence. The service delivery system shall be consistent with the requirements of the department of elementary and secondary education to provide appropriate special education services in the least restrictive environment.

2. Every local school district or, if a special district is in operation, every special school district shall obtain current appropriate diagnostic reports for each with disabilities child prior to assignment in a special program. These records may be obtained with parental permission from previous medical or psychological evaluation, may be provided by competent personnel of such district or special district, or may be secured by such district from competent and qualified medical, psychological, or other professional personnel.

3. Evaluations of private school students suspected of having a disability under the Individuals With Disabilities Education Act will be conducted as appropriate by the school district in which the private school is located or its contractor.

4. Where special districts have been formed to serve children with disabilities under the provisions of sections 162.670 to 162.995, such children shall be educated in programs of the special district, except that component districts may provide education programs for children with disabilities ages three and four inclusive in accordance with regulations and standards adopted by the state board of education.

5. For the purposes of this act, remedial reading programs are not a special education service as defined by subdivision (4) of section 162.675.

6. Any and all state costs required to fund special education services for three- and four-year-old children under this section shall be provided for by a specific, separate appropriation and shall not be funded by a reallocation of money appropriated for the public school foundation program.

7. School districts providing early childhood special education shall give consideration to the value of continuing services with Part C early intervention system providers for the remainder of the school year when developing an individualized education program for a student who has received services under Part C of the Individuals with Disabilities Education Act and reaches the age of three years during a regular school year. Services provided shall be only those permissible according to Section 619 of the Individuals with Disabilities Education Act.

8. **The parent or guardian of a child who is eligible for special educational services may select one or more specialized instructional services that are consistent with the child's individualized education program, which may include, but not be limited to, listening and spoken language specialists and an appropriate acoustical environment for a child who is deaf or hard of hearing who has received an implant or assistive hearing device.**

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective

date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void."; and

Further amend said Bill, Page 22, Section 453.350, Line 15, by inserting after all of said line the following:

"**Section 1. 1. As used in this section, the following terms shall mean:**

(1) "Auditory-oral education program", a program that develops and relies solely on listening skills and uses an implant or assistive hearing device for the purpose of relying on speech and spoken language skills as the method of communication;

(2) "Deaf or hard of hearing", aided or unaided hearing loss that affects the processing of linguistic information and adversely affects performance in the educational environment. The degree of loss may range from mild to profound in accordance with criteria established by rule of the state board of education;

(3) "School", a public or nonpublic school located in this state which can teach children who have obtained an implant or assistive hearing device, using faculty certified as listening and spoken language specialists, provided that such school shall not violate the provisions of Article I, section 7 or Article IX, section 8 of the Missouri constitution.

2. The parent or guardian of a child who is deaf or hard of hearing and who meets the requirements of this section may enroll the child in the auditory-oral education program of a school other than his or her school district of residence. Such child may continue attending the school and complete the development of listening and spoken language skills at the school. To enroll and attend, the child shall:

(1) Have received an implant or assistive hearing device;

(2) Be between the ages of three and seven years or between the ages of two and seven years when the school district elects to service children with disabilities who are under the age of three years; and

(3) Be a resident of this state.

3. The level of services shall be determined by the pupil's individual education program team, or individualized family service plan team, which shall include the child's parent or guardian, in accordance with the state board of education's rules. A child shall be eligible for services under this section until the end of the school year in which he or she reaches the age of seven years, or after the second grade, whichever comes first.

4. Payment for services shall be as provided in section 162.705."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 2, Line 16, by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 21.771, Line 48, by inserting after all of said section and line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone."; and

Further amend said bill, Page 6, Section 135.327, Line 141, by inserting after all of said section, the following:

"135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which

the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 453.350, Line 15, by inserting after all of said section, the following:

"**620.2450. 1. There is hereby established the "Missouri Jobs for Education Program". The program is established for the purpose of providing credit toward tuition to award Missouri and out-of-state business owners and companies responsible for the creation of new jobs in the state. Credit toward tuition awarded under this section entitle the credit holder to credit toward tuition at any public institution of higher education in the state.**

2. Under the Missouri jobs for education program, business owners and companies may apply for credit toward tuition, redeemable for study at public institutions of higher education in the state. A qualifying business owner or company shall receive one credit toward tuition for every qualifying job created. In order to qualify for credit toward tuition under this section, the new job shall:

(1) Pay wages that meet or exceed the county average wage;

(2) Be maintained for at least one year before the claimant is eligible to receive the credit toward tuition; and

(3) Be a full-time position, including at a minimum two thousand hours per year, with one hundred sixty hours per month for ten of the twelve calendar months.

3. Credit toward tuition awarded under this section may be used by employees of the business owner or company, by any relatives of the business owner, or may be gifted to any person of the business owner's choosing. Credit toward tuition received shall expire if not used within ten years of the date awarded. Unused credit toward tuition shall not be refunded and shall be deposited into general revenue.

4. There is hereby created in the state treasury the "Missouri Jobs for Education Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely for the administration of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of economic development shall administer the program established in this section. The department of revenue shall create an employer application process, and withhold state employee taxes and deposit the money into the Missouri jobs for education fund established in subsection 4 of this section. Funding for credit toward tuition shall begin on the day the new job is created. The department of economic development shall track employer contributions and ensure that the credit toward tuition granted does not exceed the amount that has been deposited by the employer. If an employee tax withheld is more than the cost of tuition, no money shall be refunded.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 453.350, Line 15,by inserting after all of said section and line the following:

"568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) **"Arrearage":**

(a) The amount of money created by a failure to provide support to a child under an administrative or judicial support order; or

(b) Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or

(c) Both paragraphs (a) and (b).

The arrearage shall reflect any retroactive support ordered under a modification, and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) "Child" means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)**] (3)** "Good cause" means any substantial reason why the defendant is unable to provide adequate

support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)**] (4)** "Support" means food, clothing, lodging, and medical or surgical attention;

[(4)**] (5)** It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision (4) of subsection 2 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of **[**twelve**] eighteen** monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony.

6. **(1)** If at any time a defendant convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due **[**may**] shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the defendant fails to pay the **[**current**]** support and arrearages **[**as ordered**] under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) After a period of not less than eight years, an individual who has pled guilty to or has been convicted of a first felony offense for criminal nonsupport under this section and who has successfully completed probation after a plea of guilt or was sentenced may petition the court for expungement of all official records all recordations of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person has not been convicted of any subsequent offense; does not have any other felony pleas of guilt, findings of guilt or convictions; is current on all child support obligations; has paid off all arrearages; and has no other criminal charges or administrative child support actions pending at the time of the hearing on the application for expungement with respect to all children subject to orders of payment of child support or that the defendant has successfully completed a criminal nonsupport courts program under section 478.1000, the court shall enter an order of expungement. Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise

giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement under this section. Nothing in this section shall prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the **[**child support enforcement service of the**]** family support division **[**of**] within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

(1) In any county in which the child resided during the period of time for which the defendant is charged; or

(2) In any county in which the defendant resided during the period of time for which the defendant is charged."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 1639**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

HCS for **HBs 1278** and **1152**, with **SCS**, entitled:

An Act to repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, 135.800, 135.825, and 135.1150, RSMo, and to enact in lieu thereof ten new sections relating to certain benevolent tax credits, with

an emergency clause for a certain section.

Was called from the Informal Calendar and taken up by Senator Richard.

SCS for **HCS** for **HBs 1278** and **1152**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILLS NOS. 1278 and 1152

An Act to repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, 135.800, and 135.1150, RSMo, and to enact in lieu thereof ten new sections relating to certain benevolent tax credits, with an emergency clause for a certain section.

Was taken up.

Senator Richard moved that **SCS** for **HCS** for **HBs 1278** and **1152** be adopted.

Senator Richard offered **SS** for **SCS** for **HCS** for **HBs 1278** and **1152**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 1278 & 1152

An Act to repeal sections 135.090, 135.327, 135.535, 135.562, 135.630, 135.647, 135.800, 135.1150, 253.550, and 253.559, RSMo, and to enact in lieu thereof thirteen new sections relating to tax credits, with an emergency clause for a certain section.

Senator Richard moved that **SS** for **SCS** for **HCS** for **HBs 1278** and **1152** be adopted.

At the request of Senator Richard, **HCS** for **HBs 1278** and **1152**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Lamping moved that **SCS** for **SB 722**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 722**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 722

An Act to amend chapter 34, RSMo, by adding thereto one new section relating to restricting public contracts with entities that invest in the energy sector in Iran.

Was taken up.

Senator Lamping moved that **HCS** for **SCS** for **SB 722** be adopted.

At the request of Senator Lamping, his motion to adopt **HCS** for **SCS** for **SB 722**, as amended, was withdrawn, placing the bill back on the Calender.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to grant the Senate further conference on **HCS** for **SB 636** as amended and request the Senate to take up and adopt the Conference Committee Report on **HCS** for **SB 636** as amended and take up and pass the bill.

On motion of Senator Dempsey, the Senate recessed until 1:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kehoe.

PRIVILEGED MOTIONS

Senator Mayer moved that the conference be dissolved on **HCS** for **SS** for **SB 854**, as amended, and request the House to recede from its position and take up and pass **SS** for **SB 854**, which motion prevailed.

Senator Mayer moved that the Senate refuse to concur in **HCS** for **SS** for **SCS** for **SB 755**, as amended, and request the House to recede from its position and take up and pass **SS** for **SCS** for **SB 755**, which motion prevailed.

Senator Keaveny moved that **CCR** on **HCS** for **SB 636**, as amended, be taken up for adoption, which motion prevailed.

Senator Keaveny moved that **CCR** on **HCS** for **SB 636**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping
Mayer	McKenna	Munzlinger	Nieves	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer—28				

NAYS—Senators

Kraus	Lembke	Purgason—3

Absent—Senators

Parson	Wasson	Wright-Jones—3

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Keaveny, **CCS** for **HCS** for **SB 636**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 636

An Act to repeal sections 32.056, 67.320, 70.441, 211.031, 217.670, 400.9-311, 456.950, 476.055,

479.040, 483.015, 508.050, and 523.010, RSMo, and to enact in lieu thereof thirteen new sections relating to the judiciary, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Rupp	Schaefer
Schmitt	Stouffer	Wright-Jones—27					

NAYS—Senators

Kraus	Lembke	Nieves	Purgason	Ridgeway	Schaaf—6

Absent—Senator Wasson—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Keaveny, title to the bill was agreed to.

Senator Keaveny moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS No. 2 for **HB 1475**, entitled:

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to tanning facilities, with a penalty provision.

Was taken up by Senator Schaaf.

Senator Schaaf offered **SS** for **HCS No. 2** for **HB 1475**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE BILL NO. 1475

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to tanning facilities, with a penalty provision.

Senator Schaaf moved that **SS** for **HCS No. 2** for **HB 1475** be adopted.

At the request of Senator Schaaf, **HCS No. 2** for **HB 1475**, with **SS** (pending), was placed on the Informal Calendar.

HB 1534 was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Purgason, Chairman of the Committee on Ways and Means and Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Ways and Means and Fiscal Oversight, to which was referred **HCS** for **HB 1854**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

PRIVILEGED MOTIONS

Senator Goodman moved that the Senate refuse to concur in **HCS** for **SCS** for **SBs 767**, **653**, **754**, **705**, **441**, **528**, **831**, **833** and **847** and request the House to recede from its position and take up and pass **SCS** for **SBs 767**, **653**, **754**, **705**, **441**, **528**, **831**, **833** and **847**, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 1534, introduced by Representative Bahr, et al, entitled:

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the federal health care reform law, with penalty provisions.

Was called from the Informal Calendar and taken up by Senator Mayer.

Senator Mayer offered **SS** for **HB 1534**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 1534

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the federal health care reform law, with penalty provisions.

Senator Mayer moved that **SS** for **HB 1534** be adopted.

Senator Stouffer assumed the Chair.

At the request of Senator Mayer, **HB 1534**, with **SS** (pending), was placed on the Informal Calendar.

At the request of Senator Schaefer, **HB 1062** was placed on the Informal Calendar.

HB 1315, introduced by Representative McCaherty, et al, entitled:

An Act to amend chapter 41, RSMo, by adding thereto one new section relating to state employee leave for members of the United States Coast Guard Auxiliary.

Was taken up by Senator McKenna.

On motion of Senator McKenna, **HB 1315** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Purgason	Richard	Ridgeway
Rupp	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—30		

NAYS—Senators—None

Absent—Senators

Curls Green Pearce Schaaf—4

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator McKenna, title to the bill was agreed to.

Senator McKenna moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator McKenna, **HB 1096** was placed on the Informal Calendar.

At the request of Senator Purgason, **HB 1046** was placed on the Informal Calendar.

At the request of Senator Wright-Jones, **HCS** for **HB 1407**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS No. 2** for **HB 1524**, was placed on the Informal Calendar.

At the request of Senator Schaefer, **HCS** for **HB 1214**, was placed on the Informal Calendar.

HCS for **HB 1854**, with **SCS**, entitled:

An Act to repeal sections 135.630, 135.1150, 208.152, 209.200, 209.202, 288.034, and 304.028, RSMo, and to enact in lieu thereof eleven new sections relating to services provided to individuals with disabilities, with a penalty provision and an expiration date for a certain section.

Was taken up by Senator Rupp.

SCS for **HCS** for **HB 1854**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1854

An Act to repeal sections 135.630, 135.1150, 209.200, 209.202, 288.034, 301.143, and 304.028, RSMo, and to enact in lieu thereof nine new sections relating to services provided to individuals with disabilities, with penalty provisions, an expiration date for a certain section and an emergency clause for a certain section.

Was taken up.

Senator Rupp moved that **SCS** for **HCS** for **HB 1854** be adopted.

Senator Rupp offered **SS** for **SCS** for **HCS** for **HB 1854**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1854

An Act to repeal sections 209.150, 209.152, 209.200, 209.202, 288.034, 301.143, and 304.028, RSMo, and to enact in lieu thereof eight new sections relating to services provided to individuals with disabilities, with penalty provisions, an expiration date for a certain section and an emergency clause for a certain

section.

Senator Rupp moved that **SS** for **SCS** for **HCS** for **HB 1854** be adopted.

Senator Rupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 26, Section 288.034, Line 13, by inserting at the end of said line the following: "**However, in the event an employment relationship exists between the provider and any worker as determined under this chapter, the services performed by such worker shall be deemed to be employment if the provider is an organization described in Section 501(c)(3) of the Internal Revenue Code, any governmental entity, or a federally recognized Indian tribe.**".

Senator Rupp moved that the above amendment be adopted, which motion prevailed.

Senator Mayer offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 32, Section 304.028, Line 19 of said page, by inserting after all of said line the following:

"660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those

provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;

(4) Is approved by the department to issue certificates for nursing assistants training;

(5) Is an entity licensed under chapter 197; or

(6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list. The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. **(1)** Any employer **[**who is**]** required to **[**discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire**]** **deny employment to an applicant or discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and** shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100.

(2) Notwithstanding subsections 3 and 5 of section 288.090, an employer shall not be charged for unemployment insurance benefits based on wages paid to the employee or an employer making payments in lieu of contributions for work prior to the date of discharge, pursuant to section 288.100, if the employer terminated the employee because the employee:

(a) Has been found guilty of, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;

(b) Was placed on the employee disqualification list under this section, after the date of hire;

(c) Was placed on the employee disqualification registry maintained by the department of mental health, after the date of hire;

(d) Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or

(e) Was denied a good cause waiver as provided for in subsection 10 of section 660.317.

The benefits paid to the employee shall not be attributable to service in the employ of the employer required to discharge an employee under the provisions of this subdivision and shall be deemed as such under the unemployment compensation laws of this state.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and

Further amend the title and enacting clause accordingly.

Senator Mayer moved that the above amendment be adopted, which motion prevailed.

Senator Rupp moved that **SS** for **SCS** for **HCS** for **HB 1854**, as amended, be adopted, which motion prevailed.

On motion of Senator Rupp, **SS** for **SCS** for **HCS** for **HB 1854**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager
Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Purgason—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Mayer	McKenna	Munzlinger	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Engler	Lembke	Nieves—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Rupp, title to the bill was agreed to.

Senator Rupp moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Photographers from the Associated Press were given permission to take pictures in the Senate Chamber.

HB 1029, introduced by Representatives Flanigan and Allen, entitled:

An Act to repeal sections 23.140, 23.150, 23.160, 23.170, 23.180, 23.190, 23.200, and 23.265, RSMo, and to enact in lieu thereof seven new sections relating to the oversight subcommittee of the committee on legislative research.

Was taken up by Senator Dixon.

On motion of Senator Dixon, **HB 1029** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Cunningham	Parson—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

At the request of Senator Schmitt, **HCS** for **HB 1049**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 1274** was placed on the Informal Calendar.

HCS for **HB 1900**, entitled:

An Act to repeal sections 3.060, 3.070, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 37.005, 37.010, 37.020, 37.110, 160.545, 161.418, 161.424, 181.110, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.935, 196.1103, 209.251, 210.1014, 217.575, 251.100, 251.240, 253.320, 261.010, 301.020, 302.171, 311.650, 311.730, 313.210, 320.260, 334.125, 361.010, 595.036, 595.037, 595.060, 610.029, 610.120, 620.1100, and 620.1580, RSMo, and to enact in lieu thereof sixty-nine new sections for the sole purpose of restructuring statutes based on executive branch reorganizations.

Was taken up by Senator Munzlinger.

Senator Ridgeway assumed the Chair.

Senator Munzlinger offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1900, Pages 33-34, Section 210.1014, by striking all of said section from the bill; and

Further amend said bill, pages 39-40, section 301.4040, by striking all of said section from the bill; and

Further amend said bill, page 43, section 311.730, by striking all of said section from the bill; and

Further amend said bill, pages 43-44, section 311.735, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Green offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Committee Substitute for House Bill No. 1900, Page 20, Section 37.110, Line 5, by inserting immediately after said line the following:

"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term "contiguous and compact" does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and **the** Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without

a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a **[**verified**]** **notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term "common-interest community" shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A "common-interest community" shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk

of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.014. **1.** Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon **[**verified**] notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed.

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing,

with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection**[**, etc.**]**;

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land

owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the

city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.**"; and

Further amend the title and enacting clause accordingly.

Senator Green moved that the above amendment be adopted, which motion prevailed.

Senator Lamping offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend House Committee Substitute for House Bill No. 1900, Page 10, Section 34.031, Line 76, by inserting after all of said line the following:

"**34.225. 1. This section shall be known and may be cited as the "Iran Energy Divestment Act".**

2. As used in this section, the following terms shall mean:

(1) "Awarding body", a department, board, agency, authority, or officer, agent, or other authorized representative of the public entity awarding a contract for goods or services;

(2) "Energy sector", activities to develop petroleum or natural gas resources or nuclear power;

(3) "Financial institution", the term as used in Section 14(5) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note);

(4) "Iran", any agency or instrumentality of Iran;

(5) "Person", any of the following:

(a) A natural person, corporation, company, limited liability company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(b) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3));

(c) Any successor, subunit, parent company, or subsidiary of, or company under common ownership or control with, any entity described in paragraph (a) or (b) of this subsection;

(6) "Proscribed investor", a person that directly engages in investment activities in the energy sector in Iran. A person engages directly in investment activities in the energy sector in Iran if any of the following is true:

(a) The person directly invests twenty million dollars or more in the energy sector in Iran;

(b) The person provides oil or liquified natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquified natural gas, for the energy sector in Iran;

(c) The person is a financial institution that directly provides a commercial loan of twenty million dollars or more to another person, for forty-five days or more, if such financial institution had actual knowledge that such person would use the proceeds from the commercial loan to invest in the energy sector in Iran;

(7) "Public entity", the state or any officer, official, authority, board, or commission of the state and any county, city, or other political subdivision of the state, or any institution supported in whole or in part by public funds.

3. A proscribed investor is ineligible to, and shall not, bid on, submit a proposal for, or enter into, a contract with a public entity for goods or services in excess of one million dollars.

4. A public entity shall require a person that submits a bid or proposal to, or otherwise proposes to enter into a contract with, a public entity with respect to a contract for goods or services in excess of one million dollars, that currently has business activities or other operations outside of the United States, to certify that the person is not a proscribed investor. A person may rely on one or more lists of persons engaging in investment activities in the energy sector in Iran developed by other states acting under the authority of the Federal Comprehensive Iran Sanctions Accountability and Divestment Act of 2010 when certifying that it is not a proscribed investor.

5. (1) The awarding body shall report to the attorney general the name of the person that the awarding body determines has submitted a false certification together with its information as to the false certification. The attorney general has the sole authority to determine whether to bring a civil action against the person to collect the penalty described in paragraph (a) of subdivision (2) of this subsection. No private right of action is created by this section. If it is determined in the action that the person submitted a false certification, the person shall pay all costs and fees the plaintiff incurred in a civil action, including costs incurred by the awarding body for investigations that led to the finding of the false certification and all costs and fees incurred by the attorney general.

(2) If the attorney general determines that a person has submitted a false certification under subsection 4 of this section, the person shall be subject to the following:

(a) A civil penalty of two hundred fifty thousand dollars;

(b) Termination, without penalty, of an existing contract with the awarding body;

(c) Ineligibility to bid on, or enter into, a contract with a public entity for a period of three years from the date of the determination that the person submitted the false certification.

6. (1) If the awarding body determines that a person that has an existing contract with the

awarding body, has submitted a pending bid or contract proposal to, or otherwise proposes to enter into a contract with the awarding body by using credible information available to the public and determines that the person is a proscribed investor, the awarding body shall provide ninety days written notice of its intent to not enter into or renew a contract for goods or services with the person. The notice shall specify that the person may become eligible for a future contract for goods or services with the awarding body if it ceases its direct engagement in investment activities in the energy sector in Iran.

(2) The awarding body shall provide a person determined to be a proscribed investor with an opportunity to demonstrate in writing to the awarding body that it is not engaged in investment activities in the energy sector in Iran. If the awarding body determines that the person is not engaged in investment activities in the energy sector in Iran, the person shall be eligible to enter into or renew a contract for goods or services with the awarding body."; and

Further amend the title and enacting clause accordingly.

Senator Lamping moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Munzlinger, **HCS** for **HB 1900**, as amended, was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Stouffer, on behalf of the conference committee appointed to act with a like committee from the House on **SS** for **SCS** for **HCS** for **HB 1402**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1402

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, with Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill No. 1402;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, be Third Read and Finally Passed.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Eric Burlison	/s/ Bill Stouffer
/s/ Noel Torpey	/s/ Mike Kehoe
/s/ Ryan Silvey	/s/ Luann Ridgeway
/s/ Mike Talboy	/s/ Jolie Justus
/s/ Susan Carlson	/s/ Ryan McKenna

Senator Stouffer moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Goodman—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

Senator Purgason assumed the Chair.

On motion of Senator Stouffer, **CCS** for **SS** for **SCS** for **HCS** for **HB 1402**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1402

An Act to repeal sections 21.795, 70.441, 142.932, 144.030, 226.500, 301.010, 301.032, 301.069, 301.140, 301.218, 301.260, 301.280, 301.559, 301.560, 301.562, 301.567, 301.570, 301.600, 302.010, 302.060, 302.130, 302.309, 302.341, 302.530, 302.700, 303.200, 304.120, 304.190, 306.127, 306.400, 307.365, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.063, 390.116, 390.201, 390.280, 544.046, and 643.320, RSMo, and to enact in lieu thereof fifty-four new sections relating to transportation, with penalty provisions, an effective date for a certain section and an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senator Goodman—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke	Mayer
McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Chappelle-Nadal Goodman—2

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Ridgeway assumed the Chair.

HOUSE BILLS ON THIRD READING

HB 1037, introduced by Representative Dugger, entitled:

An Act to repeal section 233.280, RSMo, and to enact in lieu thereof one new section relating to the compensation of road district commissioners.

Was taken up by Senator Purgason.

On motion of Senator Purgason, **HB 1037** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Cunningham Green—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Purgason, title to the bill was agreed to.

Senator Purgason moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Munzlinger moved that **HCS** for **HB 1900**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Munzlinger, **HCS** for **HB 1900**, as amended, was placed on the Informal Calendar.

Photographers from KCTV and ABC 17 News were given permission to take pictures in the Senate Chamber.

HCS for **HB 1442**, entitled:

An Act to repeal sections 28.190, 29.280, 30.060, 30.070, 30.080, 105.030, 105.040, and 105.050, RSMo, and to enact in lieu thereof ten new sections relating to vacancies in certain statewide offices, with a referendum clause.

Was called from the Informal Calendar and taken up by Senator Brown.

Senator Kehoe assumed the Chair.

At the request of Senator Brown, **HCS** for **HB 1442** was placed on the Informal Calendar.

HB 1114, introduced by Representative Weter, entitled:

An Act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to emergency services boards.

Was called from the Informal Calendar and taken up by Senator Goodman.

Senator Stouffer offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 1114, Page 1, In the Title, Line 3, by striking all of said line and inserting in lieu thereof the following: "county government."; and

Further amend said bill and page, section A, line 2, by inserting after all of said line the following:

"50.622. **1.** Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, 2015.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget pursuant to the terms of its charter."; and

Further amend said bill, page 4, section 190.335, line 95, by inserting immediately after said line the following:

"Section B. Because of the immediate need of counties to balance their budgets, the repeal and reenactment of section 50.622 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 50.622 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senator Stouffer moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Goodman, **HB 1114**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senators—None

Absent—Senators

Engler Green—2

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Crowell	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping	Lembke
Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason	Richard
Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—32

NAYS—Senator Chappelle-Nadal—1

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Goodman, title to the bill was agreed to.

Senator Goodman moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1869**, with **SCA 1**, entitled:

An Act to repeal sections 116.010, 116.080, 116.090, 116.120, 116.160, 116.170, 116.175, 116.180, 116.190, 116.332, and 116.334, RSMo, and to enact in lieu thereof thirteen new sections relating to initiative and referendum petitions, with penalty provisions and an emergency clause for a certain section.

Was called from the Informal Calendar and taken up by Senator Engler.

SCA 1 was taken up.

Senator Engler moved that the above amendment be adopted.

At the request of Senator Engler, **HCS** for **HB 1869**, with **SCA 1** (pending), was placed on the Informal Calendar.

Senator Munzlinger moved that **HCS** for **HB 1900**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Mayer offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend House Committee Substitute for House Bill No. 1900, Page 23, Section 161.424, Line 14, by inserting after all of said line the following:

"**161.870. 1. By September 1, 2012, the department of elementary and secondary education shall establish a work group to assess the available resources needed for effective work experiences for students and young adults with disabilities. The work group shall review all interagency coordination of services that match young adults who have disabilities with employers who need employees to ensure that these services are adequately meeting the following needs of students and young adults with disabilities who seek employment and need assistance with job placement:**

(1) Recruitment;

(2) Assessment;

(3) Counseling;

(4) Pre-employment skills training;

(5) Vocational training;

(6) Student wages for try-out employment;

(7) Placement in unsubsidized employment; and

(8) Other assistance with transition to a quality adult life.

2. The goal of the work group shall be to evaluate the current efforts and available resources and to promote the involvement of key stakeholders including students, families, educators, employers and other agencies in planning and implementing an array of services that will culminate in successful student transition to employment, lifelong learning, and quality of life. The work group shall focus on secondary students and young adults with disabilities.

3. The work group shall:

(1) Assess the strengths and need for improvement in services for transition services, instruction, and experiences that reinforce core curriculum concepts and skills leading to gainful employment for students and young adults with disabilities;

(2) Determine if any additional state partnerships provided through nonfinancial interagency agreements between the department of health and senior services, the department of economic development, the department of mental health, or the department of social services, or in the private sector, are needed to enhance the employment potential of students and young adults with disabilities;

(3) Focus its efforts in developing careers for students and young adults with disabilities, in order to prevent economic and social dependency on state and community agencies and resources; and

(4) Report its findings to the director.

4. The department of elementary and secondary education shall make recommendations based on the findings of the work group and report them to the general assembly prior to January 1, 2013.

5. The work group shall be administered and its members chosen by the commissioner of education. Work group members shall include existing personnel and human resources available to the department of elementary and secondary education including but not limited to representatives from state agencies, local advocacy groups and community members with valuable input regarding the needs of disabled students and individuals, or members of the general assembly.

6. The department of elementary and secondary education may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill, page 32, section 209.015, line 26 by inserting after all of said line the following:

"209.150. 1. Every person with a visual, aural or **[**physical**] other** disability**, as defined in section 213.010,** shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a visual, aural or **[**physical**] other** disability**, as defined in section 213.010,** is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers,

airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a visual, aural or **[**physical**] other** disability**, as defined in section 213.010,** shall have the right to be accompanied by a guide dog, hearing dog, or service dog, which is especially trained for the purpose, in any of the places listed in subsection 2 of this section without being required to pay an extra charge for the guide dog, hearing dog or service dog; provided that such person shall be liable for any damage done to the premises or facilities by such dog.

4. As used in sections 209.150 to 209.190, the term "service dog" means any dog specifically trained to assist a person with a physical **or mental** disability by performing necessary **[**physical**]** tasks **or doing work** which the person cannot perform. Such tasks shall include, but not be limited to, pulling a wheelchair, retrieving items, **[**and**]** carrying supplies**, and search and rescue of an individual with a disability**.

209.152. Any trainer, from a recognized training center, of a guide dog, hearing assistance dog or service dog**, or any member of a service dog team, as defined in section 209.200,** shall have the right to be accompanied by such dog in or upon any of the premises listed in section 209.150 while engaged in the training of the dog without being required to pay an extra charge for such dog. Such trainer **or service dog team member** shall be liable for any damage done to the premise of facilities by such dog.

209.200. As used in sections 209.200 to 209.204, the following terms shall mean:

(1) "Disability", as defined in section 213.010;

(2) "Service dog", a dog that is being or has been specially trained to do work or perform tasks which benefit a particular person with a disability. Service dog includes **but is not limited to**:

(a) "Guide dog", a dog that is being or has been specially trained to assist a particular blind or visually impaired person;

(b) "Hearing dog", a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;

(c) "Medical alert or **[**respond**] response** dog", a dog that is being or has been trained to alert a person with a disability that a particular medical event is about to occur or to respond to a medical event that has occurred;

(d) "Mobility dog", a dog that is being or has been specially trained to assist a person with a disability caused by physical impairments**;**

(e) "Professional therapy dog", a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler's occupation or profession. Such dogs, with their handlers, perform such functions in institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy;

(f) "Search and rescue dog", a dog that is being or has been trained to search for or prevent a person with a mental disability, including but not limited to verbal and nonverbal autism, from becoming lost;

(3) "Service team dog", a team consisting of a trained service dog, a disabled person or child, and a person who is an adult and who has been trained to handle the service dog.

209.202. 1. Any person who **[**knowingly, intentionally, or recklessly causes substantial physical injury to or the death of a service dog**], with reckless disregard, injures or kills or permits a dog that he or she owns or is in the immediate control of to injure or kill a service animal** is guilty of a class A misdemeanor. **[**The provisions of this subsection shall not apply to the destruction of a service dog for humane purposes.**]**

2. Any person who **[**knowingly or intentionally fails to exercise sufficient control over an animal such person owns, keeps, harbors, or exercises control over to prevent the animal from causing the substantial physical injury to or death of a service dog, or the subsequent inability to function as a service dog as a result of the animal's attacking, chasing, or harassing the service dog**], with reckless disregard, interferes with or permits a dog that he or she owns or is in the immediate control of to interfere with the use of a service animal by obstructing, intimidating, or otherwise jeopardizing the safety of the service animal or its user is guilty of a class B misdemeanor. Any second or subsequent violation of this section** is guilty of a class A misdemeanor.

3. Any person who **[**harasses or chases a dog known to such person to be a service dog is guilty of a class B misdemeanor.

4. Any person who owns, keeps, harbors, or exercises control over an animal and who knowingly or intentionally fails to exercise sufficient control over the animal to prevent such animal from chasing or harassing a service dog while such dog is carrying out the dog's function as a service dog, to the extent that the animal temporarily interferes with the service dog's ability to carry out the dog's function is guilty of a class B misdemeanor**] intentionally injures or kills or permits a dog that he or she owns or is in the immediate control of to injure or kill a service animal is guilty of a class D felony**.

5. **[**An owner of a service dog or a person with a disability who uses a service dog may file a cause of action to recover civil damages against any person who:

(1) Violates the provisions of subsection 1 or 2 of this section; or

(2) Steals a service dog resulting in the loss of the services of the service dog.

6. Any civil damages awarded under subsection 5 of this section shall be based on the following:

(1) The replacement value of an equally trained service dog, without any differentiation for the age or experience of the service dog;

(2) The cost and expenses incurred by the owner of a service dog or the person with a disability who used the service dog, including:

(a) The cost of temporary replacement services, whether provided by another service dog or by a person;

(b) The reasonable costs incurred in efforts to recover a stolen service dog; and

(c) Court costs and attorney's fees incurred in bringing a civil action under subsection 5 of this section.

7. An owner of a service dog or a person with a disability who uses a service dog may file a cause of action to recover civil damages against a person who:

(1) Violates the provisions of subsections 1 to 4 of this section resulting in injury from which the service

dog recovers to an extent that the dog is able to function as a service dog for the person with a disability; or

(2) Steals a service dog and the service dog is recovered resulting in the service dog being able to function as a service dog for the person with a disability.

8. Any civil damages awarded under subsection 7 of this section shall be based on the following:

(1) Veterinary medical expenses;

(2) Retraining expenses;

(3) The cost of temporary replacement services, whether provided by another service dog or by a person;

(4) Reasonable costs incurred in the recovery of the service dog; and

(5) Court costs and attorney's fees incurred in bringing the civil action under subsection 7 of this section.**] (1) In addition to any other penalty, a person who is convicted of a violation of this section shall make full restitution for all damages that arise out of or are related to the offense, including but not limited to incidental and consequential damages incurred by the service animal's user.**

(2) Restitution includes, but is not limited to:

(a) The value of the animal;

(b) Replacement and training or retraining expenses for the service animal and the user;

(c) Veterinary and other medical and boarding expenses for the service animal;

(d) Medical expenses for the user; and

(e) Lost wages or income incurred by the user during any period that the user is without the services of the service animal.

[9.**] 6.** The provisions of this section shall not apply**:**

(1) If a person with a disability, an owner, or a person having custody or supervision of a service dog commits criminal or civil trespass**; or**

(2) To the destruction of a service dog for humane purposes.

[10.**] 7.** Nothing in this section shall be construed to preclude any other remedies available at law."; and

Further amend said bill, page 36, section 261.010, line 6 by inserting after all of said line the following:

"288.034. 1. "Employment" means service, including service in interstate commerce, performed for wages or under any contract of hire, written or oral, express or implied, and notwithstanding any other provisions of this section, service with respect to which a tax is required to be paid under any federal unemployment tax law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund or which, as a condition for full tax credit against the tax imposed by the Federal Unemployment Tax Act, is required to be covered under this law.

2. The term "employment" shall include an individual's entire service, performed within or both within and without this state if:

(1) The service is localized in this state; or

(2) The service is not localized in any state but some of the service is performed in this state and the base

of operations, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this state; or the base of operations or place from which such service is directed or controlled is not in any state in which some part of the service is performed but the individual's residence is in this state.

3. Service performed by an individual for wages shall be deemed to be employment subject to this law:

(1) If covered by an election filed and approved pursuant to subdivision (2) of subsection 3 of section 288.080;

(2) If covered by an arrangement pursuant to section 288.340 between the division and the agency charged with the administration of any other state or federal unemployment insurance law, pursuant to which all services performed by an individual for an employing unit are deemed to be performed entirely within this state.

4. Service shall be deemed to be localized within a state if the service is performed entirely within such state; or the service is performed both within and without such state, but the service performed without such state is incidental to the individual's service within the state; for example, is temporary or transitory in nature or consists of isolated transactions.

5. Service performed by an individual for remuneration shall be deemed to be employment subject to this law unless it is shown to the satisfaction of the division that such services were performed by an independent contractor. In determining the existence of the independent contractor relationship, the common law of agency right to control shall be applied. The common law of agency right to control test shall include but not be limited to: if the alleged employer retains the right to control the manner and means by which the results are to be accomplished, the individual who performs the service is an employee. If only the results are controlled, the individual performing the service is an independent contractor.

6. The term "employment" shall include service performed for wages as an agent-driver or commission-driver engaged in distributing meat products, vegetable products, fruit products, bakery products, beverages (other than milk), or laundry or dry-cleaning services, for his or her principal; or as a traveling or city salesman, other than as an agent-driver or commission-driver, engaged upon a full-time basis in the solicitation on behalf of, and the transmission to, his or her principal (except for sideline sales activities on behalf of some other person) of orders from wholesalers, retailers, contractors, or operators of hotels, restaurants, or other similar establishments for merchandise for resale or supplies for use in their business operations, provided:

(1) The contract of service contemplates that substantially all of the services are to be performed personally by such individual; and

(2) The individual does not have a substantial investment in facilities used in connection with the performance of the services (other than in facilities for transportation); and

(3) The services are not in the nature of a single transaction that is not part of a continuing relationship with the person for whom the services are performed.

7. Service performed by an individual in the employ of this state or any political subdivision thereof or any instrumentality of any one or more of the foregoing which is wholly owned by this state and one or more other states or political subdivisions, or any service performed in the employ of any instrumentality of this state or of any political subdivision thereof, and one or more other states or political subdivisions,

provided that such service is excluded from employment as defined in the Federal Unemployment Tax Act by Section 3306(c)(7) of that act and is not excluded from employment pursuant to subsection 9 of this section, shall be employment subject to this law.

8. Service performed by an individual in the employ of a corporation or any community chest, fund, or foundation organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, or other organization described in Section 501(c)(3) of the Internal Revenue Code which is exempt from income tax under Section 501(a) of that code if the organization had four or more individuals in employment for some portion of a day in each of twenty different weeks whether or not such weeks were consecutive within a calendar year regardless of whether they were employed at the same moment of time shall be employment subject to this law.

9. For the purposes of subsections 7 and 8 of this section, the term "employment" does not apply to service performed:

(1) In the employ of a church or convention or association of churches, or an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches; or

(2) By a duly ordained, commissioned, or licensed minister of a church in the exercise of such minister's ministry or by a member of a religious order in the exercise of duties required by such order; or

(3) In the employ of a governmental entity referred to in subdivision (3) of subsection 1 of section 288.032 if such service is performed by an individual in the exercise of duties:

(a) As an elected official;

(b) As a member of a legislative body, or a member of the judiciary, of a state or political subdivision;

(c) As a member of the state national guard or air national guard;

(d) As an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood or similar emergency;

(e) In a position which, under or pursuant to the laws of this state, is designated as (i) a major nontenured policy-making or advisory position, or (ii) a policy-making or advisory position the performance of the duties of which ordinarily does not require more than eight hours per week; or

(4) In a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market, by an individual receiving such rehabilitation or remunerative work; or

(5) As part of an unemployment work-relief or work-training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof, by an individual receiving such work relief or work training; or

(6) By an inmate of a custodial or penal institution; or

(7) In the employ of a school, college, or university, if such service is performed (i) by a student who

is enrolled and is regularly attending classes at such school, college, or university, or (ii) by the spouse of such a student, if such spouse is advised, at the time such spouse commences to perform such service, that (I) the employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college, or university, and (II) such employment will not be covered by any program of unemployment insurance.

10. The term "employment" shall include the service of an individual who is a citizen of the United States, performed outside the United States (except in Canada), if:

(1) The employer's principal place of business in the United States is located in this state; or

(2) The employer has no place of business in the United States, but:

(a) The employer is an individual who is a resident of this state; or

(b) The employer is a corporation which is organized under the laws of this state; or

(c) The employer is a partnership or a trust and the number of the partners or trustees who are residents of this state is greater than the number who are residents of any one other state; or

(3) None of the criteria of subdivisions (1) and (2) of this subsection is met but the employer has elected coverage in this state or, the employer having failed to elect coverage in any state, the individual has filed a claim for benefits, based on such service, under the law of this state;

(4) As used in this subsection and in subsection 11 of this section, the term "United States" includes the states, the District of Columbia and the Commonwealth of Puerto Rico.

11. An "American employer", for the purposes of subsection 10 of this section, means a person who is:

(1) An individual who is a resident of the United States; or

(2) A partnership, if two-thirds or more of the partners are residents of the United States; or

(3) A trust, if all of the trustees are residents of the United States; or

(4) A corporation organized under the laws of the United States or of any state.

12. The term "employment" shall not include:

(1) Service performed by an individual in agricultural labor;

(a) For the purposes of this subdivision, the term "agricultural labor" means remunerated service performed:

a. On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife;

b. In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm;

c. In connection with the production or harvesting of any commodity defined as an agricultural commodity in Section 15(g) of the Federal Agricultural Marketing Act, as amended (46 Stat. 1550, Sec. 3; 12 U.S.C. 1441j), or in connection with the ginning of cotton, or in connection with the operation or

maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, used exclusively for supplying and storing water for farming purposes;

d. (i) In the employ of the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity; but only if such operator produced more than one-half of the commodity with respect to which such service is performed;

(ii) In the employ of a group of operators of farms (or a cooperative organization of which such operators are members) in the performance of services described in item (i) of this subparagraph, but only if such operators produced more than one-half of the commodity with respect to which such service is performed;

(iii) The provisions of items (i) and (ii) of this subparagraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption; or

e. On a farm operated for profit if such service is not in the course of the employer's trade or business. As used in this paragraph, the term "farm" includes stock, dairy, poultry, fruit, furbearing animals, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures, used primarily for the raising of agricultural or horticultural commodities, and orchards;

(b) The term "employment" shall include service performed after December 31, 1977, by an individual in agricultural labor as defined in paragraph (a) of this subdivision when such service is performed for a person who, during any calendar quarter, paid remuneration in cash of twenty thousand dollars or more to individuals employed in agricultural labor or for some portion of a day in a calendar year in each of twenty different calendar weeks, whether or not such weeks were consecutive, employed in agricultural labor ten or more individuals, regardless of whether they were employed at the same moment of time;

(c) For the purposes of this subsection any individual who is a member of a crew furnished by a crew leader to perform service in agricultural labor for any other person shall be considered as employed by such crew leader:

a. If such crew leader holds a valid certificate of registration under the Farm Labor Contractor Registration Act of 1963; or substantially all the members of such crew operate or maintain tractors, mechanized harvesting or crop-dusting equipment, or any other mechanized equipment, which is provided by such crew leader; and

b. If such individual is not in employment by such other person;

c. If any individual is furnished by a crew leader to perform service in agricultural labor for any other person and that individual is not in the employment of the crew leader:

(i) Such other person and not the crew leader shall be treated as the employer of such individual; and

(ii) Such other person shall be treated as having paid cash remuneration to such individual in an amount equal to the amount of cash remuneration paid to such individual by the crew leader (either on his or her own behalf or on behalf of such other person) for the service in agricultural labor performed for such other person;

d. For the purposes of this subsection, the term "crew leader" means an individual who:

(i) Furnishes individuals to perform service in agricultural labor for any other person;

(ii) Pays (either on his or her own behalf or on behalf of such other person) the individuals so furnished by him or her for the service in agricultural labor performed by them; and

(iii) Has not entered into a written agreement with such other person under which such individual is designated as in employment by such other person;

(2) Domestic service in a private home except as provided in subsection 13 of this section;

(3) Service performed by an individual under the age of eighteen years in the delivery or distribution of newspapers or shopping news but shall not include delivery or distribution to any point for subsequent delivery or distribution;

(4) Service performed by an individual in, and at the time of, the sale of newspapers or magazines to ultimate consumers under an arrangement under which the newspapers or magazines are to be sold by him or her at a fixed price, his or her compensation being based on the retention of the excess of such price over the amount at which the newspapers or magazines are charged to him or her, whether or not he or she is guaranteed a minimum amount of compensation for such service, or is entitled to be credited with the unsold newspapers or magazines turned back;

(5) Service performed by an individual in the employ of his or her son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his or her father or mother;

(6) Except as otherwise provided in this law, service performed in the employ of a corporation, community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(7) Services with respect to which unemployment insurance is payable under an unemployment insurance system established by an act of Congress;

(8) Service performed in the employ of a foreign government;

(9) Service performed in the employ of an instrumentality wholly owned by a foreign government:

(a) If the service is of a character similar to that performed in foreign countries by employees of the United States government or of an instrumentality thereof; and

(b) If the division finds that the foreign government, with respect to whose instrumentality exemption is claimed, grants an equivalent exemption with respect to similar service performed in the foreign country by employees of the United States government and of instrumentalities thereof. The certification of the United States Secretary of State to the United States Secretary of Treasury shall constitute prima facie evidence of such equivalent exemption;

(10) Service covered by an arrangement between the division and the agency charged with the administration of any other state or federal unemployment insurance law pursuant to which all services performed by an individual for an employing unit during the period covered by the employing unit's approved election are deemed to be performed entirely within the jurisdiction of such other state or federal agency;

(11) Service performed in any calendar quarter in the employ of a school, college or university not otherwise excluded, if such service is performed by a student who is enrolled and regularly attending classes

at such school, college, or university, and the remuneration for such service does not exceed fifty dollars (exclusive of board, room, and tuition);

(12) Service performed by an individual for a person as a licensed insurance agent, a licensed insurance broker, or an insurance solicitor, if all such service performed by such individual for such person is performed for remuneration solely by way of commissions;

(13) Domestic service performed in the employ of a local college club or of a local chapter of a college fraternity or sorority, except as provided in subsection 13 of this section;

(14) Services performed after March 31, 1982, in programs authorized and funded by the Comprehensive Employment and Training Act by participants of such programs, except those programs with respect to which unemployment insurance coverage is required by the Comprehensive Employment and Training Act or regulations issued pursuant thereto;

(15) Service performed by an individual who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program, taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such program, and such institution has so certified to the employer; except, that this subdivision shall not apply to service performed in a program established for or on behalf of an employer or group of employers;

(16) Services performed by a licensed real estate salesperson or licensed real estate broker if substantially all of the remuneration, whether or not paid in cash, for the services performed, rather than to the number of hours worked, is directly related to sales or other output, including the performance of services, performed pursuant to a written contract between such individual and the person for whom the services are performed and such contract provides that the individual will not be treated as an employee with respect to such services for federal tax purposes;

(17) Services performed as a direct seller who is engaged in the trade or business of the delivering or distribution of newspapers or shopping news, including any services directly related to such trade or business, or services performed as a direct seller who is engaged in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in, or affiliated with, a permanent, fixed retail establishment, if eighty percent or more of the remuneration, whether or not paid in cash, for the services performed rather than the number of hours worked is directly related to sales performed pursuant to a written contract between such direct seller and the person for whom the services are performed, and such contract provides that the individual will not be treated as an employee with respect to such services for federal tax purposes;

(18) Services performed as a volunteer research subject who is paid on a per-study basis for scientific, medical or drug-related testing for any organization other than one described in Section 501(c)(3) of the Internal Revenue Code or any governmental entity.

13. The term "employment" shall include domestic service as defined in subdivisions (2) and (13) of subsection 12 of this section performed after December 31, 1977, if the employing unit for which such service is performed paid cash wages of one thousand dollars or more for such services in any calendar quarter after December 31, 1977.

14. The term "employment" shall include or exclude the entire service of an individual for an employing

unit during a pay period in which such individual's services are not all excluded under the foregoing provisions, on the following basis: if the services performed during one-half or more of any pay period constitute employment as otherwise defined in this law, all the services performed during such period shall be deemed to be employment; but if the services performed during more than one-half of any such pay period do not constitute employment as otherwise defined in this law, then none of the services for such period shall be deemed to be employment. (As used in this subsection, the term "pay period" means a period of not more than thirty-one consecutive days for which a payment of remuneration is ordinarily made to the individual by the employing unit employing such individual.) This subsection shall not be applicable with respect to service performed in a pay period where any such service is excluded pursuant to subdivision (8) of subsection 12 of this section.

15. The term "employment" shall not include the services of a full-time student who performed such services in the employ of an organized summer camp for less than thirteen calendar weeks in such calendar year.

16. For the purpose of subsection 15 of this section, an individual shall be treated as a full-time student for any period:

(1) During which the individual is enrolled as a full-time student at an educational institution; or

(2) Which is between academic years or terms if:

(a) The individual was enrolled as a full-time student at an educational institution for the immediately preceding academic year or term; and

(b) There is a reasonable assurance that the individual will be so enrolled for the immediately succeeding academic year or term after the period described in paragraph (a) of this subdivision.

17. For the purpose of subsection 15 of this section, an "organized summer camp" shall mean a summer camp which:

(1) Did not operate for more than seven months in the calendar year and did not operate for more than seven months in the preceding calendar year; or

(2) Had average gross receipts for any six months in the preceding calendar year which were not more than thirty-three and one-third percent of its average gross receipts for the other six months in the preceding calendar year.

18. The term "employment" shall not mean service performed by a remodeling salesperson acting as an independent contractor; however, if the federal Internal Revenue Service determines that a contractual relationship between a direct provider and an individual acting as an independent contractor pursuant to the provisions of this subsection is in fact an employer-employee relationship for the purposes of federal law, then that relationship shall be considered as an employer-employee relationship for the purposes of this chapter.

19. The term "employment" shall not mean in-home or community-based services performed by a provider contracted to provide such services for the clients of a county board for developmental disability services organized and existing under sections 205.968 to 205.973, provided however, that the vendor shall perform the payroll and fringe benefits accounting functions for the consumer. However, in the event an employment relationship exists between the provider and any worker as determined under this chapter, the services performed by such worker shall be deemed to be

employment if the provider is an organization described in Section 501(c)(3) of the Internal Revenue Code, any governmental entity, or a federally recognized Indian tribe."; and

Further amend said bill, page 39, section 301.020, line 87 by inserting after all of said line the following:

"301.143. 1. As used in this section, the term "vehicle" shall have the same meaning given it in section 301.010, and the term "physically disabled" shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard** issued pursuant to section 301.071 or 301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard** issued pursuant to section 301.071 or 301.142. Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and may also include any appropriate wording such as "Accessible Parking" to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard**. The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "$50 to $300 fine.". **[**Beginning August 28, 2011, When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot, one in every four accessible spaces, but not less than one, shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto.**] When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot with twenty-five or more parking spaces, the parking lot and accessible signs shall meet the minimum requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto, for the number of required accessible parking spaces, which shall not be less than one, and shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "van accessible". If any accessible space is one hundred thirty-two inches wide or wider, then the adjacent access aisle shall be a minimum of sixty inches wide. If any accessible space is less than one hundred thirty-two inches wide, then the adjacent access aisle shall be a minimum of ninety-six inches wide.**

3. Any political subdivision, by ordinance or resolution, and any person or corporation in lawful possession of a public off-street parking facility or any other owner of private property may designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard** issued pursuant to section 301.071 or 301.142 as close as possible to the nearest accessible entrance. Such designation shall be made by posting immediately adjacent to, and visible from, each space, a sign upon which is inscribed the international symbol of accessibility, and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard**.

4. The local police or sheriff's department may cause the removal of any vehicle not displaying a distinguishing license plate or **[**card**] placard** on which is inscribed the international symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or **[**card**] placard** issued by any other state from a space designated for physically disabled persons if there is posted immediately adjacent to, and readily

visible from, such space a sign on which is inscribed the international symbol of accessibility and may include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard**. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a **[**card**] placard** is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars. Any vehicle which has been removed and which is not properly claimed within thirty days thereafter shall be considered to be an abandoned vehicle.

5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated by political subdivisions in residential areas for the exclusive use of vehicles displaying a distinguishing license plate or **[**card**] placard** issued pursuant to section 301.071 or 301.142 shall meet the requirements of the federal Americans with Disabilities Act pursuant to this subsection and any such space shall have clearly and visibly painted upon it the international symbol of accessibility **[**and any curb adjacent to the space shall be clearly and visibly painted blue**]**.

6. Any person who, without authorization, uses a distinguishing license plate or **[**card**] placard** issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority of this section shall be guilty of a class B misdemeanor.

7. Law enforcement officials may enter upon private property open to public use to enforce the provisions of this section and section 301.142, including private property designated by the owner of such property for the exclusive use of vehicles which display a distinguishing license plate or **[**card**] placard** issued pursuant to section 301.071 or 301.142.

8. Nonconforming signs or spaces otherwise required pursuant to this section which are in use prior to August 28, 2011, shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or spaces be extended by means other than those means used to maintain any sign or space on the owner's property which is not used for vehicles displaying a disabled license plate.

9. Beginning August 28, 2011, all new signs erected under this section shall not contain the words "Handicap Parking" or "Handicapped Parking"."; and

Further amend said bill, page 43, section 302.171, line 106 by inserting after all of said line the following:

"304.028. 1. **(1)** There is hereby created in the state treasury for use by the department of health and senior services a fund to be known as the "Brain Injury Fund". All judgments collected pursuant to this section, federal grants, private donations and any other moneys designated for the brain injury fund shall be deposited in the fund. Moneys deposited in the fund shall, upon appropriation by the general assembly to the department of health and senior services, be received and expended by the department for the purpose of transition **[**and**],** integration**, and provision** of **[**medical**] community-based consumer services in comprehensive brain injury day rehabilitation therapy, vocational, home and community support**, social and educational **[**services or**]** activities for purposes of outreach and supports to enable individuals with **[**traumatic**]** brain injury and their families to live in the community.

(2) The department of health and senior services, in cooperation with the department of social services, shall seek waivers from the federal Department of Health and Human Services to allow moneys from the brain injury fund to be used under the MO HealthNet program to provide services under this section. Upon the granting of such waiver, fifty percent of all moneys in the fund shall be designated as MO HealthNet federal match moneys under the waiver. The waivers under this subdivision shall be designed so that parity is established in funding for each of the eligible MO HealthNet service areas to create a balance for access to all brain injury services.

(3) A committee shall be created to develop service descriptions, regulations, and parity of funding for eligible MO HealthNet service areas, as needed. The ten-member volunteer committee shall be organized by the department and shall be comprised of two representatives from each of the following: Missouri Association of Rehabilitation Facilities, the Brain Injury Association, the Brain Injury Advisory Council, the department of social services, and the department of health and senior services. The committee composition shall include at least one individual with a brain injury. Once services are established under this section, the committee shall, at a minimum, meet annually to review services using the most current department of health and senior services brain injury needs assessment. The review process shall require the ten-member volunteer committee to be responsible for addressing any modifications needed in the program services. Such review process shall ensure services are meeting the needs of brain injury consumers.

(4) Notwithstanding the provisions of section 33.080 to the contrary, any unexpended balance in the brain injury fund at the end of any biennium shall not be transferred to the general revenue fund.

2. In all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of this state, including an infraction, there shall be assessed as costs a surcharge in the amount of two dollars. No such surcharge shall be collected in any proceeding involving a violation of an ordinance or state law when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality.

3. Such surcharge shall be collected and distributed by the clerk of the court as provided in sections 488.010 to 488.020. The surcharge collected pursuant to this section shall be paid to the state treasury to the credit of the brain injury fund established in this section."; and

Further amend said bill, page 50, section 621.275, line 19 by inserting after all of said line the following:

"660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria

contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;

(4) Is approved by the department to issue certificates for nursing assistants training;

(5) Is an entity licensed under chapter 197; or

(6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list. The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. **(1)** Any employer **[**who is**]** required to **[**discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire**]** **deny employment to an applicant or discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process, or subsequent, periodic screenings, under section 210.903, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and** shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100.

(2) Notwithstanding subsections 3 and 5 of section 288.090, an employer shall not be charged for unemployment insurance benefits based on wages paid to the employee or an employer making payments in lieu of contributions for work prior to the date of discharge, pursuant to section 288.100,

if the employer terminated the employee because the employee:

(a) Has been found guilty of, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;

(b) Was placed on the employee disqualification list under this section, after the date of hire;

(c) Was placed on the employee disqualification registry maintained by the department of mental health, after the date of hire;

(d) Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or

(e) Was denied a good cause waiver as provided for in subsection 10 of section 660.317.

The benefits paid to the employee shall not be attributable to service in the employ of the employer required to discharge an employee under the provisions of this subdivision and shall be deemed as such under the unemployment compensation laws of this state.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and

Further amend said bill, page 51, section 33.753, line 9 by inserting after all of said line the following:

"Section B. The provisions of section 161.870 of this act shall terminate on January 1, 2013.

Section C. Because immediate action is necessary to ensure compliance with the federal Americans With Disabilities Act, the repeal and reenactment of section 301.143 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 301.143 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senator Mayer moved that the above amendment be adopted, which motion prevailed.

Senator Schmitt offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend House Committee Substitute for House Bill No. 1900, Page 20, Section 37.110, Line 5, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may

adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in

redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems,** licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation

by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the

time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address

and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable

to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend the title and enacting clause accordingly.

Senator Schmitt moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Munzlinger, **HCS** for **HB 1900**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Nieves Purgason—2

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Parson	Pearce	Richard	Ridgeway
Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson	Wright-Jones—31	

NAYS—Senators

Nieves Purgason—2

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HB 1172, introduced by Representative Franz, entitled:

An Act to repeal section 135.1150, RSMo, and to enact in lieu thereof two new sections relating to tax credits for certain contributions.

Was taken up by Senator Stouffer.

On motion of Senator Stouffer, **HB 1172** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon
Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson

Wright-Jones—33

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Stouffer, title to the bill was agreed to.

Senator Stouffer moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

HCS for **HB 1661**, entitled:

An Act to repeal section 143.173, RSMo, and to enact in lieu thereof one new section relating to tax deductions for job creation by small businesses.

Was taken up by Senator Pearce.

On motion of Senator Pearce, **HCS** for **HB 1661** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham	Curls	Dempsey	Dixon

Engler	Goodman	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

NAYS—Senators—None

Absent—Senator Green—1

Absent with leave—Senators—None

Vacancies—None

The President declared the bill passed.

On motion of Senator Pearce, title to the bill was agreed to.

Senator Pearce moved that the vote by which the bill passed be reconsidered.

Senator Dempsey moved that motion lay on the table, which motion prevailed.

Senator Rupp moved that **HCS** for **HB 1526**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Lager, the above amendment was withdrawn.

Senator Lager offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 1526, Page 2, Section 168.124, Line 6 of said page, by inserting immediately after "evaluations." the following: "**Districts may consider other relevant factors, including the needs of the school and qualifications for hard to staff subject areas.**"; and

Further amend said bill, page 7, section 168.221, line 1 of said page, by inserting immediately after "evaluations." the following: "**Districts may consider other relevant factors, including the needs of the school and qualifications for hard to staff subject areas.**".

Senator Lager moved that the above amendment be adopted.

Senator Engler offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 1526, Pages1-3, Section 168.124, by striking all of said section from the bill; and

Further amend said bill, page 8, section 168.221, line 4 of said page, by inserting after all of said line the following:

"**[**168.124. 1. The board of education of a school district may place on leave of absence as many

teachers as may be necessary because of a decrease in pupil enrollment, school district reorganization or the financial condition of the school district. In placing teachers on leave, the board of education shall be governed by the following provisions:

(1) No permanent teacher shall be placed on leave of absence while probationary teachers are retained in positions for which a permanent teacher is qualified;

(2) Permanent teachers shall be retained on the basis of performance-based evaluations and seniority (however, seniority shall not be controlling) within the field of specialization;

(3) Permanent teachers shall be reinstated to the positions from which they have been given leaves of absence, or if not available, to positions requiring like training and experience, or to other positions in the school system for which they are qualified by training and experience;

(4) No appointment of new teachers shall be made while there are available teachers on unrequested leave of absence who are properly qualified to fill such vacancies;

(5) A teacher placed on leave of absence may engage in teaching or another occupation during the period of such leave;

(6) The leave of absence shall not impair the tenure of a teacher;

(7) The leave of absence shall continue for a period of not more than three years unless extended by the board.

2. Should a board of education choose to utilize the mechanism for reducing teacher forces as provided in subsection 1 of this section in an attempt to manage adverse financial conditions caused at least partially by a withholding of, or a decrease or less than expected increase in, education appropriations, then the district additionally shall follow the provisions of subsection 3 of this section.

3. If a school district has an unrestricted combined ending fund balance of more than ten percent of current expenditures in its teachers' and incidental funds, and in the subsequent fiscal year such district, because of state appropriations, places a contracted teacher on leave of absence after forty days subsequent to the governor signing the elementary and secondary education appropriation bill, the district shall pay the affected teacher the greater of his or her salary for any days worked under the contract, or a sum equal to three thousand dollars.**]**; and

Further amend the title and enacting clause accordingly.

Senator Engler moved that the above substitute amendment be adopted, which motion failed on a standing division vote.

SA 2 was again taken up.

At the request of Senator Rupp, **HCS** for **HB 1526**, with **SS** and **SA 2** (pending), was placed on the Informal Calendar.

President Pro Tem Mayer assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

adopted **SCS** for **HCS** for **HB 1758** and has taken up and passed **SCS** for **HCS** for **HB 1758**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HCS** for **HB 1280** and has taken up and passed **SS** for **SCS** for **HCS** for **HB 1280**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HB 1827** and has taken up and passed **SCS** for **HCS** for **HB 1827**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1** to **HCS** for **HB 1171** and has taken up and passed **HCS** for **HB 1171**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **HCS** for **HB 1576,** as amended and has taken up and passed **SS** for **HCS** for **HB 1576**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HB 1820** and has taken up and passed **SS** for **SCS** for **HB 1820**.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1**, **SA 2** to **HCS** for **HB 1818** and has taken up and passed **HCS** for **HB 1818**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS** for **HCR 33**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HB 1251**, as amended, and has taken up and passed **SS** for **SCS** for **HB 1251** as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** as amended for **HCS** for **HB 1647** and has taken up and passed **SS** for **HCS** for **HB 1647** as amended.

Emergency clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SCS** for **HCS No. 2** for **HB 1323** and has taken up and passed **SCS** for **HCS No. 2** for **HB 1323**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1** to **SA 1** and **SA 1** as amended to **HCS** for **HB 1644** and has taken up and passed **HCS** for **HB 1644** as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report No. 2 on **SS** for **SCS** for **SB 719** as amended and has taken up and passed **CCS No. 2** for **SS** for **SCS** for **SB 719**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 569** as amended and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 569**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 498** as amended and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 498**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 628** as amended and has taken up and passed **CCS** for **HCS** for **SB 628**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 635** as amended and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 635**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SCS** for **SB 470** as amended and has taken up and passed **CCS** for **HCS** for **SS** for **SCS** for **SB 470**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SS** for **SB 665** as amended and has taken up and passed **CCS** for **SS** for **SB 665**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 631** as amended and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 631**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 599** as amended and has taken up and passed **CCS** for **SB 599**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 1789** and has taken up and passed **SCS** for **HCS** for **HB 1789**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 464**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS No. 2** for **SCS** for **SB 480** as amended and has taken up and passed **CCS** for **HCS No. 2** for **SCS** for **SB 480**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 557**, entitled:

An Act to repeal sections 301.190 and 301.193, RSMo, and to enact in lieu thereof two new sections relating to the vehicle examination process used for the issuance of prior salvage motor vehicle titles.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 557, Page 1, In the title, Lines 3 and 4, by deleting all of said lines and inserting in lieu thereof the words, "relating to motor vehicles"; and

Further amend said bill, Page 7, Section 301.193, Line 68, by inserting after all of said line the following:

"**301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the

specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.

Section 1. 1. The department of transportation shall designate 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.";

and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 557, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**37.853. 1. The office of administration shall maintain municipal government, including any city not within a county, accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of municipal government, including any city not within a county, financial information as a means of creating better public understanding of municipal government, including any city not within a county, practices and operations.**

2. Individual municipal governmental, including any city not within a county, entities shall collect and transmit to the office of administration, by electronic mail or United States postal mail, the public information applicable to all municipal government, including any city not within a county, as provided in this section. Notwithstanding any other provision of law or rule to the contrary, municipal governmental, including any city not within a county, entities that provide the annual report required under section 105.145 to the office of administration are not required to provide a copy of the report to the state auditor.

3. Municipal governmental, including any city not within a county, entities shall annually provide to the office of administration a copy of the annual report of the financial transactions of the

municipality that the municipality is required to provide to the state auditor under section 105.145.

4. This section shall become effective December 31, 2012.

37.855. 1. The office of administration shall maintain public school accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of school district and charter school financial information as a means of creating better public understanding of public school practices and operations.

2. The department of elementary and secondary education shall annually collect and transmit to the office of administration the public information regarding school districts and public charter schools as provided in this section.

3. School districts and public charter schools shall annually provide the department of elementary and secondary education with detailed compensation information for all school employees, including all extra duty compensation and all employee benefits, and the district's annual operating budget and bonded indebtedness. The department shall provide all information required under this subsection to the office of administration by electronic mail or United States postal mail.

4. This section shall become effective June 30, 2013.

37.857. 1. The office of administration shall maintain county government accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of county government financial information as a means of creating better public understanding of county government practices and operations.

2. Individual county governmental entities shall collect annually and transmit, by electronic mail or United States postal mail, to the office of administration the public information applicable to all county governments as provided in this section.

3. Specifically, the county government shall annually provide to the office of administration detailed compensation information for all elected county officials, including all extra duty compensation and all employee benefits, a copy of the detailed financial statement required under section 50.800, and any cash reserves. In addition to bonded debt, the county shall disclose any expenditures made pursuant to a real property lease, specifying the nature and duration of the lease. The office of administration may establish clear standards for budget format and detail, to ensure that all county government budgets contain all necessary information. Notwithstanding any other provision of law or rule to the contrary, any information reported annually to the office of administration under this section shall not be required to be reported to the state auditor.

4. This section shall become effective December 31, 2013." ; and

Further amend said bill and page, Section B, Line 2, by inserting immediately after the word "funds," the following:

" the enactment of section 33.087 and the repeal and reenactment of section 37.850 of" ; and

Further amend said bill, page 3, Section B, Line 4, by inserting immediately after the words "constitution, and" the following:

" the enactment of section 33.087 and the repeal and reenactment of section 37.850 of" ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** as amended for **HB 1318** and has taken up and passed **SS** for **HB 1318** as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 749** as amended and has taken up and passed **CCS** for **HCS** for **SS** for **SB 749**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 769** as amended and has taken up and passed **CCS** for **HCS** for **SS** for **SB 769**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has receded from its position on **HCS No. 2** for **SCS** for **SB 729**, as amended, and has taken up and passed **SCS** for **SB 729**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 835**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1** to **SB 893** and request the Senate to concur in **HA 1** and take up and pass **SB 893** as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SBs 489** and **637**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **SCR 17**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 788**.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill 788, Page 1, In the Title, Line 3, by deleting from said line the phrase "appointment of circuit clerks" and inserting in lieu thereof the phrase "judiciary"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child **[**is located at the time of**] has resided for at least ninety days prior to** the filing of the **adoption** petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile.

The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has adopted **SS** for **SCS** for **HB 1807**, **HB 1093**, **HB 1107**, **HB 1156**, **HB 1221**, **HB 1261**, **HB 1269**, **HB 1641**, **HB 1668**, **HB 1737**, **HB 1782**, **HB 1868** and **HB 1878**, as amended, and has taken up and passed **SS** for **SCS** for **HB 1807**, **HB 1093**, **HB 1107**, **HB 1156**, **HB 1221**, **HB 1261**, **HB 1269**, **HB 1641**, **HB 1668**, **HB 1737**, **HB 1782**, **HB 1868** and **HB 1878**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has concurred in **SA 1**, **SA 2**, **SA 3**, **SA 4**, **SA 5** to **HCS** for **HB 1900** and has taken up and passed **HCS** for **HB 1900** as amended.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 24**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 15**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 26**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 611** as amended and has taken up and passed **CCS** for **SB 611**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House receded from its position of **HCS** as amended to **SS** for **SCS** for **SB 755** and has taken up and passed **SS** for **SCS** for **SB 755**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 636** as amended and has taken up and passed **CCS** for **HCS** for **SB 636**.

Bill ordered enrolled.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 2238, regarding Carl R. Wolf, which was adopted.

Senator Crowell offered Senate Resolution No. 2239, regarding Jim Burns, which was adopted.

Senator Parson offered Senate Resolution No. 2240, regarding the Ninetieth Birthday of Darace E. Eaton, Warsaw, which was adopted.

Senator Stouffer offered Senate Resolution No. 2241, regarding Martha Jo Waller, Nelson, which was adopted.

Senator Stouffer offered Senate Resolution No. 2242, regarding Mary Alice Davis, which was adopted.

Senator Stouffer offered Senate Resolution No. 2243, regarding Marjorie Stow, Macon, which was adopted.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

May 17, 2012

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am removing Senator Jack Goodman from the following commission:

Missouri Tourism Commission

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

Also,

May 18, 2012

Ms. Terry Spieler
Secretary of the Missouri Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Spieler:

I am appointing Senator Eric Schmitt to the following commission:

Missouri Tourism Commission

Please feel free to contact me should you have any questions.

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Schaefer introduced to the Senate, the Physician of the Day, Dr. Jerry Kennett, Columbia.

On motion of Senator Dempsey, the Senate adjourned until 11:00 a.m., Tuesday, May 22, 2012.

✓

Journal of the Senate

SECOND REGULAR SESSION

SEVENTY-FIFTH DAY—TUESDAY, MAY 22, 2012

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Stouffer, Senator Kehoe offered Senate Resolution No. 2244, regarding Debbie Livingston, Macon, which was adopted.

On behalf of Senator Stouffer, Senator Kehoe offered Senate Resolution No. 2245, regarding Dwight E. Tietsort, Macon, which was adopted.

On behalf of Senator Stouffer, Senator Kehoe offered Senate Resolution No. 2246, regarding Mary Wavering, Macon, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 2247, regarding Keith Fiscus, Joplin, which was adopted.

On motion of Senator Kehoe, the Senate adjourned until 10:00 a.m., Wednesday, May 30, 2012.

✓

Journal of the Senate

SECOND REGULAR SESSION

SEVENTY-SIXTH DAY—WEDNESDAY, MAY 30, 2012

The Senate met pursuant to adjournment.

President Pro Tem Mayer in the Chair.

Photographers from Jefferson City News Tribune were given permission to take pictures in the Senate Chamber.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Dempsey, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, Senator Mayer submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS** for **SJR 51**; **SS** for **SB 464**; **HCS** for **SS** for **SCS** for **SB 469**; **CCS** for **HCS** for **SS** for **SCS** for **SB 470**; **CCS** for **HCS No. 2** for **SCS** for **SB 480**; **HCS** for **SCS** for **SB 485**; **SS** for **SCS** for **SBs 489** and **637**; **CCS** for **HCS** for **SCS** for **SB 498**; **HCS** for **SCS** for **SB 562**; **HCS** for **SCS** for **SB 563**; **SCS** for **SB 566**; **CCS** for **HCS** for **SB 568**; **CCS** for **HCS** for **SCS** for **SB 569**; **SS** for **SCS** for **SB 576**; **HCS** for **SS** for **SCS** for **SB 595**; **CCS** for **SB 599**; **SS** for **SB 607**; **CCS** for **SB 611**; **HCS** for **SCS** for **SB 625**; **CCS** for **HCS** for **SB 628**; **CCS** for **HCS** for **SCS** for **SB 631**; **CCS** for **HCS** for **SCS** for **SB 635**; **CCS** for **HCS** for **SB 636**; **CCS** for **SS** for **SB 665**; **HCS** for **SS** for **SCS** for **SB 682**; **SS** for **SCS** for **SB 689**; **SCS** for **SB 715**; **CCS No. 2** for **SS** for **SCS** for **SB 719**; **SCS** for **SB 729**; **SB 736**; **CCS** for **HCS** for **SS** for **SB 749**; **SS** for **SCS** for **SB 755**; **CCS** for **HCS** for **SS** for **SB 769**; **SCS** for **SB 789**; **SCS** for **SB 835**; and **SCS** for **SB 837**, begs leave to report that it has examined the same and finds that the joint resolution and bills have been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS** for **SJR 51**; **SS** for **SB 464**; **HCS** for **SS** for **SCS** for **SB 469**; **CCS** for **HCS** for **SS** for **SCS** for **SB 470**; **CCS** for **HCS No. 2** for **SCS** for **SB 480**; **HCS** for **SCS** for **SB 485**; **SS** for **SCS** for **SBs 489** and **637**; **CCS** for **HCS** for **SCS** for **SB 498**; **HCS** for **SCS** for **SB 562**; **HCS** for **SCS** for **SB 563**; **SCS** for **SB 566**; **CCS** for **HCS** for **SB 568**; **CCS** for **HCS** for **SCS** for **SB 569**; **SS** for **SCS** for **SB 576**; **HCS** for **SS** for **SCS** for **SB 595**; **CCS** for **SB 599**; **SS** for **SB 607**; **CCS** for **SB 611**; **HCS** for **SCS** for **SB 625**; **CCS** for **HCS** for **SB 628**; **CCS**

for **HCS** for **SCS** for **SB 631**; **CCS** for **HCS** for **SCS** for **SB 635**; **CCS** for **HCS** for **SB 636**; **CCS** for **SS** for **SB 665**; **HCS** for **SS** for **SCS** for **SB 682**; **SS** for **SCS** for **SB 689**; **SCS** for **SB 715**; **CCS No. 2** for **SS** for **SCS** for **SB 719**; **SCS** for **SB 729**; **SB 736**; **CCS** for **HCS** for **SS** for **SB 749**; **SS** for **SCS** for **SB 755**; **CCS** for **HCS** for **SS** for **SB 769**; **SCS** for **SB 789**; **SCS** for **SB 835**; and **SCS** for **SB 837**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the joint resolution and bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the joint resolution and bills were so read by the Secretary and signed by the President Pro Tem.

Also,

The President Pro Tem announced that all other business would be suspended and **HB 1029**; **SCS** for **HB 1036**; **HB 1037**; **HB 1039**; **SCS** for **HCS** for **HB 1042**; **SS** for **SCS** for **HCS** for **HB 1094**; **HB 1103**; **HB 1105**; **SS** for **HCS** for **HB 1106**; **HCS** for **HB 1108**; **SCS** for **HB 1112**; **SS** for **HB 1128**; **HB 1131**; **CCS** for **SCS** for **HB 1135**; **HB 1141**; **SS** for **SCS** for **HCS** for **HB 1150**; **HCS** for **HB 1171**; **HB 1172**; **HB 1179**; **HB 1188**; **HB 1231**; **HB 1236**; **HB 1250**; **SS** for **SCS** for **HB 1251**; **SS** for **SCS** for **HCS** for **HB 1280**; **HCS** for **HB 1308**; **HB 1315**; **SS** for **HB 1318**; **SCS** for **HCS No. 2** for **HB 1323**; **SS** for **HCS** for **HB 1329**; **HCS** for **HB 1340**; **SS** for **SCS** for **HCS** for **HB 1400**; **CCS** for **SS** for **SCS** for **HCS** for **HB 1402**; **HB 1424**; **SCS** for **HB 1460**; **HCS No. 2** for **HB 1462**; **SCS** for **HCS** for **HB 1495**; **SS** for **SCS** for **HCS** for **HB 1498**; **SCS** for **HB 1504**; **SCS** for **HCS** for **HB 1525**; **HCS** for **HB 1527**; **HB 1540**; **HCS** for **HB 1549**; **SS** for **SCS** for **HCS** for **HB 1563**; **SS** for **HCS** for **HB 1576**; **HB 1577**; **HCS** for **HB 1608**; **HCS** for **HB 1644**; **SS** for **HCS** for **HB 1647**; **SCS** for **HCS** for **HBs 1659** and **1116**; **HCS** for **HB 1661**; **HB 1680**; **SS** for **SCS** for **HCS** for **HB 1731**; **SCS** for **HCS** for **HB 1758**; **SCS** for **HCS** for **HB 1789**; **SS** for **SCS** for **HB 1807**, **HB 1093**, **HB 1107**, **HB 1156**, **HB 1221**, **HB 1261**, **HB 1269**, **HB 1641**, **HB 1668**, **HB 1737**, **HB 1782**, **HB 1868** and **HB 1878**; **HCS** for **HB 1818**; **SS** for **SCS** for **HB 1820**; **SCS** for **HCS** for **HB 1827**; **HCS** for **HB 1900**; **HB 1909**; **SS** for **HCS** for **HB 2001**; **CCS** for **SS** for **SCS** for **HCS** for **HB 2002**; **CCS** for **SS** for **SCS** for **HCS** for **HB 2003**; **CCS** for **SS** for **SCS** for **HCS** for **HB 2004**; **CCS** for **SS** for **SCS** for **HCS** for **HB 2005**; **CCS** for **SS** for **SCS** for **HCS** for **HB 2006**; **CCS** for **SS** for **SCS** for **HCS** for **HB 2007**; **CCS** for **SS** for **SCS** for **HCS** for **HB 2008**; **CCS** for **SS** for **SCS** for **HCS** for **HB 2009**; **CCS** for **SS** for **SCS** for **HCS** for **HB 2010**; **CCS** for **SS** for **SCS** for **HCS** for **HB 2012**; and **CCS** for **SS** for **SCS** for **HCS** for **HB 2013**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

OBJECTIONS

Senator Lembke submitted the following:

May 29, 2012

Terry Spieler
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Madam Secretary:

Pursuant to Rule 68, this letter is to notify you and others that I am filing a constitutional objection to CCS SS SCS HCS HB 2011. Please print this letter in the Senate Journal. I object to this legislation for the following reasons:

1. Specifically, Section 208.151, RSMo., established the eligibility criteria for the blind healthcare program. Section 208.152 sets forth

the benefits package for various state health care programs and prohibits the imposition of payments (i.e., premiums) for certain classes of eligible recipients and specifically prohibits premiums being imposed on "blind persons". The language contained in HB 2011 will impose premiums on those recipients under the Blind Health Care Program.

2. The language contained in HB 2011 attempts to amend the eligibility criteria by adding more restrictive programs. With this, the General Assembly is legislating through an appropriations bill and is attempting to change existing statute by passage of HB 2011. That action would violate the constitutional restriction that a bill be limited to ONE subject.

3. Precedent for this was set in Opponents of Prison Site, Inc. V. Carnahan, 994 S.W.2d 573 (Mo. W.D. 1999) which states "[a] general appropriation bill, containing appropriation for numerous unrelated state activities, cannot amend substantive legislation . . .". Simply stated, the General Assembly cannot legislate through an appropriations bill. Such an action violates the constitutional restriction established in Article III, Section 23 that a bill be limited to one subject.

The law in Missouri is clear – as this General Assembly was reminded in 2010 – that amending substantive law through an appropriations bill is unconstitutional and unenforceable.

I ask that the aforementioned objections be attached to the bill.

Thank you.
/s/ Jim Lembke
Senator Jim Lembke
District 1

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS** for **SS** for **SCS** for **HCS** for **HB 2011**, having passed both branches of the General Assembly, would be read at length by the Secretary, and, the objection notwithstanding, the bill would be signed by the President Pro Tem to the end that it may become law. The bill was so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

HCS for **SS** for **SCS** for **SB 469**; **CCS** for **HCS** for **SS** for **SCS** for **SB 470**; **CCS** for **HCS No. 2** for **SCS** for **SB 480**; **HCS** for **SCS** for **SB 485**; **SS** for **SCS** for **SBs 489** and **637**; **CCS** for **HCS** for **SCS** for **SB 498**; **HCS** for **SCS** for **SB 562**; **HCS** for **SCS** for **SB 563**; **SCS** for **SB 566**; **CCS** for **HCS** for **SB 568**; **CCS** for **HCS** for **SCS** for **SB 569**; **SS** for **SCS** for **SB 576**; **HCS** for **SS** for **SCS** for **SB 595**; **CCS** for **SB 599**; **SS** for **SB 607**; **CCS** for **SB 611**; **HCS** for **SCS** for **SB 625**; **CCS** for **HCS** for **SB 628**; **CCS** for **HCS** for **SCS** for **SB 631**; **CCS** for **HCS** for **SCS** for **SB 635**; **CCS** for **HCS** for **SB 636**; **CCS** for **SS** for **SB 665**; **HCS** for **SS** for **SCS** for **SB 682**; **SS** for **SCS** for **SB 689**; **SCS** for **SB 715**; **CCS No. 2** for **SS** for **SCS** for **SB 719**; **SCS** for **SB 729**; **SB 736**; **CCS** for **HCS** for **SS** for **SB 749**; **SS** for **SCS** for **SB 755**; **CCS** for **HCS** for **SS** for **SB 769**; **SCS** for **SB 789**; **SCS** for **SB 835**; and **SCS** for **SB 837**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

JOINT RESOLUTIONS AND BILLS DELIVERED TO THE SECRETARY OF STATE

SCS for **SJR 51** and **SS** for **SB 464**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Secretary of State by the Secretary of the Senate.

RESOLUTIONS

On behalf of Senator Crowell, Senator Mayer offered Senate Resolution No. 2248, regarding Austin Lane Wilson, Cape Girardeau, which was adopted.

On behalf of Senator Stouffer, Senator Mayer offered Senate Resolution No. 2249, regarding the Saline

County Career Center Ag Construction Program, which was adopted.

On behalf of Senator Stouffer, Senator Mayer offered Senate Resolution No. 2250, regarding the Marshall FFA Chapter, which was adopted.

On behalf of Senator Pearce, Senator Mayer offered Senate Resolution No. 2251, regarding Dr. Deborah Orr, which was adopted.

On behalf of Senator McKenna, Senator Mayer offered Senate Resolution No. 2252, regarding Reverend Bob Shobe and the Hurdland Baptist Church, which was adopted.

On behalf of Senator Schmitt, Senator Mayer offered Senate Resolution No. 2253, regarding Benjamin Wiltsch, Glendale, which was adopted.

On behalf of Senator Schmitt, Senator Mayer offered Senate Resolution No. 2254, regarding Thomas Moore, St. Louis, which was adopted.

On behalf of Senator Schmitt, Senator Mayer offered Senate Resolution No. 2255, regarding Christopher Lynas, Glendale, which was adopted.

On behalf of Senator Schmitt, Senator Mayer offered Senate Resolution No. 2256, regarding Charles Lauberth, Kirkwood, which was adopted.

On behalf of Senator Schmitt, Senator Mayer offered Senate Resolution No. 2257, regarding Daniel Brummell, St. Louis, which was adopted.

On behalf of Senator Schmitt, Senator Mayer offered Senate Resolution No. 2258, regarding Daniel Kelly, Kirkwood, which was adopted.

On behalf of Senator Schmitt, Senator Mayer offered Senate Resolution No. 2259, regarding Andrew Wiltsch, Glendale, which was adopted.

On behalf of Senator Nieves, Senator Mayer offered Senate Resolution No. 2260, regarding Alex Michael Kasper, Wildwood, which was adopted.

On behalf of Senator Nieves, Senator Mayer offered Senate Resolution No. 2261, regarding Richard Oldenburg, Washington, which was adopted.

On behalf of Senator Dempsey, Senator Mayer offered Senate Resolution No. 2262, regarding Saint Charles Police Officer Ken Mayer, which was adopted.

On behalf of Senator Munzlinger, Senator Mayer offered Senate Resolution No. 2263, regarding David Hill, Palmyra, which was adopted.

Senator Mayer offered Senate Resolution No. 2264, regarding Laura J. Robinson, Dexter, which was adopted.

On behalf of Senator Kehoe, Senator Mayer offered Senate Resolution No. 2265, regarding Travers Kenneth Eugene Hopkins, Sacramento, California, which was adopted.

On behalf of Senator Ridgeway, Senator Mayer offered Senate Resolution No. 2266, regarding John Miller, Weatherby Lake, which was adopted.

COMMUNICATIONS

President Pro Tem Mayer submitted the following:

May 30, 2012

Ms. Terry Spieler
Secretary of the Senate
Room 325, State Capitol
Jefferson City, MO 65101

Re: Joint Committee on the Missouri Criminal Code

Dear Ms. Spieler:

Per Senate Concurrent Resolution 28, I hereby appoint the following Senate Majority members:

Senator Bob Dixon

Senator Mike Parson

With the approval of the Senate Minority Leader, I hereby appoint the following Senate Minority member:

Senator Jolie Justus as Committee Co-Chair

Sincerely,
/s/ Robert N. Mayer
Robert N. Mayer
President Pro Tem

On motion of Senator Mayer, the Senate adjourned sine die, pursuant to the Constitution.

PETER KINDER
Lieutenant Governor

TERRY L. SPIELER
Secretary of the Senate

✓

Journal of the Senate

NINETY-SIXTH GENERAL ASSEMBLY

OF THE

STATE OF MISSOURI

SECOND REGULAR SESSION

VETO SESSION

WEDNESDAY, SEPTEMBER 12, 2012

The Senate was called to order in Veto Session by Lieutenant Governor Peter Kinder.

Reverend Carl Gauck offered the following prayer:

Gracious God, we gather to address the issue of vetoed bills and to determine their fate. So bless us with wisdom and understanding so our decisions are in keeping with Your will. And Lord, we who serve the public interest are perhaps more sensitive to the attack on the American Consulate and so we grieve at the deaths of those who served there. We pray for their families that You may comfort them and that we may make an appropriate response to this violence.

And we pray that You might bless us and make us mindful that this may be the last time we see each other and work together. So we ask Your blessings on the work we have done together that they may be a blessing to our people. And as we gather for our final goodbyes may Your graciousness be experienced and our farewells meaningful and significant to our lives. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Callahan	Chappelle-Nadal	Cunningham	Curls	Dempsey	Dixon	Engler
Goodman	Green	Justus	Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones—33							

Absent—Senators—None

Absent with leave—Senator Crowell—1

Vacancies—None

The Lieutenant Governor was present.

Senator Dempsey announced photographers from KRCG-TV and the Gasconade County Republican were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Dempsey offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Senator Dempsey offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate that the rules of the Senate, as adopted by the Ninety-sixth General Assembly, Second Regular Session, be declared to be the rules of the Veto Session of the Ninety-sixth General Assembly.

On motion of Senator Dempsey, the Senate recessed until 12:40 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Kinder.

COMMUNICATIONS FROM THE GOVERNOR

The following communications, regarding vetoed Senate bills, were received by the Secretary of State, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 566, entitled:

AN ACT

To amend chapter 322, RSMo, by adding thereto one new section relating to vaccination of dogs and cats against rabies.

I disapprove of Senate Committee Substitute for Senate Bill No. 566. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 566 would introduce confusion and conflict into the process by which rabies is detected and treated, a process which is already provided for in Missouri law and which effectively protects Missourians who may have been exposed to rabies.

Rabies is an invariably fatal disease for humans unless timely treatment is administered. A clear, quick, and comprehensive detection process, which includes testing of suspect animals, is therefore critical. Missouri has such a process. Section 322.140, RSMo, sets forth a multidisciplinary approach in which the Missouri Department of Health and Senior Services has the authority, in consultation with veterinarians, local law enforcement, health officials, and health care providers, to confiscate a suspect animal and order testing or other measures deemed appropriate. The scientifically-accepted method for definitively confirming rabies in an animal requires examining brain segments, a process that necessitates the death of the suspect animal. Under current law, public health veterinarians and communicable disease epidemiologists at the Department discuss each case with local health officials, veterinarians, and the medical doctors treating people who may have been exposed to rabies. This multidisciplinary approach properly takes into account both the health of the patient and the condition of the animal. The approach also adequately protects public health.

Senate Committee Substitute for Senate Bill No. 566, by contrast, creates an ambiguous, competing process for detecting and treating rabies,

one that does not supplant what is already provided for in law. By itself, this new and unnecessary process is inadequate to protect the public. Paired with the already existing process, the new provisions will create unwarranted – and most certainly unintended – consequences for Missourians who may become exposed to rabies.

This legislation would give a veterinarian the unilateral authority to determine whether a suspect animal should be euthanized when the veterinarian "deems it necessary for the immediate health of the injured person." Replacing a multidisciplinary team with a single decision-maker would place Missourians who may have been exposed to rabies at significant risk. Veterinarians play an important role in Missouri's system of detecting rabies. But just as a medical doctor lacks the expertise necessary to assess a suspect animal, a veterinarian lacks the expertise necessary to assess the condition of the potentially infected person. That is why the multidisciplinary approach provided by the current law must be preserved.

Moreover, the legislation uses ambiguous terms in establishing this new process. For instance, the "reasonable suspicion" that would trigger the process is undefined and will likely lead to confusion. Similarly, the "proper authorities" to which the owner of a suspect animal must surrender the animal are not specified. Rather, a non-exhaustive list of possible examples – law enforcement officer, public health officer, or veterinarian – is included. For a disease that is fatal without the administration of swift treatment, detection should require a more certain process, like the one currently in place. This legislation undermines the existing process and exposes Missourians to the risk of not receiving life-saving treatment. There is no compelling justification for disrupting the system already provided for in Missouri law.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 566 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569 entitled:

AN ACT

To repeal sections 67.1860, 67.1862, 67.1864, 67.1866, 67.1868, 67.1870, 67.1872, 67.1874, 67.1878, 67.1880, 67.1886, 67.1888, 67.1894, 67.1890, 67.1892, 67.1896, 67.1898, 78.090, 79.070, 99.845, 115.091, 115.123, 115.241, and 115.637, RSMo, and to enact in lieu thereof nineteen new sections relating to elections, with existing penalty provisions.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569. My reasons for disapproval are as follows:

Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569 attempts to amend section 67.1880.2 regarding when and how a property tax that is imposed by the voters of a law enforcement district may become effective. The bill states that such a tax "shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax" (emphasis added). This language makes the effectiveness of the property tax contingent on an event that can never occur – the adoption of a local sales tax that is not provided for in statute. In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Substitute for Senate Bill No. 607 entitled:

AN ACT

To amend chapter 226, RSMo, by adding thereto one new section relating to the regulation of outdoor advertising.

I disapprove of Senate Substitute for Senate Bill No. 607. My reasons for disapproval are as follows:

Senate Substitute for Senate Bill No. 607 addresses the regulation of outdoor advertising. The provisions in this legislation are similar to those contained in Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402; however, the provisions are not identical and, therefore, approval of both bills would result in confusion. Because I have approved Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, approval of Senate Substitute for Senate Bill No. 607 would be both unnecessary and harmful to the regulation of outdoor advertising. My disapproval of Senate Substitute for Senate Bill No. 607 will preserve clarity on the regulation of outdoor advertising.

In accordance with the above stated reasons for disapproval, I am returning Senate Substitute for Senate Bill No. 607 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635 entitled:

AN ACT

To repeal sections 30.270, 34.070, 178.530, 228.368, 301.600, 306.400, 339.500, 339.501, 339.503, 339.505, 339.509, 339.511, 339.513, 339.515, 339.517, 339.525, 339.527, 339.529, 339.532, 339.533, 339.535, 339.537, 339.541, 339.543, 339.545, 339.549, 339.1100, 339.1105, 339.1110, 339.1115, 339.1120, 339.1125, 339.1130, 339.1135. 339.1140, 339.1145, 339.1150, 339.1155, 339.1160, 339.1170, 339.1175, 339.1180, 339.1185, 339.1190, 339.1200, 339.1205, 339.1210, 339.1215, 339.1220, 339.1230, 339.1235, 339.1240, 362.333, and 400.9-311, RSMo, and to enact in lieu thereof thirty-four new sections relating to financial transactions, with penalty provisions and an emergency clause for a certain section.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635. My reasons for disapproval are as follows:

The Missouri Constitution requires that legislation adhere to certain procedural limitations in order "to keep individual members of the legislature and the public fairly apprised of the subject matter of pending laws . . ." as well as to prevent legislative log-rolling – where a number of unrelated amendments are cobbled together to garner support for provisions that could not alone command a majority. *Stroh Brewery Co. v. State*, 954 S.W.2d 323, 325-26 (Mo. banc 1997); *Hammerschmidt v. Boone County*, 877 S.W.2d 98 (Mo. banc 1994). These constitutional limitations are about more than procedure, they are safeguards on the democratic process.

The first such limitation is that "no bill shall be so amended in its passage through either house as to change its original purpose," which is established by a bill's "earliest title and contents." *Mo. Const. Art. III, Sec. 21*; *Legends Bank v. State of Missouri*, 361 S.W.3d 383, 386 (Mo. banc 2012). Notably, the content of the introduced version of this legislation was very much limited to the narrowly stated title of the introduced

bill (i.e., "securities that are pledged for the safekeeping and payment of public funds deposited in banks and financial institutions").

Throughout the legislative process, however, 33 new provisions were added. And while the original purpose requirement does not prohibit subsequent additions or changes, it does restrict "the introduction of matter that is not germane to the object of the legislation or that is unrelated to its original subject." *Stroh*, 954 S.W.2d at 326. Regrettably, several of these new provisions deal with matters unrelated to the safeguarding of deposited public funds, to include the treatment of damages in a civil case and procedures for perfecting liens on refinanced motor vehicles and watercraft. Because these matters are outside the bounds of the legislation's original purpose, Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635 offends the tenets of Article III, Section 21 of the Missouri Constitution.

Next comes Article III, section 23, of the Missouri Constitution, which contains two related prohibitions – the first precludes a bill from containing more than one subject, and the second requires that single subject to be clearly expressed in the bill's title. The "single subject" test is whether all provisions of the bill "fairly relate to the same subject, have a natural connection therewith or are incidents or means to accomplish its purpose." *Hammerschmidt*, 877 S.W.2d at 102. Because a bill's "single subject" is discerned from the title of the bill's final version, the question then becomes whether all of the bill's 34 sections relate to "financial transactions." Indeed they do not. One provision deals with the responsibility of homeowners to maintain private roads, while another establishes standards for licensing real estate appraisers. Even applying the "single subject" test as broadly as the law allows is not enough to encompass these wholly unrelated matters.

Nor can it be said that the title of Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635 would be able to withstand "clear title" scrutiny. "The touchstone of the clear title rule," which is to ensure that the reader is not misled, "is that the bill's title cannot be underinclusive." *C.C. Dillon Company v. City of Eureka*, 12 S.W.3d 322, 329 (Mo. banc. 2000). With that in mind, no reasonable person would anticipate that legislation entitled "relating to financial transactions" would contain 23 pages on real estate appraisers or three pages on the maintenance of private roads.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 715 entitled:

AN ACT

To repeal sections 40.435 and 41.050, RSMo, and to enact in lieu thereof one new section relating to the state militia.

I disapprove of Senate Committee Substitute for Senate Bill No. 715. My reasons for disapproval are as follows:

Senate Committee Substitute for Senate Bill No. 715 would repeal a complaint procedure contained in section 40.435, RSMo. This procedure has been available for nearly thirty years and, while there are other grievance mechanisms available to the members of the Missouri National Guard, a particular situation or issue may justify the use of this reporting process. Therefore, absent a showing that this procedure lacks utility or is otherwise deleterious to the welfare of the Missouri National Guard, this long-standing process should remain an option available to our service men and women.

Senate Committee Substitute for Senate Bill No. 715 also provides the Adjutant General with the discretion to waive the maximum age limitation for members of the Missouri Reserve Military Force. This will provide the Adjutant General with the flexibility necessary to recruit a reserve force that possesses the skills and abilities necessary to assist Missourians in a time of need. However, that provision is duplicative of a provision contained in House Bill No. 1105, which I approved.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 715 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749 entitled:

AN ACT

To repeal section 376.1199, RSMo, and to enact in lieu thereof two new sections relating to the protection of the religious beliefs and moral convictions of certain persons and entities, with an emergency clause.

I disapprove of Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749. My reasons for disapproval are as follows:

Missouri law for over a decade has effectively provided strong religious protections, which I support, giving employers the freedom to abstain from providing or paying for contraceptive coverage in their health plans "if the use or provision of such contraceptives is contrary to the moral, ethical or religious beliefs or tenets of such person or entity." These protections are not limited to religious or religious affiliated organizations. Instead, existing Missouri law provides that any employer, not just religious related entities, with firmly held objections to contraceptives may decline contraceptive coverage. Similarly, these same protections extend to employees who have a moral, ethical or religious opposition to the use or provision of contraceptives regardless of whether their employer is a religious or religious affiliated organization. Nothing in Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749 would enhance these substantive religious protections that have been in place and afforded to employees and employers and will remain part of Missouri law after my action today.

However, Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749 contains a provision that would undermine the priority, found in current law, placed on the moral, ethical or religious beliefs of both employees and employers. Under that provision, an insurance company would be allowed to impose its will, and deny inclusion of contraceptive coverage, even if that position is inconsistent with the rights and beliefs of the employee or employer. The moral, ethical and religious beliefs of Missourians, that are currently honored, should not become secondary to the will of an insurance company. Such an effort would signal a retreat from the liberties enjoyed by employers and employees under current law.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for Senate Bill No. 837 entitled:

AN ACT

To repeal section 407.400, RSMo, and to enact in lieu thereof one new section relating to franchises.

I disapprove of Senate Committee Substitute for Senate Bill No. 837. My reasons for disapproval are as follows:

Two key components to a successful future for Missouri's agricultural economy are the wine and grape industry and our entrepreneurial soybean growers. The changes Senate Committee Substitute for Senate Bill No. 837 would make to Missouri's franchise law threaten to put at substantial risk the gains made by Missouri agriculture since Prohibition, could jeopardize the future growth of Missouri's wineries, and will make it harder for our soybean growers to develop a market for Missouri-made soy-based beer.

Wholesalers are an important component to Missouri's comprehensive three-tiered system of alcoholic beverage regulation. Effective wholesalers benefit suppliers by providing distribution opportunities that can enhance suppliers' market share, opportunities suppliers may not be able to identify independently. However, because wholesalers exercise the gate keeping role in our three-tiered system, suppliers – particularly small suppliers such as Missouri's wineries and microbrewers – often start with a bargaining power deficit in contract negotiations. Thereafter, when a wholesaler underperforms or non-performs on a contract, because the supplier is dependent on the wholesaler for market access, the supplier may never succeed in growing its sales and, as a result, never acquire sufficient bargaining power to negotiate better contract terms with the wholesaler.

Overlaying the effect of Missouri's three-tiered system on the comparative bargaining power of suppliers and wholesalers is the applicability of Missouri's franchise law to their relationships with one another. Senate Committee Substitute for Senate Bill No. 837 strikes two of three elements from the definition of a "franchise" when applied to the contractual relationships between liquor suppliers and wholesalers. As a result, if this bill were to become law, the only element left to make a contract between a supplier and a wholesaler a "franchise" would be the existence of the contract itself – nothing more. All contracts between liquor suppliers and wholesalers – whether oral or written, whether of definite or indefinite duration – would be converted into franchise agreements. And only a showing of "good cause," which applies in only a limited set of circumstances, would permit the valid termination of franchise contracts.

The law narrowly defines "good cause" for termination so that avenues to escape a franchise are curtailed and the parties who have invested substantial resources in the franchise – particularly the franchisee – are protected. But the combination of the definitional changes to a franchise wrought by Senate Committee Substitute for Senate Bill No. 837 and the existing law's limitations on the termination of such contracts threatens to lock suppliers into contracts with wholesalers, with no effective means of relief. In this situation, competition is diminished, the consumer inevitably suffers and Missouri agriculture is harmed.

Senate Committee Substitute for Senate Bill No. 837 goes much further than a mere declaration or clarification of legislative intent. The bill changes the substantive definition of a franchise – a change that appears inconsistent with the legislative intent of the existing law as indicated by the clear meaning of its text. Protecting wholesalers from wrongful contract termination where they have expended substantial resources promoting and distributing a supplier's product is an important policy objective. However, the wholesalers' protection cannot come through the near-total vitiation of the suppliers' flexibility and contractual bargaining power; such is too high a price to pay and this bill attempts to exact precisely that price.

The result of my action today will be to preserve suppliers' contractual bargaining power, particularly for many of Missouri's existing small wineries and microbrewers, as well as new market entrants such as our soybean growers, as they negotiate with wholesalers to distribute their products. This action will have no effect on the contractual relationships between any suppliers and wholesalers whose agreements already fit within the longstanding definition of a franchise under Missouri law.

In accordance with the above stated reasons for disapproval, I am returning Senate Committee Substitute for Senate Bill No. 837 without my approval.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Senator Dempsey moved that the Senate proceed to the order of business of Vetoed Bills, and that the calendar be called, which motion prevailed.

SCS for **SB 566** was called thereafter and no motion was taken thereon.

CCS for **HCS** for **SCS** for **SB 569** was called thereafter and no motion was taken thereon.

SS for **SB 607** was called thereafter and no motion was taken thereon.

CCS for **HCS** for **SCS** for **SB 635** was called thereafter and no motion was taken thereon.

SCS for **SB 715** was called thereafter and no motion was taken thereon.

Senator Pearce assumed the Chair.

President Kinder assumed the Chair.

Senator Lamping moved that **CCS** for **HCS** for **SS** for **SB 749** be passed, the objections of the Governor thereto notwithstanding, which motion received the necessary two-thirds majority by the following vote:

YEAS—Senators

Brown	Callahan	Cunningham	Dempsey	Dixon	Engler	Goodman	Kehoe
Kraus	Lager	Lamping	Lembke	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Purgason	Richard	Ridgeway	Rupp	Schaaf	Schmitt
Stouffer	Wasson—26						

NAYS—Senators

Chappelle-Nadal	Curls	Green	Justus	Keaveny	Schaefer—6

Absent—Senator Wright-Jones—1

Absent with leave—Senator Crowell—1

Vacancies—None

SCS for **SB 837** was called thereafter and no motion was taken thereon.

RESOLUTIONS

Senator Dempsey offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 3

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of Senate Committee Substitute for Senate Bill No. 566; Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569; Senate Substitute for Senate Bill No. 607; Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635; Senate Committee Substitute for Senate Bill No. 715; and Senate Committee Substitute for Senate Bill No. 837 when the bills were so called by the President.

Senator Cunningham offered Senate Resolution No. 4, regarding Richard A. Navarre, which was adopted.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2012 Constitutional Veto Session and ready for consideration of business.

On motion of Senator Dempsey, the Senate recessed until 1:45 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Mayer.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **HB 1219**, **HB 1250**, **SS** for **HCS** for **HB 1329**, **SCS** for **HCS** for **HB 1758**, **SCS** for **HCS** for **HB 1789**, **HCS** for **HB 1900**, **CCS** for **SS** for **SCS** for **HCS** for **HB 2004**, **CCS** for **SS** for **SCS** for **HCS** for **HB 2007** and **CCS** for **SS** for **SCS** for **HCS** for **HB 2010** when the bills were called by the Speaker.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has passed Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749, the objections of the Governor thereto notwithstanding.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the attached is a certified copy of the Roll Call on Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749.

AYES: 109

Allen	Asbury	Bahr	Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Wyatt	Zerr			

NOES: 45

Anders	Aull	Black	Carlson	Carter	Colona	Conway 27	Ellinger
Ellington	Hodges	Holsman	Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty	McCreery	McDonald	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber			

Absent: 7

Atkins	Brown 50	Franz	Hughes	Largent	McGeoghegan	Meadows

Vacancies: 2

INTRODUCTIONS OF GUESTS

Senator Kehoe introduced to the Senate, Anne-Theresa Sippel, Bayreuth, Germany; and Kris Ballenger, Jefferson City.

Senator Dempsey introduced to the Senate, his wife, Molly, St. Charles.

Senator Mayer introduced to the Senate, former State Senator Jim Mathewson, Sedalia.

The President introduced to the Senate, former State Senator Charlie Shields and his wife, Brenda, St. Joseph.

Senator Goodman introduced to the Senate, his wife Laura, their sons Jack Elliott and William True, Mt. Vernon; and his mother, Joyce Goodman, Pierce City; and Jack Elliott and William True were made honorary pages.

Senator Lembke introduced to the Senate, Lisa Mueller, parents and fourth grade students from Holy Redeemer, Webster Groves.

Senator Kehoe introduced to the Senate, Coaches Jared Wood, Darrell Luebbert and Garrett Wiggans and members of the Class 2 First Place South Callaway boys baseball team, Mokane.

Senator Goodman introduced to the Senate, Harrison Edward Jobes, and his parents, Tucker and Megan, Springfield; and Harrison Edward was made an honorary page.

On motion of Senator Dempsey, the Senate of the Veto Session of the Second Regular Session of the 96th General Assembly adjourned sine die, pursuant to the Constitution.

PETER D. KINDER
Lieutenant Governor

TERRY L. SPIELER
Secretary of Senate

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Missouri House Daily Journals

House Journal (Beg. & End. Pages)

First Day, Wednesday, January 04, 2012 (0001-0026)
Third Day, Monday, January 09, 2012 (0036-0044)
Fifth Day, Wednesday, January 11, 2012 (0056-0064)
Seventh Day, Tuesday, January 17, 2012 (0080-0103)
Ninth Day, Thursday, January 19, 2012 (0122-0137)
Eleventh Day, Tuesday, January 24, 2012 (0150-0161)
Thirteenth Day, Thursday, January 26, 2012 (0172-0182)
Fifteenth Day, Tuesday, January 31, 2012 (0192-0201)
Seventeenth Day, Thursday, February 02, 2012 (0215-0225)
Nineteenth Day, Tuesday, February 07, 2012 (0241-0260)
Twenty-First Day, Thursday, February 09, 2012 (0279-0296)
Twenty-Third Day, Tuesday, February 14, 2012 (0310-0327)
Twenty-Fifth Day, Thursday, February 16, 2012 (0349-0358)
Twenty-Seventh Day, Monday, February 20, 2012 (0365-0382)
Twenty-Ninth Day, Wednesday, February 22, 2012 (0393-0412)
Thirty-First Day, Monday, February 27, 2012 (0434-0442)
Thirty-Third Day, Wednesday, February 29, 2012 (0453-0464)
Thirty-Fifth Day, Monday, March 05, 2012 (0488-0503)
Thirty-Seventh Day, Wednesday, March 07, 2012 (0527-0558)
Thirty-Ninth Day, Monday, March 19, 2012 (0601-0613)
Forty-First Day, Wednesday, March 21, 2012 (0642-0667)
Forty-Third Day, Friday, March 23, 2012 (0702-0709)
Forty-Fifth Day, Tuesday, March 27, 2012 (0721-0741)
Forty-Seventh Day, Thursday, March 29, 2012 (0824-0863)
Forty-Ninth Day, Monday, April 02, 2012 (0871-0877)
Fifty-First Day, Wednesday, April 04, 2012 (0902-0951)
Fifty-Third Day, Tuesday, April 10, 2012 (0977-0983)
Fifty-Fifth Day, Thursday, April 12, 2012 (1029-1049)
Fifty-Seventh Day, Tuesday, April 17, 2012 (1069-1086)
Fifty-Ninth Day, Thursday, April 19, 2012 (1109-1147)
Sixty-First Day, Tuesday, April 24, 2012 (1157-1199)
Sixty-Third Day, Thursday, April 26, 2012 (1275-1299)
Sixty-Fifth Day, Tuesday, May 01, 2012 (1342-1438)
Sixty-Seventh Day, Thursday, May 03, 2012 (1516-1562)
Sixty-Ninth Day, Tuesday, May 08, 2012 (1623-1655)
Seventy-First Day, Thursday, May 10, 2012 (1797-1846)
Seventy-Third Day, Tuesday, May 15, 2012 (1935-2030)
Seventy-Fifth Day, Thursday, May 17, 2012 (2352-2585)
Seventy-Seventh Day, Wednesday, May 30, 2012 (2734-2738)

House Journal (Beg. & End. Pages)

Second Day, Thursday, January 05, 2012 (0027-0035)
Fourth Day, Tuesday, January 10, 2012 (0045-0055)
Sixth Day, Thursday, January 12, 2012 (0065-0079)
Eighth Day, Wednesday, January 18, 2012 (0104-0121)
Tenth Day, Monday, January 23, 2012 (0138-0149)
Twelfth Day, Wednesday, January 25, 2012 (0162-0171)
Fourteenth Day, Monday, January 30, 2012 (0183-0191)
Sixteenth Day, Wednesday, February 01, 2012 (0202-0214)
Eighteenth Day, Monday, February 06, 2012 (0226-0240)
Twentieth Day, Wednesday, February 08, 2012 (0261-0278)
Twenty-Second Day, Monday, February 13, 2012 (0297-0309)
Twenty-Fourth Day, Wednesday, February 15, 2012 (0328-0348)
Twenty-Sixth Day, Friday, February 17, 2012 (0359-0364)
Twenty-Eighth Day, Tuesday, February 21, 2012 (0383-0392)
Thirtieth Day, Thursday, February 23, 2012 (0413-0433)
Thirty-Second Day, Tuesday, February 28, 2012 (0443-0452)
Thirty-Fourth Day, Thursday, March 01, 2012 (0465-0487)
Thirty-Sixth Day, Tuesday, March 06, 2012 (0504-0526)
Thirty-Eighth Day, Thursday, March 08, 2012 (0559-0600)
Fortieth Day, Tuesday, March 20, 2012 (0614-0641)
Forty-Second Day, Thursday, March 22, 2012 (0668-0701)
Forty-Fourth Day, Monday, March 26, 2012 (0710-0720)
Forty-Sixth Day, Wednesday, March 28, 2012 (0742-0823)
Forty-Eighth Day, Friday, March 30, 2012 (0864-0870)
Fiftieth Day, Tuesday, April 03, 2012 (0878-0901)
Fifty-Second Day, Thursday, April 05, 2012 (0952-0976)
Fifty-Fourth Day, Wednesday, April 11, 2012 (0984-1028)
Fifty-Sixth Day, Monday, April 16, 2012 (1050-1068)
Fifty-Eighth Day, Wednesday, April 18, 2012 (1087-1108)
Sixtieth Day, Monday, April 23, 2012 (1148-1156)
Sixty-Second Day, Wednesday, April 25, 2012 (1200-1274)
Sixty-Fourth Day, Monday, April 30, 2012 (1300-1341)
Sixty-Sixth Day, Wednesday, May 02, 2012 (1439-1515)
Sixty-Eighth Day, Monday, May 07, 2012 (1563-1622)
Seventieth Day, Wednesday, May 09, 2012 (1656-1796)
Seventy-Second Day, Monday, May 14, 2012 (1847-1934)
Seventy-Fourth Day, Wednesday, May 16, 2012 (2031-2351)
Seventy-Sixth Day, Friday, May 18, 2012 (2586-2733)
First Veto Day, Wednesday, September 12, 2012 (0001-0018)

Journal of the House

NINETY-SIXTH GENERAL ASSEMBLY
of the
STATE OF MISSOURI

SECOND REGULAR SESSION

FIRST DAY, WEDNESDAY, JANUARY 4, 2012

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

He that loveth not, knoweth not God; for God is love. (I John 4:8)

Our God, to You do we come in prayer, lifting our minds and hearts into Your Holy presence as we begin in 2012. Assure us that You are with us and that we have a real place in Your heart and in Your endeavors to bring righteousness and peace and good will to our state.

We know that we are all too imperfect and that we have offended You - yet we believe that You are with us, loving us with a love that never lets us go and never lets us down. In Your love we live, by Your love we learn, and through Your love we find light for our day. May we be our loving best as we face the tasks of this day and session.

And the House says, "Amen!"

The Malden Route 1 Junior ROTC Color Guard presented the Colors.

The Pledge of Allegiance to the flag was recited.

Representative Jones (89) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 151

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey

Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 001

Atkins

ABSENT WITH LEAVE: 007

Carter	Hughes	Kelly 24	McNary	Meadows
Smith 71	Weter			

VACANCIES: 004

The members of the Malden Route 1 Junior ROTC program were presented a resolution by Representative Hampton.

COMMUNICATIONS FROM THE SECRETARY OF STATE

TO THE CHIEF CLERK OF THE MISSOURI HOUSE
Mr. Adam Crumbliss
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 41st Legislative District in the State of Missouri, on the 8th day of November, 2011, as provided by law, the following named person was elected to the office of State Representative, 41st Legislative District as shown by the election results certified to this office by the election authorities of the 41st Legislative District.

Name	**Office**
Brandon Ellington 3836 Chestnut Ave. Kansas City, MO 64128	State Representative 41st Legislative District

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office this 29th day of November, 2011.

/s/ Robin Carnahan
Secretary of State

TO THE CHIEF CLERK OF THE MISSOURI HOUSE
Mr. Adam Crumbliss
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 83rd Legislative District in the State of Missouri, on the 8th day of November, 2011, as provided by law, the following named person was elected to the office of State Representative, 83rd Legislative District as shown by the election results certified to this office by the election authorities of the 83rd Legislative District.

Name	**Office**
Tracy McCreery 41 Rye Lane St. Louis, MO 63132	State Representative 83rd Legislative District

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office this 29th day of November, 2011.

/s/ Robin Carnahan
Secretary of State

TO THE CHIEF CLERK OF THE MISSOURI HOUSE
Mr. Adam Crumbliss
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 39th Legislative District in the State of Missouri, on the 8th day of November, 2011, as provided by law, the following named person was elected to the office of State Representative, 39th Legislative District as shown by the election results certified to this office by the election authority of the 39th Legislative District.

Name	**Office**
Judy Morgan 3837 Campbell St. Kansas City, MO 64109	State Representative 39th Legislative District

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the seal of my office this
29th day of November, 2011.

/s/ Robin Carnahan
Secretary of State

_____

TO THE CHIEF CLERK OF THE MISSOURI HOUSE
Mr. Adam Crumbliss
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 15th Legislative District in the State of Missouri, on the 8th day of November, 2011, as provided by law, the following named person was elected to the office of State Representative, 15th Legislative District as shown by the election results certified to this office by the election authority of the 15th Legislative District.

Name	**Office**
Chrissy Sommer 6 Williamsburg Ct. St. Charles, MO 63303	State Representative 15th Legislative District

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the seal of my office this
29th day of November, 2011.

/s/ Robin Carnahan
Secretary of State

_____

To the Honorable House of Representatives of the 96th General Assembly, Second Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 96th General Assembly (Second Regular Session) of the State of Missouri, elected at the General Election held on November 2, 2010, and the Special Election held November 8, 2011.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 4th day of January, 2012.

/s/ Robin Carnahan
Secretary of State

MISSOURI HOUSE OF REPRESENTATIVES
96th General Assembly, Second Regular Session

District	Name
1st	Craig Redmon
2nd	Zachary R. Wyatt
3rd	Casey Lee Guernsey

4th	Mike Thomson
5th	Glen O. Klippenstein
6th	Lindell F. Shumake
7th	Mike Lair
8th	Tom Shively
9th	Paul Quinn
10th	Jay D. Houghton
11th	Ed Schieffer
12th	Doug Funderburk
13th	Chuck Gatschenberger
14th	Kathie Conway
15th*	Chrissy Sommer
16th	Mark A. Parkinson
17th	Vicki A. Schneider
18th	Anne Zerr
19th	Kurt M. Bahr
20th	Jeanie Riddle
21st	John W. Cauthorn
22nd	Randy C. Asbury
23rd	Stephen D. Webber
24th	Chris Kelly
25th	Mary Wynne Still
26th	Joe Aull
27th	Pat Conway
28th	Delus Johnson
29th	Galen Wayne Higdon, Jr.
30th	Nick Marshall
31st	Jay P. Swearingen
32nd	Ron Schieber
33rd	Jerry Nolte
34th	Myron J. Neth
35th	T.J. Berry
36th	Bob Nance
37th	Mike Talboy
38th	Ryan A. Silvey
39th*	Judy Morgan
40th	John J. Rizzo
41st*	Brandon Ellington
42nd	Leonard Hughes IV
43rd	Gail McCann Beatty
44th	Jason Kander
45th	Jason Holsman
46th	Kevin McManus
47th	Jeff Grisamore
48th	Gary L. Cross
49th	Tom McDonald
50th	Michael R. Brown
51st	Ira Anders
52nd	Noel S. Torpey
53rd	Brent Lasater
54th	Jeanie Lauer
55th	Sheila Solon
56th	Mike Cierpiot
57th	Karla May

*Elected at a Special Election held November 8, 2011.

58th	Penny V. Hubbard
59th	Jeanette Mott Oxford
60th	Jamilah Nasheed
61st	Chris Carter III
62nd	Donald E. (Don) Phillips
63rd	Tishaura O. Jones
64th	Susan Carlson
65th	Michele R. Kratky
66th	Genise D. Montecillo
67th	Mike Colona
68th	David Sater
69th	Tommie L. Pierson
70th	Sharon L. Pace
71st	Clem Smith
72nd	Rory Ellinger
73rd	Stacey Newman
74th	Steve E. Webb Sr.
75th	Bert Atkins
76th	Churie M. Spreng
77th	Eileen M. McGeoghegan
78th	Margo McNeil
79th	Mary Nichols
80th	Sylvester Taylor II
81st	Rochelle Walton Gray
82nd	Jill Schupp
83rd*	Tracy McCreery
84th	Don Gosen
85th	Cloria C. Brown
86th	Cole C. McNary
87th	John J. Diehl Jr.
88th	Andrew P. Koenig
89th	Timothy W. Jones
90th	John C. McCaherty
91st	Jeanne M. Kirkton
92nd	Susan K. (Sue) Allen
93rd	Dwight Scharnhorst
94th	Rick Stream
95th	Mike Leara
96th	Scott Sifton
97th	Gary B. Fuhr
98th	Dave Hinson
99th	Bart Korman
100th	Marsha E. Haefner
101st	Timothy G. (Tim) Meadows
102nd	Paul Wieland
103rd	Ron Casey
104th	Joseph Fallert Jr.
105th	Paul R. Curtman
106th	Steven D. Tilley
107th	Linda Black
108th	Jacob W. Hummel
109th	Scott David Dieckhaus
110th	Ben S. Harris
111th	Dave A. Schatz

*Elected at a Special Election held November 8, 2011.

112th	Tom Loehner
113th	Mike Bernskoetter
114th	Jay Barnes
115th	Rodney Schad
116th	Wanda Brown
117th	Caleb M. Jones
118th	Stanley Cox
119th	Sandy Crawford
120th	Scott Largent
121st	Denny L. Hoskins
122nd	Michael W. (Mike) McGhee
123rd	Chris Molendorp
124th	Rick R. Brattin
125th	Barney J. Fisher
126th	Mike Kelley
127th	Thomas C. Flanigan
128th	Charlie E. Davis
129th	Bill White
130th	Bill Reiboldt
131st	Bill Lant
132nd	Don Ruzicka
133rd	Sue Entlicher
134th	Thomas Long
135th	Charlie Denison
136th	Eric Burlison
137th	Melissa Leach
138th	Sara Lampe
139th	Shane Schoeller
140th	Lincoln P. Hough
141st	Kevin Elmer
142nd	Ray Weter
143rd	Lyle E. Rowland
144th	Tony Dugger
145th	Lyndall D. Fraker
146th	Darrell Pollock
147th	Don D. Wells
148th	David A. Day
149th	Keith J. Frederick
150th	Jason Smith
151st	Ward Franz
152nd	Paul Fitzwater
153rd	Steve C. Cookson
154th	Todd Richardson
155th	Diane Franklin
156th	Shelley Keeney
157th	Donna Lichtenegger
158th	Wayne Wallingford
159th	Billy Pat Wright
160th	Ellen C. Brandom
161st	Steve Hodges
162nd	Terry Swinger
163rd	Kent Hampton

ADDRESS BY SPEAKER STEVEN TILLEY

Friends, family and colleagues, welcome back to the Missouri House of Representatives.

As I've glanced into the very near future and see my life outside of this building (and man will that be nice), I've also been thinking a lot about those Missourians who do not think of what goes on in this building - the person who is not partisan or ideological and who doesn't spend their time reading blogs or spreading political gossip.

What does that person desire out of their state government? I think there are four things:

- First, they believe government should stay out of their wallets and live within its means just as they must do in their own lives.
- Second, they believe state government should respect and protect Missouri values.
- Third, they believe state government ought to work to create an environment in which our economy can flourish.
- And finally, Missourians believe that all children deserve a world-class education, regardless of gender, geography, income, or race.

Today, I am going to lay out a plan called the Blueprint for Missouri that I believe will accomplish these goals. In this year's legislative session, we will stay out of the taxpayer's wallet and force state government to live within its means. We will pass a taxpayer protection amendment to give Missourians the opportunity to end the boom-or-bust budget cycle by placing strict limits on the growth of government.

And I stand here today to renew our pledge to pass yet another balanced budget…a budget balanced by making the tough decisions the voters sent us here to make, not by raising taxes on hardworking Missourians.

Unlike Washington, we won't balance our budget by borrowing from the taxpayer, and, unlike our governor, we will not balance our budget by asking our state colleges and universities for a bailout.

We will respect and defend the values of Missouri voters by passing legislation protecting pharmacists' right of conscience not to prescribe abortion drugs; creating a stable funding source for Missouri veterans' homes, and ensuring Missouri law protects our children from predators.

In this economy, Missourians expect us to get to work, to help get them back to work. To do that, we must work to create an economic climate where businesses believe they can not only keep their doors open, but can grow, and hire. This session, we will work to give employers the stability they need by taking a comprehensive look at the laws effecting Missouri businesses and work to provide them with the relief they need. We will work to protect Missouri employers from frivolous law suits from being filed against them by instituting a 'loser pays' legal system, where those who file junk lawsuits against our job creators and lose are forced to pay the bill.

And we will focus on education to improve the prospects of long-term growth. For too many years we've done nothing to help Missouri children in failing school districts. As your Speaker, I make this pledge to the thousands of Missouri children currently in failing schools: You are not forgotten, and we will fight each and every day here in the Missouri House to give you the kind of quality education every child deserves.

If I ended right now it would probably go down as the shortest opening day speech in Missouri history.

In seven – now eight years – of service in this body, I've never heard a fellow member say that the Speaker's opening day speech was too short. Every year the Speaker trudges up here and uses flowery language to recite a laundry list of legislative priorities. Having been freed from the shackles of seeking future elected office, that's not the speech you're going to hear today. Instead, I want to talk about life and those special moments that make it so amazing.

As I enter my last session in the General Assembly, and personally go through a difficult time in my life, I have had time to reflect back on my achievements and the memorable moments. The interesting thing is that it's not the legislative or political victories that bring a smile to my face, it's the personal moments with past and present members that touched my heart or taught me something that I will take with me long after I'm gone. I want to share a few of those with you today.

It's no secret in this building or across the state that I get along with members of both parties and have developed some close friendships with many Democrats. One of those friendships is with former State Senator Jeff Smith. Jeff was once a rising star not just in the Democratic Party – but in Missouri and perhaps national politics. He was smart, charismatic, and hard working. He had it all – well, except height – Jeff's so short he makes our majority leader look like a giant. Heck, he was even a movie star. But as we all know – Jeff's world came crumbling down – and he ended up doing time in prison for what he would admit were stupid mistakes.

I was one of the few people from the political world who visited Jeff in prison. So I go to visit him, and I'm asking Jeff how it is – and it's rough. Then I ask him who he's seen or talked to, and he tells me, "When I was in the Senate I had 4,000 contacts in my phone. – 4,000 friends, colleagues, constituents. People who I believed cared about me. But since my fall, only about 100 of those people have stayed in contact with me." I told him I was sorry, and his response surprised me. "Don't be sorry," he said. "It's one of the few positives of this whole thing." Before he went to prison, Jeff said he spent 95 percent of his time with the 3,900 people in his contact list that didn't truly care about him. But when he left, he knew he was going to spend 100 percent of his time with the people who truly did care about him and love him.

The reason I share this story is that we are all elected officials -- with important jobs – and with our responsibilities comes a list of people who want our time and attention. Your contact list has undoubtedly grown substantially since you started in this job. But do not lose track of the people who truly care about you for being you. I stand before you today with full knowledge that I lost track for a time and it's something I will always regret.

Don't let that happen to you. Focus your time on the people who love you for who you are, not for what title you attain.

Along those same lines, it wasn't long ago that one of our colleagues, Representative Colona, lost his mother to cancer. I remember getting the visitation schedule and thinking I was really busy and wasn't sure if I had time to go. But Mike is someone that I admire and respect and am honored to call my friend, so I made time. At the visitation, I was with Mike and his family and listening to the memorable times they had with their mom, but also acknowledging the sorrow of no longer having her in their lives.

As I left the visitation, I remember thanking God for still having my mother in my life. And it made me realize that since entering politics that I had not gone to see her nearly as often as I once did – or call as often as I should. In Mike's moment of loss, he taught me something I should have been smart enough to know on my own – and for that, Mike, I will always be grateful.

As Speaker, I've also been able to see great moments. It never ceases to amaze me how, as elected officials, we often have the chance to create a memorable moment in someone else's life – but that moment in turn becomes a memorable moment for us. I've had countless experiences like that – but one in particular stands out.

Last year, I invited a former member of the House from Poplar Bluff to come speak to the Republican caucus. The former member was Mark Richardson – our colleague Todd Richardson's father.

Now I've never been to an entire Democratic caucus meeting – so I'm not sure exactly how they go, but I'm confident they're not too different than ours. Most caucus meetings take place just before we go up to the floor to start the week – so everyone is ready to get the heck out the door before we even start.

But in comes Mark Richardson. I know many folks in our caucus knew little to nothing about him. But I also knew he was regarded by many as one of the best public servants they'd ever met – and that, boy could he ever tell a story. Mark stands in caucus and tells the story of how he was this close to becoming Speaker from the Minority Party.

Mark spoke for 30 minutes – and as I looked around the room everyone was on the edge of their seat. No one was checking their watch or their phone. No one was going in and out of the room. Todd's dad captured our entire caucus for 30 uninterrupted minutes with just his own ability to tell a story. As Mark finished, I glanced over at Todd. He didn't say anything but you could tell how proud he was of his father.

As we left caucus and proceeded upstairs, I grabbed Todd and his father and asked if they would join me at the dais. That day I got to witness Mark, a former member of the House who never served in the majority, be introduced by his son, who was presiding over the Missouri House of Representatives.

A few weeks later I received a thank-you letter from Mark that said, "You gave me one of the greatest moments of my life, and for that I will always be grateful." It's moments like these that make life special, and each of you have the ability to create those moments for people. I would encourage you to try as often as you can because when you reflect back, those moments will be just as special to you as they were to them.

With that, I want to leave you with a word of advice from a dear friend of mine – a person who is controversial on our side of the building. Yes, Jason Crowell.

When I first came here seven years ago, Senator Crowell gave me a piece of advice that I've carried with me ever since. He said, "Leave the building a better place than how you found it."

In seven years, I've done my best to foster bipartisanship – to calm the tone of debate – and to make friendships across the aisle. When I go back to private life, my fondest memories will not be the bills I helped pass or even the fights we won on the floor. Instead, it will be the moments of friendship I shared with both Republicans and Democrats – and both House members and Senate members.

This building wears us down. We come here from January to May, leaving our families behind, and often feel like we're fighting tooth and nail for everything against everyone. We have a tendency to get too caught up in the fights – and forget just how awesome it is to have the opportunity to be here serving the people. And how, despite our differences in opinion, we all share a commitment to public service that brings us together. Now, I'm not suggesting we spend the next four months holding hands. To do so would be to abandon our mission to represent our constituents. But let's always remember that our common commitment to service and doing what is best for our constituents outweighs even our genuine disagreements on policy.

As we go through this session, I ask that you remember the words of Senator Crowell: Leave this building better than you found it.

Thank you for your shared service. Let's have a great session. May God Bless the United States of America and the Great State of Missouri.

Speaker Pro Tem Schoeller assumed the Chair.

The Preamble and Article I of the Missouri State Constitution were read by members of the 96th General Assembly.

Pursuant to Section 9.141, RSMo, the Bill of Rights was read by Marilyn Seaton, Senior Journal Clerk, Office of the Assistant Chief Clerk.

HOUSE RESOLUTIONS

Representative Jones (89) offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

On motion of Representative Jones (89), **House Resolution No. 1** was adopted.

Representative Jones (89) offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-sixth General Assembly, Second Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Resolution No. 2** was adopted.

HOUSE CONCURRENT RESOLUTIONS

Representative Jones (89) offered **House Concurrent Resolution No. 1**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Tuesday, January 17, 2012, to receive a message from His Excellency, the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-sixth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Concurrent Resolution No. 1** was adopted.

Representative Jones (89) offered **House Concurrent Resolution No. 2**, which was read.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 18, 2012, to receive a message from the Honorable Richard B. (Rick) Teitelman, Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and the Senate of the Ninety-sixth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Jones (89), **House Concurrent Resolution No. 2** was adopted.

HOUSE RESOLUTIONS

Representative Jones (89) offered House Resolution No. 3.
Representative Fuhr offered House Resolution No. 9 and House Resolution No. 10.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 4 through House Resolution No. 8
House Resolution No. 11 through House Resolution No. 13

INTRODUCTION OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were read the first time and copies ordered printed:

HCR 3, introduced by Representative Scharnhorst, relating to submission of a proposed federal balanced budget amendment to the United States Constitution.

HCR 4, introduced by Representative Gatschenberger, relating to the calling of a convention proposing amendments to the United States Constitution.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 39, introduced by Representatives Schoeller and Smith (150), relating to the general assembly.

HJR 40, introduced by Representatives Schoeller and Smith (150), relating to a fair ballot commission.

HJR 41, introduced by Representative Nasheed, relating to the term limit reform act.

HJR 42, introduced by Representative Sater, relating to the general assembly.

HJR 43, introduced by Representatives Burlison, Gatschenberger and Cox, relating to the commonsense obligation to provide accountability and spending stabilization act.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1029, introduced by Representatives Flanigan and Allen, relating to the oversight subcommittee of the committee on legislative research.

HB 1030, introduced by Representatives Flanigan and Allen, relating to amnesty for certain taxes.

HB 1031, introduced by Representatives Flanigan and Allen, relating to amnesty for certain taxes.

HB 1032, introduced by Representative Allen, relating to adoption investigations.

HB 1033, introduced by Representative Allen, relating to supplemental breast cancer screening.

HB 1035, introduced by Representatives Swinger and Kelley (126), relating to an income tax deduction for storm shelters.

HB 1036, introduced by Representative Dugger, relating to political party emblems on ballots.

HB 1037, introduced by Representative Dugger, relating to the compensation of road district commissioners.

HB 1038, introduced by Representative Leara, relating to distribution of local sales taxes.

HB 1039, introduced by Representative Leara, relating to the Missouri local government employees' retirement system.

HB 1040, introduced by Representative Hinson, relating to emergency vehicles.

HB 1041, introduced by Representative Thomson, relating to the transfer of property by the governing boards of certain state universities.

HB 1042, introduced by Representative Thomson, relating to duties prescribed to the coordinating board for higher education.

HB 1043, introduced by Representative Thomson, relating to state funding for elementary and secondary education.

HB 1044, introduced by Representative Weter, relating to motor fuel prices.

HB 1045, introduced by Representative Day, relating to concealed carry endorsements.

HB 1046, introduced by Representative Rowland, relating to declarations of candidacy.

HB 1047, introduced by Representative Rowland, relating to common interest owners bill of rights act.

HB 1048, introduced by Representative Schneider, relating to school directors in urban districts.

HB 1049, introduced by Representatives Allen and Flanigan, relating to school safety.

HB 1050, introduced by Representative Molendorp, relating to insurance coverage for certain services.

HB 1051, introduced by Representatives Allen, Flanigan and Stream, relating to a one-time audit and analysis of fiscal practices and cost savings in state agencies.

HB 1052, introduced by Representatives Allen and Flanigan, relating to primary elections.

HB 1053, introduced by Representatives Lant, Flanigan and Reiboldt, relating to prevailing wages.

HB 1054, introduced by Representatives Lant and Reiboldt, relating to unlawful picketing of a funeral.

HB 1055, introduced by Representatives Lant, Flanigan and Reiboldt, relating to an income tax deduction for storm shelters.

HB 1056, introduced by Representatives Lant and Reiboldt, relating to a surcharge on recreational activities for emergency services purposes.

HB 1057, introduced by Representative Brattin, relating to inmate charges for medical treatment at correctional facilities.

HB 1058, introduced by Representative Brattin, relating to newborn screenings.

HB 1059, introduced by Representative Dugger, relating to recounts of votes.

HB 1060, introduced by Representative Dugger, relating to elections.

HB 1061, introduced by Representatives Flanigan and Allen, relating to the issuance of economic development bonds.

HB 1062, introduced by Representatives Dieckhaus and Lampe, relating to school accountability.

HB 1063, introduced by Representative Conway, relating to the designation of the official state exercise.

HB 1064, introduced by Representative McGhee, relating to scrap metal operators.

HB 1065, introduced by Representative McGhee, relating to certain parties being allowed to prosecute their claims and defenses without the assistance of an attorney.

HB 1066, introduced by Representative McGhee, relating to unemployment compensation.

HB 1067, introduced by Representative McGhee, relating to the duties of the board of probation and parole.

HB 1068, introduced by Representative McGhee, relating to the Missouri state park board.

HB 1069, introduced by Representative McGhee, relating to a tax credit for processed biomass engineered fiber fuel.

HB 1070, introduced by Representative Sater, relating to legend drugs.

HB 1071, introduced by Representative Sater, relating to radon awareness during real estate transactions.

HB 1072, introduced by Representative Sater, relating to the volunteer health services act.

HB 1073, introduced by Representative Sater, relating to the Missouri grain dealer law.

HB 1074, introduced by Representative Sater, relating to uninsured motorist insurance coverage.

HB 1075, introduced by Representative Sater, relating to pharmacies.

HB 1076, introduced by Representative Wyatt, relating to renewable energy resources in state parks.

HB 1077, introduced by Representative Wyatt, relating to developmental disabilities facilities.

HB 1078, introduced by Representative Sater, relating to MO HealthNet dental benefits.

HB 1079, introduced by Representative Sater, relating to heritage birth certificates and heritage marriage certificates.

HB 1080, introduced by Representatives Kander, Lampe, Aull, Schupp, Still and Ellinger, relating to ethics.

HB 1081, introduced by Representatives Wells, Rowland, Wright and Kelley (126), relating to prescription eye drop refills.

HB 1082, introduced by Representatives Wells, Rowland and Wright, relating to licensed professional counselors.

HB 1083, introduced by Representatives Wells, Dugger, Wright, Kelley (126), Rowland and Phillips, relating to text messaging while operating motor vehicles.

HB 1084, introduced by Representatives White, Davis, Kelley (126), Curtman and Brown (116), relating to donated goods.

HB 1085, introduced by Representatives White, Kelley (126), Schad, Solon, Brown (116) and Davis, relating to excursion gambling boat admission fees.

HB 1086, introduced by Representatives White, Davis and Kelley (126), relating to labor organizations.

HB 1087, introduced by Representatives White, Davis, Kelley (126), Curtman, Jones (117) and Brown (116), relating to the adult health care consent act.

HB 1088, introduced by Representatives White, Jones (117), Brown (116), Davis and Schoeller, relating to adoption proceedings.

HB 1089, introduced by Representatives White, Kelley (126), Schad, Davis and Schoeller, relating to prevailing wages.

HB 1090, introduced by Representatives White, Kelley (126), Schad, Davis and Schoeller, relating to the prevailing wage on low-income housing.

HB 1091, introduced by Representatives White, Schad, Kelley (126), Davis and Schoeller, relating to wages for work done on behalf of a school.

HB 1092, introduced by Representatives White, Davis and Schoeller, relating to tax changes for areas affected by natural disasters.

HB 1093, introduced by Representatives Elmer, Fitzwater, Lant, White, Reiboldt, Cauthorn, Jones (117) and Guernsey, relating to a special Navy Cross license plate.

HB 1094, introduced by Representative Wieland, relating to the acceptance of electronic payments by the office of administration.

HB 1095, introduced by Representative Wieland, relating to long-term care insurance rates.

HB 1096, introduced by Representative Wieland, relating to county health centers.

HB 1097, introduced by Representatives Shumake, Kelley (126), Wright and Gatschenberger, relating to driver's license veteran designations.

HB 1098, introduced by Representatives Shumake, Kelley (126), Wright and Gatschenberger, relating to the resale of donated goods for charitable purposes.

HB 1099, introduced by Representatives Fitzwater, Lasater, Elmer, Cookson and Conway (27), relating to the designation of veterans of operation Iraq/enduring freedom day.

HB 1100, introduced by Representatives Fitzwater, Conway (27), Lichtenegger, Lasater, Elmer, Cookson, Schad, Asbury, Fuhr, Davis, Brattin, Diehl, Cross, Hampton, Cauthorn, Molendorp, Schoeller, Redmon, Smith (150) and Wieland, relating to the designation of Vietnam veterans day.

HB 1101, introduced by Representatives Brattin, Koenig, White, McGhee and Bahr, relating to the implementation of the streamlined sales and use tax agreement.

HB 1102, introduced by Representative Swinger, relating to persons required to report child abuse and neglect.

HB 1103, introduced by Representatives Crawford and Wyatt, relating to certain notices required by the Missouri appraisal management company registration and regulation act.

HB 1104, introduced by Representatives Schoeller and Smith (150), relating to elections.

HB 1105, introduced by Representative Day, relating to the state militia.

HB 1106, introduced by Representative Dugger, relating to elections.

HB 1107, introduced by Representatives Dugger, Wells, Rowland and Pollock, relating to the designation of a highway.

HB 1108, introduced by Representatives Lauer, Riddle, Allen, Diehl, Schoeller, Gosen, Davis, White and Cross, relating to caller location information.

HB 1109, introduced by Representatives Brattin, Bahr, Davis, Berry, Curtman, Pollock and White, relating to federal holidays.

HB 1110, introduced by Representative Barnes, relating to drug courts.

HB 1111, introduced by Representative Gosen, relating to the towing and storage of abandoned vehicles.

HB 1112, introduced by Representative Gosen, relating to life insurance companies.

HB 1113, introduced by Representatives Gosen and Wieland, relating to contracts for construction work.

HB 1114, introduced by Representative Weter, relating to emergency service boards.

HB 1115, introduced by Representatives McCaherty and Nolte, relating to forms provided by the department of revenue.

HB 1116, introduced by Representative Brown (50), relating to land tax collection.

HB 1117, introduced by Representative Brown (50), relating to the Missouri and Midwest High-Speed Rail Commission.

HB 1118, introduced by Representative Brown (50), relating to traffic violations.

HB 1119, introduced by Representatives Wells, Dugger, Wells, Kelley (126), Rowland, Phillips and Schad, relating to weight restrictions on vehicles hauling milk.

HB 1120, introduced by Representatives Wells, Dugger, Wells, Kelley (126), Wright, Rowland, Phillips and Schad, relating to military appreciation highway signs.

HB 1121, introduced by Representative Kander, relating to financial interest statements.

HB 1123, introduced by Representative Frederick, relating to hospital licensure.

HB 1124, introduced by Representative Wieland, relating to insurance payments for covered loss or damage.

HB 1125, introduced by Representative McCaherty, relating to property damage in the first degree.

HB 1126, introduced by Representative Largent, relating to tax credits for freight line companies.

HB 1127, introduced by Representative Largent, relating to crime scene photographs and video recordings.

HB 1128, introduced by Representative Largent, relating to military honors.

HB 1129, introduced by Representative Largent, relating to deceptive advertising practices.

HB 1130, introduced by Representative Brown (50), relating to the distressed areas land assemblage tax credit act.

HB 1131, introduced by Representative Fisher, relating to contents of a withholding form.

HB 1132, introduced by Representative Barnes, relating to special license plates.

HB 1133, introduced by Representative Barnes, relating to an income tax deduction for educational expenses.

HB 1134, introduced by Representative Scharnhorst, relating to insurance coverage for physical therapy services.

HB 1135, introduced by Representatives Smith (150), Brattin, Wieland, Diehl, Schoeller, Jones (89) and Koenig, relating to the review of state administrative rules.

HB 1136, introduced by Representative Molendorp, relating to use of tobacco products in state correctional facilities.

HB 1137, introduced by Representatives Lauer, Higdon, Klippenstein, Brown (116), Shumake, White, Stream, Franklin, Schoeller and Wieland, relating to adoption records.

HB 1138, introduced by Representatives Smith (150), Schoeller and Koenig, relating to retirement benefits.

HB 1139, introduced by Representative Gatschenberger, relating to the Missouri state employees incentives.

HB 1140, introduced by Representatives Smith (150), Wieland, Diehl, Funderburk, Koenig and Brown (116), relating to the Missouri accountability portal.

HB 1141, introduced by Representatives Gatschenberger, Bahr and Korman, relating to the Don't Tread on Me license plate.

HB 1142, introduced by Representative Gatschenberger, relating to private probation services.

HB 1143, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1144, introduced by Representative Gatschenberger, relating to the Life and Health Insurance Guaranty Association.

HB 1145, introduced by Representative Gatschenberger, relating to child care.

HB 1146, introduced by Representatives Gatschenberger and Korman, relating to exempting the intrastate manufacture of certain incandescent lightbulbs from federal regulation.

HB 1147, introduced by Representatives Gatschenberger, McCaherty, Brown (116), Fisher, Smith (150), Korman and Kelley (126), relating to driver's license examinations.

HB 1148, introduced by Representative Gatschenberger, relating to the use of hand-held electronic wireless communications devices while driving.

HB 1149, introduced by Representatives Gatschenberger and Fisher, relating to driver's license examination fees.

HB 1150, introduced by Representatives Smith (150), Frederick and Schad, relating to the vehicle examination process used for the issuance of prior salvage motor vehicle titles.

HB 1151, introduced by Representative Gatschenberger, relating to the powers and duties of the Missouri electrical industry licensing board.

HB 1152, introduced by Representative Burlison, relating to the children in crisis tax credit.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1143.**

SENATE RESOLUTION NO. 1143

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the Second Regular Session of the Ninety-sixth General Assembly is duly convened and is now in session and ready for consideration of business.

COMMITTEE APPOINTMENTS

December 2, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Scott Dieckhaus as a member of the Committee on Financial Institutions and appoint Representative Noel Torpey and Representative Dave Hinson as members.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

_____

December 2, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Sheila Solon as a member of the Transportation Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

_____

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint the following members to the Committee on Elementary and Secondary Education:

Representative Doug Funderburk
Representative Kurt Bahr
Representative Mike Leara
Representative Mike Cierpiot
Representative Jay Barnes

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

_____

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Scott Dieckhaus as a member of the Committee on Appropriations - Education and appoint Representative Jeanie Lauer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

_____

January 3, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representatives Chris Carter and Ira Anders to the Committee on Elementary and Secondary Education.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 3, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Sylvester Taylor to the Utilities Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 4, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Lindell Shumake as a member of the Committee on Elementary and Secondary Education and appoint Representative Dwight Scharnhorst as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

January 4, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Lindell Shumake as a member of the Committee on Children and Families.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

_____

January 4, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative John Diehl as a member of the Committee on Economic Development.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

COMMUNICATION

January 4, 2012

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official disclosure that my husband, Dr. Jon Hagler, is the Director of the Missouri Department of Agriculture; and some of the legislation or amendments that I will be voting on may have an impact on our household.

In order to comply with Chapters 105.452 to 105.461, RSMo, please publish this disclosure in the Journal of the House.

Sincerely,

/s/ Linda Black
District 107

WITHDRAWAL OF HOUSE BILLS

December 6, 2011

Chief Clerk's Office,

I formally request to withdraw **House Bill No. 1034**. If you need anything further in this matter, please contact my office.

Thank you,

/s/ Sue Allen
District 92

_____

TO: Assistant to the Chief Clerk

FROM: Representative Keith Frederick

DATE: December 29, 2011

SUBJECT: Bill withdrawal

Due to additional changes to the language of the legislation, Representative Keith Frederick wishes to withdraw **House Bill No. 1122**.

The following members' presence was noted: Carter, McNary, Meadows and Smith (71).

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 5, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION
Tuesday, January 10, 2012, 8:00 AM House Hearing Room 1.
Foundation formula presentation.

APPROPRIATIONS - EDUCATION
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.
Morenet/Teach for America public testimony.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued
Please call Gregg at 751-2917 to schedule a public testimony time slot.

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, January 9, 2012, 9:00 AM House Hearing Room 3.

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH
Tuesday, January 10, 2012, 11:00 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Quarterly business meeting.
Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.
Continuation of forum to discuss I-70.
Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.
Presentations from: Dr. Dickson Despommier, Columbia University
Jim Godsil, Co-Founder Sweet Water Organics
Emmanuel Pratt, Executive Director Sweet Water Foundation
Myles Harston, AquaRanch

HOUSE CALENDAR

SECOND DAY, THURSDAY, JANUARY 5, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 3 and HCR 4

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 39 through HJR 43

HOUSE BILLS FOR SECOND READING

1 HB 1029 through HB 1033
2 HB 1035 through HB 1121
3 HB 1123 through HB 1152

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SECOND DAY, THURSDAY, JANUARY 5, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will lift up mine eyes unto the hills, from whence cometh my help. (Psalm 121:1)

O God, Who is ever near and ever ready to help those who put their trust in You, clear our vision and strengthen our hearts as we wait upon You. Deliver us from doubt, free us from fear, and save us from the spirit that promotes confusion and disunity.

Help us to turn away from all movements which would stifle the liberties of free people and lead us into the fresh air of freedom, justice, and good will. By Your grace may we and our state live in this high moral climate all our days - so shall we be true children of Yours and so shall we serve well the citizens of our beloved Show Me State.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sarah Grisamore, Gracie Grisamore, Angela Grisamore, Isaac Conroy, Nathan Conroy and Ashley Conroy.

The Journal of the first day was approved as printed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach

Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Barnes	Funderburk	Keeney	Kelly 24
Nolte	Smith 150	Weter		

VACANCIES: 004

HOUSE RESOLUTION

Representative Smith (71), et al., offered House Resolution No. 31.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 14 through House Resolution No. 30
House Resolution No. 32 through House Resolution No. 50

HOUSE CONCURRENT RESOLUTIONS

Representative Rowland, et al., offered House Concurrent Resolution No. 5 and House Concurrent Resolution No. 6.

Representative Rowland offered House Concurrent Resolution No. 7.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3 and **HCR 4** were read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 39 through **HJR 43** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1029 through **HB 1033**, **HB 1035** through **HB 1121**, and **HB 1123** through **HB 1152** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 3 - Budget

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 43 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1029 - Budget
HB 1043 - Elementary and Secondary Education
HB 1093 - Transportation
HB 1104 - Elections
HB 1135 - Downsizing State Government
HB 1140 - Downsizing State Government

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 44, introduced by Representatives Cox, Tilley, Fuhr, Klippenstein, Asbury, Lant, Davis, Rowland, Frederick, Schad, Cross, Houghton, Allen, Cauthorn, Brown (116), Koenig, Bahr, Schoeller, Fitzwater, Redmon, White, Smith (150), Hoskins, Gatschenberger, Day and Lair, relating to nonpartisan judicial commissions.

HJR 45, introduced by Representatives Solon, Tilley, Torpey, Cauthorn, Korman, Kelly (24), Lasater, Higdon, Wallingford, Hubbard, Fisher, Haefner, Nichols, Lichtenegger, Lant, Davis, White, Dieckhaus, Berry, Long, Denison, Houghton, Wyatt, Ruzicka, Nolte and Rowland, relating to the state lottery.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1153, introduced by Representatives Cox and Crawford, relating to the perfection of security interests.

HB 1154, introduced by Representatives Brandom, Lauer, Smith (150) and Frederick, relating to donated food tax credits.

HB 1155, introduced by Representatives Denison, Pollock, Solon, Wells, Hughes, Fallert, Hinson, Lasater, Cross, Long, Cookson, Houghton, Phillips and Stream, relating to commercial driver's licenses.

HB 1156, introduced by Representatives Rowland, Phillips, Denison, Shumake and Redmon, relating to the designation of a memorial highway.

HB 1157, introduced by Representatives Rowland, Phillips, Sater, Wells, Redmon, Shumake and Cookson, relating to teacher contracts.

HB 1158, introduced by Representatives Solon, Fisher, Houghton, Denison, Lasater, Schad and Hubbard, relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications.

HB 1159, introduced by Representatives Solon, Schupp, Denison and Hubbard, relating to the senior's retirement protection act.

HB 1160, introduced by Representatives Solon, Cauthorn, Korman, Wallingford, Lasater, Higdon, Fisher, Haefner, Nichols, Lant, Lichtenegger, Davis, White, Berry, Long, Schupp, Houghton, Wyatt, Ruzicka, Nolte, Denison, Rowland and Hubbard, relating to an additional admission fee for excursion gambling boat licensees to fund veterans commission capital improvements.

HB 1161, introduced by Representatives Solon, Kelly (24), Fisher, Haefner, Higdon, Nichols, Davis, Lant, White, Berry, Long, Houghton, Wyatt, Ruzicka, Cauthorn, Nolte and Rowland, relating to veterans' commission capital improvements funding.

HB 1162, introduced by Representatives Solon, Fisher, Korman, Wyatt, Higdon, Klippenstein, Leara, Nolte, Denison and Rowland, relating to solid waste services.

HB 1163, introduced by Representatives Solon, Fisher, Korman, Wyatt, Higdon, Klippenstein, Leara, Nolte, Denison and Rowland, relating to solid waste collection.

HB 1164, introduced by Representatives Solon, Fisher, Houghton and Denison, relating to job retention.

HB 1165, introduced by Representative Diehl, relating to qualified spousal trusts.

HB 1166, introduced by Representative Diehl, relating to trust protectors.

HB 1167, introduced by Representatives Wright, Franklin, Fisher, Wells, Shumake, Sater, White, Rowland, Schieffer, Tilley, Phillips, Schneider, Hampton, Jones (89), Gatschenberger, Black, Kratky, Casey, Meadows, Fallert, Shively, Hughes, Swinger, Grisamore, McGhee, Brown (50), Zerr, Stream, Lair and Brandom, relating to the reporting of missing and dead children.

HB 1168, introduced by Representative Franz, relating to the purchasing of information technology products and services.

HB 1169, introduced by Representative Franz, relating to spanking in schools.

HB 1170, introduced by Representative Franz, relating to property tax assessment.

HB 1171, introduced by Representative Franz, relating to juvenile court jurisdiction.

HB 1172, introduced by Representative Franz, relating to tax credits for certain contributions.

HB 1173, introduced by Representative Franz, relating to workers' compensation.

HB 1174, introduced by Representatives Lair, Fisher, Grisamore, Pierson, Koenig, Reiboldt, Kelley (126), Brattin, Stream, Wright and Phillips, relating to school accreditation.

HB 1175, introduced by Representatives Lair, Fisher, Grisamore, Pierson, Koenig, Reiboldt, Kelley (126), Brattin, Stream, Wright, Phillips and Schatz, relating to early parole of geriatric inmates.

HB 1176, introduced by Representative Schoeller, relating to prevailing wages.

HB 1177, introduced by Representatives Phillips, Rowland and Sater, relating to county officer compensation.

HB 1178, introduced by Representatives Phillips, Rowland and Sater, relating to the conservation commission.

HB 1179, introduced by Representatives Hampton, Richardson, Cookson, Long, Swinger, Hodges and Wright, relating to major water users.

HB 1180, introduced by Representative Parkinson, relating to tort actions for damages.

HB 1181, introduced by Representative Parkinson, relating to the transparency in private attorney contracts act.

HB 1182, introduced by Representative Parkinson, relating to an income tax exemption for certain elections employees.

HB 1183, introduced by Representative Parkinson, relating to statewide presidential primaries.

HB 1184, introduced by Representative Parkinson, relating to motor vehicle financial responsibility.

HB 1185, introduced by Representatives Parkinson and Kelley (126), relating to possible deportation of aliens who are listed in the state sexual offender registry.

HB 1186, introduced by Representatives Parkinson and Kelley (126), relating to drivers' examinations.

HB 1187, introduced by Representatives Parkinson and Kelley (126), relating to temporary assistance for needy families.

HB 1188, introduced by Representatives Allen, Richardson, Koenig, Houghton and Flanigan, relating to the administration of asthma related rescue medication by school nurses.

HB 1189, introduced by Representatives Allen, Zerr, Lichtenegger and Flanigan, relating to pawnbrokers.

HB 1190, introduced by Representatives Allen, Koenig, Lichtenegger, Richardson, Houghton and Flanigan, relating to police records.

HB 1191, introduced by Representative Ruzicka, relating to the state park earnings fund.

HB 1192, introduced by Representatives Koenig, Schoeller, White, Brown (116), Davis, Higdon, Allen, Rowland, Houghton, Wieland, Brattin, Tilley, Stream, Fisher, Lair and Cross, relating to the Missouri higher education savings program.

HB 1193, introduced by Representatives Frederick, Tilley, Brandom, Smith (150), Jones (89), Nance, Schatz, Houghton, Fitzwater, Swearingen, Meadows and Sater, relating to a prescription drug monitoring program.

HB 1194, introduced by Representatives Cauthorn, Reiboldt, Loehner, Asbury and Guernsey, relating to agricultural crimes.

HB 1195, introduced by Representatives Cauthorn, Reiboldt, Loehner, Asbury and Guernsey, relating to agricultural crimes.

HB 1196, introduced by Representatives Cauthorn, Reiboldt, Cox, Wallingford, Loehner, Schoeller, Asbury and Guernsey, relating to an owner's liability for death or injury to a trespasser.

COMMITTEE APPOINTMENT

January 5, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Dwight Scharnhorst as a member of the Committee on Economic Development and appoint Representative Noel Torpey and Representative Marsha Haefner as members.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

WITHDRAWAL OF HOUSE BILL

January 5, 2012

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Ave.
Jefferson City, MO 65101

Mr. Crumbliss:

I hereby withdraw **House Bill No. 1061**. Please contact me if you have questions.

Regards,

/s/ Tom Flanigan
District 127

The following members' presence was noted: Barnes and Nolte.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, January 9, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION
Tuesday, January 10, 2012, 8:00 AM House Hearing Room 1.
Foundation formula presentation.

APPROPRIATIONS - EDUCATION
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.
Morenet/Teach for America public testimony.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

HIGHER EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, January 9, 2012, 12:00 PM House Hearing Room 5.
CORRECTED

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.
CORRECTED

JOINT COMMITTEE ON EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH
Tuesday, January 10, 2012, 11:00 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Quarterly business meeting.
Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.
Continuation of forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.
Presentations from: Dr. Dickson Despommier, Columbia University
Jim Godsil, Co-Founder Sweet Water Organics
Emmanuel Pratt, Executive Director Sweet Water Foundation
Myles Harston, AquaRanch

JUDICIARY
Wednesday, January 11, 2012, House Hearing Room 1 Upon Morning Adjournment.
Executive session may be held on any matter referred to the committee.
ORGANIZATIONAL MEETING

HOUSE CALENDAR

THIRD DAY, MONDAY, JANUARY 9, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 44 and HJR 45

HOUSE BILLS FOR SECOND READING

HB 1153 through HB 1196

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRD DAY, MONDAY, JANUARY 9, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

Dear LORD, Your servant John heard the song: *Great and marvelous are Your works, O Lord God, the Almighty; Righteous and true are Your ways, King of the nations! Who will not fear, O Lord, and glorify Your name? For You alone are holy; For all the nations will come and worship before You, for Your righteous acts have been revealed* (Revelation 15:3-4).

Father, may this be the acknowledgment of each person here. That You are almighty; that You are righteous and true; that You are the Sovereign One over all the nations; that You alone are holy.

May these thoughts, O LORD, bring about a spirit of humility in each one of Your servants here. May this chamber be known as a chamber of service. May each person consider the good of the state, rather than the good of themselves. May each person think more highly of all people, rather than thinking others are beneath them. And may we all be reminded that You are the King of Kings.

I do pray for the wisdom and needed discernment as they look at legislation. More importantly, Father, I pray for the wisdom and needed patience as they interact and work with the people in their respective districts. You have called these leaders "Your diaconos," "Your servants for good" in Romans 13; may they truly carry out Your designs for government leaders.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the second day was approved as printed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer

Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Diehl	Ellinger	Grisamore	Haefner	Hughes
Leara	Lichtenegger	Nance	Nolte	Wright

VACANCIES: 004

HOUSE RESOLUTION

Representative Cierpiot offered House Resolution No. 88.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 51 through House Resolution No. 87

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 44 and **HJR 45** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1153 through **HB 1196** were read the second time.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 46, introduced by Representative Day, relating to the state board of education.

HJR 47, introduced by Representative Dugger, relating to initiative and referendum petitions.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1197, introduced by Representative Kelly (24), relating to the implementation of the streamlined sales and use tax agreement.

HB 1198, introduced by Representatives Fisher, Franz, Reiboldt, Lant and Lair, relating to prevailing wages on public work projects.

HB 1199, introduced by Representatives Sifton, Jones (63) and Still, relating to maternity health insurance coverage.

HB 1200, introduced by Representatives Sifton, McNeil and Kirkton, relating to the Missouri homestead preservation act.

HB 1201, introduced by Representative Sifton, relating to the Compact for Education.

HB 1202, introduced by Representative Franz, relating to the salary of juvenile court employees.

HB 1203, introduced by Representative Franz, relating to county inmate work and service programs.

HB 1204, introduced by Representative Franz, relating to unlawful picketing of a funeral.

HB 1205, introduced by Representative Franz, relating to employee rights.

HB 1206, introduced by Representative Barnes, relating to student interscholastic activities.

HB 1207, introduced by Representative Barnes, relating to bed bug control for multifamily rental dwelling units.

HB 1208, introduced by Representative Barnes, relating to termination of parental rights and child support.

HB 1209, introduced by Representative Cox, relating to tax credits for qualified film production projects.

HB 1210, introduced by Representatives Gatschenberger and Hinson, relating to debt setoffs for unpaid healthcare expenses.

HB 1211, introduced by Representatives Dieckhaus, Curtman, Hinson and Schatz, relating to authorizing establishment of a municipal court by a county.

HB 1212, introduced by Representatives Smith (150), Neth, Wells, Brown (116), Houghton and Hough, relating to weight limitations for vehicles hauling livestock and agricultural products.

HB 1213, introduced by Representatives Franklin, White, Wyatt, Lant, Cauthorn, Davis and Reiboldt, relating to fee office contracts.

HB 1214, introduced by Representatives Torpey, Scharnhorst, Molendorp, Largent, Berry and McGhee, relating to resources for the development of businesses.

HB 1215, introduced by Representatives McNeil, Funderburk, Kirkton, Ellinger, Nichols, Walton Gray, Still, Webber, Newman, Carlson, Pace, Atkins, Oxford, White, McGhee, Webb, Carter, Schupp, Hummel, McCann Beatty, Entlicher, Schad and Davis, relating to the implementation of the streamlined sales and use tax agreement.

HB 1216, introduced by Representatives McNeil, Wallingford, Nichols, Carlson, Schupp, Pace, Walton Gray and Ellinger, relating to funding for research projects by the University of Missouri board of curators.

HB 1217, introduced by Representatives McNeil, Carlson, Walton Gray, Webb, Ellinger, Spreng and Pierson, relating to school district corporate organization.

HB 1218, introduced by Representatives McNeil, Schupp, Pace, Walton Gray, Sifton, Webb, Carter, Ellinger, Hummel, Spreng and McGhee, relating to senior citizens property tax relief.

COMMITTEE APPOINTMENTS

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Kander from the Committee on Budget and appoint him to the Committee on Small Business.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

_____

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative McManus to the Committee on Budget and remove him from the Committee on General Laws.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

_____

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Montecillo from the Committee on International Trade and Job Creation.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

_____

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Holsman to the Committee on Rules and remove him from the Committee on International Trade and Job Creation.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Hummel to the Committee on Rules.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 9, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Jonas Hughes from the Committees on Small Business and Downsizing State Government.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

COMMUNICATION

January 5, 2012

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol Building
Jefferson City, MO 65101

Re: Possible Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am filing a written report of a possible personal interest in legislation on which the House of Representatives may vote on. My wife, Mary Conway is a court reporter and her salary is contained in the State Courts Administrator Budget.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you.

Sincerely,

/s/ Pat Conway
Representative
District 27

The following members' presence was noted: Diehl, Grisamore and Nance.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, January 10, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION
Tuesday, January 10, 2012, 8:00 AM House Hearing Room 1.
Foundation formula presentation.

APPROPRIATIONS - EDUCATION
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.
Morenet/Teach for America public testimony.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, January 11, 2012, 8:45 AM North Gallery.
Organizational meeting and discussion of veteran homes.

BUDGET
Wednesday, January 11, 2012, House Hearing Room 3 Upon Morning Adjournment.
Public hearing will be held: HJR 43
Executive Session will be held: HJR 43
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Tuesday, January 10, 2012, 9:00 AM House Hearing Room 5.
Public hearing will be held: HB 1140, HB 1135
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Wednesday, January 11, 2012, 9:00 AM House Hearing Room 5.
Executive Session will be held: HB 1135, HB 1140
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.
CORRECTED

JOINT COMMITTEE ON EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH
Tuesday, January 10, 2012, 11:00 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Quarterly business meeting.
Some portions of the meeting may be closed pursuant to Section 610.021.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.
Continuation of forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.
Presentations from: Dr. Dickson Despommier, Columbia University
Jim Godsil, Co-Founder Sweet Water Organics
Emmanuel Pratt, Executive Director Sweet Water Foundation
Myles Harston, AquaRanch

JUDICIARY
Wednesday, January 11, 2012, House Hearing Room 1 Upon Morning Adjournment.
Executive session may be held on any matter referred to the committee.
ORGANIZATIONAL MEETING

HOUSE CALENDAR

FOURTH DAY, TUESDAY, JANUARY 10, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 46 and HJR 47

HOUSE BILLS FOR SECOND READING

HB 1197 through HB 1218

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FOURTH DAY, TUESDAY, JANUARY 10, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Marilyn Seaton.

Let us pray, Lord, we do not understand the intricate pattern of the stars in their courses, but we know that You Who created them does, and that just as surely as You guide them, You are charting a safe course for us. Amen.

The Pledge of Allegiance to the flag was recited.

OATH OF OFFICE

Representatives-elect Chrissy Sommer, Judy Morgan, Brandon Ellington and Tracy McCreery advanced to the bar and subscribed to the Oath of Office, which was administered by the Honorable Steven Tilley, Speaker of the Missouri House of Representatives.

Speaker Pro Tem Schoeller assumed the Chair.

The Journal of the third day was approved as printed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan

Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Carlson	Ellinger	Franz	Grisamore	Haefner
Webber				

SPECIAL RECOGNITION

The Troy Buchanan High School Future Farmers of America Teams were introduced by Representative Schieffer and recognized for their participation in the 2011 National Competition.

The Troy Buchanan High School Lady Trojan Softball Team was introduced by Representative Schieffer and recognized for attaining first place in the 2011 Missouri State High School Association Class 4 State Championship.

HOUSE RESOLUTIONS

Representative McGhee offered House Resolution No. 89.
Representative Zerr offered House Resolution No. 93.
Representative Kirkton offered House Resolution No. 106.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 90 through House Resolution No. 92
House Resolution No. 94 through House Resolution No. 105
House Resolution No. 107 through House Resolution No. 115

HOUSE CONCURRENT RESOLUTION

Representative Curtman, et al., offered House Concurrent Resolution No. 9.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 46 and **HJR 47** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1197 through **HB 1218** were read the second time.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 8, introduced by Representatives Guernsey, Thomson, Ruzicka, Cauthorn, Higdon, Klippenstein, Zerr, Smith (150), Hampton, Dugger and Wells, relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 48, introduced by Representatives Phillips, Houghton and Rowland, relating to the conservation commission.

HJR 49, introduced by Representatives Brattin, Franz, Kelley (126), McGhee, Bahr, Gatschenberger, Davis, Asbury, Curtman, Pollock, Schad, Fitzwater, Frederick, Schoeller, Koenig, Brown (116), Lichtenegger, Barnes, Cauthorn, Molendorp, Hoskins, White, Smith (150), McCaherty, Leach, Wieland, Houghton, Riddle, Burlison, Lair, Grisamore, Richardson, Long, Guernsey, Redmon, Schatz, Phillips, Allen, Silvey, Franklin, Tilley, Conway (14) and Johnson, relating to the right to bear arms.

HJR 50, introduced by Representatives Cauthorn, Reiboldt and Davis, relating to the Veterans' Trust Fund.

HJR 51, introduced by Representative Ruzicka, relating to the conservation commission.

HJR 52, introduced by Representative Ruzicka, relating to bird, fish, game, wildlife, or forestry resources.

HJR 53, introduced by Representative Neth, relating to term limits.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1219, introduced by Representatives Elmer, Diehl, Fraker, Korman, Long, Schoeller, Fuhr, Richardson, Cox, Hoskins, Jones (117), Guernsey, Crawford, Higdon, Jones (89), McNary and Wallingford, relating to unlawful discriminatory practices.

HB 1220, introduced by Representatives Hubbard, Nasheed, Spreng, Kelly (24), Pierson, Schupp, Walton Gray, Pace, Conway (14), Taylor, Colona, Tilley, Cox, Schoeller, Brown (50) and Torpey, relating to a pilot project for increasing children's access to incarcerated mothers.

HB 1221, introduced by Representatives Black, Fallert, Harris, Hodges, Swinger, Kratky, McGhee, Molendorp, Long, Kelley (126), Fitzwater and Klippenstein, relating to the designation of a memorial highway.

HB 1222, introduced by Representatives Brattin, Kelley (126), Fitzwater, Leach, Wieland, Allen and Davis, relating to the state budget.

HB 1223, introduced by Representatives Brattin, Smith (150) and Allen, relating to inmates in correctional facilities.

HB 1224, introduced by Representatives Brattin, Kelley (126), Wieland, Lichtenegger and Davis, relating to illegal immigration.

HB 1225, introduced by Representatives Brattin, Kelley (126), Smith (150), Wallingford, Davis, McCaherty, Leach, Pollock, Smith (71), Curtman, Johnson and Lichtenegger, relating to members of the general assembly.

HB 1226, introduced by Representatives Brattin and Lichtenegger, relating to retirement benefits for members of the general assembly.

HB 1227, introduced by Representatives Brattin, McCaherty, Davis, Koenig, Allen and Pollock, relating to standard science instruction.

HB 1228, introduced by Representatives Jones (63), Cookson, Dieckhaus, Talboy, Schoeller, Nasheed, Jones (89), Carter and Tilley, relating to charter schools.

HB 1229, introduced by Representatives Curtman, Koenig, White and Houghton, relating to public lectures at certain institutions of higher education.

HB 1230, introduced by Representatives Schoeller, Reiboldt, Bahr, Lichtenegger, Schad, Rowland, Fuhr, Houghton, Cauthorn, Klippenstein, Lant, Davis, Richardson, White, Kelley (126) and Elmer, relating to labor organizations.

HB 1231, introduced by Representatives Cauthorn, Kelly (24), Davis, Fitzwater and Day, relating to state purchasing.

HB 1232, introduced by Representatives McManus, Newman and Hummel, relating to online identity theft.

HB 1233, introduced by Representatives McManus, Hummel, Hodges, Carter, Conway (27), Newman, Fallert, Black, Oxford and Torpey, relating to tax credits for donated food.

HB 1234, introduced by Representatives Berry and Kelley (126), relating to personal flotation devices.

HB 1235, introduced by Representatives Berry, Brattin, Fitzwater, Cierpiot, Redmon, Asbury, Torpey and Molendorp, relating to election authority duties.

HB 1236, introduced by Representatives Entlicher, Dugger, Diehl and Schupp, relating to third party candidates.

HB 1237, introduced by Representatives Nance and Brown (50), relating to the sale of lottery tickets.

HB 1238, introduced by Representatives Nance, Kelley (126), Oxford and Barnes, relating to eligibility for food stamps.

HB 1239, introduced by Representatives Nance, Wells, Bahr, McCaherty and Wieland, relating to real property taxation.

HB 1240, introduced by Representatives Pace, Carter, Jones (63), Hubbard, McGeoghegan, Spreng, Walton Gray, Taylor, Colona, Kirkton, Schupp, Carlson, McNeil, Schieffer, Hummel, May, Smith (71), Ellinger, Pierson, Oxford, Atkins, Montecillo, Anders, Brown (50), Webb, Casey, Tilley, Swearingen, Stream, Higdon, Denison and Brown (116), relating to use of credit scores by prospective employers.

HB 1241, introduced by Representatives Wells, Pollock, Dugger, Rowland, Davis, Weter, Denison, Entlicher, Neth and Brown (116), relating to excursion gambling boat admission fees.

HB 1242, introduced by Representative Day, relating to the motorcycle rider training course.

HB 1243, introduced by Representatives Lauer, Zerr, Diehl, Torpey, Brown (116) and Lair, relating to job training programs.

HB 1244, introduced by Representatives Lauer, Zerr, Diehl, Torpey, Brown (116) and Lair, relating to municipal technology business facility projects.

HB 1245, introduced by Representatives Lauer, Zerr, Diehl, Torpey, Brown (116) and Lair, relating to the Missouri quality jobs act.

HB 1246, introduced by Representatives Lauer, Zerr, Diehl, Torpey, Brown (116) and Lair, relating to job development.

HB 1247, introduced by Representatives Webber, Carter, Schupp and Still, relating to license plates for members of the general assembly.

HB 1248, introduced by Representative Webber, relating to designation of tax refunds to the Missouri veterans' medical research trust fund.

HB 1249, introduced by Representative Franz, relating to property taxation.

HB 1250, introduced by Representatives Ruzicka, Dugger and Sater, relating to primary elections.

HB 1251, introduced by Representative Ruzicka, relating to fees imposed for the enforcement of the federal Safe Drinking Water Act.

HB 1252, introduced by Representative Ruzicka, relating to making a false report.

HB 1253, introduced by Representative Ruzicka, relating to imposing costs of investigation and prosecution of criminal cases on defendants.

HB 1254, introduced by Representative Ruzicka, relating to the agritourism promotion act.

HB 1255, introduced by Representatives Lant and Gatschenberger, relating to a surcharge on recreational activities for emergency services purposes.

COMMITTEE APPOINTMENTS

January 10, 2012

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Due to the ongoing nature of the work of the Interim Committee on Government Oversight and Accountability, I hereby dissolve the interim committee and create the Special Standing Committee on Government Oversight and Accountability in the Missouri House of Representatives and have appointed the following members:

Representative Jay Barnes – Chair	Representative Mark Parkinson – Vice Chairman
Representative Sheila Solon	Representative Ryan Silvey
Representative Jason Smith	Representative Tom Flanigan
Representative Thomas Long	Representative Todd Richardson
Representative Jeanette Mott Oxford	Representative Rory Ellinger
Representative Jason Kander	Representative Chris Kelly

Sincerely,

/s/ Steven Tilley
Speaker

_____

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Scott Dieckhaus as a member of the Committee on Higher Education and appoint Representative Chrissy Sommer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

_____

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Dave Hinson as a member of the Committee on Local Government and appoint Representative Chrissy Sommer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

_____

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Noel Torpey as a member of the Committee on Downsizing State Government and appoint Representative Chrissy Sommer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

December 22, 2011

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Noel Torpey as a member of the Committee on Fiscal Review and appoint Representative Chrissy Sommer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

January 4, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Ray Weter as a member of the Committee on Retirement and appoint Representative Chrissy Sommer as a member.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

COMMUNICATION

January 10, 2012

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461 of the Revised Statutes of Missouri, this letter is to advise I am hereby filing a written report with your office of a possible personal interest on which the House of Representatives may vote on during the legislative session. I have a son who is employed with the Missouri Department of Corrections; and some of the issues, bills and amendments that I will be voting on could have a direct impact on my family.

I request that you please publish this letter in the Journal of the House. Thanking you in advance, I remain

Sincerely yours,

/s/ Paul Quinn
State Representative
District 9

The following members' presence was noted: Grisamore, Haefner and Webber.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 11, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.
Morenet/Teach for America public testimony.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, January 11, 2012, 8:45 AM North Gallery.
Organizational meeting and discussion of veteran homes.

BUDGET
Wednesday, January 11, 2012, House Hearing Room 3 Upon Morning Adjournment.
Public hearing will be held: HJR 43
Executive Session will be held: HJR 43
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Wednesday, January 11, 2012, 9:00 AM House Hearing Room 5.
Executive Session will be held: HB 1135, HB 1140
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, January 18, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1043
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY
Monday, January 23, 2012, 5:00 PM House Hearing Room 1.
Presentation by MOCIA, Captive Insurance Agencies

INTERIM COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.
CORRECTED

JOINT COMMITTEE ON EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Forum to discuss I-70. Committee will hear public testimony.
Discussion and executive session will be held on Heroes Way Application/PFC Matthew England.
CORRECTED

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.
Continuation of forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.
Presentations from:
Dr. Dickson Despommier, Columbia University
Jim Godsil, Co-Founder Sweet Water Organics
Emmanuel Pratt, Executive Director Sweet Water Foundation
Myles Harston, AquaRanch

JUDICIARY
Wednesday, January 11, 2012, House Hearing Room 1 Upon Morning Adjournment.
Executive session may be held on any matter referred to the committee.
ORGANIZATIONAL MEETING.

HOUSE CALENDAR

FIFTH DAY, WEDNESDAY, JANUARY 11, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 8

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 48 through HJR 53

HOUSE BILLS FOR SECOND READING

HB 1219 through HB 1255

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTH DAY, WEDNESDAY, JANUARY 11, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Representative Jeanie Riddle.

Most gracious Heavenly Father, maker of Heaven and Earth, thank You for this glorious day and Your humble servants who stand before You in this Chamber. Father, please bless the good men and women who seek to do Your will and serve the citizens of our great state. Lord, please bless us with wisdom and discernment as we go about the duties entrusted to us. Remind us to be thankful each day for Your intervention and many blessings.

Lord, there are those today with a heavy heart due to circumstances beyond their control. I ask that You lift them up and fill them with the Holy Spirit and let them know that You are always there. Your Word says that we can do all things through Christ who strengthens us. Give all those listening today strength to do Your will.

In Jesus' name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fourth day was approved as printed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace

Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Ellinger	May	Reiboldt	Spreng
Stream	Mr Speaker			

SPECIAL RECOGNITION

The Fatima Lady Comets Volleyball, Cross Country, Girls Cross Country, Soccer and Softball Teams were introduced by Representative Loehner and recognized for their performance in the 2011 athletic season.

Larry Boyd, Chad Elliot and Sam McDonald with KZRG - Zimmer Radio Group were introduced by Representative Davis and recognized for their efforts to restore communication services to the City of Joplin following the May 22, 2011, tornado.

HOUSE RESOLUTION

Representative Loehner offered House Resolution No. 140.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 116 through House Resolution No. 139

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 8 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 48 through **HJR 53** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1219 through **HB 1255** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 45 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1180 - General Laws
HB 1186 - International Trade and Job Creation
HB 1192 - Financial Institutions
HB 1214 - Small Business
HB 1219 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 43**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1135**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1140**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 54, introduced by Representatives Hinson, Wallingford, Cauthorn, Wells, Wieland, Asbury, Lasater, Koenig, Schad, Korman, Meadows, Leach, Kelley (126), Johnson, McCaherty and Shumake, relating to the life sciences research board.

HJR 55, introduced by Representatives Dugger, Wells, Crawford, Rowland, Fisher, Entlicher, Neth, Fitzwater, Pollock, Conway (14), Schad, Burlison, Koenig, Kelley (126), Smith (150), Grisamore and Loehner, relating to amending the constitution.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1256, introduced by Representative Diehl, relating to the Missouri prosecuting attorneys and circuit attorneys retirement system fund.

HB 1257, introduced by Representatives Kelly (24), Wyatt, Fitzwater, Tilley, Lasater, Barnes, Torpey, McGhee, Funderburk, Marshall, Schieber, Brown (85), Reiboldt and Schupp, relating to the University of Missouri board of curators.

HB 1258, introduced by Representative Kelly (24), relating to acknowledgment of paternity.

HB 1259, introduced by Representative Kelly (24), relating to consent for adoption.

HB 1260, introduced by Representative Kelly (24), relating to consent for adoption.

HB 1261, introduced by Representatives Swearingen, Berry, Talboy, Neth, Rizzo, Silvey, Schieber, Holsman, McManus and Nasheed, relating to the designation of a memorial bicycle and pedestrian bridge.

HB 1262, introduced by Representatives Brown (50), Jones (63), Cookson, Zerr, Long, Jones (89), Hughes, Holsman, Taylor, Kelly (24), Aull, Casey, Fallert, Black, McCann Beatty, May, Carter, Lampe, Webb, Gatschenberger, Cierpiot, Hough, McGhee, Rizzo, Pace, Colona, Smith (71), Sater, Cox, Day, Scharnhorst, Sifton, Torpey, Walton Gray, Oxford, McNeil, Kirkton, Nichols, Pierson, Morgan, Harris, Schupp, McManus, Newman, McCreery, Ellington, Hubbard, Conway (14) and Hummel, relating to the coordination of school health programs.

HB 1263, introduced by Representatives Fallert, Conway (27) and Newman, relating to elections.

HB 1264, introduced by Representatives Fallert, Denison, Meadows and Conway (27), relating to motor vehicle registration periods.

HB 1265, introduced by Representatives Kander, Webber, Still, Cox, Hummel, Swearingen, Barnes, Higdon and Fuhr, relating to the veteran workforce act.

HB 1266, introduced by Representatives Denison, Solon, Meadows, Pollock, Loehner and Weter, relating to the designation of an official state butterfly.

HB 1267, introduced by Representatives Denison, Solon and Meadows, relating to foster children.

HB 1268, introduced by Representatives Nance, Berry, Neth, Wells and Davis, relating to fines and court costs for traffic violations.

HB 1269, introduced by Representatives Brattin, Molendorp, Largent, McGhee and Brown (116), relating to The Burnt District special license plate.

HB 1270, introduced by Representatives Houghton, Johnson, Redmon, Hough, Kelley (126), Schatz, Hinson, Smith (150), Riddle and Brattin, relating to the designation of Missouri school bus safety week.

HB 1271, introduced by Representatives Houghton, Cauthorn, Asbury, Riddle, Smith (150), Redmon, Kelley (126), Guernsey and Hough, relating to crimes committed on agricultural property.

HB 1272, introduced by Representatives Kelley (126), Davis, Brattin, Haefner, Brown (85), Curtman, Entlicher, Franklin, Berry, Wyatt, Frederick, Conway (14), Long, Black, McGhee, Molendorp, Lichtenegger, Leach, Houghton, Neth, Crawford, Lair, Shumake, Brown (116), Higdon, Schad, Schoeller, Jones (89), Riddle, Wieland, Franz, Loehner, Wells, Reiboldt, Redmon, Grisamore, Diehl and Keeney, relating to certain actions for damages against correctional facilities.

HB 1273, introduced by Representatives Kelley (126), Nasheed, Bahr, Brattin, Davis, White, Curtman, Entlicher, Berry, Wyatt, Frederick, Long, Leach, Houghton, Neth, Crawford, Lair, Shumake, Brown (116), Higdon, Schad, Franklin, Schoeller, Day, Jones (89), Smith (150), Wright, Wieland, Webber, Reiboldt, Johnson, Redmon, Grisamore, Jones (117), Jones (63), Taylor, Gosen, Brown (50), Black, Carter, McCreery, McCann Beatty, Swearingen, Hough, Diehl, Nance, Solon, Keeney and Richardson, relating to school bus advertisements.

HB 1274, introduced by Representatives Koenig, Wieland, Brattin, Korman, Cookson, Fitzwater, Cauthorn, Rowland, Davis, Richardson, Long, Allen, Brown (116), Curtman, Fuhr, Schoeller, Dugger, Smith (150), Houghton, Leach, Riddle, McCaherty, Diehl, White, Schneider, Keeney, Bahr, Lasater, Jones (89), Pollock, Lichtenegger, Scharnhorst, Shumake, Funderburk, Brown (85), Reiboldt, Kelley (126), Burlison, Lant, Guernsey, Conway (14), Phillips and Fisher, relating to the abortion-inducing drugs safety act.

HB 1275, introduced by Representatives Koenig, Allen, Wieland, Brattin, Davis, Curtman, Fuhr, Smith (150), McNary, Leach, White, Schneider, Jones (89), Lasater, Bahr, Lichtenegger, Scharnhorst, Funderburk, Brown (85), Reiboldt, Burlison and Lant, relating to local ballot proposals.

HB 1276, introduced by Representatives Koenig, Brattin, Davis, Richardson, Allen, Bahr, Lasater, Pollock, Funderburk, Reiboldt, Lant, Guernsey, Scharnhorst and Conway (14), relating to teacher academic freedom to teach scientific evidence regarding evolution.

HB 1277, introduced by Representatives Long, Rowland, Philips and Weter, relating to highway infrastructure improvement agreements.

HB 1278, introduced by Representatives Long, Schoeller, Davis, Berry, Hough, Barnes, Bernskoetter, Redmon, Higdon, Diehl, Day, Neth, Ruzicka, Hampton, Elmer, Riddle, Jones (117), Oxford, Atkins, Wieland, Richardson, McCaherty, Frederick, Swinger, Hodges, Black, Kelley (126), Molendorp, McGhee, Zerr, Gatschenberger, Denison, Pollock, Korman, Wallingford, Shumake, Rowland, Cierpiot, Kratky, Lichtenegger, Harris, Jones (89), Burlison, Brown (85), Brown (50), Casey, Shively, Fallert, Quinn, McManus, Meadows and Conway (27), relating to certain benevolent tax credits.

COMMITTEE CHANGES

January 11, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Michael Brown from the Committee on Appropriations Public Safety and Corrections.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 10, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Ellinger from the Committee on Children and Families and the Committee on Downsizing State Government.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 10, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Sifton from the Committee on General Laws and appoint him to the Committee on Insurance Policy.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

WITHDRAWAL OF HOUSE BILL

January 11, 2012

D. Adam Crumbliss
Chief Clerk of the House of Representatives
201 W. Capitol, Room 306C
Jefferson City, MO 65101

Mr. Crumbliss,

I respectfully request that **House Bill No. 1115**, the Paperless Documents & Forms Act, be withdrawn.

If you have any questions, please contact me at (573) 751-3751.

Warmest regards,

/s/ John C. McCaherty
State Representative
District 90

The following members' presence was noted: Barnes, May, Reiboldt, Spreng and Stream.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 12, 2012.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Third Day, Monday, January 9, 2012, Page 42, Line 19, by inserting immediately after the name "Grisamore" the following: ", Leara".

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Tuesday, January 17, 2012, 2:00 PM House Hearing Room 4.
Will be discussing eminent domain issues in Central Missouri.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 4.
Public Testimony: Call or e-mail Eric Jacquin at (573) 751-9458 or Eric.Jacquin@house.mo.gov if you are interested in testifying.

APPROPRIATIONS - EDUCATION
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.
Morenet/Teach for America public testimony.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 6.
Public testimony - Please call Rep. Kelly's office at (573) 751-4189 if you plan to testify at this hearing 24 hours prior to hearing date.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, January 18, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1043
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY
Monday, January 23, 2012, 5:00 PM House Hearing Room 1.
Presentation by MOCIA, Captive Insurance Agencies.

JOINT COMMITTEE ON EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Forum to discuss I-70. Committee will hear public testimony.
Discussion and executive session will be held on Heroes Way Application/PFC Matthew England.
CORRECTED

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.
Continuation of forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.
Presentations from: Dr. Dickson Despommier, Columbia University
Jim Godsil, Co-Founder Sweet Water Organics
Emmanuel Pratt, Executive Director Sweet Water Foundation
Myles Harston, AquaRanch

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, January 12, 2012, 9:30 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Any or all bills referred to Committee.

HOUSE CALENDAR

SIXTH DAY, THURSDAY, JANUARY 12, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 54 and HJR 55

HOUSE BILLS FOR SECOND READING

HB 1256 through HB 1278

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTH DAY, THURSDAY, JANUARY 12, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

In Him we live and move and have our being. (Acts 17:28)

Eternal God, Who is the life of our spirits, the law of our minds, and the love in our hearts, with simple trust we draw near to You, opening our lives to Your renewing presence. Strengthened with might by Your spirit in the inner being, may we launch out into this new day sustained by an unfaltering faith which holds us up and supported by an unfailing fortitude which will carry us through with honor to ourselves, to our state and to You.

Into Your keeping we commit our loved ones, our staffs and the people of Missouri. Keep us steady, make us confident and give us the courage to face each day with a firm trust in You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fifth day was approved as printed by the following vote:

AYES: 153

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols

Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 002

Atkins Oxford

PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Carlson	Ellinger	Kander	Schatz
Taylor	Webber	Mr Speaker		

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 141 though House Resolution No. 170

HOUSE CONCURRENT RESOLUTIONS

Representative Smith (71), et al., offered House Concurrent Resolution No. 10.
Representative Kelley (126), et al., offered House Concurrent Resolution No. 11.
Representative Davis, et al., offered House Concurrent Resolution No. 12.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 54 and **HJR 55** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1256 through **HB 1278** were read the second time.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

The President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 1**. Senators: Mayer, Dempsey, Stouffer, Pearce, Parson, Callahan, Justus, Green, Chappelle-Nadal and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

The President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 2**. Senators: Mayer, Goodman, Schmitt, Ridgeway, Schaefer, Justus, Keaveny, Wright-Jones, Curls and McKenna.

ESCORT COMMITTEES

The Speaker appointed the following Committee to act with a like Committee from the Senate pursuant to **HCR 1**: Representatives Fraker, Redmon, Cookson, Loehner, Denison, Swinger, Harris, Lampe, Schupp and McCann Beatty.

The Speaker appointed the following Committee to act with a like Committee from the Senate pursuant to **HCR 2**: Representatives Jones (117), Franz, Day, Lant, Barnes, Sifton, Webber, Carlson, Colona and Rizzo.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 89 - Administration and Accounts

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1036 - Elections
HB 1037 - Local Government
HB 1038 - General Laws
HB 1039 - Retirement
HB 1041 - Higher Education
HB 1042 - Higher Education
HB 1045 - General Laws
HB 1048 - Elementary and Secondary Education
HB 1049 - Elementary and Secondary Education
HB 1054 - General Laws
HB 1058 - Health Care Policy
HB 1059 - Elections
HB 1060 - Elections
HB 1076 - Special Standing Committee on Renewable Energy
HB 1077 - Special Standing Committee on Renewable Energy
HB 1094 - Downsizing State Government
HB 1098 - Veterans
HB 1099 - Veterans
HB 1100 - Veterans
HB 1103 - Financial Institutions

HB 1105 - Veterans
HB 1106 - Elections
HB 1107 - Transportation
HB 1109 - General Laws
HB 1112 - Insurance Policy
HB 1113 - Insurance Policy
HB 1116 - International Trade and Job Creation
HB 1119 - Transportation
HB 1123 - Health Care Policy
HB 1141 - Transportation
HB 1143 - Local Government
HB 1144 - Insurance Policy
HB 1147 - International Trade and Job Creation
HB 1154 - Economic Development
HB 1155 - Transportation
HB 1160 - Veterans
HB 1161 - Veterans
HB 1165 - Judiciary
HB 1166 - Judiciary
HB 1174 - Elementary and Secondary Education
HB 1177 - Local Government
HB 1185 - International Trade and Job Creation
HB 1187 - Children and Families
HB 1193 - Professional Registration and Licensing
HB 1199 - Health Insurance
HB 1200 - Ways and Means
HB 1204 - General Laws
HB 1210 - Local Government
HB 1212 - Agriculture Policy
HB 1213 - Transportation Funding and Public Institutions
HB 1223 - Crime Prevention and Public Safety
HB 1226 - Retirement
HB 1239 - Ways and Means
HB 1241 - Veterans
HB 1250 - Elections
HB 1251 - Tourism and Natural Resources
HB 1252 - Crime Prevention and Public Safety
HB 1253 - Judiciary
HB 1254 - Agriculture Policy
HB 1255 - Local Government

COMMITTEE REPORTS

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1135**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1140**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 56, introduced by Representatives Cauthorn, Schad, Reiboldt, Korman, Dugger, Guernsey and Torpey, relating to the sales and use tax for conservation.

HJR 57, introduced by Representative Kelly (24), relating to the fifth state building fund.

HJR 58, introduced by Representative Kelly (24), relating to a limitation on state bonded indebtedness.

HJR 59, introduced by Representatives Pollock, Wells, Zerr, Kratky, Riddle, Fitzwater, Koenig, Smith (71), Schad, Jones (89), Denison, Smith (150), Dugger, Hough, Asbury, Crawford, Phillips, Loehner, Houghton, Brattin, Cauthorn, Shumake, Wieland, Ruzicka, Franklin, Korman, Rowland, Grisamore, Schneider, Hampton, Fisher, Stream, Lair, Keeney, Fraker, Cookson, Spreng, Largent, Black, Nasheed, Carter, May and Lichtenegger, relating to the personal right to hunt and fish.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1279, introduced by Representatives Smith (71), Pace, Swearingen, Wallingford and May, relating to unfair employment advertisements.

HB 1280, introduced by Representatives Korman and Elmer, relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

HB 1281, introduced by Representatives Meadows, Day, Conway (27), Schieffer, Wallingford, Wright, Swinger, Davis, McCaherty, Kratky, Fallert, Casey, Black, Atkins, Hodges, Harris, McGeoghegan and Wieland, relating to identification for veterans.

HB 1282, introduced by Representatives Houghton, Phillips, Hinson, Riddle, Kelley (126), Pollock, Loehner, Asbury, Johnson, Redmon, Brown (85), Conway (14), Higdon, Schieffer, Brown (116), Hough, Guernsey, Nance, Rowland, Korman, McGhee, Hoskins, Shively, Fraker, Haefner, Klippenstein, White, Reiboldt, Day, Cross, Quinn, Black, Curtman and Franklin, relating to department of conservation violation code.

HB 1283, introduced by Representatives Barnes and Cross, relating to tanning facilities.

HB 1284, introduced by Representatives Smith (71), McGhee, Pace, Meadows and Brown (50), relating to assault of an elected official or his or her staff member.

HB 1285, introduced by Representatives Higdon, Cox, Schad, Fitzwater and Klippenstein, relating to unauthorized meter reading.

HB 1286, introduced by Representatives Higdon, Kelley (126), Fitzwater, Brown (116) and Conway (27), relating to an owner's liability for death or injury to a trespasser.

HB 1287, introduced by Representatives Higdon, Klippenstein, Torpey, Elmer, Funderburk, Fisher, Davis, Lauer, Gatschenberger, Schad, McGhee, Solon, Kelley (126), Fitzwater, Brown (116), Conway (27), Talboy, Jones (89), Diehl, White, Curtman, Hinson and Conway (14), relating to the Missouri veterans fund.

HB 1288, introduced by Representatives Higdon, Davis, Gatschenberger, Funderburk, McGhee, Klippenstein and Fitzwater, relating to child support.

HB 1289, introduced by Representatives Higdon, Gatschenberger, Funderburk and Klippenstein, relating to the use of smart meters.

HB 1290, introduced by Representatives McNeil, Schoeller, White, Weter, Holsman, Carter, Wyatt, Redmon, Fitzwater, Schupp, Berry, Nichols, Newman, McCreery, Spreng, Morgan, Kirkton and Kelly (24), relating to environmentally sustainable construction for state-funded buildings.

HB 1291, introduced by Representatives Nance, Webber, Smith (150), Berry, Jones (117), Gatschenberger, Kratky, Schneider, Nichols, Kelley (126), Jones (89), Thomson, Brandom, Bernskoetter, McGhee, Allen, Brown (116), Leara, Sifton, Barnes, Diehl, Zerr, Rizzo and Korman, relating to the licensing of home inspectors.

HB 1292, introduced by Representatives Kelley (126), Keeney, Davis, Brattin, Cox, Entlicher, Berry, Wyatt, Conway (14), Long, Houghton, Neth, Crawford, Lair, Shumake, Brown (116), Higdon, Schad, Torpey, Franklin, Schoeller, Day, Smith (150), Wright, Wieland, Loehner, Reiboldt, Johnson, Redmon, Grisamore, Phillips, Diehl, Dugger and Sommer, relating to making a false declaration.

HB 1293, introduced by Representatives Leara, Nichols, Fuhr, McNeil, Taylor, Carlson, Allen, Haefner, Schupp, Gosen, Atkins and McGeoghegan, relating to condemnation proceedings.

HB 1294, introduced by Representatives Still, Newman, McCreery, McNeil, McGeoghegan, Kirkton, Shively, Aull, Quinn, Casey, Kratky, McDonald, Schupp, Schieffer, Wallingford, Carlson, Pace, Oxford, McManus, Morgan, Pierson, Rizzo, Fitzwater, Lasater, Holsman, Brown (50), Swinger, Black and Kelly (24), relating to consumer credit interest rates.

HB 1295, introduced by Representatives Hough, Denison, Meadows, Fallert, Phillips, Long, Solon, Stream, Hinson, Korman, Cookson and Schieffer, relating to road use.

HB 1296, introduced by Representatives Davis, Day, White, Brown (116), Fisher, Lant, McCaherty, Rowland, Reiboldt, Richardson, Atkins, Brattin, Wright, Wells, Elmer and Brown (85), relating to child custody and visitation for military personnel.

HB 1297, introduced by Representatives Davis, Day, White, Brown (116), Fisher, Lant, McCaherty, Rowland, Reiboldt, Lichtenegger, Richardson, Atkins, Brattin, Wright, Nance, Wells, Elmer and Brown (85), relating to professional licensure of current and former military personnel.

HB 1298, introduced by Representative Franz, relating to tort actions for damages.

HB 1299, introduced by Representative Franz, relating to transportation sales tax.

HB 1300, introduced by Representatives Franz, Crawford and Entlicher, relating to motor vehicle valuations.

HB 1301, introduced by Representatives McCaherty, Burlison, Day, Grisamore, McGhee, Dugger, Davis, Fraker, Guernsey and Wieland, relating to emergency medical technician licensure of honorably discharged veterans.

HB 1302, introduced by Representatives Holsman, Wyatt, Carter, Berry, Nasheed, Talboy, Shively, Redmon, Quinn, Casey, Fallert, Kratky, Spreng, McNeil, McCreery, Morgan, Still, Kirkton, Sifton, Schupp, Hodges, Kelly (24), Hough, Long, White, McManus, Molendorp, Ellington, Hughes, McCann Beatty, Anders, Nance, Swearingen, Pace, Walton Gray, Newman, Oxford and McDonald, relating to energy efficiency improvements to certain state buildings.

HB 1303, introduced by Representatives Kelly (24), Fuhr, Higdon, Hubbard, Rizzo, Torpey, Lasater, Nichols, Fitzwater, Solon, Wallingford and Brown (116), relating to the Missouri veterans fund.

HB 1304, introduced by Representative Kelly (24), relating to issuance of bonds by political subdivisions.

HB 1305, introduced by Representatives Berry, Holsman, Wyatt, White and McNeil, relating to the net metering and easy connection act.

HB 1306, introduced by Representatives Berry, Franz, Kelley (126), Neth and Anders, relating to caffeinated malt beverages.

HB 1307, introduced by Representatives Wells, Smith (150), Bahr, Dugger, Pollock, Lant, Stream and Fitzwater, relating to county annual budgets.

HB 1308, introduced by Representatives Wells, Crawford, Day, Nance, Kelley (126), Curtman, Entlicher and Lant, relating to pledged securities for safekeeping.

HB 1309, introduced by Representatives Wells, Crawford, Berry, Day, Nance, Kelley (126) and Entlicher, relating to residential mortgage loan brokers.

HB 1310, introduced by Representatives Brattin, Kelley (126), Bahr, Berry, Davis, Koenig, Smith (150), Largent, Guernsey, Solon, Brown (116), Zerr, Sater, Jones (89) and Frederick, relating to motor fuel tax exemptions.

HB 1311, introduced by Representatives Silvey, Talboy, Zerr, Smith (71), Neth, Sifton and Webber, relating to tax incentives for data storage, server farm, and technology business facilities.

HB 1312, introduced by Representatives Koenig, Fuhr, McNary, Torpey, Lichtenegger and Brown (85), relating to retirement benefits.

HB 1313, introduced by Representatives Nolte, Berry, Nance, Weter, Black, Neth, Torpey, Wells, Brown (85), Brown (50) and Grisamore, relating to property assessments.

HB 1314, introduced by Representatives Still, Higdon, McGeoghegan, Talboy, Webb, Lampe, Shively, Aull, Hummel, McDonald, Smith (71), Pierson, Carter and Webber, relating to the implementation of the streamlined sales and use tax agreement.

HB 1315, introduced by Representatives McCaherty, Scharnhorst, Kelley (126), Bahr, Higdon, Klippenstein, Korman, Fraker, McNeil, Burlison, Largent, Funderburk, Brown (116), White, Black, Pace, Walton Gray, Casey, Carter, Day, Wyatt, Zerr, Wells, Lichtenegger, Shumake, Leara, Wright, Nolte, Conway (27), Fallert, Meadows, Colona, Holsman, Brandom, Cierpiot, Koenig, Sifton, McCann Beatty, Schieber, Aull, Hoskins, Lair, Franklin, Pollock, Cauthorn, Brown (85), Brattin, Redmon, Kratky, Phillips, Oxford, Schupp, Hughes, Swinger, Richardson, Schoeller, Johnson, Ruzicka, Smith (150), Nance, Rizzo, Fitzwater, Grisamore, Jones (117), Lampe, Pierson, Kirkton, McGhee, Weter, Lauer, Fisher, Schad, Davis, Gatschenberger, Franz, Guernsey, Haefner, Still, McCreery, Atkins, Schieffer, Smith (71), Quinn, Wallingford, Hodges, Hummel, Stream, Wieland, Reiboldt, Hampton and Bernskoetter, relating to state employee leave for members of the United States Coast Guard Auxiliary.

COMMITTEE APPOINTMENTS

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Ellington to the following committees:

Crime Prevention and Public Safety
Appropriations-Public Safety and Corrections
Downsizing State Government

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative May to the Committee on Children and Families.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative McCreery to the following committees:

Health Insurance
General Laws
International Trade and Job Creation

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Morgan to the following committees:

Higher Education
Children and Families
International Trade and Job Creation

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Swearingen to the Committee on General Laws.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

COMMITTEE CHANGE

January 12, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Clem Smith from the Committee on Tax Reform.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

COMMUNICATION

January 12, 2012

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Mike Lair
Representative - District 7

The following members' presence was noted: Carlson and Kander.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Tuesday, January 17, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Tuesday, January 17, 2012, 2:00 PM House Hearing Room 4.
Will be discussing eminent domain issues in Central Missouri.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 4.
Public Testimony: Call or e-mail Eric Jacquin at (573) 751-9458 or Eric.Jacquin@house.mo.gov if you are interested in testifying.

APPROPRIATIONS - EDUCATION
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 1.
Morenet/Teach for America public testimony.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - EDUCATION
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued.
Please call Gregg at 751-2917 to schedule a public testimony time slot.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, January 19, 2012, House Hearing Room 7 Upon Morning Adjournment.
Executive session may be held on any matter referred to the committee.
Public Testimony. Please call (573) 751-5458 to register for testimony.
Meeting may last several hours, please plan accordingly.
Lunch will be provided.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 6.
Public Testimony - Please call Rep. Kelly's office at (573) 751-4189 if you plan to testify at this hearing 24 hours prior to hearing date.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 7.
Organizational hearing.
The committee will hear public testimony on MoDOT, DED, DIFP, and DOLIR. If you plan to testify, please contact Rep. Denny Hoskins' office [(573) 751-4302] 24 hours prior to hearing.

ECONOMIC DEVELOPMENT
Tuesday, January 17, 2012, 12:00 PM House Hearing Room 6.
Organizational meeting.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, January 18, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1043
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY
Monday, January 23, 2012, 5:00 PM House Hearing Room 1.
Presentation by MOCIA, Captive Insurance Agencies.

JOINT COMMITTEE ON EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, January 19, 2012, 8:00 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
First quarter meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Tuesday, January 17, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Forum to discuss I-70. Committee will hear public testimony.
Discussion and executive session will be held on Heroes Way Application/PFC Matthew England.
CORRECTED

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.
Continuation of forum to discuss I-70. Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.
Presentations from: Dr. Dickson Despommier, Columbia University
Jim Godsil, Co-Founder Sweet Water Organics
Emmanuel Pratt, Executive Director Sweet Water Foundation
Myles Harston, AquaRanch

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Tuesday, January 17, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1219
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SEVENTH DAY, TUESDAY, JANUARY 17, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 56 through HJR 59

HOUSE BILLS FOR SECOND READING

HB 1279 through HB 1315

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 43 - Burlison

HOUSE BILLS FOR PERFECTION

1 HB 1135 - Smith (150)
2 HCS HB 1140 - Smith (150)

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTH DAY, TUESDAY, JANUARY 17, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will lift up mine eyes unto the hills, from whence cometh my help. (Psalm 121:1)

O God, Who is ever near and ever ready to help those who put their trust in You, clear our vision and strengthen our hearts as we wait upon You. Deliver us from doubt, free us from fretfulness, and save us from the spirit that promotes confusion and disunity. Help us to turn away from all movements which would stifle the liberties of free peoples and lead us into the fresh air of freedom, justice, and good will. By Your grace may we and our state live in this moral climate all our days – so shall we be true children of Yours and so shall we serve well the citizens of Missouri.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 171 through House Resolution No. 204

HOUSE CONCURRENT RESOLUTION

Representative Loehner, et al., offered House Concurrent Resolution No. 13.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 56 through **HJR 59** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1279 through **HB 1315** were read the second time.

MOTION

Representative Jones (89) moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Diehl	Guernsey	Hughes	Jones 63
Molendorp	Nance	Smith 71	Swearingen	Wyatt

COMMITTEE APPOINTMENTS

The Speaker has appointed Representative Lauer and Representative McGhee to the escort committee pursuant to **HCR 1**.

On motion of Representative Jones (89), the House recessed until 6:40 p.m.

The hour of recess having expired, the House was called to order by Speaker Tilley.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Peter Kinder, presiding, called the Joint Assembly to order.

The Missouri State Highway Patrol, Troop F Color Guard, presented the Colors and the Pledge of Allegiance to the flag was recited.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 034

Brown	Callahan	Chappelle-Nadal	Crowell	Cunningham
Curls	Dempsey	Dixon	Engler	Goodman
Green	Justus	Keaveny	Kehoe	Kraus
Lager	Lamping	Lembke	Mayer	McKenna
Munzlinger	Nieves	Parson	Pearce	Purgason
Richard	Ridgeway	Rupp	Schaaf	Schaefer
Schmitt	Stouffer	Wasson	Wright-Jones	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 000

The Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 156

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater

Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 001

Atkins

ABSENT WITH LEAVE: 006

Casey	Funderburk	Jones 63	Molendorp	Nance
Swearingen				

The Doorkeeper announced the approach of the Honorable Jeremiah W. (Jay) Nixon, Governor of the State of Missouri. The Governor was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the Assembly in Joint Session.

STATE OF THE STATE
ADDRESS BY
GOVERNOR JEREMIAH W. (JAY) NIXON

Legislative leaders, Judges of the Missouri Supreme Court, Lieutenant Governor Kinder, state officials, members of the General Assembly, members of my cabinet, and my fellow Missourians:

It's an honor to be here this evening joined by Missouri's First Lady, Georganne Nixon, and members of our family.

Over the last year, many Missouri communities have braved unthinkable hardships. And none more so than in Joplin – the toughest town on God's green earth.

Time and again, the people of Missouri have met those challenges with unwavering strength and determination.

A few months ago, on the first day of school in Joplin, I met a remarkable young man named Quinton Anderson. Quinton is a senior at Joplin High School. He's an excellent student ... and a science whiz. He hopes someday to create new vaccines.

Graduation day this year will have special meaning for Quinton, as it will for so many in Joplin.

Because it was on graduation day last year – May 22 at 5:41 p.m. – that Joplin was hit by the deadliest tornado in modern history.

Winds clocked at 200 miles an hour tore a swath a mile wide and six miles long through the heart of the community. When I stood there surrounded by smashed cars and shattered homes, it was nothing but devastation as far as the eye could see.

In just 19 minutes, the twister left thousands of people homeless. More than 7,000 homes and hundreds of businesses were damaged or destroyed. More than a 1,000 people were injured.

161 lost their lives.

The tornado leveled Quinton's home.

Both his parents were killed.

Quinton was flung through the air and found blocks away – face-down in a ditch with a fractured skull, a shattered spine, his left leg torn to shreds.

He spent five and a half weeks in the hospital. And after he left the hospital, Quinton had this to say: "I used to just take each day like it was given to me. But it's not. It's a gift. You've gotta pray for the next one. Don't give up hope. Always pray to get stronger each day. And if you're in physical therapy… and they tell you to walk ... always take that extra step."

Always take that extra step …

… His parents would be so proud.

Quinton, your faith and your fight have shown the world that the spirit of Joplin is unbreakable. People of Missouri, please welcome Quinton Anderson and his sister, Grace.

Mother Nature hit us hard in 2011, starting with tornadoes on New Year's Eve …

A blizzard that shut down I-70 from St. Louis to Kansas City…

Record flooding and drought in the Bootheel … and in northwest Missouri …

The intentional breach of the Birds Point levee by the Corps of Engineers …

More tornadoes on Good Friday …

Another tornado in Sedalia … and of course, the EF-5 tornado in Joplin and the surrounding area.

And through every natural disaster they endured, the people of Missouri relied on our brave men and women in uniform: our first responders, our law enforcement community, and all who have answered the call to military service.

In the aftermath of Joplin alone, men and women from more than 400 public safety agencies rushed to help.

Certain special people have a spirit that compels them to run toward trouble, not away from it. And Missouri State Trooper Fred Guthrie Jr. was one of them.

In 2007, Trooper Guthrie earned our state's highest law enforcement honor, the Missouri Medal of Valor, for saving a woman during a violent storm on Smithville Lake.

It was the same selfless spirit that compelled Trooper Guthrie to brave the swift currents of the Missouri River, which claimed his life last August.

Fred Guthrie was a hero, who died as he lived: protecting others. Even as we mourn our loss, we are lifted up by his courage. Missouri is a better place for his service.

Please join me in thanking the family of Trooper Fred Guthrie – his wife, Teresa; and their three children, Amber, Dylan, and Cody – and all our men and women in uniform.

Quinton Anderson. Fred Guthrie. Our men and women in uniform.

They have shown us the face of courage. They have shown us what it means to be strong in the toughest of times. What it means to take that extra step.

And we've seen our share of tough times these past few years.

It began in 2008, when our nation was hit with the most severe economic recession of our lifetime. In the last six months of 2008, we lost more than 55,000 jobs. In December of 2008, Missouri saw more than 100 mass layoffs, the most ever since we began tracking that number.

But we didn't make excuses. We didn't wait around for help.

Missourians stood up ... got to work … showed our strength.

Yes, times have been tough. But Missourians have always been tougher.

And that's why I'm so optimistic about our future.

The people of the Show-Me State are stubborn and self-reliant.

When times are tough, we buckle down and get to work.

Missourians don't want a handout.

Missourians don't want a bailout.

Missourians just want an opportunity to succeed.

The people of Missouri turned to all of us … for strong leadership … for a clear path forward … and for hope for a brighter future.

And I'm proud to say that because of our strong leadership, Missouri is once again moving forward.

Unlike Washington, we've worked together like adults … no matter what part of our state we're from, how we make a living, or what party we belong to.

Unlike Washington, we've kept a laser-like focus on job creation.

Unlike Washington, we've maintained our strict fiscal discipline and balanced our budget – and we've done it without raising taxes.

Our commitment to balancing the budget, holding the line on taxes, and our focus on creating jobs, is paying off.

The national recession brought sharp job losses in 2008 and 2009, but we have turned the corner. Today, it was reported that our unemployment rate is now at its lowest level in three years.

Missouri farms and businesses are shipping more goods around the globe, generating billions of dollars of economic activity and thousands of jobs here at home.

And together, we're bringing the American auto industry back to life right here in the Show-Me State.

But there is more work to do.

Tonight, I'll lay out a specific strategy to create more jobs and grow our economy.

That strategy builds on the granite foundation of fiscal discipline we have laid here in Missouri:

Balancing the budget;
Holding the line on taxes;
Making government smaller, smarter, and more efficient.

The national recession, and the gridlock in Washington, created tough budget times for all the states.

Some states simply chose to ignore the problem, spent more money than they had, and racked up huge deficits.

But not here in Missouri. Since taking office, I've cut government spending by $1.6 billion.

And with the balanced budget I present tonight, I'll have reduced the government's payroll by 4,100 positions. The state workforce is the smallest it's been in 15 years.

Those decisions were tough, but necessary.

Other states haven't shown that fiscal discipline. More than 30 states have raised taxes, including Kansas and Illinois.

But we have not.

Because we know that Missouri families can't afford a tax increase. Period.

In fact, to help more small businesses create jobs and grow, we've begun to phase out the outdated franchise tax on thousands of Missouri businesses.

That means more money to their bottom line – and more jobs for Missouri workers.

But we haven't just made your government smaller. We're also making your government smarter.

By 2015, the Department of Transportation will have cut $512 million in overhead and administrative costs, and put that money where it belongs: building roads and bridges.

We've consolidated offices and cut our energy bills. We've put critical services online, including teacher certification; insurance agent licenses; and GED transcripts. We've eliminated paperwork, and slashed printing and postage costs.

Because of our focus on fiscal responsibility and efficiency, Missouri is one of the few states with a Triple-A credit rating from all three rating agencies. Kansas can't say that. Neither can Arkansas, Illinois, Kentucky, Nebraska, or Tennessee.

New Jersey got downgraded by all three credit rating agencies in the last year. Even the federal government got downgraded by Standard and Poor's.

You know what that says about us here in Missouri?

We know how to manage our money – better than our neighboring states, and much better than Washington.

Our Triple-A credit rating saves the taxpayers millions – and it signals that Missouri is a smart place to invest.

While we're talking about government efficiency, let me make a related point. For the past three years, I have called for comprehensive tax credit reform. Some of you in this room stood with me on this issue. Others did not.

The consequences of this inaction are clear. Over the past four years, more than $2 billion in state tax credits have been redeemed.

Effective tax credits are used to create jobs and grow our economy. But tax credits that aren't delivering for Missourians must be retooled and reformed. We all know that dollars spent on tax credits are dollars we cannot invest in other critical priorities.

Once again, I ask you to pass comprehensive tax credit reform to get this spending under control.

Balancing our budget. Holding the line on taxes. Maintaining a spotless Triple-A credit rating. These are all signs that Missouri is headed in the right direction.

The U.S. Chamber of Commerce recently called Missouri a leader and ranked us as one of the Top Ten business-friendly states in the nation because of our low taxes and fiscal discipline.

We also have a safe workforce. That's another reason we're poised for growth. Reducing on-the-job injuries is a point of pride for Missouri workers – and employers.

Since I became your Governor, workers' injury claims have gone down every year, and are now almost 50 percent lower than they were nearly two decades ago.

That means real cost savings for employers. The cost of workers' compensation has come down each year I've been Governor. In fact, businesses are paying less now for workers' comp coverage than they were back in 1994.

Here in Missouri, we're standing firm to protect workers' safety and workers' rights.

Because, as we all know, a strong and safe workforce makes a strong economy.

From our low taxes to our strong workforce, Missouri is well positioned for job creation. To keep our economy growing, we must build on these strengths.

That's what our Missouri Works strategy will do. With your help, we will:

One, grow more auto supplier jobs in Missouri;
Two, sell more Missouri-made goods overseas;
Three, prepare more workers for high-tech careers;
Four, train and hire more veterans;
Five, jumpstart innovation in science and technology;
Six, target high-growth industries; and
Seven, create jobs in rural communities.

Let's start with the automotive industry.

Missouri has always been an automotive state. It's who we are. It's in our blood. But for decades, the American auto industry had been in decline.

When I took office in 2009, thousands of jobs at Claycomo and Wentzville were at risk. We couldn't sit by and watch those jobs go to other states, or other countries.

But we didn't give up on the American auto industry. We believed in our hearts that American workers would build automobiles that could compete in a world economy.

But it was up to us to make sure they were built right here in the Show-Me State.

So, I went to Detroit, and met with the heads of Ford and GM.

And after those meetings, we took bold action.

I called the General Assembly into special session. Folks from across our state – urban and rural, business and labor, Democrats and Republicans – came together and worked with us to pass the Missouri Manufacturing Jobs Act.

And it has paid off.

Last October, Ford announced that it will invest $1.1 billion in Claycomo.

To put that in perspective, that's a bigger capital investment than building Arrowhead and Kauffman stadiums – combined.

Ford is going to produce the Transit van in the United States for the first time. Until now, it's only been produced overseas. But, because of our work, this vehicle will now be built with pride right here in the Show-Me State.

No more outsourcing, folks. We're bringing jobs back to Missouri.

In addition to the Transit, Ford is adding a second shift at Claycomo to produce more F-150 pickups.

This massive investment will bring 1,600 new jobs to the Claycomo plant – on top of the existing 3,800 jobs we saved.

Just two weeks later, GM announced that it would invest $380 million to build its new Chevrolet Colorado at Wentzville, and add a second shift on its two existing vehicles.

That's another 1,660 new jobs right here in Missouri.

I wish all of you could have been there with me when we made those announcements. After all they've been through, to see the look in those workers' eyes … to know they can put food on the table … and clothes on their kids' backs; to know they can pay the mortgage and the electric bill … to know that they can put money in the collection plate on Sunday.

What we do here really matters.

And we won't stop now.

Last week, I was back again in Detroit, sitting face-to-face with senior executives at Ford, GM, and some of the world's largest auto suppliers.

I was there for one reason: to get more auto parts suppliers to invest in the Show-Me State. Whether they're making seats or steering wheels, axles or airbags, we want suppliers to bring more of those jobs to Missouri.

As part of our Missouri Works strategy, I call on the legislature once again to stand up with me and fight for the automotive industry. We must pass legislation to help auto suppliers create new jobs across Missouri.

Make no mistake: Just like before, competition for these jobs will be stiff.

But to the Missouri taxpayers, let me say this:

We won with Ford. We won with GM. And we will win with the auto suppliers and create even more jobs.

Let's get it done.

The next component of Missouri Works is to sell more Missouri-made goods overseas to create more jobs here at home.

It's clear the world wants what Missouri's got: Cotton and chemicals. Soybeans and semiconductors. F-150s and F-15s.

When I talk about selling Missouri-made goods overseas, I don't mean just the Fortune 500s that have an established global footprint. Competing globally is just as important for small businesses and family farms in every corner of our state.

One company that's ahead of the curve is Forrest Keeling Nursery in Elsberry, founded 63 years ago in the backyard of Dr. Forrest Keeling. Today, the nursery grows more than 250 types of trees, shrubs, and grasses and sells those products around the world. And they have patents pending in more than 50 countries.

Last year, I had the pleasure of visiting this small, hometown business that's winning in the global economy.

On behalf of all of our growing Missouri exporters, please welcome Forrest Keeling's CEO, Wayne Lovelace; his wife, Judy; and their daughter, Kim.

Because of companies like this, Missouri exports were up by $1.2 billion in the first three quarters of 2011. And that was on top of our outstanding 35 percent growth in 2010.

As part of Missouri Works, we're going to keep this momentum building by creating a one-stop shop to help Missouri businesses and farms find more customers in new international markets.

And with the new trade offices we'll be opening soon in China, Southeast Asia, and South America, we're taking the "Made in Missouri" brand global.

Last fall, I led a delegation of more than 60 Missouri business and agricultural leaders to China, where we signed agreements to sell $4.6 billion worth of Missouri products.

Because, I don't know about you … but I think it's time the guy in Beijing walked into his local store and saw "Made in America" stickers on the products he's buying.

Another part of our Missouri Works strategy is worker training.

In a global economy with constantly evolving technology, training and education can never stop.

We have established new higher-education programs like Caring for Missourians, Training for Tomorrow, MoHealthWINS, and our Nurse Training Initiative to prepare thousands more Missourians for rewarding careers that exist today.

Last year, we also increased Missouri's investment in our Customized Training Program by 50 percent. That record investment allowed us to train nearly 37,000 workers who are on the job now at more than 300 Missouri businesses.

As part of our Missouri Works strategy, the budget I present tonight continues our record investment in worker training for a second year, especially in high-tech areas so critical to modern manufacturing.

One of the growing companies we've helped with worker training is Meramec Electrical Products, which employs 130 people at its state-of-the-art facility in Crawford County.

Our Customized Training Program helped Meramec reduce production costs by 30 percent, become more competitive in the global market, and create 25 new jobs last year.

On behalf of all of our innovative small businesses, please welcome Meramec's CEO, Nick Sanazaro, and CFO Carolyn Sanazaro.

Now, let's talk about military veterans.

Honoring – and employing – our military veterans is another key element of our Missouri Works strategy.

During my last visit to Afghanistan, I was talking with a group of soldiers who were about to go out on patrol. As they were suiting up, I asked one of the soldiers what he was most worried about.

His answer surprised me. He didn't say he was most worried about facing the enemy that night. No. He looked me in the eyes and said, "Governor, I'm worried about whether there will be a job for me when I get home."

Folks, our job is to make sure the answer to that question is a resounding YES.

Every veteran who needs a job should be able to get one.

In 2009, we passed legislation to begin phasing out state taxes on military retirement income.

That law is a strong signal that we want military veterans to move to Missouri, to work in Missouri, and to make Missouri their home.

In 2010, we launched Show-Me Heroes, asking Missouri employers to put military veterans at the front of the line when they're hiring for new jobs. More than 1,700 employers have signed up to be part of this effort.

Tonight, I am proud to report that our Show-Me Heroes program has put more than 1,000 veterans back to work here in Missouri.

The Missouri Works strategy will expand the mission of Show-Me Heroes to include on-the-job training for National Guard, Reserve, and active-duty veterans who have recently left military service.

We'll continue to work tirelessly to create job opportunities for every veteran in our state.

The next pillar of Missouri Works is to accelerate investment in high-growth industries like science and technology.

With more than 1,000 agribusiness, life science, and biotech companies, Missouri is already home to some of the brightest minds and innovators in the world.

With the passage last year of the Missouri Science and Innovation Reinvestment Act, we are poised for rapid progress.

As part of Missouri Works, my budget includes $4 million in seed capital to invest in attracting the very best science talent to Missouri.

By speeding the flow of innovations out of the lab and into the marketplace, we're growing these industries today and creating the high-tech jobs of tomorrow.

Finally, Missouri Works will help create jobs in rural communities.

Anyone who grew up in a small town like I did knows there's something special about them. Folks want their towns to be places where their kids can grow up safe, get a good education, find a job, and raise a family.

It wasn't all that long ago, just a generation or two, that folks made a decent living hand-sewing baseball uniforms in Licking … making shoes in Piedmont … or assembling typewriters in Springfield.

Those jobs may be gone, but our rural way of life is still strong.

Our Missouri Works plan will custom tailor a job-creation incentive for small-business owners in rural communities. Because we want every part of Missouri to move forward together.

We're also helping rural Missouri compete by dramatically expanding access to high-speed Internet.

Broadband access is a game-changer – for commerce … for farming … for education … for health care ... for law enforcement and public safety.

Our extremely competitive MoBroadbandNow initiative is bringing a total investment of $311 million through 18 projects to wire communities across Missouri.

Let me give you an example. Over in Otterville, we've hooked up the local school through our partnership with Sho-Me Technologies. This has significantly expanded their ability to provide web-based classes using streaming video.

Just as the railroads and interstates changed the face – and the fate – of Missouri communities in decades past, this project will help shape Missouri's future from Otterville to New London and everywhere in between.

Rural communities are a proud part of Missouri's past. They're also a vital part of Missouri's future – especially when it comes to agriculture.

Missouri farmers feed, fuel and clothe the world.

And with 108,000 farms generating more than $12 billion annually, agriculture is truly the backbone of Missouri's economy.

We want to keep Missouri agriculture growing, and our rural way of life strong. That's why I am committed to working with our farmers to open new markets, improve energy efficiency, and use the latest science and technology to make Missouri agriculture even more competitive.

Folks like Bob and Kay Vandiver are a major part the success of Missouri agriculture. Bob's parents raised a few cattle – simply trying to make a living off the land. But he and Kay have turned that farm into one of the largest in our state. It's a lasting legacy – one that will be handed down for generations.

On behalf of Missouri agriculture, please welcome one of the Show-Me State's outstanding farm families, the Vandivers: Bob, Kay, Gary, Dale, and Jake.

To compete in a changing global economy, Missouri must have world-class public schools.

Our public schools have always been – and will always be – beacons of hope, opportunity, and excellence for all.

No one is turned away.

Some children come to school hungry ... homeless.

Some bear the burdens of poverty and neglect.

But when a child of want … and a child of wealth … walk through our schoolhouse doors, they enter as equals.

Support for public education should not be used as a wedge to divide us.

Here in Missouri, public education is an enduring value that unites us.

Some states have opted to balance their budgets on the backs of schoolchildren.

Kansas cut its basic funding formula for K-12 schools by $232 per child. Texas slashed $4 billion from the education budget, triggering massive layoffs. South Carolina, Arizona, and California have each reduced funding per pupil by more than 20 percent.

But I haven't met one parent or one teacher in Missouri who thinks we should balance our budget by taking money from their kids' classrooms.

For the past three years, even in challenging budget times, we maintained level funding for K-12 classrooms.

This year, we'll take that next step.

The budget I present tonight provides record funding for our K-12 classrooms. Because that's the right thing to do.

Several urgent issues facing public education require our action this session.

First, we must find a solution that applies the foundation formula fairly and predictably.

We also know that we have more work to do with our urban school districts on both sides of the state – to make sure that every child in every community has an equal opportunity to succeed.

Just take a look at St. Louis. We've still got a long way to go, but we're seeing how strong leadership, dedicated teachers, and committed parents are making a real difference right now.

Students have shown academic improvement for four years in a row. The district is now operating with a balanced budget. The attendance rate is at 93 percent.

From my frequent discussions with teachers, administrators, and others – and through our work with organizations like Teach for America – it's clear that the St. Louis schools are finding their footing and are moving in the right direction.

We need to take steps to improve public education in a number of other areas, including charter schools.

Missouri has some strong charter schools, where inspired teachers with fresh ideas are giving children a top-notch education.

But let's be frank.

We also have charter schools where children are languishing in classrooms that aren't up to par academically, in schools that aren't well managed. And our students pay the price.

I call on the legislature to send to my desk a comprehensive charter school accountability bill that holds all charter schools – and their sponsors – to high standards of academic achievement and financial integrity.

Educating our children is a high calling, and those who answer the call deserve our support and respect. Good teachers get results. Great teachers transform lives.

We need to entice our best college students to become teachers in those urban and rural public schools that have the greatest needs. And once they're on the job, they must be accountable for what kids are learning.

Our economy is changing. And education can't stop at high school. Because by the next decade, nearly two-thirds of all jobs in the United States will require some kind of post-secondary education. That means more Missouri kids will need a college degree.

But too many families simply can't afford the cost of a college education.

So for the past three years, Missouri has tackled college affordability head-on.

While universities in other states were increasing tuition by double digits, we froze tuition in 2009 and 2010 at all our public colleges and universities.

Last year, I challenged our colleges to continue to hold down tuition.

As a result, enrollment at our public colleges has surged. Over the past three years, we've added 31,000 students. That's set a new record each fall.

And that's great news for our students, our schools, and the future of our state.

In another challenging budget year, our top priorities in funding for higher education must continue to be high-quality academic programs and student scholarships.

So, in addition to a record investment in K-12 classrooms, my budget will provide stable funding for our state college scholarships, including Bright Flight, Access Missouri, and A+.

Let me talk for a moment about that A+ program.

These scholarships cover tuition and fees at any public two-year college in the state for students who are willing to work hard, play by the rules, and give back to their communities.

Since I became your Governor, we've worked to add 110 new A+ schools. And the number of students in our A+ program has risen 30 percent.

This year, 12,500 Missouri students will take advantage of our A+ scholarships. Next year, we anticipate closer to 14,000 students will be A+ scholars.

We will continue to expand access to A+ scholarships to students all across our state.

Investing in college affordability is critical for continued economic growth. But we have to balance this budget.

And we all know that means we'll have to cut in other areas.

So, to balance our budget in a way that protects our scholarships and academic programs, I am calling on all our colleges and universities to continue to look for more ways to cut overhead and administrative costs and run smarter, more efficient operations.

While leaner, more efficient operations are essential, higher education must continue to adapt for the modern economy. Public colleges and universities must change their business models.

Let me give you an exciting example of what one school is doing.

Earlier this month, the University of Central Missouri unveiled a new model called the Innovation Campus, and it has the potential to transform how we educate students.

Innovation Campus students will enroll in college courses while still in high school, and then participate in high-impact apprenticeships throughout the college curriculum. Corporate partners will underwrite tuition scholarships, and faculty and employers will partner to guide each student.

The expected results?

Students get a running start on college requirements;
They learn the practical skills necessary for excellent careers;
They can earn a degree in three years or less;
Business partners will recruit and build their workforce for the future;
And, costs for students are dramatically reduced.

I encourage all our universities to take the lessons of the Innovation Campus to heart and develop similar programs.

When we come together – and take that extra step – we are proving that there is no limit to what Missourians can accomplish.

Working together, we passed landmark legislation to ensure that children with autism get the therapy they need.

For too long, insurance companies weren't required to cover the most effective autism therapies. But that changed last year. And now, 1.6 million Missourians have plans that cover autism treatments.

This year, I call on the General Assembly to pass legislation to increase access to care by expanding the number of licensed professionals working with children with autism in Missouri.

That's what we can accomplish when we take that extra step.

Working together, our Partnership for Hope is changing the lives of Missourians with developmental disabilities and their families.

Before this compassionate program was in place, some folks waited years for services to help their loved ones live more independently – help with things like getting dressed, cooking meals, taking the bus to work.

But now, our Partnership includes 91 Missouri counties and the City of St. Louis, and serves 1,300 people with developmental disabilities.

This year, we'll keep expanding the Partnership, improving lives and saving money over the long run.

That's what we can accomplish when we take that extra step.

Last year, we reauthorized Missouri Rx, a vital program that cuts the cost of prescription drugs for 215,000 Missouri seniors and people with disabilities.

When that lifeline was in jeopardy last year, folks across our state came together to protect these vulnerable citizens. And my budget continues full funding for this program.

That's what we can accomplish when we take that extra step.

By working together, by taking that extra step, we've achieved a lot for our state.

We've shown that the partisan gridlock in Washington hasn't taken hold here in Missouri.

But we have more work to do.

That includes balancing our budget and holding the line on taxes.

That includes putting the Missouri Works strategy in place to create jobs and keep our economy growing.

That includes making a record investment in K-12 classrooms, keeping college affordable, and helping all Missouri children achieve their dreams.

And that also includes passing strict campaign contribution limits.

I've called for contribution limits every year – and I'm going to keep on doing it until we change the law.

When one person with an ax to grind can make an unlimited contribution to advance a narrow agenda … when lobbyists for powerful interests can tip the balance of an election … the very foundations of our democracy are at risk.

Unlimited contributions are overriding the will of the people … and undermining the principle of free and fair elections.

Missouri needs strict limits on campaign contributions.

Let's finally get it done.

Growing up in De Soto, I learned a lot about public service at the kitchen table.

My parents were deeply committed to our community and to public service. Dad was the Mayor. Mom served on the school board.

In our town, when folks needed help they'd call the house. Usually at suppertime.

We didn't have No-Call Lists back then.

Whatever the complaint or request, I don't ever recall hearing my parents ask: Are you a Democrat or a Republican? Or did you vote for me?

Because that's not what public service is about.

When you hold public office … you represent everyone.

We saw the best of public service in action in every corner of Missouri last year. But one man stands out as a shining example. His name is C. J. Huff.

Dr. Huff is the superintendent of Joplin schools. The tornado damaged or destroyed 10 of their buildings. Joplin High was left in ruins. C. J. feared that if the schools didn't open on time, families would start to leave town. He was not about to let that happen.

So C. J. rallied his forces: parents and teachers; students and civic leaders; carpenters and plumbers … and an army of volunteers.

In just 54 days, they turned an empty department store at a shopping mall into a high-tech high school.

Not only did all of Joplin's schools open on time, nearly 95 percent of the students showed up on that first day.

Folks, that was amazing to see.

Please welcome an outstanding leader: Superintendent C.J. Huff.

Public service matters.

What we do here matters.

But in a world of term limits, skeptics say we can't get much accomplished.

In a world of hyper-partisanship, cynics say we can't find common ground.

To them I say: Just watch us.

Whether you're from the big city or a small town.

Whether you make your living on the farm or in a lab.

Whether you're a Democrat, a Republican, an Independent – or none of the above.

We're all Missourians first.

And here in Missouri, we're not defined by our differences.

We're defined by our shared values.

Values that give us the strength to face whatever tomorrow brings … with faith and optimism.

There's a lot of uncertainty in this life.

We can't control the weather.

We can't always see what tomorrow will bring … but one thing is clear.

Through storms and floods and hard times, the good people of Missouri never give up or give in. Even in our darkest hours, the spirit will prevail.

And when people of good faith and good will work together … nothing can stop us.

Together, we will continue to balance this budget without raising taxes.

Together, we will continue to create more jobs, better schools, and more compassionate communities.

And, Quinton, I pledge to you that we will continue to work together to take that extra step ... and keep Missouri moving forward.

It is an honor to serve as your Governor.

I am grateful for the opportunity you have given me and for the trust you have placed in me.

With your help – and God's grace – we'll continue to show strong leadership to move Missouri toward brighter days ahead.

Thank you and God bless.

The Joint Session was dissolved by Senator Dempsey.

Speaker Tilly resumed the Chair.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 60, introduced by Representatives Black, Brown (50) and Molendorp, relating to the general assembly.

HJR 61, introduced by Representatives Loehner, Fisher, Fitzwater, Asbury, Dugger, Smith (150), Guernsey, Cauthorn, Lant, Wallingford, Johnson and Korman, relating to raise animals.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1316, introduced by Representatives Riddle, Pollock, Crawford, Koenig, Schad, Entlicher, Cauthorn, Korman, Houghton, Meadows, Kelly (24), Lair, Day, Gatschenberger, Davis, Fisher, Dugger, Smith (71), Ruzicka, McGhee, Bernskoetter, Redmon, Funderburk, Scharnhorst, Jones (89), Shumake, Conway (14), Schatz, Barnes, Molendorp, Gosen, White, Stream, Thomson, Asbury, Fitzwater, Loehner, Weter, Cross, Nance, Sater, Cox, Curtman, Hoskins, Franklin, Wyatt, Lampe, Hummel, Pierson, Montecillo, Lant, Diehl, Cierpiot, Schoeller, Denison, Rowland, Burlison, Frederick, Kelley (126), Long, Lasater, Wells, Bahr, Brown (85), Grisamore, Fuhr, Carter, Pace, Reiboldt, Sifton, Atkins, Colona, Johnson, McCaherty, McGeoghegan, Schieffer, Webb, McDonald, Walton Gray, May, Rizzo, Spreng, Dieckhaus and Haefner, relating to the regulation of public utilities.

HB 1317, introduced by Representatives Riddle, Torpey, Still, Oxford, Davis, McGhee, Pace, Grisamore and Reiboldt, relating to child abuse.

HB 1318, introduced by Representatives Riddle, Houghton, Oxford, Davis, McGhee, Grisamore, Reiboldt and Pace, relating to employees of certain mental health facilities.

HB 1319, introduced by Representatives Riddle, Smith (150), Koenig, Brattin, Bahr, Kelley (126), Crawford, Entlicher, Wells, Korman, Cauthorn, Houghton, Davis, Franz, Funderburk, Grisamore and Reiboldt, relating to concealed carry endorsements.

HB 1320, introduced by Representatives Still, Aull, Kander, Webber, Ellinger, Oxford, Schupp, Atkins, Kratky, McGeoghegan, McNeil, Swearingen, Pace, Neuman, Hodges, Talboy, McManus, Sifton, Lampe, Smith (71), Quinn, Hummel, McDonald, Nichols, Pierson and Harris, relating to campaign contributions.

HB 1321, introduced by Representatives Guernsey, Rowland, Crawford, Shively, Fraker, Wright, Redmon, Korman, Houghton, Hodges, Cauthorn, Pollock, Higdon and Wells, relating to tax exemptions for captive wildlife.

HB 1322, introduced by Representatives Black, McGhee, Brown (50) and Oxford, relating to a mental health assessment pilot program.

HB 1323, introduced by Representatives Black, Oxford, McGeoghegan, Meadows, Fallert, Casey and Brown (50), relating to unlicensed child care providers.

HB 1324, introduced by Representatives Loehner, Fisher, Fitzwater, Asbury, Dugger, Smith (150), Guernsey, Cauthorn, Lant, Wallingford, Johnson and Korman, relating to the right to raise domesticated animals.

HB 1325, introduced by Representative Cox, to authorize the conveyance of property owned by the state in Pettis County to the City of Sedalia.

HB 1326, introduced by Representatives Cox, Smith (150), Largent, Bernskoetter, Franz, Cierpiot, Schad and Kelley (126), relating to business premises safety.

HB 1327, introduced by Representatives Cox and Largent, relating to disclosure of certain foster care licensure information.

HB 1328, introduced by Representatives Cox, Wells, Rizzo, Jones (63), Talboy, Hummel, Holsman, McManus, Hughes, Walton Gray, Pace, Webb, May, Kratky, Casey, Carter, Schad, Gatschenberger, Frederick, Bernskoetter, Brown (116), Franz, Sater and Jones (89), relating to controlled substances.

HB 1329, introduced by Representatives Silvey, Tilley, Talboy, Lampe and Jones (89), relating to temporary registration permits.

HB 1330, introduced by Representatives Jones (117), Schad, Richardson, Largent, Webber, Elmer, and Houghton, relating to procedure for change of venue in counties with average yearly inmate populations in excess of one thousand inmates.

HB 1331, introduced by Representatives Jones (117), Houghton, Richardson, Hough, Webber, Bernskoetter, and Elmer, relating to reciprocal transfer of creditable service for state retirement systems.

HB 1332, introduced by Representatives Schoeller, Pollock and Schad, relating to infrastructure replacement surcharges.

HB 1333, introduced by Representative Sater, relating to school vision examinations.

HB 1334, introduced by Representatives Meadows, Torpey, Brown (50), Schad, McGhee, Hummel and Webber, relating to the use of hand-held electronic communications devices by persons operating motor vehicles for compensation while transporting passengers.

HB 1335, introduced by Representatives Leara and McGeoghegan, relating to distribution of local sales taxes.

HB 1336, introduced by Representatives Cierpiot, Schad, Torpey, Jones (117), Taylor, Klippenstein and Webber, relating to tax and fee amnesty.

HB 1337, introduced by Representative Stream, relating to cardiopulmonary resuscitation instruction in schools.

HB 1338, introduced by Representatives Wells, Dugger, Weter, Entlicher, Lant, Lauer, Kelley (126), Denison and Crawford, relating to military appreciation highway signs.

HB 1339, introduced by Representatives Wells, Davis, Brown (116), Weter, Entlicher, Lant, Lauer, Nance, Oxford, Denison, Kelley (126), Pollock, Swinger, Higdon, Largent, Webb, Cross, Smith (150), Solon, Grisamore, McGhee, White, Houghton, Hubbard, Spreng, Nichols, Cox, Meadows, Zerr, Schieffer, Richardson, Dugger, McNary, Molendorp, Hoskins, Hodges, Pace, McGeoghegan, Walton Gray, Fallert, Hinson, Frederick, Riddle, Burlison, Brown (50), Wallingford, Kelly (24), Fraker, Cauthorn, Conway (14), Brattin, Day, Wyatt, Lair, Shumake, Schad, Fisher, Funderburk, Scharnhorst, Redmon, Rowland, McDonald, Aull, Holsman, Colona, Hummel, Kratky, Sifton, Atkins, Casey, Carlson, Jones (63), McCann Beatty, Pierson, Talboy, Harris, Shively, Black, Quinn, Conway (27), Still, Lampe, Newman, McManus, Carter, Anders, Swearingen, Smith (71), Asbury, Brandom, Thomson, Jones (117), Stream, Bernskoetter, Wright, Elmer, Neth, Korman, Cookson, Fitzwater, Lasater and Crawford, relating to vision examinations for school children.

HB 1340, introduced by Representatives Dugger, Wells and Crawford, relating to county officers.

HB 1341, introduced by Representatives Dugger, Pollock, Wells and Crawford, relating to utilities.

HB 1342, introduced by Representatives Smith (150), Bahr, Fitzwater, Crawford, Tilley, Pollock, Entlicher, Lair, Wallingford, Stream, Houghton, Schad, Cross, Wieland, White, Curtman, Brandom, Frederick, Schatz, Brattin, Lichtenegger and Schoeller, relating to a prevailing defendant recovering litigation costs.

COMMITTEE APPOINTMENTS

January 17, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Speaker Steven Tilley and Representative Tim Jones as members of the Administration and Accounts Committee and appoint Representative Mike Leara and Representative Dwight Scharnhorst as members.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

WITHDRAWAL OF HOUSE BILL

January 17, 2012

Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 West Capitol Avenue
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

I respectfully request that **House Bill No. 1120**, military appreciation on highway signs, be withdrawn.

If you have any questions regarding this business, please contact the office at (573) 751-1490.

/s/ Don Wells
District 147

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 18, 2012.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixth Day, Thursday, January 12, 2012, Page 67, Line 33, by deleting the words "Renewable Energy" on said line, and inserting in lieu thereof the words, "Disability Services".

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1212, HB 1254
Executive session may be held on any matter referred to the committee.
Lunch will be provided.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 4.
Public testimony: Call or e-mail Eric Jacquin at (573) 751-9458 or Eric.Jacquin@house.mo.gov if you are interested in testifying.

APPROPRIATIONS - EDUCATION
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 1.
Public testimony continued.
Please call Gregg at 751-2917 to schedule a public testimony time slot.
CANCELLED

APPROPRIATIONS - EDUCATION
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 1.
DESE budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, January 18, 2012, 12:00 PM House Hearing Room 3.
–Organizational meeting.
–Departments and agencies are not required to attend.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, January 19, 2012, House Hearing Room 7 Upon Morning Adjournment.
Executive session may be held on any matter referred to the committee.
Public testimony. Please call (573) 751-5458 to register for testimony.
Meeting may last several hours, please plan accordingly.
Lunch will be provided.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 6.
Public testimony - Please call Rep. Kelly's office at (573) 751-4189 if you plan to testify at this hearing 24 hours prior to hearing date.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 7.
Organizational hearing.
The committee will hear public testimony on MoDOT, DED, DIFP, and DOLIR.
If you plan to testify, please contact Rep. Denny Hoskins' office [(573) 751-4302] 24 hours prior to hearing.

CORRECTIONS
Wednesday, January 18, 2012, 2:00 PM House Hearing Room 5.
Informational meeting.

DOWNSIZING STATE GOVERNMENT
Thursday, January 19, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1094
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, January 24, 2012, 7:30 AM House Hearing Room 7.
Public hearing will be held: HB 1104, HB 1036, HB 1059, HB 1060, HB 1106
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, January 18, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1043
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY
Monday, January 23, 2012, 5:00 PM House Hearing Room 1.
Presentation by MOCIA, Captive Insurance Agencies.

JOINT COMMITTEE ON EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, January 19, 2012, 8:00 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
First quarter meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Wednesday, January 18, 2012, 1:00 PM House Hearing Room 3.
Continuation of forum to discuss I-70.
Committee will hear public testimony.

JOINT COMMITTEE ON URBAN AGRICULTURE
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.
Presentations from: Dr. Dickson Despommier, Columbia University
Jim Godsil, Co-Founder Sweet Water Organics
Emmanuel Pratt, Executive Director Sweet Water Foundation
Myles Harston, AquaRanch
CORRECTED

LOCAL GOVERNMENT
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 3.
Public hearing will be held: HB 1037, HB 1210, HB 1143, HB 1255, HB 1177
Executive session may be held on any matter referred to the committee.
CORRECTED

RETIREMENT
Thursday, January 19, 2012, 9:00 AM House Hearing Room 1.
Public hearing will be held: HB 1039
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT
Monday, January 23, 2012, 6:00 PM 3702 W. Truman Blvd.
Organizational meeting.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.

TRANSPORTATION
Wednesday, January 18, 2012, 9:00 AM House Hearing Room 5.
Public hearing will be held: HB 1155
Executive Session will be held: HB 1155
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

EIGHTH DAY, WEDNESDAY, JANUARY 18, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 60 and HJR 61

HOUSE BILLS FOR SECOND READING

HB 1316 through HB 1342

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 43 - Burlison

HOUSE BILLS FOR PERFECTION

1 HB 1135 - Smith (150)
2 HCS HB 1140 - Smith (150)

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

EIGHTH DAY, WEDNESDAY, JANUARY 18, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord taketh pleasure in them that fear Him, in those that hope in His mercy. (Psalm 147:11)

God of Life and Light, by Whose love we have the gift of a new day, we thank You for this moment of prayer when we may draw close to You and let You draw close to us – as we face the demanding duties of these hours. From the noise of the outer world we would turn to the quiet of the inner world where in quietness and in confidence we may find strength in You for this day.

Help us to accept our privileges with thanksgiving, to carry our responsibilities with honor, to meet our difficulties with courage, and to discharge our duties with fidelity. Whatever good we do this day – may we do it with cheerfulness and with all sincerity of mind and heart, and to You shall be the praise world without end.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lydia Bommel, Tyler Molendorp and Blake Molendorp.

The Journal of the seventh day was approved as printed.

SPECIAL RECOGNITION

The Camdenton Lakers High School Robotics Team was introduced by Representative Franklin and presented a resolution.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 205 through House Resolution No. 285

HOUSE CONCURRENT RESOLUTION

Representative Shively, et al., offered House Concurrent Resolution No. 14.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 60 and **HJR 61** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1316 through **HB 1342** were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 43, relating to limits on state appropriations, was taken up by Representative Burlison.

HCS HJR 43 was laid over.

MOTION

Representative Jones (89) moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson

Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Cauthorn

PRESENT: 000

ABSENT WITH LEAVE: 004

Dieckhaus	Meadows	Nance	Swearingen

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Peter Kinder, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 031

Brown	Callahan	Chappelle-Nadal	Crowell	Curls
Dempsey	Dixon	Engler	Goodman	Justus
Keaveny	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	McKenna	Munzlinger	Nieves
Parson	Pearce	Richard	Ridgeway	Rupp
Schaaf	Schaefer	Schmitt	Stouffer	Wasson
Wright-Jones				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Cunningham	Green	Purgason

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 148

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon

Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 001

Atkins

ABSENT WITH LEAVE: 014

Dieckhaus	Holsman	Kander	Largent	Meadows
Nance	Nasheed	Phillips	Ruzicka	Still
Swearingen	Thomson	Wallingford	Webb	

The Doorkeeper announced the approach of the Honorable Richard B. (Rick) Teitelman, Chief Justice of the Supreme Court of Missouri. Chief Justice Teitelman was duly escorted to the House Chamber and to the Speaker's dais where he delivered the following message to the assembly in Joint Session.

STATE OF THE JUDICIARY ADDRESS

by

Chief Justice Richard B. (Rick) Teitelman

Mr. Speaker, Mr. President, Mr. President Pro Tem, Mr. Auditor, Mr. Attorney General, members of the General Assembly: Thank you for welcoming me here this morning. It is my honor to deliver this 39th state of the judiciary address. I also want to thank the staffs of the House Clerk and the majority leader as well as our maintenance staff, who were kind enough to help make accommodations for me to be able to deliver this speech to you today.

As President Reagan once said, "There are no constraints on the human mind, no walls around the human spirit, no barriers to our progress except those we ourselves erect." My humble thanks to you.

I also want to thank you for your continued cooperation in working with our branch of government. I think the founders of our great nation would have been so proud of you and your predecessors in welcoming the chief justice and the governor into this beautiful chamber to talk with you each year.

In light of this week's recognition of Dr. Martin Luther King Jr., I want to mention a true gem of the state – Frankie Freeman – a 95-year-old African-American woman who is being honored as the St. Louis Citizen of the Year and who has spent most of her 95 years marching as a true drum major for justice.

I was appointed to serve on the Supreme Court in 2002. I have been proud to serve there in the company of some of the finest jurists our state has ever known. I want to take a moment now to recognize my colleagues on the Court, who make every day of my job there special. I start by introducing to you our newest member, Judge George Draper III. Judge Draper – who is only the second African-American ever to serve on our state's high court – is from St. Louis, where he spent 11 years on the Court of Appeals, preceded by six years as a trial judge in St. Louis County, and before that, he served as chief trial attorney in the city's circuit attorney's office. Judge Draper, we are honored for the opportunity to serve alongside you. I also want to recognize Judge Ray Price, whose very big shoes I have to try to fill as chief justice; Judge Patty Breckenridge; Judge Zel Fischer; Judge Mary Russell and Judge Laura Stith.

It is important for me to mention all of these judges to you because the leadership for the judicial branch of government comes from all these fine men and women who are serving and who have served on the Supreme Court. I also would add my accolades to recognize our esteemed former clerk, Tom Simon, who retired at the end of May after serving with distinction for four decades as clerk of the Supreme Court of Missouri. Just to give you an idea of the kind of change Tom saw during his time at the Court … the year he began his career, Richard Nixon was our president; you could buy a stamp for 8 cents, a gallon of gas for 40 cents and a movie ticket for $1.50; Walt Disney World opened in Orlando; the NASDAQ debuted; and television advertising of cigarettes ended. During his career at the Court, Tom did much to cultivate relationships among our branches of government. His kindness and thoughtfulness to all helped open dialogue and build friendships over time. We value those relationships. In his first inaugural address, Abraham Lincoln promoted a unifying focus on friendship and the things that bind us in affection by calling upon "the better angels of our nature."

I remember sitting here in this chamber for the first time, listening to then-Chief Justice Steve Limbaugh Jr. giving his state of the judiciary address to your predecessors. As the grandson of former state Rep. Rush Limbaugh, he focused much of his time as chief justice talking about the honor of public service as well as the importance of those citizens we all serve. Thankfully, as he noted then, we don't have to do it all by ourselves. We have many judges in this state who serve not only their courts but also their local communities with dignity and integrity.

One judge in particular has been the source of much Missouri pride in recent months. Judge Jimmie Edwards, a circuit judge in St. Louis City, believed there needed to be an alternative to incarceration for juveniles who deserve a second chance through education. So in collaboration with 45 community partners, he took over an abandoned school and opened the Innovative Concept Academy in 2009. The academy, which serves as a "school of last resort" for at-risk youth between the ages of 10 and 18 years, recently has received a number of national accolades. People magazine named Judge Edwards as one of its 2011 Heroes of the Year, and the academy was featured on the Today show last month. But the academy's biggest success is that it has changed the lives of many young people, helping them to turn away from problems such as gang violence. So far, 18 students have earned their high school diplomas or GED, and two of them have gone on to college. Judge Edwards is here this morning along with some of his students. Would you please stand and be recognized? We could not be more proud of you!

Many court employees throughout the state went to Joplin following the disaster to help the courageous citizens of Joplin rebuild their lives and their community. Our hearts go out to everyone affected by this disaster – and our appreciation goes to everyone who lent a helping hand. Vince Lombardi said, "Individual commitment to a group effort – that is what makes a team work, a company work, a society work, a civilization work." I am so proud to live in a state that works as well as it does because its citizens and public servants are so generous with their prayers and other assistance and are so willing to work together.

Much can be accomplished when, as Thomas Jefferson encouraged, we "unite with one heart and one mind." We owe many thanks for the bipartisan effort to improve criminal justice to Speaker of the House Steve Tilley and President Pro Tem Rob Mayer – as well as Governor Jay Nixon and former Chief Justice Ray Price. I understand legislation soon will be introduced to implement the recommendations of a broad-based committee led by Senator Jack Goodman and Representative Chris Kelly. I support your efforts to help make sentencing practices more cost-effective, helping Missouri to become, as Judge Price stressed so often, both tough *and* smart on crime.

We also owe you many thanks for helping the courts with their efforts in the area of technology. The state court administrator's office has undertaken a remarkable cooperative effort to help make our records more accessible through electronic filing. If any of you want a demonstration of how the system works, just let us know, and we will be happy to show you!

A wise man once said the worst kind of death is being talked to death. As we come to the end of my speech, I am reminded by the quote carved into the dais behind me of the privilege of public service. That quote reflects our state motto, "Salus Populi Supreme Lex Esto," which means, "Let the welfare of the people be the supreme law." I look forward to working with you and getting to know many of you better throughout my time as chief justice. I am humbled to serve alongside you.

I also have learned the worst place to be is between a person and lunch. The Missouri Bar has been gracious enough to sponsor a lunch in the third-floor rotunda, with fried chicken and all the fixings … and they've added for the first time – for a little bit of variety – knishes, a traditional Jewish dish. Enjoy!

Thank you. God Bless America!

The Joint Session was dissolved by Senator Dempsey.

Speaker Pro Tem Schoeller resumed the Chair.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 43, relating to limits on state appropriations, was again taken up by Representative Burlison.

Representative Kelly (24) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Joint Resolution No. 43, Page 1, Section 23(a), Line 1, by deleting the words, "**27(a) and 27(c)**" and inserting in lieu thereof the words, "**27(a), 27(c), and 27(d)**"; and

Further amend said bill, section, page, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the following:

"**of zero or the sum of the annual rate of inflation, the annual percentage change in the population of Missouri, and one and one-half percent of the previous fiscal year total state general revenue collections;**"; and

Further amend said bill, section, page, Lines 9-10, by deleting all of said lines and inserting in lieu thereof the following, "**Index for All Urban Consumers for the United States, annual average of the most recent calendar year;**"; and

Further amend said bill, section, Page 2, Line 19, by deleting the words, "**fiscal year 2008**" and inserting in lieu thereof the words, "**a fiscal year**"; and

Further amend said bill, section, page, Line 22, by inserting after the word, "**reappropriations,**" the following, "**appropriations from general revenue required by this section and sections 27(a), 27(c), and 27(d)**"; and

Further amend said bill, section, page, Lines 26-27, by deleting all of said lines and inserting in lieu thereof the words, "**2. For any fiscal year subsequent to a fiscal year in which total state general revenue appropriations exceeded total state general revenue appropriations for fiscal year 2008, total state general revenue appropriations shall not exceed total state general revenue appropriations for the immediately preceding fiscal year by**"; and

Further amend said bill, section, page, Line 31, by deleting the words, "**they are passed**" and inserting in lieu thereof the words, "**the additional revenue is collected**"; and

Further amend said bill, section, page, Line 36, by inserting after the word, "**state**" the words, "**general obligation**"; and

Further amend said bill, section, page, Line 40, by inserting after the word, "**transfer**" the following:

"**thirty-three percent of the excess funds over two and one-half percent to the cash operating reserve fund established by section 27(a) of this article and sixty-seven percent of**"; and

Further amend said bill, Page 3, Section 23(a), Line 48, by deleting the words, "**simple majority**" and inserting in lieu thereof the words, "**vote of two-thirds**"; and

Further amend said bill, Page 5, Section 27(a), Line 60, by inserting opening and closing brackets "**[ ]**" around the words, "the sum of"; and

Further amend said bill, section, page, Line 62, by deleting the words, "**section 23(a)**" and inserting in lieu thereof the words, "**section 27(a)**"; and

Further amend said bill, section, page, Line 64, by deleting all of said line and inserting in lieu thereof the following, "shall stand appropriated and shall be transferred from the general revenue fund to the **[**budget**] cash operating**"; and

Further amend said bill, Page 6, Section 27(c), Line 30, by deleting all of said line and inserting in lieu thereof the following, "**and any amounts owed to the fund for the same year, is less than**"; and

Further amend said bill, Page 6, Section 27(d), Line 2, by deleting the word, "**with**" and inserting in lieu thereof the word, "**within**"; and

Further amend said bill, page, section, Line 6, by deleting the word, "**commission**" and inserting in lieu thereof the word, "**commissioner**"; and

Further amend said bill, page, section, Line 17, by deleting the words, "**vote of two-thirds**" and inserting in lieu thereof the words, "**simple majority vote**"; and

Further amend said bill, Page 7, Section 27(d), Lines 21-24, by deleting all of said lines and inserting in lieu thereof the following:

"**(1) The provisions of the commonsense obligation to provide accountability and spending stabilization act under sections 23(a), 27(a), 27(c), and 27(d) shall be effective once the total state general revenue appropriations for any fiscal year exceeds the total state general revenue appropriations for fiscal year 2008 and shall automatically sunset five years after the effective date of these sections unless reauthorized by an act of the general assembly; and**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Montecillo offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Joint Resolution No. 43, Page 1, Line 20, by inserting after said line the following:

"Further amend said bill, section, page, Line 25, by inserting after the words, "**prevailing party.**" the words, "**Any increase in funding above the appropriation growth limit up to fully funding the foundation formula under subsections 1 and 2 of section 163.031 as the foundation formula exists when this section is approved by the voters will not be included in the calculation for the total state general revenue appropriations,**"; and;"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Montecillo, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 007

Bahr	Curtman	Franklin	Koenig	Marshall
Pollock	Wells			

PRESENT: 000

ABSENT WITH LEAVE: 013

Day	Dieckhaus	Holsman	Klippenstein	Largent
McGhee	Meadows	Nance	Riddle	Scharnhorst
Schneider	Swearingen	Webber		

On motion of Representative Kelly (24), **House Amendment No. 1, as amended,** was adopted.

Representative Smith (150) assumed the Chair.

On motion of Representative Burlison, **HCS HJR 43, as amended,** was adopted.

On motion of Representative Burlison, **HCS HJR 43, as amended,** was ordered perfected and printed by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 053

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Day	Dieckhaus	Grisamore	Largent
McGhee	Meadows	Nance	Riddle	Swearingen

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HCS HJR 43 - Fiscal Review

COMMITTEE REPORT

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1155**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 62, introduced by Representatives Schupp, Schieffer, Pace, Smith (71), Pierson, Hubbard, Walton Gray, Swearingen, Oxford, Hummel, Loehner, Weter, Zerr, Sater, Lant, Davis, McNary, Grisamore, Redmon, Houghton, McGhee and Atkins, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1343, introduced by Representative Scharnhorst, relating to the licensing of tanning facilities.

HB 1344, introduced by Representatives Nasheed, Hubbard, Walton Gray, Pace, Brown (50), Oxford, Smith (71) and McGhee, relating to expungement of certain criminal records.

HB 1345, introduced by Representatives Cauthorn, Dugger, Solon and Wallingford, relating to publication of the state manual.

HB 1346, introduced by Representatives Talboy, Carter, Sifton, Hoskins, Jones (63), Lampe and Rizzo, relating to student athlete agents.

HB 1347, introduced by Representative Franz, relating to preferences for state contracts.

HB 1348, introduced by Representatives Neth, Swearingen, Berry, Nolte and Silvey, relating to dance curriculum in public schools.

HB 1349, introduced by Representatives Jones (117), Rizzo, Barnes, Hoskins, Torpey and Berry, relating to irrevocable life insurance trusts.

HB 1350, introduced by Representatives Schupp, Ellinger, Taylor, Kirkton, Still, McNeil, Smith (71), Pace, Carlson, Schieffer, Lampe, Solon, Nichols, Anders, Swearingen, Oxford, Wallingford, Lant, Reiboldt, Berry, Weter, Webber, Hummel, Wieland, Nasheed, Davis, Fitzwater, Rowland, McNary, Redmon, McGhee, Conway (27), Hughes, Carter, Walton Gray, Pierson, May, Holsman, Kelly (24), Atkins, Talboy, Colona, McCann Beatty, Spreng, Tilley and Rizzo, relating to child-care facilities.

HB 1351, introduced by Representatives Schupp, Lampe, Schieffer, Pace, McManus, Pierson, Nichols, Hubbard, Anders, Hummel, Wieland, Weter, Nasheed, Zerr, Fitzwater, McNary, Grisamore, Redmon, McGhee, Atkins, Still, Spreng and Rizzo, relating to senior citizen homestead deferral of taxes.

HB 1352, introduced by Representatives Schupp, Taylor, Kirkton, Pace, McNeil, Carlson, Pierson, Oxford, Still, Hummel, McGhee, Conway (27) and Atkins, relating to the Missouri indoor clean air act.

HB 1353, introduced by Representatives Schupp, Kirkton, Pierson, Smith (71), Walton Gray, Swearingen, Oxford, Still, Hummel, Wieland, Loehner, Weter, Nasheed, Fitzwater, McGhee, Atkins, Wyatt and Spreng, relating to the University of Missouri board of curators.

HB 1354, introduced by Representatives Schupp, Jones (117), Pace, Schieffer, Smith (17), Walton Gray, Oxford, Hummel, Weter, Nasheed, Zerr, McNary, Grisamore, McGhee, Conway (27) and Spreng, relating to the sale of kosher food.

HB 1355, introduced by Representatives Lichtenegger, Frederick, Lant, Tilley, Allen, Davis, Zerr, Kirkton, Hough, Flanigan, Richardson, Schneider, Berry and Hampton, relating to insurance reimbursement for physical therapist services.

HB 1356, introduced by Representatives Funderburk, McNeil, White, McCaherty and Korman, relating to the implementation of the streamlined sales and use tax agreement.

HB 1357, introduced by Representatives Gatschenberger, Bahr and Johnson, relating to alternatives-to-abortion agencies.

HB 1358, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1359, introduced by Representatives Smith (150), Franz, Solon, Berry, Wells and Long, relating to state contracts.

HB 1360, introduced by Representative Rizzo, relating to police chief powers.

HB 1361, introduced by Representatives Pollock, Schad, Entlicher, Dugger, McNary, Riddle, Rowland, Cauthorn, Wells and Franklin, relating to utilities.

HB 1362, introduced by Representatives Schieffer, White, Wells, Oxford, Houghton, Harris, McGeoghegan, Fallert, Smith (71), Walton Gray, Schupp, Nichols, McGhee, Quinn, Anders, Loehner, Black, Bernskoetter, Wright, Swinger and Aull, relating to tax credits for donated food.

HB 1363, introduced by Representatives Schieffer, Klippenstein, Wells, Houghton, Fallert, Weter, Korman, Black, McGhee, Quinn, Shively, Redmon, Loehner, Bernskoetter, Sater, Ruzicka, Lauer, Dugger, Day, Wright, Guernsey, Swinger, Aull, Franklin, Smith (150), Fitzwater, Crawford and Hinson, relating to exhibition of livestock at fairs and exposés.

HB 1364, introduced by Representatives Schieffer, Klippenstein, Wells, Houghton, Harris, Fallert, Weter, Korman, McGhee, Quinn, Redmon, Shively, Loehner, Black, Sater, Ruzicka, Dugger, Day, Wright, Guernsey, Swinger, Aull, Franklin, Smith (150), Fitzwater, Crawford, Hinson and Hough, relating to rodeos.

HB 1365, introduced by Representatives Lasater, Jones (89), Torpey, Fitzwater, McNary, Haefner, Wyatt, Keeney, Grisamore, Phillips, Wright, Houghton, Higdon, Guernsey, Koenig, Long, Brown (116), Lauer, Cross, Bahr, Fraker, Cookson, Redmon, Kelley (126), Marshall, Nolte, McCaherty, Berry, Weter, Riddle, Hough and Cierpiot, relating to candidate disqualifications.

HB 1366, introduced by Representative Fitzwater, relating to teacher evaluation.

HB 1367, introduced by Representatives Fitzwater, Lasater and Fraker, relating to state employee performance reviews.

HB 1368, introduced by Representatives Fitzwater, Lasater, Cookson and Fraker, relating to field tests for controlled substances.

HB 1369, introduced by Representatives Fitzwater, Lasater, Cookson, Higdon, Brown (116) Jones (89), Marshall, Riddle, Fraker, Gatschenberger, Burlison, Leach and Schad, relating to the open carry of firearms.

HB 1370, introduced by Representatives Burlison, Tilley, Fisher, Nasheed, Funderburk, Scharnhorst, Riddle, Diehl and Jones (89), relating to incentives to attract amateur sporting events to Missouri.

HB 1371, introduced by Representatives Weter, Kirkton, Sater, Shively, Hough, McDonald, Loehner, Meadows, Redmon, Shumake, Fisher, Schieffer, Wallingford, Fitzwater, McGhee, Quinn, McCreery, Webb, Kelley (126), Schad, Largent, Carter, Higdon, Bahr and Conway (14), relating to collaborative practice arrangements.

HB 1372, introduced by Representatives Jones (117), Richardson, Jones (89) and Diehl, relating to a prescription drug monitoring program.

COMMITTEE CHANGES

January 17, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Swinger and appoint Representative Kirkton to the Committee on Health Care Policy.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

January 18, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Lincoln Hough as a member of the International Trade and Job Creation Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

January 18, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Mike Colona from the Special Standing Committee on Renewable Energy and appoint Representative Genise Montecillo.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

January 18, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint Representative Jonas Hughes to serve on the following Special Standing Committees:

Special Standing Committee on Disability Services
Special Standing Committee on Renewable Energy
Special Standing Committee on Government Oversight and Accountability

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

COMMUNICATION

January 18, 2012

D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Ira Anders
District 51

The following members' presence was noted: Dieckhaus and Meadows.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:30 a.m., Thursday, January 19, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1212, HB 1254
Executive session may be held on any matter referred to the committee.
Lunch will not be provided.
CORRECTED

APPROPRIATIONS - EDUCATION
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 1.
DESE budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION
Monday, January 23, 2012, House Hearing Room 3 Upon Afternoon Adjournment.
–Organizational meeting.
–Departments and agencies are not required to attend.

APPROPRIATIONS - GENERAL ADMINISTRATION
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 3.
Public testimony. All individuals wishing to testify or speak before the committee must submit requests or notices with Chairman Parkinson's office prior to 5:00 PM on Monday, January 23, 2012.

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, January 25, 2012, House Hearing Room 3 Upon Morning Adjournment.
Budget presentations on Public Debt and Office of Administration Debt.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, January 19, 2012, House Hearing Room 7 Upon Morning Adjournment.
Executive session may be held on any matter referred to the committee.
Public testimony. Please call (573) 751-5458 to register for testimony.
Meeting may last several hours, please plan accordingly.
Lunch will be provided.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, January 24, 2012, 2:00 PM House Hearing Room 3.
Public Safety budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Public Safety budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, January 24, 2012, 8:00 AM House Hearing Room 3.
DIFP budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 7.
DOLIR budget presentation.

DOWNSIZING STATE GOVERNMENT
Thursday, January 19, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1094
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, January 24, 2012, 7:30 AM House Hearing Room 7.
Public hearing will be held: HB 1104, HB 1036, HB 1059, HB 1060, HB 1106
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, January 19, 2012, 9:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
HCS HJR 43.

HIGHER EDUCATION
Tuesday, January 24, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1041, HB 1042
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY
Monday, January 23, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1144, HB 1112
Presentation by MOCIA, Captive Insurance Agencies.
AMENDED

JOINT COMMITTEE ON EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, January 19, 2012, 8:00 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
First quarter meeting.

JOINT COMMITTEE ON URBAN AGRICULTURE
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.
Presentations from: Dr. Dickson Despommier, Columbia University
Jim Godsil, Co-Founder Sweet Water Organics
Emmanuel Pratt, Executive Director Sweet Water Foundation
Myles Harston, AquaRanch
CORRECTED

LOCAL GOVERNMENT
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 3.
Public hearing will be held: HB 1037, HB 1210, HB 1143, HB 1255, HB 1177
Executive session may be held on any matter referred to the committee.
CORRECTED

RETIREMENT
Thursday, January 19, 2012, 9:00 AM House Hearing Room 1.
Public hearing will be held: HB 1039
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT
Monday, January 23, 2012, 6:00 PM 3702 W. Truman Blvd.
Organizational meeting.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Thursday, January 19, 2012, 12:30 PM House Hearing Room 5.

UTILITIES
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 1.
This meeting is an informational meeting.

HOUSE CALENDAR

NINTH DAY, THURSDAY, JANUARY 19, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 62

HOUSE BILLS FOR SECOND READING

HB 1343 through HB 1372

HOUSE BILLS FOR PERFECTION

1 HB 1135 - Smith (150)
2 HCS HB 1140 - Smith (150)

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 43, (Fiscal Review 1-18-12) - Burlison

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

NINTH DAY, THURSDAY, JANUARY 19, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

God has not given us the spirit of fear; but of power, and of love, and of a sound mind. (II Timothy 1:7)

Eternal God, Who is the refuge of Your people in every age and our strength in this present hour - make Yourself real to us as we bow humbly in Your presence. Help us to recognize our dependence upon You, our constant need of Your strength, Your guidance, and Your love. Give us to know that You are always with us and that with You we can be made ready for every responsibility and equal to every experience.

We pray for peace in our world, for good will among our people and for a faith in You which makes us strong, gives us courage and helps us on our upward way. May Your spirit touch each one of us with healing power. Kindle our faith, make sensitive our consciences, dedicate our strength, fortify us in our difficulties and send us out strong in You and in the power of Your might.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 286 through House Resolution No. 304

HOUSE CONCURRENT RESOLUTIONS

Representatives Cauthorn and McGhee offered House Concurrent Resolution No. 15.

Representative Walton Gray, et al., offered House Concurrent Resolution No. 16 through House Concurrent Resolution No. 21.

Representative Fisher, et al., offered House Concurrent Resolution No. 22.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 62 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1343 through **HB 1372** were read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 43, relating to limits on state appropriations, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HJR 43** was read the third time and passed by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 054

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 004

Dieckhaus	Klippenstein	Nance	Swearingen

Speaker Pro Tem Schoeller declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 12 - Veterans
HCR 13 - Tourism and Natural Resources

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 41 - Elections
HJR 49 - General Laws
HJR 61 - Emerging Issues in Animal Agriculture

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1030 - Budget
HB 1051 - General Laws
HB 1055 - Ways and Means
HB 1057 - Crime Prevention and Public Safety
HB 1075 - Health Care Policy
HB 1117 - Transportation Funding and Public Institutions
HB 1125 - Crime Prevention and Public Safety
HB 1130 - Economic Development
HB 1131 - Workforce Development and Workplace Safety
HB 1137 - Judiciary
HB 1138 - Retirement
HB 1139 - Retirement
HB 1145 - Children and Families
HB 1146 - Small Business
HB 1151 - Professional Registration and Licensing
HB 1156 - Transportation
HB 1164 - Economic Development

HB 1167 - Crime Prevention and Public Safety
HB 1182 - Ways and Means
HB 1184 - General Laws
HB 1190 - Crime Prevention and Public Safety
HB 1191 - Tourism and Natural Resources
HB 1211 - Local Government
HB 1228 - Elementary and Secondary Education
HB 1229 - Higher Education
HB 1234 - Crime Prevention and Public Safety
HB 1235 - Elections
HB 1243 - Economic Development
HB 1244 - Economic Development
HB 1245 - Economic Development
HB 1256 - Judiciary
HB 1258 - Children and Families
HB 1259 - Children and Families
HB 1260 - Children and Families
HB 1266 - Tourism and Natural Resources
HB 1268 - Local Government
HB 1269 - Transportation
HB 1270 - Crime Prevention and Public Safety
HB 1277 - Rural Community Development
HB 1281 - Veterans
HB 1287 - Veterans
HB 1298 - General Laws
HB 1302 - Special Standing Committee on Renewable Energy
HB 1311 - Economic Development
HB 1324 - Agriculture Policy
HB 1329 - Budget
HB 1342 - General Laws
HB 1344 - Urban Issues
HB 1370 - Economic Development
HB 1372 - Professional Registration and Licensing

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 63, introduced by Representatives Loehner, Houghton, Weter, Reiboldt, Fisher, Schad, Cauthorn, Fitzwater, Sater, Scharnhorst, Elmer and Smith (150), relating to agriculture.

HJR 64, introduced by Representatives Curtman, Schoeller, Jones (89), Smith (150), Koenig, Tilley, McCaherty, Higdon, Marshall, Schieber, Asbury, Bahr, Fuhr, Guernsey, Houghton and Schatz, relating to prohibiting laws interfering with freedom of choice in health care.

HJR 65, introduced by Representatives Walton Gray, Black, Pace, Webb, Smith (71) and Brown (50), relating to the general assembly.

HJR 66, introduced by Representatives Colona, McGeoghegan, Hummel, Webber, McManus, Carter, Holsman, Webb, Pierson, Ellinger, Rizzo, Newman, McCreery, Atkins, Walton Gray, Pace and Morgan, relating to the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1373, introduced by Representatives Asbury, Grisamore, Redmon, Houghton, Hoskins, Schad, Hampton, Wyatt, Lant, Fraker, Fitzwater, Schieffer, Quinn, Wells, Guernsey, Smith (150), Molendorp, Kelly (126), Loehner, Klippenstein, Pollock, Korman, Shumake, Lichtenegger, Cauthorn and Shively, relating to county annual budgets.

HB 1374, introduced by Representatives Neth and Talboy, relating to school accreditation.

HB 1375, introduced by Representatives Schad, Crawford, Entlicher, Wyatt, Korman, Houghton, Hodges, Shively, Cauthorn, Guernsey, Torpey, Pollock, Higdon, Denison, Wells and Dugger, relating to the designation of deer as livestock.

HB 1376, introduced by Representatives Cauthorn, McGhee and Funderburk, relating to legal tender.

HB 1377, introduced by Representatives Cauthorn, Reiboldt, Guernsey, Torpey, White and Solon, relating to condemnation proceedings.

HB 1378, introduced by Representatives Denison and Meadows, relating to the transport of manufactured homes.

HB 1379, introduced by Representatives Bahr, Kelley (126), Conway (14), Leach and Elmer, relating to the telemarketing no-call list.

HB 1380, introduced by Representatives Bahr, Conway (14), Koenig, Leach and Wells, relating to restrictive covenants.

HB 1381, introduced by Representatives Bahr, Koenig and Wells, relating to motor vehicle mileage taxes.

HB 1382, introduced by Representatives Cox, Ruzicka and Schad, relating to restitution.

HB 1383, introduced by Representatives Cox, Brown (116) and Rowland, relating to the transparency and accountability of public funds.

HB 1384, introduced by Representatives Cox, Smith (150), Largent and Bernskoetter, relating to consent for adoption of a child.

HB 1385, introduced by Representatives Cox, Fisher, Schad, Davis, Brown (116), Gatschenberger, McGhee, Wells and Rowland, relating to the Title X consistency and transparency act.

HB 1386, introduced by Representatives Aull, Shively, McNeil, Rowland and Hodges, relating to school funding.

HB 1387, introduced by Representatives Aull, Shively, Hodges and Quinn, relating to the school calendar.

HB 1388, introduced by Representatives Aull, Shively, Hodges and Quinn, relating to teacher tenure.

HB 1389, introduced by Representatives Kirkton, Conway (27), McCaherty, Oxford, Newman, McNeil, McCreery, Brown (50), Fuhr, Brown (85), Lair, Stream, Conway (14), Leach, Still, Holsman, Kelly (24), Long, Taylor, Sater, Lichtenegger, Carter, Atkins, Weter and Ellinger, relating to telephone calls.

HB 1390, introduced by Representatives Curtman, McCaherty, Wieland, Schieber, Houghton, Brattin, Koenig, Bahr, Marshall, Leach, Dugger, Berry, Schatz and Fuhr, relating to workers' compensation insurance.

HB 1391, introduced by Representatives Elmer, Fraker, Molendorp, Long, Leach, Hough, Dieckhaus, Denison, Schoeller and Lampe, relating to a surcharge on civil court cases.

HB 1392, introduced by Representatives Higdon, Rizzo, Hough, Fitzwater, Schneider and Diehl, relating to the purchase of commodity metals.

HB 1393, introduced by Representatives Gosen, McGhee, Klippenstein, Higdon and Franz, relating to unsecured loans of five hundred dollars or less.

HB 1394, introduced by Representatives Brandom, Hampton, Jones (117), Scharnhorst, Day, Schneider, Brown (85), Hough, Hinson, Loehner, Korman, Jones (89), Cross, McCaherty, Lauer, Smith (150), Houghton, Lichtenegger, Wells, Pollock and Diehl, relating to public assistance benefits.

HB 1395, introduced by Representatives Korman, Neth, Cauthorn, Hough, Hinson, Cierpiot, Funderburk, Gatschenberger, McGhee, Scharnhorst, Hummel, Diehl, Talboy, Elmer, Wright, Hampton, Houghton, Meadows, Aull, Cookson, Swinger and Richardson, relating to the land survey program.

HB 1396, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1397, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1398, introduced by Representative Gatschenberger, relating to property tax bills.

HB 1399, introduced by Representatives Richardson, Torpey, Frederick and Nichols, relating to interventional pain management.

HB 1400, introduced by Representatives Richardson, Crawford, Hampton, Barnes, Jones (117), Houghton, Schatz, Brandom and Lichtenegger, relating to the investment of certain public funds.

HB 1401, introduced by Representatives Richardson and Frederick, relating to certificate of need.

HB 1402, introduced by Representatives Burlison, Denison, Koenig, Jones (117), Riddle, Wyatt, Sommer, McNary, Molendorp, Frederick, Brattin, Wieland, Lauer, Berry, Curtman, Leach, Quinn and Keeney, relating to the transportation of household goods.

HB 1403, introduced by Representatives Schatz, Jones (89), Hough, Hampton, Fisher, Houghton, Davis, Brattin, Hinson, Crawford, Shumake, Asbury, Fitzwater, Cauthorn, Scharnhorst, Molendorp, Allen, Bernskoetter, Korman, Pollock, Wells, Franklin, Redmon, Diehl, Gosen, Kelley (126), Hoskins, Largent, Johnson, Entlicher, Brown (85), Lant, Reiboldt, Fraker, Sommer, Haefner, Lasater, Conway (14), Lair, Stream, Grisamore, Phillips, Wright and McNary relating to workers' compensation.

HB 1404, introduced by Representatives Reiboldt, Lant, Berry, Kelley (126), Cauthorn, Brattin, Frederick and Crawford, relating to the designation of Missouri pet breeders appreciation month.

HB 1405, introduced by Representatives Brown (50), Carter, Webb, McCreery, Kirkton, McCann Beatty, Hummel, Colona, Talboy, Pierson, Nichols, Smith (71), McDonald, Carlson, Morgan, Pace, Walton Gray, Ellington, Atkins, Hughes and Spreng, relating to the Missouri universal health assurance program.

HB 1406, introduced by Representatives Walton Gray, Higdon, Carter, Pace, Oxford, Atkins, Rizzo, McGeoghegan, Schieffer, Swearingen, Harris, Hodges, Conway (27), Carlson, Aull, Hummel, Webb, Jones (63), McCann Beatty, Nasheed, Pierson, Brown (50), Ellington, Smith (71), Casey, May, Morgan, Schupp, Fallert, McManus, Anders, Kratky, Black, Ellinger, Colona, Meadows, Schatz, Denison and Pollock, relating to the use of credit scores by insurance companies.

HB 1407, introduced by Representatives Walton Gray, Weter, Pace, McGeoghegan, Newman, Funderburk, Webb, Wallingford, May, Ellington, McCann Beatty, Sater, Carter, Hughes, Smith (71) and Brown (50) , relating to a sickle cell disease task force.

HB 1408, introduced by Representatives Walton Gray, Pace, McGeoghegan, Funderburk, Wallingford, Sater and Brown (50), relating to the designation of organ donor recognition day.

HB 1409, introduced by Representatives Walton Gray, Pace and Brown (50), relating to mortgages.

HB 1410, introduced by Representatives Walton Gray and Brown (50), relating to the duties of the board of probation and parole.

HB 1411, introduced by Representatives Walton Gray, Swearingen and Brown (50), relating to a task force on alternative confinement for victims of human sex trafficking.

HB 1412, introduced by Representatives Walton Gray, Fallert, Brown (50) and Meadows, relating to liquor control.

HB 1413, introduced by Representative Stream, relating to the crime of causing substantial injury to or the death of a service dog.

HB 1414, introduced by Representatives Colona, Webb, McManus and Hummel, relating to the second injury fund.

HB 1415, introduced by Representatives Colona, Conway (27), Sifton, Spreng, McDonald, Fallert, Newman, Kratky, McManus, Webb, Pierson, Hummel, Rizzo, McCreery, Atkins, Walton Gray, Pace and Morgan, relating to election procedures.

HB 1416, introduced by Representatives Colona, Jones (89), McManus, Ellinger, Talboy, Hummel, Walton Gray and Morgan, relating to courthouse security.

HB 1417, introduced by Representatives Colona, Kratky, McGeoghegan, Webb, McManus, Pierson, Hummel, Newman, Atkins, Walton Gray, Pace and Morgan, relating to workers' compensation.

HB 1418, introduced by Representatives Colona, Montecillo, Hummel, Rizzo, Webber, Newman, McCreery, Atkins, Walton Gray, Pace and Morgan, relating to public employee labor organizations.

HB 1419, introduced by Representatives Colona, Spreng, May, Kratky, Newman, McCreery, Walton Gray, Pace, Morgan and Anders, relating to text messaging while operating a motor vehicle.

HB 1420, introduced by Representatives Colona, Rizzo, Webb, Pierson, Newman, McCreery, Walton Gray, Pace and Morgan, relating to the creation of a death penalty commission.

HB 1421, introduced by Representatives Colona, McGeoghegan, Holsman, Spreng, Ellinger, Walton Gray, Pace and Morgan, relating to the use for marijuana for medicinal purposes.

HB 1422, introduced by Representatives Marshall, Lasater, Bahr, Higdon and Phillips, relating to DNA profiling.

HB 1423, introduced by Representatives Marshall, Lasater, Fuhr, Schad, Higdon and Phillips, relating to the water patrol division of the Missouri state highway patrol.

HB 1424, introduced by Representatives Marshall, Lasater, Bahr, Schieber, Fuhr, Schad, Higdon and Phillips, relating to the state highway patrol.

HB 1425, introduced by Representatives McNary, Dieckhaus, Burlison, Kelley (126), Jones (63), Klippenstein, Fitzwater, Lasater, Scharnhorst, Conway (14), Koenig, Curtman, Korman, Houghton, Neth, Diehl, Fuhr, Weter, Long, Brown (85), Gatschenberger, Cookson, Stream, Lair, Sommer, Cross, Taylor, Hoskins and Jones (89), relating to student progression.

HB 1426, introduced by Representatives Kratky, Anders, Carter, Smith (71), Schupp, Jones (63), McDonald, Pace and Oxford, relating to unlawful use of a weapon.

HB 1427, introduced by Representatives Kratky, Anders, Oxford, McGeoghegan, Berry, Schupp, Jones (63), Colona, Quinn, McDonald, Pace and Walton Gray, relating to a tax credit for certain small businesses.

HB 1428, introduced by Representatives Kratky, Anders, Smith (71), Schupp, Jones (63), McDonald, Pace and Walton Gray, relating to unlawful use of a weapon.

HB 1429, introduced by Representatives Kratky, Anders, Jones (63), Colona, McDonald, Pace and Walton Gray, relating to a tax credit for renovation of rental property.

HB 1430, introduced by Representatives Kratky, Anders, Berry, Wells, Schupp, Jones (63), Colona, McDonald, Pace and Oxford, relating to text messaging while operating motor vehicles.

HB 1431, introduced by Representatives Hoskins, Kelly (24), Cox, Bernskoetter, Hough, Long, McNary, Gosen, Brown (50), Grisamore and Denison, relating to sales of aviation jet fuel.

HB 1432, introduced by Representatives Hoskins, Lichtenegger, Jones (117), Brattin, Brown (85) and Davis, relating to professional therapy dogs.

HB 1433, introduced by Representatives Hoskins, Burlison, Schad, Jones (117), Diehl, Brown (116), Fitzwater, Pollock, Curtman, Davis, Lant, Korman, Hinson, Elmer, Loehner, Cierpiot, Brown (85), Asbury, Torpey, Crawford, Dugger, Shumake and Lauer, relating to roadside vegetation.

HB 1434, introduced by Representatives McGhee, Schneider and Cross, relating to sewerage and water services.

HB 1435, introduced by Representatives Schoeller, Wallingford, Davis, Wieland, Long, Elmer, Frederick, Lair, Lauer, Jones (117), Fraker, Stream, McCaherty, Fisher, Schatz, Houghton, Brattin, Barnes, Torpey, Hoskins, Leach, Koenig, Allen, Neth, Franz, Entlicher, Schneider, Tilley, Guernsey, White, Cookson, Smith (150), Phillips, Schad, Black, Harris, Hummel, McGeoghegan, Schieffer, Fallert, Hodges, Kratky, Swinger, McManus, Casey, Hampton, Quinn, Shively, Meadows, Brown (50), McGhee, Funderburk, Klippenstein, Burlison, Dugger, Thomson, Franklin, Berry, Weter, Riddle, Jones (89), Brown (85), Kelley (126), Sommer, Parkinson, Nance, Asbury, Cauthorn, Reiboldt, Scharnhorst, Bernskoetter, Wright, Lasater, Wells, Leara, Higdon, Shumake, Curtman, Nolte, Solon, Fuhr, Cierpiot, Haefner, Largent, Cross, Hinson, Lichtenegger, Bahr, Pollock, Molendorp, Rowland, Denison, Loehner, Brown (116), Gatschenberger, Cox, Brandom, Keeney, Diehl, Zerr, Johnson, Sater, Korman, Hough, Fitzwater, Crawford, Day, Grisamore, Gosen, Ruzicka and McNary, relating to tax credits for pregnancy resource centers.

HB 1436, introduced by Representatives Newman, Hummel, McCreery, Nichols, Pace, Morgan, Spreng, Kirkton, Jones (63), Colona, Webb, Carter, Holsman, Shively, Rizzo, Conway (27), Oxford, Schieffer, Pierson, Kratky, McDonald, Brown (50), Montecillo, McGeoghegan, Talboy, Aull, McNeil and Carlson, relating to Sean's Law.

HB 1437, introduced by Representatives Newman, Rizzo, McCreery, Nichols, Schupp, Pace, Morgan, Spreng, Kirkton, Jones (63), Sifton, Walton Gray, Carter, Shively, Conway (27), Schieffer, Pierson, Kratky, Oxford, McDonald, Brown (50), Montecillo, Hummel, Talboy, Aull, McNeil and Carlson, relating to domestic violence.

HB 1438, introduced by Representatives Newman, Carter, McCreery, Nichols, Schupp, Pace, Morgan, Spreng, Kirkton, Jones (63), Colona, Sifton, Walton Gray, Webb, Holsman, Shively, Rizzo, Conway (27), Schieffer, Lampe, Pierson, Kratky, Oxford, McDonald, Brown (50), McGeoghegan, Hummel, Talboy, Aull and Carlson, relating to elections.

HB 1439, introduced by Representatives Newman, Jones (63), McCreery, Nichols, Schupp, Pace, Morgan, Spreng, Kirkton, Colona, Smith (71), Sifton, Walton Gray, Webb, Carter, Holsman, Rizzo, Lampe, Pierson, Oxford, McDonald, Brown (50), Montecillo, Talboy, McNeil and Carlson, relating to increasing preventative health services in the state through the prevention first act.

HB 1440, introduced by Representatives Newman, Jones (63), McCreery, Nichols, Schupp, Pace, Morgan, Spreng, Kirkton, Colona, Sifton, Walton Gray, Webb, Carter, Rizzo, Lampe, Pierson, Oxford, McDonald, Brown (50), Montecillo, Talboy, McNeil and Carlson, relating to the duty of a pharmacy to fill prescriptions.

HB 1441, introduced by Representative Fisher, relating to employment law.

HB 1442, introduced by Representatives Smith (150), Dugger, Diehl, Schoeller, Entlicher, Jones (89), Scharnhorst, Curtman and Koenig, relating to vacancies in certain statewide offices.

HB 1443, introduced by Representative McGhee, relating to the establishment of a memorial highway.

HB 1444, introduced by Representatives Smith (150), Wells, Dugger, Houghton, Reiboldt, Crawford, Lichtenegger, Brattin, Davis, Cox, Lant, Entlicher, Johnson, Kelley (126), Redmon, Rowland, Loehner, Schad, Cauthorn, Fitzwater, Elmer and Funderburk, relating to confiscated animals.

HB 1445, introduced by Representatives Smith (71), Carter, Stream, McGeoghegan and Meadows, relating to tax credits for renovations for disability access.

HB 1446, introduced by Representatives McNeil, Sifton, McGeoghegan, Schupp, Pace, Spreng and Oxford, relating to an income tax deduction for certain tuition costs.

HB 1447, introduced by Representatives McNeil, Wyatt, McGeoghegan, Schupp, Pace, Spreng, McCann Beatty, Oxford and Lampe, relating to telemarketing practices.

HB 1448, introduced by Representatives Guernsey, Houghton, Wells, Dugger, Pollock and Thomson, relating to wages for work done on behalf of a school.

HB 1449, introduced by Representatives Berry, Rizzo, Talboy, Silvey, Cierpiot, Solon, Nance, Brown (50), Richardson, Swearingen, Long, Schieber, Holsman, Cross, Molendorp, Lasater, McCann Beatty and Morgan, relating to economic incentives.

COMMITTEE APPOINTMENTS

January 19, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Judicial Reform:

Representative Jason Smith, Chairman
Representative Stan Cox
Representative David Day
Representative Sue Allen
Representative Zack Wyatt
Representative Clem Smith
Representative Chris Kelly
Representative Michael Brown
Doug Funderburk, Vice Chairman
Representative Rodney Schad
Representative Don Gosen
Representative Kathie Conway
Representative Mike Lair
Representative Susan Carlson
Representative Mike Colona

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

COMMITTEE CHANGES

January 19, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Jonas Hughes from the following Special Standing Committees:

Special Standing Committee on Disability Services
Special Standing Committee on Renewable Energy
Special Standing Committee on Government Oversight and Accountability

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m, Monday, January 23, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1212, HB 1254
Executive session may be held on any matter referred to the committee.
Lunch will not be provided.
CORRECTED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Tuesday, January 24, 2012, 2:00 PM House Hearing Room 4.
Conservation Budget presentation
Agriculture Budget presentation, if needed

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 4.
Continuation of the Conservation budget presentation, if needed
Proposal on the possible funding of a new meat lab for the University of Missouri.
Agriculture Budget presentation.

APPROPRIATIONS - EDUCATION
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 1.
DESE Budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION
Monday, January 23, 2012, House Hearing Room 3, 4:00 PM or Upon Afternoon Adjournment.
–Organizational meeting.
–Public testimony to be taken on the following agencies: Public Debt; Department of Revenue; Office of Administration; Elected Officials; Judiciary; and General Assembly. All individuals wishing to testify or speak before the committee must submit requests or notices with Chairman Parkinson's office prior to 1:30 PM on Monday, January 23, 2012.
CORRECTED

APPROPRIATIONS - GENERAL ADMINISTRATION
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 3.
Public testimony. All individuals wishing to testify or speak before the committee must submit requests or notices with Chairman Parkinson's office prior to 5:00 PM on Monday, January 23, 2012.
CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, January 25, 2012, House Hearing Room 3 Upon Morning Adjournment.
Budget presentations on Public Debt and Office of Administration Debt.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, January 24, 2012, 2:00 PM House Hearing Room 3.
Public Safety Budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Public Safety Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, January 24, 2012, 8:00 AM House Hearing Room 3.
DIFP Budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 7.
DOLIR Budget presentation.

BUDGET
Tuesday, January 24, 2012, House Hearing Room 3 Upon Morning Adjournment.
Public hearing will be held: HCR 3, HB 1329
Executive Session will be held: HCR 3, HB 1329
Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1187, HB 1258, HB 1259, HB 1260
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, January 24, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1311, HB 1370
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, January 24, 2012, 7:30 AM House Hearing Room 7.
Public hearing will be held: HB 1036, HB 1059, HB 1060, HB 1104, HB 1106
Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN ANIMAL AGRICULTURE
Tuesday, January 24, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HJR 61
Executive Session will be held: HJR 61
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, January 25, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1058, HB 1075, HB 1123
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, January 24, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1041, HB 1042
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INSURANCE POLICY
Monday, January 23, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1112, HB 1144
Presentation by MOCIA, Captive Insurance Agencies.
AMENDED

JOINT COMMITTEE ON EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON URBAN AGRICULTURE
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.
Presentations from: Dr. Dickson Despommier, Columbia University
Jim Godsil, Co-Founder Sweet Water Organics
Emmanuel Pratt, Executive Director Sweet Water Foundation
Myles Harston, AquaRanch
CORRECTED

LOCAL GOVERNMENT
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 3.
Public hearing will be held: HB 1037, HB 1143, HB 1177, HB 1210, HB 1255
Executive session may be held on any matter referred to the committee.
CORRECTED

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, January 25, 2012, House Hearing Room 5 Upon Morning Adjournment or 12 PM.
Public hearing will be held: HB 1193, HB 1372
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Monday, January 23, 2012, 3:15 PM House Hearing Room 6.
Executive session will be held: HCS HB 1155

RURAL COMMUNITY DEVELOPMENT
Monday, January 23, 2012, 6:00 PM 3702 W. Truman Blvd.
Organizational meeting.

RURAL COMMUNITY DEVELOPMENT
Tuesday, January 24, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1277
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 1.
This meeting is an informational meeting.

VETERANS
Tuesday, January 24, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1099, HB 1100, HB 1105, HJR 45, HB 1160, HB 1241, HB 1287
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, January 23, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1219
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TENTH DAY, MONDAY, JANUARY 23, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 63 through HJR 66

HOUSE BILLS FOR SECOND READING

HB 1373 through HB 1449

HOUSE BILLS FOR PERFECTION

1 HB 1135 - Smith (150)
2 HCS HB 1140 - Smith (150)

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TENTH DAY, MONDAY, JANUARY 23, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Major Kendall Mathews, Regional Coordinator of the Salvation Army of Jefferson City and Columbia, Missouri.

Lord, we come to You today to express our thankfulness for the many blessings You have given to us. We are indeed a people who need You more and more. May we never forget how much You love us and care for our every need. You are a God of LOVE, of PEACE and of GRACE, and we will strive to remember that as we go about our work today.

Lord, I am asking You to provide Your Holy guidance upon this House of Representatives – these legislators. As they make decisions that will impact our Great State of Missouri, may they be aware of the ever-growing needs that exist throughout our land. I pray that they will not forget all the people impacted by the current economic conditions – the BROKENHEARTED, the HOMELESS and the JOBLESS.

May our lawmakers' faith be unmovable, steadfast and unwavering. May You, the Holy One, strengthen this House and cause it to stand tall and stand up for what is righteous. Our faith can not be in earthly possessions or even in humankind. They fall short, Lord, when we place our hope in things that are not eternal.

This body bears our hope and our future. Lord, grant these women and men the wisdom to make decisions for a brighter future. Bless this House of lawmakers, their communities, their families, their staff and their constituents, as they serve not themselves, but others. May it be so, in the name and spirit of Jesus Christ.

The Pledge of Allegiance to the flag was recited.

The Journal of the ninth day was approved as printed by the following vote:

AYES: 146

Anders	Asbury	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellington	Elmer	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelly 24	Kirkton	Klippenstein

Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Aull	Brandom	Crawford	Diehl
Ellinger	Entlicher	Hough	Hughes	Kander
Kelley 126	May	Meadows	Molendorp	Schneider
Smith 71	Wright			

HOUSE RESOLUTIONS

Representative Bernskoetter offered House Resolution No. 305 and House Resolution No. 306.
Representative Wyatt, et al., offered House Resolution No. 333.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 307 through House Resolution No. 332

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 63 through **HJR 66** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1373 through **HB 1449** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1140, relating to the Missouri Accountability Portal, was taken up by Representative Smith (150).

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1140, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**37.853. 1. The office of administration shall maintain municipal government accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of municipal government financial information as a means of creating better public understanding of municipal government practices and operations.**

2. Individual municipal governmental entities shall collect and transmit, to the office of administration, the public information applicable to all municipal government as provided in this section.

3. Municipal governmental entities shall annually provide to the office of administration a copy of the annual report of the financial transactions of the municipality that the municipality is required to provide to the state auditor under section 105.145."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Conway (14) offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1140, Page 1, Section 37.853, Line 3, by inserting after the word "**government**", the following:

"**, including any city not within a county,**"; and

Further amend said amendment, page, and section, Line 6, by inserting after the word "**government**" the following:

"**, including any city not within a county,**"; and

Further amend said amendment, page and section, Line 7, by inserting after the word "**government**" the following:

"**, including any city not within a county,**"; and

Further amend said amendment, page and section, Line 8, by inserting after the word "**governmental**" the following:

"**, including any city not within a county,**"; and

Further amend said amendment, page and section, Line 9, by inserting after the word "**government**" the following:

"**, including any city not within a county,**"; and

Further amend said amendment, page and section, Line 11, by inserting after the word "**governmental**" the following:

"**, including any city not within a county,**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (14), **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 130

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 025

Atkins	Carlson	Carter	Colona	Ellington
Hummel	Kelly 24	May	McCann Beatty	McCreery
McDonald	McGeoghegan	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Schupp
Sifton	Smith 71	Spreng	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Day	Diehl	Ellinger	Hough
Hughes	Kander	Meadows		

On motion of Representative Solon, **House Amendment No. 1, as amended,** was adopted.

On motion of Representative Smith (150), **HCS HB 1140, as amended,** was adopted.

On motion of Representative Smith (150), **HCS HB 1140, as amended,** was ordered perfected and printed.

HB 1135, relating to a State Administrative Rules Review, was taken up by Representative Smith (150).

HB 1135 was laid over.

COMMITTEE REPORT

Committee on Rules, Vice-Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1155**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1155**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 23, introduced by Representatives Zerr, Sater, Berry, Gatschenberger, Jones (117), Jones (63), Carter, Colona, Talboy and Jones (89), relating to granting authority to the department of economic development to approve qualified equity investments.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 67, introduced by Representatives Denison, Rizzo, Meadows, Rowland, Shumake, Elmer, Fisher, Lair, Cookson, Burlison, Fraker, Montecillo, Wells, Franz, Pollock, Walton Gray and Hinson, relating to property taxation.

HJR 68, introduced by Representatives Nasheed, Kelly (24), Carter and Webb, relating to bonding for higher education capital improvement.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1450, introduced by Representative Bernskoetter, relating to pharmacy services.

HB 1451, introduced by Representatives Denison, Meadows, Solon, Long, Rowland, Shumake, Ruzicka, Fisher, Lair, Cross, Cookson, Schoeller, Burlison, Fraker, Rizzo, Wells, Franz, Pollock, Walton Gray and Korman, relating to motor vehicle windshield stickers.

HB 1452, introduced by Representatives Denison, Pace, McDonald, McCreery and Walton Gray, relating to water safety.

HB 1453, introduced by Representatives Denison, Long, Shumake, Ruzicka, Elmer, Meadows, Fisher, Lair, Cookson, Fraker, Rizzo, Franz and Pollock, relating to nuisance abatement ordinances.

HB 1454, introduced by Representative Stream, relating to reimbursing bi-state development agency for the reasonable costs attributable to investigating and prosecuting fare evasion offenses.

HB 1455, introduced by Representatives Gatschenberger, Talboy, Jones (89), Nolte, McCaherty, Long, Tilley, Jones (63), Colona, Atkins, Taylor, McManus and Webber, relating to the manufacturing jobs act.

HB 1456, introduced by Representatives Black, Quinn, Pace, Brown (50), Fitzwater, Oxford, McGhee, Funderburk, Torpey, Silvey, Schieffer and Bernskoetter, relating to a mental health assessment pilot program.

HB 1457, introduced by Representatives Crawford, Dugger and Entlicher, relating to county treasurer candidate qualifications.

HB 1458, introduced by Representatives Hinson and Gatschenberger, relating to emergency services.

HB 1459, introduced by Representatives Cierpiot, Torpey, Bernskoetter, Cookson, Dieckhaus and Neth, relating to school board members.

HB 1460, introduced by Representatives Jones (117), Richardson, Elmer, Crawford, Wyatt, Cox, Jones (89), Talboy, Webber, Colona, Kelly (24), Rizzo, Carter, Webb and Hoskins, relating to the statewide court automation fund.

HB 1461, introduced by Representatives Weter, Nance, McDonald, Cookson, Curtman, Koenig, Meadows, Carter, Denison, Kirkton, Still, Jones (63), Webb, Nichols and Lair, relating to security deposits.

HB 1462, introduced by Representatives Cauthorn, Klippenstein, Webber and Guernsey, relating to the Missouri Qualified Biodiesel Producer Incentive Fund.

HB 1463, introduced by Representatives Montecillo, Pierson, Atkins, Pace, Walton Gray, Webb, McNeil, Smith (71), Taylor and Spreng, relating to local sales taxes.

HB 1464, introduced by Representatives Torpey, Cierpiot, Neth, Grisamore, Solon, Lampe and Anders, relating to conflicts of interest for legislators.

HB 1465, introduced by Representatives Torpey, Cierpiot, Neth, Talboy, Jones (63), Montecillo, Dieckhaus, Lampe and Anders, relating to compulsory school attendance.

HB 1466, introduced by Representatives Nasheed, Jones (63), Oxford, Carter, Webb, Hummel and Schneider, relating to mathematics and science tutoring centers.

HB 1467, introduced by Representatives Nasheed, Carter, Webb and Jones (63), relating to the higher education loan authority.

The following member's presence was noted: Hughes.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, January 24, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1212, HB 1254
Executive session may be held on any matter referred to the committee.
Lunch will not be provided.
CORRECTED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Tuesday, January 24, 2012, 2:00 PM House Hearing Room 4.
Conservation Budget presentation.
Agriculture Budget presentation, if needed.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 4.
Continuation of the Conservation Budget presentation, if needed.
Proposal on the possible funding of a new meat lab for the University of Missouri.
Agriculture Budget presentation.

APPROPRIATIONS - EDUCATION
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 1.
DESE Budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 3.
Public testimony. All individuals wishing to testify or speak before the committee must submit requests or notices with Chairman Parkinson's office prior to 5:00 PM on Monday, January 23, 2012.
CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, January 25, 2012, House Hearing Room 3 Upon Morning Adjournment.
Budget presentations on Public Debt and Office of Administration Debt.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
DMH overview/presentation, followed by inquiry.
No meal will be provided. Please plan accordingly.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, January 26, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continuation of DMH hearing from Wednesday, January 25 (if necessary).

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, January 24, 2012, 2:00 PM House Hearing Room 3.
Public Safety Budget.
CANCELLED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Public Safety Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, January 24, 2012, 8:00 AM House Hearing Room 3.
DIFP budget presentation.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 7.
DOLIR budget presentation.

BUDGET
Tuesday, January 24, 2012, House Hearing Room 3 Upon Morning Adjournment.
Public hearing will be held: HCR 3, HB 1329
Executive Session will be held: HCR 3, HB 1329
Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1187, HB 1258, HB 1259, HB 1260
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, January 25, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1125, HB 1252
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, January 24, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1311, HB 1370
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, January 24, 2012, 7:30 AM House Hearing Room 7.
Public hearing will be held: HB 1036, HB 1059, HB 1060, HB 1104, HB 1106
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Lounge.
Public hearing will be held: HB 1174, HB 1228
Executive session may be held on any matter referred to the committee.
CORRECTED

EMERGING ISSUES IN ANIMAL AGRICULTURE
Tuesday, January 24, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HJR 61
Executive Session will be held: HJR 61
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Wednesday, January 25, 2012, 8:30 AM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
Any bill referred to the committee.

GENERAL LAWS
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1180, HB 1298, HB 1342
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, January 25, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1058, HB 1075, HB 1123
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, January 24, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1041, HB 1042
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, January 25, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1147, HB 1185, HB 1186
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JOINT COMMITTEE ON URBAN AGRICULTURE
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 7.
Presentations from: Dr. Dickson Despommier, Columbia University
Jim Godsil, Co-Founder Sweet Water Organics
Emmanuel Pratt, Executive Director Sweet Water Foundation
Myles Harston, AquaRanch
CORRECTED

JUDICIARY
Wednesday, January 25, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1137, HB 1165, HB 1166, HB 1253, HB 1256
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 3.
Public hearing will be held: HB 1037, HB 1143, HB 1177, HB 1210, HB 1255
Executive session may be held on any matter referred to the committee.
CORRECTED

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, January 25, 2012, House Hearing Room 5 Upon Morning Adjournment or 12 PM.
Public hearing will be held: HB 1193, HB 1372
Executive session may be held on any matter referred to the committee.

RETIREMENT
Thursday, January 26, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1138, HB 1226
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, January 24, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1277
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, January 30, 2012, 1:00 PM House Hearing Room 7.
Public hearing will be held: HB 1077
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Wednesday, January 25, 2012, 3:30 PM House Hearing Room 3.
Public hearing will be held: HB 1076, HB 1302
Executive session may be held on any matter referred to the committee.
Presentation from Missouri American Water on successful renewable energy projects.
Public hearing to follow.

TRANSPORTATION
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1093, HB 1107, HB 1119, HB 1141, HB 1156, HB 1269
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, January 24, 2012, 12:00 PM House Hearing Room 1.
This meeting is an informational meeting.

VETERANS
Tuesday, January 24, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1099, HB 1100, HB 1105, HJR 45, HB 1160, HB 1241, HB 1287
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

ELEVENTH DAY, TUESDAY, JANUARY 24, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 23

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 67 and HJR 68

HOUSE BILLS FOR SECOND READING

HB 1450 through HB 1467

HOUSE BILLS FOR PERFECTION

HB 1135 - Smith (150)

HOUSE BILLS FOR THIRD READING

HCS HB 1140 - Smith (150)

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

ELEVENTH DAY, TUESDAY, JANUARY 24, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Be still and know that god is. (Psalm 46:10)

Eternal God, so high above us that we cannot comprehend You and yet so deep within us that we cannot escape You, make Yourself real to us as we pray today.

Tired are we of our littleness and we pray that You will lift us into the fellowship of great minds. Tired are we of our thoughts of discouragement and pray that You will lift us into the companionship of great hearts - that in these relationships our faith may be renewed, our hope strengthened, and our courage confirmed.

Bless these Representatives as they wait upon You. May they be wise with Your wisdom, strong with your power, and faithful in Your faithfulness to them. According to our needs, may the riches of Your grace enter the hearts of every one of us.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Sarah Bentley.

The Journal of the tenth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 334 through House Resolution No. 361

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 23 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 67 and **HJR 68** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1450 through **HB 1467** were read the second time.

PERFECTION OF HOUSE BILL

HB 1135, relating to a State Administrative Rules Review, was taken up by Representative Smith (150).

Representative Schupp offered **House Amendment No. 1**.

Representative Richardson raised a point of order that **House Amendment No. 1** is in violation of Rule 46(d).

The Chair ruled the point of order well taken.

On motion of Representative Smith (150), **HB 1135** was ordered perfected and printed by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo

Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 004

Ellinger	Flanigan	Kander	Meadows

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1135 - Fiscal Review
HB 1220 - Urban Issues

COMMITTEE REPORTS

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1036**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1059**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1104**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1039**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1277**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was returned **HB 1155**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2 - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1099**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1100**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1105**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1219**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 69, introduced by Representatives Funderburk and Koenig, relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1468, introduced by Representatives Higdon, Klippenstein, Bernskoetter, Funderburk and Johnson, relating to peace officer safety alerts.

HB 1469, introduced by Representatives Cross, Schoeller, Redmon, Houghton, Denison, McGhee, Molendorp, Scharnhorst, Fraker, Brown (116), Crawford, Brandom, McCaherty, Long, Davis, Hampton, Wells, Schad, Lauer, Brown (50), Hough, Bernskoetter, Reiboldt, Franklin, Phillips, Weter, Korman and Gatschenberger, relating to small claims actions.

HB 1470, introduced by Representatives Taylor, Torpey, McGeoghegan, McCann Beatty, Cookson, Lant, Sater, Nichols, Spreng, Kirkton, Largent, Carter, Webb, Wyatt, Harris, Pace, Hubbard, Montecillo, Anders, Schupp, Meadows, Rizzo, Hoskins, Hummel and McNeil, relating to the reporting of child abuse and neglect.

HB 1471, introduced by Representatives Frederick, Lichtenegger, Sater, Allen, Hinson, White, McNeil, Hodges, Pace, Kirkton and Kelley (126), relating to tuberculosis testing.

HB 1472, introduced by Representatives Carter, Jones (63), Dieckhaus, Hummel, Colona, Lampe, Aull, McNeil, Nasheed, McCann Beatty, Newman, Kirkton, Nichols, Smith (71), Hughes, May, Morgan, Carlson, Montecillo, Webb, Still and Ellinger, relating to teacher retirement.

HB 1473, introduced by Representatives Jones (117), Richardson, Cierpiot, Elmer and Diehl, relating to driver's license suspensions.

HB 1474, introduced by Representatives Hubbard, Carter, Brown (50), Ellington, Colona, May, Spreng, Walton Gray, Pace, Pierson, Nasheed and Hughes, relating to elimination of the inmate intervention fee.

HB 1475, introduced by Representatives Cross, Brown (116), Lauer, Reiboldt, McCaherty, Fraker, Redmon, Lant, Weter, Korman, Hampton, McCreery, McNeil, Gatschenberger, Hodges, Pace, Jones (63), Frederick, Nance, Barnes and Fitzwater, relating to tanning facilities.

HB 1476, introduced by Representatives Leara and Zerr, relating to the sole purpose of freight forwarding.

HB 1477, introduced by Representatives Brown (116), Guernsey, Houghton and Jones (89), relating to grain purchases.

HB 1478, introduced by Representatives Still, Newman, Oxford, Pace, McNeil, McCreery, Schupp, Carlson and Kelly (24), relating to cigarette and tobacco taxes.

HB 1479, introduced by Representatives Schieffer, Oxford, Smith (71), Walton Gray, McNeil, Jones (63) and McGeoghegan, relating to landlord's disclosure of the presence of mold.

HB 1480, introduced by Representatives Schieffer, Oxford, Pierson and McGeoghegan, relating to telephone calls.

HB 1481, introduced by Representatives Schieffer, Klippenstein, Wells, Houghton, Fallert, Weter, Korman, Sater, McGhee, Quinn, Shively, Redmon, Loehner, Black, Bernskoetter, Ruzicka, Dugger, Day, Wright, Guernsey, Swinger, Aull, Franklin, Smith (150), Fitzwater, Crawford, Hough and Hinson, relating to exhibition of livestock and domestic animals at fairs, exposes, and pet shows.

HB 1482, introduced by Representatives Schieffer, Gatschenberger, Houghton, Pierson, McGeoghegan and Fallert, relating to unlawful possession of a firearm.

HB 1483, introduced by Representatives Schieffer, Johnson, Wells, Houghton, Gatschenberger, Pierson and McGeoghegan, relating to concealed carry endorsements.

HB 1484, introduced by Representatives McCaherty and Nolte, relating to electronic notifications and forms from the department of revenue.

HB 1485, introduced by Representatives Parkinson, Conway (14), Funderburk and Nance, relating to candidate qualifications.

HB 1486, introduced by Representative Nasheed, relating to cigarette taxes.

HB 1487, introduced by Representatives Pollock, Wells, Diehl, Flanigan, Riddle, Ruzicka and Dugger, relating to renewable energy.

HB 1488, introduced by Representatives Pollock, Schad, Wells, Riddle, Ruzicka, Crawford and Dugger, relating to the regulation of public utilities.

HB 1489, introduced by Representatives McCaherty, Cross, Neth, Fitzwater, Berry, McGhee, Lichtenegger, Casey, Zerr, Wright, Nance, Rizzo, Burlison, Holsman, Carter, Grisamore, Smith (150), Nasheed, Nolte, Wieland, Meadows, Atkins and Rowland, relating to property taxation.

HB 1490, introduced by Representatives Frederick, Kirkton, White, Carter, Pace, Sifton, Sater, Houghton and Nance, relating to the credentialing and payment of health care practitioners by health insurers.

HB 1491, introduced by Representatives Haefner, Higdon, Conway (14), Solon, Lichtenegger, Lasater, Tilley, Cookson, Berry, Brown (85), Reiboldt, Allen, Brandom, Brown (116), Shumake and Bahr, relating to the reporting of child abuse and neglect.

HB 1492, introduced by Representatives Molendorp and Brattin, relating to county municipal courts.

HB 1493, introduced by Representatives Fraker and Lant, relating to prevailing wages.

MESSAGE FROM THE GOVERNOR

January 23, 2012

REORGANIZATION PLAN NO. 1
2012

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 1 of 2012, by Executive Order 12-2, to transfer all Medicaid Program audit and compliance responsibilities from the Department of Health and Senior Services, and the Department of Mental Health, and assign them to the Department of Social Services.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

EXECUTIVE ORDER
12-2

WHEREAS, the Department of Social Services, established pursuant to Article IV, Section 37 of the Missouri Constitution, is the single state agency responsible for the administration of the Missouri Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs; and

WHEREAS, the Department of Health and Senior Services, established pursuant to Section 192.005, RSMo, is responsible for public health and aging issues, including administration of the Personal Care and Home and Community-Based Medicaid programs for the aged and disabled; and

WHEREAS, the Department of Mental Health, established pursuant to Article IV, Section 37(a) of the Missouri Constitution, is responsible for issues and programs related to mental disorders, developmental disabilities, and substance abuse; and

WHEREAS, the Missouri Medicaid Audit and Compliance Unit (MMAC) was established in January 2011, within the Department of Social Services, to oversee audit and compliance of Missouri Medicaid Program providers and participants; and

WHEREAS, the MMAC is responsible for detecting, investigating, and preventing fraud against the Missouri Medicaid Program; and

WHEREAS, all Medicaid Program audit and compliance appropriations were transferred from the Department of Social Services' MO HealthNet Division, Department of Health and Senior Services, and the Department of Mental Health to the Department of Social Services MMAC unit in Fiscal Year 2012 by the General Assembly; and

WHEREAS, the work of MMAC has already resulted in the doubling of recoupment of provider overpayments in its first reporting quarter compared with the same quarter in previous years; and

WHEREAS, consolidation of Missouri's Medicaid Title XIX, SCHIP Title XXI and Medicaid Waiver programs' provider enrollment, audit and compliance responsibilities will promote consistent guidance to providers participating in these programs; and

WHEREAS, I am committed to prudently consolidating executive branch operations to ensure that the state delivers vital services in the most efficient and effective manner possible.

NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the laws of the State of Missouri, do hereby order the Department of Health and Senior Services, the Department of Mental Health, and the Department of Social Services to cooperate to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of all remaining audit and compliance responsibilities relating to Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs from the Department of Health and Senior Services and the Department of Mental Health to the Department of Social Services, by Type I transfer, as defined under the Reorganization Act of 1974.

2. Develop mechanisms and processes necessary to effectively transfer these duties and functions to the Department of Social Services.

3. Transfer the responsibility for staff support for these duties and functions to the Department of Social Services.

4. Take the steps necessary to maintain compliance with federal requirements, so as not to jeopardize federal financial participation with this consolidation.

This Order shall become effective August 28, 2012, unless disapproved within sixty days of its submission to the Second Regular Session of the 96th General Assembly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 23rd day of January, 2012.

/s/ Jeremiah W. (Jay) Nixon
Governor

ATTEST:

/s/ Robin Carnahan
Secretary of State

WITHDRAWAL OF HOUSE BILL

January 23, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I am requesting that my **House Bill No. 1237** be withdrawn. Thank you for your time and consideration in this matter.

Sincerely,

/s/ Bob Nance
State Representative

The following members' presence was noted: Flanigan and Meadows.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, January 25, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 4.
Continuation of the Conservation Budget presentation, if needed.
Proposal on the possible funding of a new meat lab for the University of Missouri.
Agriculture Budget presentation.

APPROPRIATIONS - EDUCATION
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 1.
DESE Budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, January 25, 2012, House Hearing Room 3 Upon Morning Adjournment.
Budget presentations on Public Debt and Office of Administration Debt.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
DMH overview/presentation, followed by inquiry.
No meal will be provided. Please plan accordingly.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, January 26, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continuation of DMH hearing from Wednesday, January 25 (if necessary).

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Public Safety Budget.
CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, January 25, 2012, 2:00 PM House Hearing Room 7.
DOLIR budget presentation.

CHILDREN AND FAMILIES
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1187, HB 1258, HB 1259, HB 1260
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, January 25, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1252, HB 1125
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Lounge.
Public hearing will be held: HB 1174, HB 1228
Executive session may be held on any matter referred to the committee.
CORRECTED

FINANCIAL INSTITUTIONS
Wednesday, February 1, 2012, 7:00 PM, 2125 Missouri Blvd., Jefferson City, MO.
Committee dinner.

FISCAL REVIEW
Wednesday, January 25, 2012, 8:30 AM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, January 25, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1058, HB 1123, HB 1075
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Higher Education Committee and the Joint Committee on Education to hear the annual report from the Midwest Higher Education Compact.

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, January 25, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1147, HB 1185, HB 1186
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
This meeting will be a joint meeting of the Joint Committee on Education and the Higher Education Committee to hear the annual report from the Midwest Higher Education Compact.

JUDICIARY
Wednesday, January 25, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1165, HB 1166, HB 1256, HB 1137, HB 1253
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, January 25, 2012, 8:00 AM House Hearing Room 3.
Public hearing will be held: HB 1037, HB 1210, HB 1143, HB 1255, HB 1177
Executive session may be held on any matter referred to the committee.
CORRECTED

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, January 25, 2012, House Hearing Room 5 Upon Morning Adjournment or 12 PM.
Public hearing will be held: HB 1193, HB 1372
Executive session may be held on any matter referred to the committee.

RETIREMENT
Thursday, January 26, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1226, HB 1138
Executive session may be held on any matter referred to the committee.
CANCELLED

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, January 30, 2012, 1:00 PM House Hearing Room 7.
Public hearing will be held: HB 1077
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Wednesday, January 25, 2012, 3:30 PM House Hearing Room 3.
Public hearing will be held: HB 1076, HB 1302
Executive session may be held on any matter referred to the committee.
Presentation from Missouri American Water on successful renewable energy projects.
Public hearing to follow.

TOURISM AND NATURAL RESOURCES
Thursday, January 26, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HCR 13, HB 1191, HB 1251
Executive session may be held on any matter referred to the committee.

URBAN ISSUES
Wednesday, February 1, 2012, House Hearing Room 5 Upon Morning Adjournment.
Public hearing will be held: HB 1220, HB 1344

HOUSE CALENDAR

TWELFTH DAY, WEDNESDAY, JANUARY 25, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 69

HOUSE BILLS FOR SECOND READING

HB 1468 through HB 1493

HOUSE BILLS FOR THIRD READING

1 HCS HB 1140 - Smith (150)
2 HB 1135, (Fiscal Review 1-24-12) - Smith (150)

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWELFTH DAY, WEDNESDAY, JANUARY 25, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Why are thou cast down, O my soul? And why art thou disquieted in me - hope thou in God. (Psalm 42:5)

Eternal God, from Whom our spirits come, with Whom they live and unto Whom they return when life on earth is over - in the quiet of this moment we humbly lift our hearts unto You in prayer. We believe in You with all our minds - do make Yourself known to us in our hearts. Grant unto us a song on our lips in the morning, strength for the day, good will for one another, a steadfast loyalty to our country, courage to maintain high ideals in our political life, and a faith that gives us confidence and helps us to overcome the evil in the world.

Give to us an inner spirit of hospitality to that which is high in life and send us forth masters of ourselves because we are mastered by You. By Your spirit of truth alive within us, may we be among that company of Your children who lift up the world and do not lean upon it, and who leave it a better place in which to live.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lauren Smith and Paula Booth.

The Journal of the eleventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 362 through House Resolution No. 378

HOUSE CONCURRENT RESOLUTION

Representative Newman, et al., offered House Concurrent Resolution No. 24.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 69 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1468 through **HB 1493** were read the second time.

Representative Nolte assumed the Chair.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1135**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HB 1135, relating to a State Administrative Rules Review, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HB 1135** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan

McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Day	Largent	Mr Speaker

Representative Nolte declared the bill passed.

HCS HB 1140, relating to the Missouri Accountability Portal, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1140** was read the third time and passed by the following vote:

AYES: 113

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McNary	Molendorp
Montecillo	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 042

Anders	Atkins	Aull	Black	Carlson
Carter	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Kirkton	May	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Morgan	Newman	Nichols	Oxford	Pace

Pierson	Quinn	Schieffer	Schupp	Shively
Smith 71	Spreng	Swearingen	Swinger	Walton Gray
Webb	Weter			

PRESENT: 001

Leara

ABSENT WITH LEAVE: 007

Barnes	Cross	Day	Franz	Fuhr
Funderburk	Largent			

Representative Nolte declared the bill passed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 39 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1032 - Professional Registration and Licensing
HB 1033 - Health Care Policy
HB 1040 - Transportation
HB 1062 - Elementary and Secondary Education
HB 1084 - Veterans
HB 1088 - Judiciary
HB 1108 - Utilities
HB 1114 - Local Government
HB 1150 - Transportation
HB 1157 - Elementary and Secondary Education
HB 1179 - Rural Community Development
HB 1188 - Health Care Policy
HB 1194 - Agriculture Policy
HB 1195 - Agriculture Policy
HB 1198 - Workforce Development and Workplace Safety
HB 1215 - Tax Reform
HB 1225 - General Laws
HB 1274 - Health Care Policy
HB 1280 - Professional Registration and Licensing
HB 1286 - Judiciary
HB 1295 - Transportation
HB 1308 - Financial Institutions
HB 1316 - Utilities
HB 1317 - General Laws

HB 1319 - General Laws
HB 1326 - General Laws
HB 1327 - Children and Families
HB 1331 - Retirement
HB 1332 - Utilities
HB 1337 - Elementary and Secondary Education
HB 1339 - Health Insurance
HB 1349 - Financial Institutions
HB 1361 - Utilities
HB 1369 - General Laws
HB 1373 - Local Government
HB 1385 - Children and Families
HB 1402 - Transportation
HB 1404 - Agriculture Policy
HB 1425 - Elementary and Secondary Education
HB 1435 - Economic Development
HB 1442 - Elections
HB 1444 - Emerging Issues in Animal Agriculture
HB 1457 - Elections

COMMITTEE REPORTS

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1075**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HJR 45**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 70, introduced by Representatives Schoeller, Jones (89), Shumake, Wieland, Allen, Franz, Keeney, Davis, Richardson, Dieckhaus, Curtman and Koenig, relating to education.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1494, introduced by Representatives Schoeller, Allen, Funderburk, Smith (150), Solon, Cox, White, Bahr, McGhee, Schad and Leach, relating to entities receiving state funds.

HB 1495, introduced by Representatives Nance, Conway (14), Cauthorn, Wright and Wieland, relating to the reporting of insurance fraud.

HB 1496, introduced by Representatives Hubbard, Kelly (24), Spreng, Carter, Pace, Colona, Meadows, Smith (71), Pierson, Carlson, Webb, Nasheed, Atkins and Oxford, relating to eliminating the death penalty.

HB 1497, introduced by Representatives Hubbard, Taylor, Spreng, Pace, Pierson, Smith (71), Kratky, Webb, Nasheed and Oxford, relating to the parent time for Missouri program.

HB 1498, introduced by Representatives Hough and Hinson, relating to sales of intoxicating liquor.

HB 1499, introduced by Representatives Webber, Kander, Schupp, Kelly (24) and Lampe, relating to military leave for public employees.

HB 1500, introduced by Representatives Webber, Zerr, Schneider, Weter, Newman, Still, McCreery, Nichols, Webb, Schupp, Holsman, Brown (50), Oxford, Kirkton, McManus, Carter, Hughes, Lampe, Kratky, Fallert, Montecillo, Pierson, McDonald, McCann Beatty, Sifton, Atkins, Meadows, Hummel, Spreng, May, Walton Gray, Pace, Rizzo, Jones (63), Talboy, Kelly (24), Nasheed, McNeil, Conway (27), Colona, Smith (71), Carlson, Taylor, Ellinger, Hubbard, Wyatt, McGeoghegan, Morgan, Kander, Aull, Hodges, Casey, Ellington, Swearingen and Shively, relating to discrimination based on sexual orientation or gender identity.

HB 1501, introduced by Representatives Jones (117), Webber, Hoskins, Cierpiot, Richardson, Zerr, Still and Kelly (24), relating to the establishment of a commission on workforce preparedness.

HB 1502, introduced by Representatives Jones (117), Kelly (24), Richardson, Korman, Long, Elmer, Barnes, Schatz, Webber and Still, relating to the higher education capital fund.

HB 1503, introduced by Representatives Pace, Ellinger, Pierson, McCreery, Webb, Carter, Nasheed, Still, Shively, Quinn, Colona, Denison, Brattin, Smith (71), Taylor, Talboy, Atkins, Hubbard, Hodges, Jones (63), Walton Gray, Oxford, McGeoghegan, Ellington, Kirkton, May, Spreng, Nichols, Swearingen, Schupp, Meadows and Montecillo, relating to assault of a utility worker or an employee of a mass transit system.

HB 1504, introduced by Representative Richardson, relating to sales taxes.

HB 1505, introduced by Representatives Richardson and Elmer, relating to the records of regularly conducted activity as evidence law.

HB 1506, introduced by Representative Schad, relating to requiring health benefit plans to establish equal out-of-pocket requirements for oral anticancer medications and intravenously administered chemotherapy medications.

HB 1507, introduced by Representative Webb, relating to student participation in extracurricular activities.

HB 1508, introduced by Representatives Webb, Carter, Lampe, Shively, Aull, Nasheed, Casey, Meadows, McGeoghegan, Oxford, Ellington, Pollock, Leara, Parkinson, Jones (63), Funderburk, Taylor, Korman, Hodges, McDonald, Pierson, McManus, Ellinger, Schieffer, Swinger and Montecillo, relating to the sale of cottage foods.

HB 1509, introduced by Representative Stream, relating to the treatment of eating disorders.

HB 1510, introduced by Representatives Riddle, Denison, Long, Hinson, Schieffer, Fallert, Conway (27), McDonald, Kelly (24), Torpey, Meadows and Kratky, relating to regulation of motor carriers.

HB 1511, introduced by Representatives Schieffer, Gatschenberger, Fallert, Denison, Hough, Hinson, Stream, Fisher and Meadows, relating to temporary motorcycle permits.

HB 1512, introduced by Representatives Curtman, Jones (89), Koenig, Leach, Funderburk, Lichtenegger, Brattin, Conway (14), Guernsey, Bahr, Kelley (126), Richardson, Zerr, Gatschenberger, Shumake, Bernskoetter, Brown (85), Asbury, Houghton, Dugger, Smith (150), Wieland, Schatz and Scharnhorst, relating to the laws of other countries.

HB 1513, introduced by Representatives Franz, Loehner and Schad, relating to animal rights.

HB 1514, introduced by Representative Wieland, relating to series limited liability companies.

HB 1515, introduced by Representatives Schad, Torpey, Sommer, Higdon and Cierpiot, relating to crimes against the elderly.

HB 1516, introduced by Representatives Schad, Pollock, Hummel, Colona, Lampe, Bernskoetter, Anders, Hough and Hinson, relating to the crime of assaulting a utility worker.

HB 1517, introduced by Representatives Nolte, Smith (71), Koenig and McGeoghegan, relating to military medallions, medals, and certificates.

HB 1518, introduced by Representatives Grisamore, Scharnhorst, Brandom, Talboy, Richardson, Colona, Wells, Pollock, Montecillo, Kelly (24), Rizzo, Hummel, Kratky, Taylor, Carter, Jones (63), Lampe, Schoeller, Stream, Lauer, Solon, Houghton, Meadows, Fallert, Wright, Ellinger, Taylor, Atkins, Oxford, Anders, Swearingen, McGeoghegan, Schieffer, Harris, Webb, Carter, Lair, LIchtenegger, Riddle and Walton Gray, relating to licensure of behavior analysts.

HB 1519, introduced by Representative McGhee, relating to charter schools.

HB 1520, introduced by Representatives McGhee, Lasater, Wieland, Berry, Kelly (24), Rizzo, Meadows, Webb, Morgan, McCreery, Atkins, Nasheed, Hughes, Talboy, Spreng, Carter, Quinn, Shively, Hubbard, Jones (63), Swearingen, Pace, Walton Gray, McNeil, McDonald, Carlson, Hodges, Sommer, Hummel, Stream, Brown (50), Ellington, Schupp, Kirkton, Montecillo, Oxford, Taylor, Pierson, Webber, Ellinger, Smith (71), McCann Beatty, McGeoghegan and Lant, relating to repealing the death penalty.

HB 1521, introduced by Representatives Sommer, White, Zerr, Taylor, Parkinson, Smith (150), Gatschenberger, Solon, Funderburk and Lichtenegger, relating to property tax bills.

HB 1522, introduced by Representatives Meadows, Montecillo, Kratky, Fallert, Newman, McGeoghegan, Grisamore, Hummel, Conway (27), Casey and Schieffer, relating to licensure of behavior analysts.

HB 1523, introduced by Representatives Meadows and Newman, relating to technical codes.

HB 1524, introduced by Representatives Phillips and Rowland, relating to the improvement and maintenance of private roads.

HB 1525, introduced by Representatives Fuhr, Ellinger, McGeoghegan, Schad and Riddle, relating to criminal offenders under the supervision of the department of corrections.

COMMUNICATION

January 25, 2012

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Ave.
Jefferson City, MO 65101

RE: Possible Conflict of Interest

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible conflict of interest in legislation on which the House of Representatives may vote during the legislative session. I am a retired member of the Public School Retirement System (PSRS).

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Lyle Rowland
District 143

The following member's presence was noted: Day.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, January 26, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, January 31, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1324
Executive session may be held on any matter referred to the committee.
There will be a presentation on the Missouri River flooding issues.

APPROPRIATIONS - EDUCATION
Tuesday, January 31, 2012, 2:00 PM House Hearing Room 1.
DESE Budget continued/DHE Budget presentation.

APPROPRIATIONS - GENERAL ADMINISTRATION
Monday, January 30, 2012, 12:00 PM House Hearing Room 3.
Budget presentation.
Testifying agencies: Office of Administration Operations, Fringe Benefits, and Attached Programs

APPROPRIATIONS - GENERAL ADMINISTRATION
Monday, January 30, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 3.
Budget presentation.
Testifying agencies: Office of Administration Operations, Fringe Benefits and Attached Programs

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 1, 2012, House Hearing Room 3 Upon Morning Adjournment.
Budget presentation.
Testifying agency: Public Defender Commission

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, January 26, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continuation of DMH hearing from Wednesday, January 25 (if necessary).

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, January 31, 2012, 2:00 PM House Hearing Room 3.
Public Safety Budget will be discussed first, and, if time allows, Corrections Budget will be discussed.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 1, 2012, 2:00 PM House Hearing Room 6.
Public Safety Budget will continue if needed and proceed with Corrections Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, February 1, 2012, 2:30 PM House Hearing Room 7.
MoDOT budget presentation.

FINANCIAL INSTITUTIONS
Wednesday, February 1, 2012, 7:00 PM, 2125 Missouri Blvd., Jefferson City, MO.
Committee dinner.

RETIREMENT
Thursday, January 26, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1226, HB 1138
Executive session may be held on any matter referred to the committee.
CANCELLED

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, January 30, 2012, 1:00 PM House Hearing Room 7.
Public hearing will be held: HB 1077
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES
Thursday, January 26, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HCR 13, HB 1191, HB 1251
Executive session may be held on any matter referred to the committee.

URBAN ISSUES
Wednesday, February 1, 2012, House Hearing Room 5 Upon Morning Adjournment.
Public hearing will be held: HB 1220, HB 1344

HOUSE CALENDAR

THIRTEENTH DAY, THURSDAY, JANUARY 26, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 70

HOUSE BILLS FOR SECOND READING

HB 1494 through HB 1525

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTEENTH DAY, THURSDAY, JANUARY 26, 2012

The House met pursuant to adjournment.

Representative Hampton in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will extol Thee, my God, O King; and I will bless Thy name forever and ever. (Psalm 145:1)

Eternal God, Who commits to us the swift and solemn trust of life; since we know not what a day may bring forth, but only that the hour for serving You is always present, may we wake to the instant claims of Your Holy Will, not waiting for tomorrow, but yielding to today. Consecrate with Your presence the way our feet may go that the humblest work may shine and the roughest places be made smooth. Lift us above fear and doubt by a simple and steadfast reliance on Your Holy Will.

May the light of faith burn brightly within us, may the life of hope ever glow in our hearts, and may the love of truth always lead us in the way of Your peace.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

HOUSE RESOLUTION

Representative Jones (89) offered House Resolution No. 385.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 379 through House Resolution No. 384
House Resolution No. 386 through House Resolution No. 413

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 70 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1494 through **HB 1525** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 8 - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committees indicated:

HB 1128 - Veterans
HB 1169 - General Laws
HB 1172 - Economic Development
HB 1246 - Economic Development
HB 1273 - Urban Issues
HB 1291 - Professional Registration and Licensing
HB 1292 - Crime Prevention and Public Safety
HB 1300 - General Laws
HB 1305 - Special Standing Committee on Renewable Energy
HB 1318 - General Laws
HB 1325 - Local Government
HB 1330 - Judiciary
HB 1336 - Local Government
HB 1347 - Veterans
HB 1356 - Tax Reform
HB 1357 - Children and Families
HB 1365 - Elections
HB 1451 - Transportation
HB 1452 - Crime Prevention and Public Safety
HB 1466 - Urban Issues
HB 1476 - Economic Development
HB 1485 - Elections
HB 1487 - Special Standing Committee on Renewable Energy
HB 1525 - Crime Prevention and Public Safety

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1311**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1370**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 1185**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 1186** and **HB 1147**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 71, introduced by Representatives Elmer, Jones (117), Burlison, Hough, Solon, Wright, Curtman, Brattin and Crawford, relating to property taxation.

HJR 72, introduced by Representatives Bahr, Davis, Leach, Koenig, Houghton, Shumake, Curtman, Burlison, Jones (89), Lasater, Wyatt, Franklin, Sommer, Guernsey, Lichtenegger, Parkinson, Long, Schieber, Brattin, Smith (150), Rowland, Marshall, Jones (117), McGhee, Fisher, Frederick, Tilley, Cox, Wieland, Redmon, Reiboldt, Dugger, Schatz, Riddle, Franz, Fitzwater, Cookson, Keeney, Cauthorn, Funderburk, Zerr, Cierpiot, Scharnhorst and Solon, relating to health care freedom.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1526, introduced by Representative Dieckhaus, relating to school personnel.

HB 1527, introduced by Representatives Elmer, Richardson and Cox, relating to property exempt from attachment.

HB 1528, introduced by Representatives Wieland, Nance and Bahr, relating to intersection safety.

HB 1529, introduced by Representatives Jones (117), Schieber, Torpey, Sifton and Allen, relating to prior authorization for insurance coverage of diagnostic radiology testing.

HB 1530, introduced by Representatives Gosen, Kratky, Black, Schneider, Schatz, Houghton and Colona, relating to the resale of scrap metals.

HB 1531, introduced by Representatives Kirkton, Walton Gray, Oxford, Pace, McCreery and Newman, relating to newborn screening requirements.

HB 1532, introduced by Representatives Schoeller, McCaherty, Pierson, Shumake, Guernsey, Crawford and McGhee, relating to the house of worship act.

HB 1533, introduced by Representatives Schoeller, Guernsey, Neth, Cierpiot, Gatschenberger, McGhee, Scharnhorst, Hummel, Talboy, Lichtenegger, Burlison, Zerr and Berry, relating to chiropractic services.

HB 1534, introduced by Representatives Bahr, Koenig, Leach, Houghton, Davis, Shumake, Curtman, Jones (89), Lasater, Wyatt, Franklin, Sommer, Guernsey, Lichtenegger, Parkinson, Brattin, Smith (150), Rowland, Jones (117), McGhee, Fisher, Tilley, Cox, Wieland, Redmon, Reiboldt, Dugger, Schatz, Franz, Fitzwater, Cookson, Cauthorn, Funderburk, Cierpiot, Scharnhorst and Frederick, relating to the federal health care reform law.

HB 1535, introduced by Representatives Burlison and Koenig, relating to sales tax exemptions for certain property.

HB 1536, introduced by Representatives Burlison, Fisher, Koenig and Smith (150), relating to political subdivision taxes.

HB 1537, introduced by Representatives Burlison and Smith (150), relating to roadside vegetation.

HB 1538, introduced by Representatives Burlison, Fisher, Guernsey and Denison, relating to labor organizations.

HB 1539, introduced by Representatives Jones (89), Fuhr, Lant, Cox, Higdon and Funderburk, relating to the parent empowerment and choice act.

HB 1540, introduced by Representatives Jones (89), Fisher, Fuhr, White, Lant, Cox, Higdon and Funderburk, relating to workers' compensation.

HB 1541, introduced by Representatives Jones (89), Schoeller, Lichtenegger, Hough, Long, Torpey, Schad, Franz, Loehner, Scharnhorst, Burlison, Funderburk, Curtman, Thomson, Zerr, Riddle, Diehl, Hoskins, Korman, Smith (150), Leara, Silvey, Flanigan, Allen, Bahr, Hinson, Sommer, Stream, Gatschenberger, Cox, Dugger, Hampton, Fisher, Fuhr, White, Lant, Higdon, Wieland, McCaherty, Solon, Crawford, Black, Johnson, Keeney and Wells, relating to the conscience rights of all individuals who provide medical services.

HB 1542, introduced by Representatives Koenig, Brattin, Higdon, Curtman, Lichtenegger, Bahr, White, Schoeller, Jones (89) and Burlison, relating to collection of state money.

HB 1543, introduced by Representative Franz, relating to county employees' retirement system.

HB 1544, introduced by Representatives Kirkton, Oxford and McNeil, relating to the taxation of property.

HB 1545, introduced by Representatives Kirkton, Long, McNeil and Spreng, relating to the designation of PKS day.

HB 1546, introduced by Representatives Kirkton, Oxford, Walton Gray, Pace, McCreery and McNeil, relating to health insurance premium rate reviews.

HB 1547, introduced by Representatives Marshall, Schieber, Berry and Higdon, relating to motor vehicle valuation.

HB 1548, introduced by Representative Scharnhorst, relating to liability insurance for events in state parks.

HB 1549, introduced by Representatives Richardson, Long, Hampton, Higdon, Solon, Brown (85), Redmon, Guernsey, Lauer, Burlison, Kenney, Torpey, Curtman, Talboy, Jones (63), Riddle, Wright, Neth, Smith (71), Anders, Lant, Fraker, Oxford, Hough, Kelley (126), Gosen, Hinson, Zerr and Cross, relating to the no-call list.

HB 1550, introduced by Representatives Cookson, Tilley, Jones (89), Denison, Wells, Scharnhorst, McGhee, Burlison, Fitzwater, Phillips, Fraker, Barnes, Cierpiot, Funderburk, Cauthorn, Leach, Bahr and McNary, relating to the capitalism education and awareness commission.

HB 1551, introduced by Representative Cookson, relating to operating a motorized vessel with excessive blood alcohol content.

HB 1552, introduced by Representative Cookson, relating to transient guest taxes.

HB 1553, introduced by Representatives Hughes and Ellington, relating to expungement of certain criminal records.

HB 1554, introduced by Representatives Hughes and Ellington, relating to an economic development grant program.

HB 1555, introduced by Representatives Hughes and Ellington, relating to use of credit scores by employers.

HB 1556, introduced by Representatives Hughes and Ellington, relating to state contracts.

HB 1557, introduced by Representatives Hughes and Ellington, relating to title loans.

HB 1558, introduced by Representatives Hughes and Ellington, relating to repealing intervention fees for parolees.

HB 1559, introduced by Representatives Hughes and Ellington, relating to adoption.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 443**, entitled:

An act to repeal sections 302.309, 302.341, 302.700, and 577.023, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with penalty provisions in existing language and a contingent effective date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 467**, entitled:

An act to repeal sections 37.850 and 536.087, RSMo, and to enact in lieu thereof three new sections relating to the transparency and accountability of public funds, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

January 26, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Eric Burlison from the Special Standing Committee on Renewable Energy and appoint Representative T. J. Berry.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

The following members' presence was noted: Allen, Anders, Atkins, Bahr, Berry, Black, Brown (50), Brown (116), Burlison, Carter, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cross, Curtman, Day, Denison, Dugger, Ellinger, Ellington, Fallert, Fisher, Fitzwater, Flanigan, Fraker, Franz, Fuhr, Gatschenberger, Gosen, Grisamore, Guernsey, Haefner, Hodges, Hubbard, Hughes, Hummel, Johnson, Jones (63), Jones (89), Jones (117), Kelley (126), Kelly (24), Kirkton, Koenig, Kratky, Lair, Lampe, Lant, Lasater, Lauer, Leach, Lichtenegger, Loehner, Marshall, May, McCaherty, McCann Beatty, McCreery, McDonald, McGeoghegan, McManus, McNary, McNeil, Meadows, Montecillo, Morgan, Nasheed, Neth, Newman, Nolte, Oxford, Pace, Phillips, Pollock, Quinn, Redmon, Reiboldt, Richardson, Riddle, Rizzo, Rowland, Ruzicka, Scharnhorst, Schieffer, Sifton, Smith (71), Smith (150), Solon, Sommer, Spreng, Still, Stream, Swearingen, Talboy, Thomson, Wallingford, Walton Gray, Webb, Wells, Weter, White, Wieland, Wright and Zerr.

ADJOURNMENT

On motion of Representative Hampton, the House adjourned until 4:00 p.m., Monday, January 30, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, January 31, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1324
Executive session may be held on any matter referred to the committee.
There will be a presentation on the Missouri River flooding issues.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Tuesday, January 31, 2012, 2:00 PM House Hearing Room 4.
Department of Natural Resources Budget presentation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 1, 2012, 2:00 PM House Hearing Room 4.
Continuation of the Department of Natural Resources budget presentation, if needed.
Conservation Department's budget presentation.

APPROPRIATIONS - EDUCATION
Tuesday, January 31, 2012, 2:00 PM House Hearing Room 1.
DESE Budget continued/DHE Budget presentation.

APPROPRIATIONS - EDUCATION
Wednesday, February 1, 2012, 8:00 AM House Hearing Room 3.
Institutional Presidents
Will recess for session and reconvene at 2:00 PM in Hearing Room 1.

APPROPRIATIONS - GENERAL ADMINISTRATION
Monday, January 30, 2012, 12:00 PM House Hearing Room 3.
Budget presentation.
Testifying agencies: Office of Administration Operations, Fringe Benefits, and Attached Programs

APPROPRIATIONS - GENERAL ADMINISTRATION
Monday, January 30, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 3.
Budget presentation.
Testifying agencies: Office of Administration Operations, Fringe Benefits and Attached Programs

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 1, 2012, Upon Morning Adjournment House Hearing Room 3.
Budget presentation.
Testifying agency: Public Defender Commission

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, January 31, 2012, 2:00 PM House Hearing Room 3.
Public Safety Budget will be discussed first, and, if time allows, Corrections Budget will be discussed.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 1, 2012, 2:00 PM House Hearing Room 6.
Public Safety Budget will continue, if needed, and proceed with Corrections Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, February 1, 2012, 2:30 PM House Hearing Room 7.
MoDOT Budget presentation.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, February 1, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1525
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, January 31, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1476, HB 1244, HB 1245, HB 1130
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, January 31, 2012, 8:15 AM House Hearing Room 5.
Public hearing will be held: HB 1250, HB 1457, HB 1106, HB 1442, HJR 41, HB 1060
Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS
Wednesday, February 1, 2012, 7:00 PM, 2125 Missouri Blvd., Jefferson City, MO.
Committee dinner.

HEALTH CARE POLICY
Wednesday, February 1, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1123, HB 1033, HB 1188, HB 1274
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, January 31, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1339, HB 1199
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, January 31, 2012, 8:00 AM House Hearing Room 6.
Executive Session will be held: HB 1041, HB 1042
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Monday, January 30, 2012, 3:00 PM House Hearing Room 1.
Executive Session will be held: HB 1036, HB 1039, HB 1059, HB 1099, HB 1100, HB 1104, HB 1105, HCS#2 HB 1155, HB 1219, HCS HB 1277

RURAL COMMUNITY DEVELOPMENT
Tuesday, January 31, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1179
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, January 30, 2012, 1:00 PM House Hearing Room 7.
Public hearing will be held: HB 1077
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, January 31, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1040, HB 1150, HB 1295, HB 1402
Executive session may be held on any matter referred to the committee.

URBAN ISSUES
Monday, January 30, 2012, Upon Evening Adjournment House Hearing Room 5.
Public hearing will be held: HB 1220, HB 1344

URBAN ISSUES
Monday, January 30, 2012, Upon Morning Adjournment House Hearing Room 5.
Public hearing will be held: HB 1220, HB 1344
CANCELLED

URBAN ISSUES
Wednesday, February 1, 2012, Upon Morning Adjournment House Hearing Room 5.
Public hearing will be held: HB 1220, HB 1344
CANCELLED

UTILITIES
Tuesday, January 31, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1108, HB 1361
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, January 30, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1198
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FOURTEENTH DAY, MONDAY, JANUARY 30, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 71 and HJR 72

HOUSE BILLS FOR SECOND READING

HB 1526 through HB 1559

SENATE BILLS FOR SECOND READING

1 SS SCS SB 443
2 SS SCS SB 467

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FOURTEENTH DAY, MONDAY, JANUARY 30, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Representative Rodney Schad.

Our Father in heaven, we humbly bow our heads before You to acknowledge Your greatness and Your importance in our lives. You, Father, are our holy, loving and merciful God.

We thank You for our time at home with our families this weekend, for safe travel today and for all Your good and abundant blessings of this life.

Your Word in Proverbs declares "when pride comes, disgrace follows but with humility comes wisdom".

It is our desire just now, Father, to put away any pride that we may have and exhibit humility as we work on the task before us. We pray for wisdom that can only come from You as we serve the people of this great state and address the challenges of our responsibilities.

You, God, have put us here at this place at this time to carry out Your will. Make Your will evident to us. Make Your plans our plans and make Your purpose our purpose.

We pray all this in the holy name of Jesus. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Paige Hooper and Katlyn Sawyer.

The Journal of the twelfth day was approved as printed.

The Journal of the thirteenth day was approved as printed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton

Harris	Higdon	Hinson	Hodges	Holsman
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Barnes

ABSENT WITH LEAVE: 022

Bahr	Brattin	Conway 27	Curtman	Diehl
Entlicher	Frederick	Funderburk	Gatschenberger	Hoskins
Hughes	Jones 117	Kander	Keeney	Kelley 126
McManus	Meadows	Pollock	Scharnhorst	Schoeller
Torpey	Wright			

Representative Cox assumed the Chair.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 414 through House Resolution No. 439

HOUSE CONCURRENT RESOLUTION

Representative Allen, et al., offered House Concurrent Resolution No. 25.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 71 and **HJR 72** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1526 through **HB 1559** were read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 443 and **SS SCS SB 467** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1526 - Elementary and Secondary Education

COMMITTEE REPORTS

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1036**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1039**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1059**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1059**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1099**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1100**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1104**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1105**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1155**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1219**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1277**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1560, introduced by Representatives Diehl, Colona, Jones (63) and Nasheed, relating to the appointment of certain circuit clerks.

HB 1561, introduced by Representative Diehl, relating to low-profit limited liability companies.

HB 1562, introduced by Representative Higdon, relating to employment of an attorney by a sheriff.

HB 1563, introduced by Representative Sater, relating to legend drugs.

HB 1564, introduced by Representatives Hummel, Rizzo, Montecillo, Colona, Nasheed, Webb, Spreng, Fallert, Meadows, Talboy, McDonald, Casey, Carter, McGeoghegan, Smith (71), Pace, Webber, Conway (27), Swearingen, Oxford, Atkins, Hubbard, Holsman, Anders, May, Morgan, Carlson, Schupp, Schieffer, Kratky, Harris, McManus, Taylor, Sifton, Denison, Newman, Pierson, Hodges, Still, Kelly (24), Lampe, McCann Beatty, Black, Brown (50), McCreery, Kirkton, Schatz, Quinn, Swinger, Hughes, Gatschenberger, Jones (63) and Shively, relating to identifiable information in registries maintained by public governmental bodies to assist certain individuals in case of a disaster or emergency.

COMMUNICATION

January 30, 2012

D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
Room 306C, State Capitol
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of possible interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am employed with Boeing Company and am on the Advisory Board of the Missouri Vocational Enterprises Program of the Missouri Department of Corrections.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Clem Smith
Representative
District 71

WITHDRAWAL OF HOUSE BILL

January 30, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I am requesting discontinuance of **House Bill No. 1070** with receipt of this letter. If you have any questions or need more information, please contact my office at (573) 751-1480. Thank you.

Best regards,

/s/ David Sater
District 68

The following members' presence was noted: Bahr, Brattin, Conway (27), Diehl, Entlicher, Frederick, Funderburk, Gatschenberger, Hoskins, Hughes, Kander, Keeney, Kelley (126), Meadows, Pollock, Scharnhorst and Torpey.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, January 31, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, January 31, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1324
Executive session may be held on any matter referred to the committee.
There will be a presentation on the Missouri River flooding issues.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Tuesday, January 31, 2012, 2:00 PM House Hearing Room 4.
Department of Natural Resources Budget presentation.
Public testimony will be heard.
If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or send an e-mail to Eric.Jacquin@house.mo.gov.
AMENDED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 1, 2012, 2:00 PM House Hearing Room 4.
Continuation of the Department of Natural Resources Budget presentation, if needed.
Conservation Department's Budget presentation.
Public testimony will be heard.
If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.
AMENDED

APPROPRIATIONS - EDUCATION
Tuesday, January 31, 2012, 2:00 PM House Hearing Room 1.
DESE Budget continued/DHE Budget presentation.

APPROPRIATIONS - EDUCATION
Wednesday, February 1, 2012, 8:00 AM House Hearing Room 3.
Institutional Presidents
Will recess for session and reconvene at 2:00 PM in Hearing Room 1.

APPROPRIATIONS - GENERAL ADMINISTRATION
Tuesday, January 31, 2012, 2:00 PM House Hearing Room 6.
Budget presentation.
Testifying agency: Office of Administration Leasing
CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 1, 2012, Upon Morning Adjournment House Hearing Room 3.
Budget presentation.
Testifying agencies: Office of Administration Leasing; Public Defender Commission
CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, February 1, 2012, 2:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
DHSS Budget presentation.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, January 31, 2012, 2:00 PM House Hearing Room 3.
Public Safety Budget will be discussed first, and, if time allows, Corrections Budget will be discussed.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 1, 2012, 2:00 PM House Hearing Room 6.
Public Safety Budget will continue if needed and proceed with Corrections Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, February 1, 2012, 2:30 PM House Hearing Room 7.
MoDOT Budget presentation.

BUDGET
Tuesday, January 31, 2012, Upon Morning Adjournment House Hearing Room 3.
Public hearing will be held: HCR 3, HB 1329
Executive session will be held: HCR 3, HB 1329
Executive session may be held on any matter referred to the committee.
Presentation of FY12 Supplemental Budget request.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, February 1, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1525
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, January 31, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1476, HB 1244, HB 1245, HB 1130
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, January 31, 2012, 8:15 AM House Hearing Room 5.
Public hearing will be held: HB 1250, HB 1457, HB 1106, HB 1442, HJR 41, HB 1060
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, February 1, 2012, 8:30 AM House Hearing Room 6.
Public hearing will be held: HB 1526
Executive session will be held: HB 1043, HB 1174
Executive session may be held on any matter referred to the committee.
HB 1526 will be heard from 8:30 AM to 10 AM.
Committee will recess.
Committee will reconvene at 3 PM in House Hearing Room 2 for Executive Session on HB 1043 and HB 1174.

EMERGING ISSUES IN ANIMAL AGRICULTURE
Tuesday, January 31, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1444
Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS
Wednesday, February 1, 2012, 5:00 PM House Hearing Room 6.
Public hearing will be held: HB 1192, HB 1349, HB 1103, HB 1308
Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS
Wednesday, February 1, 2012, 7:00 PM, 2125 Missouri Blvd., Jefferson City, MO.
Committee Dinner.

FISCAL REVIEW
Thursday, February 2, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, January 31, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1051, HB 1169, HB 1300
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, February 1, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1123, HB 1033, HB 1188, HB 1274
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, January 31, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1339, HB 1199
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, January 31, 2012, 8:00 AM House Hearing Room 6.
Executive session will be held: HB 1041, HB 1042
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, February 1, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1114, HB 1268, HB 1211, HB 1373
Executive Session will be held: HB 1143, HB 1210, HB 1037, HB 1177
Executive session may be held on any matter referred to the committee.
AMENDED

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, February 1, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1032, HB 1280
Executive session may be held on any matter referred to the committee.

RETIREMENT
Thursday, February 2, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1226, HB 1138, HB 1139
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, January 31, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1179
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, January 31, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1040, HB 1150, HB 1295, HB 1402
Executive session may be held on any matter referred to the committee.

URBAN ISSUES
Wednesday, February 1, 2012, Upon Morning Adjournment House Hearing Room 5.
Public hearing will be held: HB 1220, HB 1344
CANCELLED

UTILITIES
Tuesday, January 31, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1108, HB 1361
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTEENTH DAY, TUESDAY, JANUARY 31, 2012

HOUSE BILLS FOR SECOND READING

HB 1560 through HB 1564

HOUSE BILLS FOR PERFECTION

1 HB 1104 - Schoeller
2 HB 1219 - Elmer

HOUSE BILLS FOR PERFECTION - CONSENT

(1/31/2012)

1 HB 1036 - Dugger
2 HB 1039 - Leara
3 HB 1099 - Fitzwater
4 HB 1100 - Fitzwater
5 HB 1105 - Day
6 HCS HB 1277 - Long

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTEENTH DAY, TUESDAY, JANUARY 31, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Peace I leave with you, My peace I give unto you. Let not your heart be troubled. (John 14:27)

Eternal God, from the shifting scenes of our earthly life we pause to lift our hearts in prayer to You - Who are from everlasting to everlasting. From daily duties which consume so much of our strength, from meetings and schedules which take up so much of our time, we would for this fleeting moment raise our eyes of our hearts to heaven and gaze upon Your face.

In all anxious moments grant unto us the assurance that You are with us; that behind every shadow stands Your presence; within every situation abides Your Spirit and beneath every experience are Your everlasting arms. Breathe Your Holy Spirit upon us, upon our people and upon our state.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fourteenth day was approved as printed by the following vote:

AYES: 153

Allen	Anders	Asbury	Aull	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman

Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Atkins	Oxford

PRESENT: 000

ABSENT WITH LEAVE: 008

Bahr	Barnes	Diehl	Ellinger	Franklin
Hughes	Korman	May		

HOUSE RESOLUTION

Representative Cierpiot offered House Resolution No. 491.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 440 through House Resolution No. 490
House Resolution No. 492 through House Resolution No. 496

HOUSE CONCURRENT RESOLUTION

Representative Oxford, et al., offered House Concurrent Resolution No. 26.

SECOND READING OF HOUSE BILLS

HB 1560 through **HB 1564** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 9 - Financial Institutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1257 - Higher Education
HB 1303 - Veterans
HB 1304 - Special Standing Committee on Government Oversight and Accountability
HB 1309 - Financial Institutions
HB 1488 - Utilities

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 443 - Transportation

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 3

Relating to submission of a proposed federal balanced budget amendment to the United States Constitution.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, under Article V of the Constitution of the United States:

"The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which in either case shall be valid to all intents and purposes as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by Congress"; and

WHEREAS, the following Amendment to the United States Constitution is proposed:

"Section 1. The annual expenditures of the Congress shall not exceed the annual revenue for any year, save for the use of monetary reserves, except as provided for in Sections 2 and 3.

Section 2. The Congress shall not borrow from any source, including its own funds and trusts, for any expense, except for the extraordinary costs of a declared war or armed conflict, or for a fiscal emergency declared by Congress and signed by the President of the United States.

Section 3. The Congress may issue special bonds for specific capital projects, which shall, in turn, be extinguished within twenty years of issuance. The cumulative total of all bonds issued in this manner shall never exceed twenty percent of the total private sector earned income.

Section 4. This amendment shall take effect beginning the fifteenth fiscal year after its ratification.

Section 5. This resolution shall not be construed as an application for a constitutional convention to the United States Constitution pursuant to Article V thereof.":

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby submit this resolution for a federal balanced budget Amendment to the United States Constitution and, pursuant to Article V of the United States Constitution, respectfully urge the United States Congress to submit the proposed Amendment to the United States Constitution to the States for ratification and inclusion in the United States Constitution; and

BE IT RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1250**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1179**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1565, introduced by Representatives Cauthorn, Lant, Reiboldt and Frederick, relating to the reporting of child abuse and neglect.

HB 1566, introduced by Representatives Nichols, White, Davis, Taylor and McCreery, relating to home exterior contractors.

HB 1567, introduced by Representatives Nichols, Spreng, Taylor and McCreery, relating to the purchase of catalytic converters.

HB 1568, introduced by Representatives McManus, Hummel, Newman, Torpey, Colona, Grisamore, Swearingen, Solon, Talboy, Morgan, Holsman, Largent, McDonald, Kratky, Ellinger and McGeoghegan, relating to the safe place for newborns act.

HB 1569, introduced by Representatives Funderburk, White and McCaherty, relating to sales and use taxes.

HB 1570, introduced by Representatives Oxford, Pace, Morgan, Walton Gray, McCreery, Jones (63), Spreng, Atkins, Still, Holsman, Nasheed, Smith (71), Brown (50), Pierson, McNeil, McDonald, May, Swearingen, Kirkton, Ellinger, Taylor, Carlson, Schupp, Hughes, Talboy, Lampe and Fallert, relating to the quality early childhood act.

HB 1571, introduced by Representatives Oxford, Atkins, Pace, Walton Gray, McCreery, Holsman, Casey, May, Carter, Hughes, and Talboy, relating to job growth.

HB 1572, introduced by Representatives Weter, Lant, Schneider, Zerr, Reiboldt, Schupp, McDonald, Kratky, Atkins, Meadows, Lampe, Schieffer, McNeil, Hampton, Fitzwater, Cross, McNary, Wallingford, Lasater, Redmon, Grisamore, Phillips, Scharnhorst, Wyatt, Stream, Lair, Hinson and Johnson, relating to school bullying.

HB 1573, introduced by Representatives Schneider, Jones (89), Talboy, Weter, Franklin, Cauthorn, Diehl, Hough, Franz, Hummel and Nasheed, relating to political subdivisions.

HB 1574, introduced by Representatives Meadows and Ellinger, relating to driver's license veteran designations.

HB 1575, introduced by Representative Guernsey, relating to the designation of a memorial highway.

HB 1576, introduced by Representatives Largent, Torpey, Lampe, Oxford, Stream and Long, relating to the purchase of state health insurance by certain foster parents.

HB 1577, introduced by Representatives Largent, Kirkton, Taylor, Torpey, Lampe, Oxford, Stream, Long and Burlison, relating to foster care students.

HB 1578, introduced by Representatives Largent, Torpey, Stream, Long and Burlison, relating to exemptions from income tax.

HB 1579, introduced by Representatives Davis, White, Brattin, Brown (116), Fisher, Schatz, Leach, Wells, Kelley (126) and Reiboldt, relating to educational credits for veterans.

HB 1580, introduced by Representatives Hodges, Conway (27), Shively, Fallert, Schieffer, Rizzo, Quinn, Harris, Meadows, Schupp, Kratky, McDonald, Aull, Colona and Smith (71), relating to insurance coverage for treatment of infertility.

HB 1581, introduced by Representatives Hodges, Schieffer, Shively, Fallert, Rizzo, Meadows, Aull, Hubbard, Pace, Denison and Colona, relating to prescription drug insurance coverage.

HB 1582, introduced by Representatives Hodges, Schieffer, Rizzo, Fallert, Lampe, McNeil, Meadows, Conway (27), McDonald, Casey, Quinn, Colona, Swinger, Aull, McManus, Smith (71), Guernsey, McGeoghegan, Swearingen, Newman, Dugger, Harris, Ellington, Lair, Wright, Fisher, Weter, Pollock and Nance, relating to vacancies in office.

HB 1583, introduced by Representatives Carter, Jones (63), Colona, Cox, McCann Beatty and Webb, relating to juvenile court jurisdiction.

HB 1584, introduced by Representatives Carter, Webb, Lasater, Hummel, Colona, Ellinger, Walton Gray, Fraker, Fitzwater and Hughes, relating to motor carrier exemptions.

HB 1585, introduced by Representatives Cross, Schoeller, Fraker, Houghton, Jones (117), Davis, Schneider, Schatz, Fitzwater, Shumake, Hampton, Weter, Lant, Molendorp, Sater, Lauer, Jones (89), Riddle, Redmon, Koenig, Anders, Conway (14), Brown (116), Gatschenberger, Berry, Brandom, Smith (150), McCaherty, Funderburk and Richardson, relating to landlords-tenants actions.

HB 1586, introduced by Representatives White, Davis, Kelley (126) and Weter, relating to sales taxes for public libraries.

HB 1587, introduced by Representatives Wyatt, Kelly (24), Fitzwater, Tilley, Lasater, Barnes, Torpey, McGhee, Shumake, Funderburk, Marshall, Schieber, Brown (85), Reiboldt, Weter, Webb, Carter, Newman, McManus, Pierson, Colona, Walton Gray, Meadows, Spreng, Smith (71), Fallert, Oxford, Hubbard, Nasheed, Still, Hummel, Aull, Brown (50), Jones (63), Webber, Pace, Schoeller, Talboy, Conway (14), Nance, Sifton, McCann Beatty, Rizzo, McDonald, Shively, Taylor, Zerr, Sater, Haefner, Lampe, Ellington, Morgan, Quinn, Phillips, Franklin, Ellinger, Nichols, Black, Swearingen, Sommer, McGeoghegan and Klippenstein, relating to the University of Missouri board of curators.

COMMUNICATION

January 31, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of possible interest in legislation on which the Missouri House of Representatives may vote during the legislative session. My husband and I are retired members of the Public School Retirement System (PSRS).

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Jeanie Riddle
Representative
District 20

The following members' presence was noted: Bahr, Barnes, Ellinger, Franklin, Hughes and Korman.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 1, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS
Thursday, February 2, 2012, House Hearing Room 5 upon morning adjournment.
Public hearing will be held: HR 89
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 1, 2012, 2:00 PM House Hearing Room 4.
Continuation of the Department of Natural Resources budget presentation, if needed.
Conservation Department's budget presentation.
Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.
AMENDED

APPROPRIATIONS - EDUCATION
Wednesday, February 1, 2012, 8:00 AM House Hearing Room 3.
Institutional Presidents.
Will recess for session and reconvene at 2:00 pm in Hearing Room 1.

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 1, 2012, House Hearing Room 3 upon morning adjournment.
Budget presentation
Testifying Agencies: Office of Administration Leasing; Public Defender Commission.
CORRECTED

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, February 1, 2012, 2:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
DHSS Budget presentation.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, February 2, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
DHSS Budget overview, continued.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 1, 2012, 2:00 PM House Hearing Room 6.
Public Safety Budget will continue if needed and proceed with Corrections Budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, February 1, 2012, 2:30 PM House Hearing Room 7.
MoDOT Budget presentation.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, February 1, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1525
Executive session may be held on any matter referred to the committee.
CANCELLED

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, February 1, 2012, 8:30 AM House Hearing Room 6.
Public hearing will be held: HB 1526
Executive session will be held: HB 1043, HB 1174
Executive session may be held on any matter referred to the committee.
HB 1526 will be heard from 8:30 AM to 10 AM.
Committee will recess will reconvene at 3 PM in House Hearing Room 2 for Executive Session on HB 1043 and HB 1174.

FINANCIAL INSTITUTIONS
Wednesday, February 1, 2012, 5:00 PM House Hearing Room 6.
Public hearing will be held: HB 1192, HB 1349, HB 1103, HB 1308, HB 1309
Executive session may be held on any matter referred to the committee.
AMENDED

FINANCIAL INSTITUTIONS
Wednesday, February 1, 2012, 7:00 PM 2125 Missouri Blvd., Jefferson City, MO.
Committee Dinner

FISCAL REVIEW
Thursday, February 2, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bill referred to the committee.

HEALTH CARE POLICY
Wednesday, February 1, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1123, HB 1033, HB 1188, HB 1274
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY
Monday, February 6, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1144, HB 1113
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, February 1, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1088, HB 1286, HB 1165, HB 1166
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, February 1, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1114, HB 1268, HB 1211, HB 1373
Executive session will be held: HB 1143, HB 1210, HB 1037
Executive session may be held on any matter referred to the committee.
AMENDED

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, February 1, 2012, upon morning adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1032, HB 1280
Executive session may be held on any matter referred to the committee.

RETIREMENT
Thursday, February 2, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1226, HB 1138, HB 1139
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Monday, February 13, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1305, HB 1487
Executive session may be held on any matter referred to the committee.

TAX REFORM
Monday, February 13, 2012, 7:00 PM 516 S Country Club, Jefferson City, MO.
Presentation.

TOURISM AND NATURAL RESOURCES
Thursday, February 2, 2012, 9:00 AM House Hearing Room 7.
Executive session will be held: HCR 13, HB 1191, HB 1251
Executive session may be held on any matter referred to the committee.

URBAN ISSUES
Wednesday, February 1, 2012, House Hearing Room 5 upon morning adjournment.
Public hearing will be held: HB 1220, HB 1344
CANCELLED

WAYS AND MEANS
Thursday, February 2, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1055, HB 1182, HB 1200, HB 1239
Executive session may be held on any matter referred to the committee.
A House Committee Substitute has been submitted for HB 1055.

HOUSE CALENDAR

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 1, 2012

HOUSE BILLS FOR SECOND READING

HB 1565 through HB 1587

HOUSE BILLS FOR PERFECTION

1 HB 1104 - Schoeller
2 HB 1219 - Elmer

HOUSE BILLS FOR PERFECTION - CONSENT

(1/31/2012)

1 HB 1036 - Dugger
2 HB 1039 - Leara
3 HB 1099 - Fitzwater
4 HB 1100 - Fitzwater
5 HB 1105 - Day
6 HCS HB 1277 - Long

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 1, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Representative Tommie Pierson.

Eternal God, we come this morning with bowed heads and humble hearts. We thank You for the privilege to gather here today. And as we gather, we ask that You would help us as we strive to do the people's business.

Let us demonstrate our love and concern for the great state of Missouri, that the decisions that we make be in the best interests of all Missourians.

So we ask for guidance, recognizing that we are fallible people. Help us to share the kind of love that can only be given by You through us.

We thank You for the great honor that has been bestowed upon all of us by the people that You gave Your life for. So now let us honor You through honoring the people that we serve.

That when our day is done - that we can hear You say "Well done, thou good and faithful servant." It is in the name of Him who said, "Come unto me, all you who labor and are heavily-laden, and I'll give you rest."

And the House says, "Amen."

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Levi Barnes, Ryan Holem, Megan Borges, Valerie Schlotzhauer, Julia Bernskoetter and Trenton Bernskoetter.

The Journal of the fifteenth day was approved as corrected by the following vote:

AYES: 161

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen

Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Diehl	Klippenstein

Speaker Pro Tem Schoeller assumed the Chair.

Speaker Tilley resumed the Chair.

HOUSE RESOLUTION

Representative Sifton offered House Resolution No. 498.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 497 and House Resolution No. 499 through House Resolution No. 529

HOUSE CONCURRENT RESOLUTIONS

Representative Hubbard, et al., offered House Concurrent Resolution No. 27.
Representative Oxford, et al., offered House Concurrent Resolution No. 28.
Representative Oxford, et al., offered House Concurrent Resolution No. 29.

SECOND READING OF HOUSE BILLS

HB 1565 through **HB 1587** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1219, relating to discriminatory employment practices, was taken up by Representative Elmer.

Representative McNary assumed the Chair.

HB 1219 was laid over.

HB 1104, relating to voter identification requirements, was taken up by Representative Schoeller.

HB 1104 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1046 - Elections
HB 1047 - Local Government
HB 1073 - Agriculture Policy
HB 1074 - Insurance Policy
HB 1097 - Veterans
HB 1127 - Crime Prevention and Public Safety
HB 1134 - Small Business
HB 1148 - Crime Prevention and Public Safety
HB 1153 - Financial Institutions
HB 1208 - Judiciary
HB 1227 - Elementary and Secondary Education
HB 1236 - Elections
HB 1323 - Children and Families
HB 1338 - Transportation
HB 1340 - Elections
HB 1341 - Utilities
HB 1366 - Elementary and Secondary Education
HB 1379 - Small Business
HB 1383 - Special Standing Committee on Government Oversight and Accountability
HB 1384 - Judiciary
HB 1395 - General Laws
HB 1396 - Local Government
HB 1397 - Local Government
HB 1403 - Workforce Development and Workplace Safety
HB 1431 - Transportation

HB 1513 - General Laws
HB 1517 - Veterans
HB 1518 - Special Standing Committee on Disability Services
HB 1522 - Special Standing Committee on Disability Services
HB 1527 - Judiciary
HB 1532 - Crime Prevention and Public Safety
HB 1533 - Health Insurance
HB 1534 - General Laws
HB 1541 - Health Care Policy

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1329**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1298 and HB 1180**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1093**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1141**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1156**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1269**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 73, introduced by Representatives Smith (150), Sommer, Frederick, Hinson, Bahr and Koenig, relating to the prohibition of toll roads.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1588, introduced by Representatives Harris, Aull, Schieffer, Hodges, Fallert, Walton Gray and Morgan, relating to relocation of a child.

HB 1589, introduced by Representatives Schieffer and Gatschenberger, relating to ordinances adopted by political subdivisions regulating firearms.

HB 1590, introduced by Representative Gatschenberger, to authorize the conveyance of property owned by the state to the state highways and transportation commission.

HB 1591, introduced by Representative Flanigan, relating to sales taxes for public libraries.

HB 1592, introduced by Representatives Jones (89), Talboy, Torpey, Scharnhorst, Cierpiot, Diehl, Dieckhaus, Berry, Lauer, Zerr, Jones (117), Fraker, Riddle, Long, Bernskoetter, Jones (63), Taylor, Holsman, Conway (27), Hummel, McCann Beatty, Brown (50), Carter, Carlson, Swearingen, Rizzo, Ellington and McManus, relating to sales tax and revenue bonds.

HB 1593, introduced by Representatives Jones (89), Talboy, Torpey, Berry, Lauer, Zerr, Jones (117), Long, McGhee, Fraker, Riddle, Hough, Hinson, Bernskoetter, Scharnhorst, Jones (63), Taylor, Holsman, Conway (27), Hummel, McCann Beatty, Lampe, Brown (50), Carter, Schupp, Carlson, Swearingen, Anders, Morgan, Rizzo, Ellington and McManus, relating to the Missouri Angel Investment Incentive Act.

HB 1594, introduced by Representatives Shively, Aull, McNeil, Kelly (24), Webb and Quinn, relating to the approval or disapproval of long-term care insurance rates by the director of the department of insurance, financial institutions and professional registration.

HB 1595, introduced by Representatives Lampe, Hummel, Atkins, Nichols, Ellinger and McNeil, relating to the creation of an advisory council on the education of gifted and talented children.

HB 1596, introduced by Representatives Lampe, Silvey, Hummel, Nichols, Atkins, Higdon, Shively, Asbury, Ellinger, McNeil, Barnes, Stream, Brattin and Franklin, relating to educational programs for gifted and talented children.

HB 1597, introduced by Representatives Lampe, Newman, McCreery, Nichols, Pace, Webb, Fallert, Schieffer, Rizzo, Kratky, Ellinger, Morgan, Meadows, McCann Beatty, Ellington, Carter, Oxford, Spreng, Schupp, Nasheed, Kelly (24), Kirkton, Carlson, Sifton, Webber, Anders, Hughes, Brown (50), Casey, Walton Gray, Hummel, Talboy, Hubbard, Jones (63), Taylor, McNeil, Montecillo, Hodges, Conway (27), Holsman, May, Colona, McGeoghegan, Pierson, Schneider, Swearingen, Kander, McDonald, Atkins, Still, Smith (71), Zerr, Wyatt and McManus, relating to school safety.

HB 1598, introduced by Representatives Hubbard, Pace, Ellinger, Morgan, Carter, May, Montecillo, Lampe, Nasheed, Brown (50), Hughes and Walton Gray, relating to domestic violence.

HB 1599, introduced by Representative Webber, relating to trial procedure for first degree murder.

HB 1600, introduced by Representatives Webber, Still, Schupp and McGeoghegan, relating to retirement benefits for members of the general assembly.

HB 1601, introduced by Representatives Webber and Schupp, relating to public holidays.

HB 1602, introduced by Representatives Wyatt, McNeil, McCann Beatty, McGeoghegan, Hodges, Sifton, Pierson, Loehner, Holsman and Funderburk, relating to school cleaning supplies.

HB 1603, introduced by Representatives Hough and Franz, relating to services provided by athletic trainers.

HB 1604, introduced by Representatives Oxford, Lampe, Hodges, Still, Morgan, Hughes, Black, McCreery, Aull, Fallert, Carter, Schupp, Taylor, McNeil, Anders, Smith (71), Ellinger, Pace, Walton Gray, May, Atkins, Talboy, McGeoghegan, Webber, Newman, Schieffer, Spreng, Pierson, Carlson, Colona, Jones (63) and Ellington, relating to school class size.

HB 1605, introduced by Representatives Oxford, Atkins, Morgan, Pace, Walton Gray, McCreery, Kirkton, Holsman, Still, Rizzo, Jones (63), Spreng, Nasheed, Smith (71), Brown (50), Pierson, McNeil, Newman, McGeoghegan, McDonald, May, Montecillo, Ellington, Ellinger, Taylor, Carlson, Schupp, Carter, Hughes, Talboy, Lampe, Colona, Fallert, McCann Beatty, Nichols and Harris, relating to prepayment loan penalties.

HB 1606, introduced by Representatives Oxford, Walton Gray, Morgan, Pace, McCreery, McManus, Rizzo, Jones (63), Spreng, Hodges, Atkins, Nasheed, Smith (71), Brown (50), Pierson, Kirkton, McNeil, Newman, McGeoghegan, McDonald, May, Montecillo, Swearingen, Ellington, Ellinger, Taylor, Carlson, Webber, Schupp, Carter, Webb, Hughes, Talboy, Colona, Fallert, Nichols, Schieffer, Sifton, Meadows, Black and Anders, relating solely to the creation of an earned income tax credit.

HB 1607, introduced by Representatives Oxford, Newman, Hubbard, Morgan, Pace, Walton Gray, McCreery, Kirkton, Jones (63), Atkins, Holsman, Still, Spreng, Nasheed, Smith (71), Brown (50), Kelly (24), Pierson, McNeil, McDonald, May, Montecillo, Swearingen, Ellington, Ellinger, Taylor, Carlson, Webber, Schupp, Carter, McCann Beatty, Webb, Hughes, Talboy, Lampe, Colona, Nichols, Kander and Sifton, relating to the compassionate assistance for rape emergencies act.

HB 1608, introduced by Representatives McNary, Rowland, Bahr, Conway (14), Brown (85), Koenig, Molendorp, Riddle, Gatschenberger, Long, Davis, Brattin, Lant, Wieland, Kelly (24), Brown (116), McCaherty, Haefner and Schoeller, for the sole purpose of repealing unfunded and obsolete programs.

HB 1609, introduced by Representatives Nasheed, Hummel and Hubbard, relating to student study plans.

HB 1610, introduced by Representative Nasheed, relating to compulsory attendance for school age children.

HB 1611, introduced by Representatives Nasheed, McCreery, Hubbard, Oxford, Pierson, Pace, Zerr and McNeil, relating to real estate foreclosure.

HB 1612, introduced by Representatives Burlison, Denison, Wells, Meadows and Kratky, relating to the regulation of outdoor advertising.

HB 1613, introduced by Representatives Franklin, Brown (116), Lant, Reiboldt, Brown (85), White, Schatz, Houghton, Schneider and Fisher, relating to fee office contracts.

HB 1614, introduced by Representative Sifton, relating to drug testing of offenders on probation or parole.

HB 1615, introduced by Representatives Oxford, Morgan, Pace, Walton Gray, McCreery, Kirkton, Holsman, Still, McManus, Rizzo, Jones (63), Spreng, Atkins, Nasheed, Smith (71), Brown (50), Pierson, McNeil, Newman, McGeoghegan, McDonald, May, Montecillo, Swearingen, Ellington, Ellinger, Taylor, Carlson, Webber, Carter, McCann Beatty, Hughes, Talboy, Lampe, Colona, Fallert, Nichols, Harris and Cox, relating to actions for money damages for conduct or speech at public hearings or meetings.

HB 1616, introduced by Representatives Oxford, Kirkton, Pace, Walton Gray, McCreery, Jones (63), Atkins, Smith (71), Nasheed, Pierson, McGeoghegan, Brown (50), Hummel, McDonald, May, McCann Beatty, Montecillo, Ellinger, Taylor, Carlson, Carter, Webb, Hughes, Talboy, Fallert, Ellington and Morgan, relating to individual income tax.

HB 1617, introduced by Representatives Oxford, Hubbard, Pace, Walton Gray, McCreery, Kirkton, Jones (63), Spreng, Atkins, Nasheed, Smith (71), Brown (50), McGeoghegan, Pierson, Hummel, Aull, McDonald, May, Ellinger, Taylor, Carlson, Schupp, Carter, McCann Beatty, Webb, Hughes, Talboy, Lampe, Fallert, Ellington and Morgan, relating to deductions for federal income tax liability.

HB 1618, introduced by Representatives Schieffer and Gatschenberger, relating to ordinances adopted by political subdivisions regulating firearms.

HB 1619, introduced by Representatives McNeil, McCreery, Oxford, McCann Beatty, Pierson, May, Kirkton, Newman and Ellinger, relating to racial and gender equity in the membership of boards, commissions, committees, and councils.

HB 1620, introduced by Representatives McNeil, McCann Beatty, Newman, McCreery, Oxford, May, Kirkton and Ellinger, relating to racial and gender equity in the membership of boards, commissions, committees, and councils.

HB 1621, introduced by Representatives Brown (116) and Franz, relating to discrimination against persons for the lawful carry or use of firearms.

HB 1622, introduced by Representatives Jones (117) and Frederick, relating to advertisements for health care services.

HB 1623, introduced by Representatives Ellinger, Carlson, Hummel, Oxford, McDonald, Pace, Walton Gray, Aull, Black, Spreng, Hubbard, Nichols, Anders, Taylor, Schupp, McGeoghegan, Atkins, Colona, Webb, Newman, Brown (50), Hughes, Smith (71), Pierson, Montecillo, Still, Lampe, Stream, Zerr, McCreery, Diehl, Kelly (24) and McNary, relating to members of economic development tax boards.

HB 1624, introduced by Representatives Ellinger, Pace, McDonald, Walton Gray, Meadows, Kratky, Oxford, Smith (71), Hubbard, May, Schupp, McCreery, Newman, Carter, Taylor, Pierson and Nichols, relating to the right to clemency in capital cases.

HB 1625, introduced by Representatives Ellinger, Pace, McDonald, Walton Gray and Meadows, relating to fairness in the infliction of the death penalty.

HB 1626, introduced by Representative Sommer, relating to school directors in urban districts.

HB 1627, introduced by Representatives Jones (117), Richardson and Elmer, relating to department of revenue motor vehicle and driver registration records.

HB 1628, introduced by Representative Barnes, relating to summary statements for petitions.

HB 1629, introduced by Representative Barnes, relating to virtual schools.

COMMITTEE APPOINTMENT

February 1, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Jonas Hughes to the Committee on Tax Reform.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

LETTER OF OBJECTION

January 31, 2012

The Honorable Adam Crumbliss
Chief Clerk, Missouri House of Representatives

Greetings:

Whereas, on January 30, 2012, **HB 1277** was duly placed on the House Consent Calendar for Perfection, and

Whereas, the Rules of the House require all bills placed upon the House Consent Calendar for Perfection to be noncontroversial in nature, and

Whereas, the rules of the House require all bills placed upon the House Consent Calendar for Perfection to not increase net expenditures of the state, and

Whereas, the Rules of the House provide that five members of the House, with at least two from each political party may file written objection with the Chief Clerk, thereby removing such bill from the House Consent Calendar for Perfection and requiring it be placed upon the House Bills to be Perfected and Printed Calendar,

Now, Therefore, we the undersigned members of the Missouri House of Representatives, pursuant to House Rule 45(b), object to **HB 1277** placement upon the House Consent Calendar for Perfection and respectfully request its removal under the Rules.

Member	District	Party
/s/ Nick Marshall	30	Republican
/s/ Sheila Solon	55	Republican
/s/ Rick Brattin	124	Republican
/s/ Brent Lasater	53	Republican

/s/ Rory Ellinger	72	Democrat
/s/ Chris Kelly	24	Democrat
/s/ Ronald Schieber	32	Republican

COMMUNICATIONS

February 1, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am a captive license insurance producer and State Farm agency owner.

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Representative Don Gosen
84th District

_____

February 1, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
201 W. Capitol Avenue
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of a possible personal interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am a minority owner in a craft brewery located within the state of Missouri.

In compliance with Section 105.461, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Sincerely,

/s/ Representative Don Gosen
84th District

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 2, 2012.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Karla May, District 57, hereby state and affirm that my vote as recorded on Page 192 of the Journal of the House for Tuesday, January 31, 2012, to approve the Journal of the House for the fourteenth day was recorded as absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted "Aye." I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of February, 2012.

/s/ Karla May
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 1st day of February in the year 2012.

/s/ Megan Limbach
Notary Public

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS
Thursday, February 2, 2012, Upon Morning Adjournment House Hearing Room 5.
Public hearing will be held: HR 89
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY
Tuesday, February 7, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1404
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, February 2, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
DHSS Budget overview, continued.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup for Public Safety and Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Markup for Public Safety and Corrections.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, February 7, 2012, 8:00 AM House Hearing Room 3.
DED Budget presentation (may require continuation in afternoon meeting).

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 7.
DED Budget presentation continuation (if necessary).

FISCAL REVIEW
Thursday, February 2, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
CANCELLED

INSURANCE POLICY
Monday, February 6, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1144, HB 1113
Executive session may be held on any matter referred to the committee.

RETIREMENT
Thursday, February 2, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1226, HB 1138, HB 1139
Executive session may be held on any matter referred to the committee.
CANCELLED

RETIREMENT
Monday, February 6, 2012, 2:00 PM House Hearing Room 5.
Public hearing will be held: HB 1226, HB 1139
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Monday, February 13, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1305, HB 1487
Executive session may be held on any matter referred to the committee.

TAX REFORM
Monday, February 13, 2012, 7:00 PM, 516 S Country Club, JC.
Presentation

TOURISM AND NATURAL RESOURCES
Thursday, February 2, 2012, 9:00 AM House Hearing Room 7.
Executive session will be held: HCR 13, HB 1191, HB 1251
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, February 2, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1055, HB 1182, HB 1200, HB 1239
Executive session may be held on any matter referred to the committee.
A House Committee Substitute has been submitted for HB 1055.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, February 6, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1131
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SEVENTEENTH DAY, THURSDAY, FEBRUARY 2, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 73

HOUSE BILLS FOR SECOND READING

HB 1588 through HB 1629

HOUSE BILLS FOR PERFECTION

1 HB 1104 - Schoeller
2 HB 1219 - Elmer
3 HCS HB 1277 - Long

HOUSE BILLS FOR PERFECTION - CONSENT

(1/31/2012)

1 HB 1036 - Dugger
2 HB 1039 - Leara
3 HB 1099 - Fitzwater
4 HB 1100 - Fitzwater
5 HB 1105 - Day

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTEENTH DAY, THURSDAY, FEBRUARY 2, 2012

The House met pursuant to adjournment.

Representative Long in the Chair.

Prayer by Representative Jeff Grisamore.

Heavenly Father, we thank You for Your word that says we can find grace and receive mercy to help us in our time of need. We ask You for Your mercy and grace upon the state of Missouri.

We thank You for the privilege to serve You through serving the citizens of Missouri.

We pray according to Colossians 1:9-10 that You would fill us with the knowledge of Your will through all spiritual wisdom and understanding, that we may live a life worthy of You and please You in every way, bearing fruit in every good work and growing in the knowledge of You and being strengthened with all power according to Your glorious might so that we may have great endurance and patience.

We pray for Your continual guidance and wisdom as we serve the people of Missouri. Amen.

The Pledge of Allegiance to the flag was recited.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 530 through House Resolution No. 548

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 73 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1588 through **HB 1629** were read the second time.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 333 - Judiciary

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 7 - General Laws
HCR 11 - Agri-Business

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 44 - Special Standing Committee on Judicial Reform
HJR 70 - Elementary and Secondary Education

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1053 - Economic Development
HB 1071 - Crime Prevention and Public Safety
HB 1133 - Elementary and Secondary Education
HB 1176 - Economic Development
HB 1201 - Elementary and Secondary Education
HB 1206 - Elementary and Secondary Education
HB 1216 - Higher Education
HB 1224 - International Trade and Job Creation
HB 1240 - Workforce Development and Workplace Safety
HB 1248 - Veterans
HB 1264 - Transportation
HB 1271 - Agri-Business
HB 1272 - Corrections
HB 1278 - Children and Families
HB 1285 - Utilities
HB 1288 - Judiciary
HB 1334 - Crime Prevention and Public Safety
HB 1345 - Transportation Funding and Public Institutions
HB 1348 - Elementary and Secondary Education
HB 1359 - Special Standing Committee on Government Oversight and Accountability
HB 1367 - Workforce Development and Workplace Safety
HB 1371 - Professional Registration and Licensing
HB 1376 - Financial Institutions
HB 1378 - Transportation
HB 1381 - Ways and Means
HB 1387 - Elementary and Secondary Education
HB 1390 - Workforce Development and Workplace Safety

HB 1399 - Professional Registration and Licensing
HB 1400 - Financial Institutions
HB 1441 - Workforce Development and Workplace Safety
HB 1453 - Local Government
HB 1458 - Local Government
HB 1459 - Elementary and Secondary Education
HB 1467 - Higher Education
HB 1473 - Judiciary
HB 1475 - Health Care Policy
HB 1477 - Agri-Business
HB 1493 - Economic Development
HB 1495 - Insurance Policy
HB 1497 - Elementary and Secondary Education
HB 1505 - Judiciary
HB 1512 - Judiciary
HB 1539 - Elementary and Secondary Education
HB 1549 - General Laws

COMMITTEE REPORTS

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1192**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 13

WHEREAS, the rivers and streams of the State of Missouri are a great natural resource and benefit to the citizens of Missouri and the aquatic life therein; and

WHEREAS, these rivers and streams run through the heartland and fertile bottom lands that produce our abundant food supply and provide a large part of our agricultural income; and

WHEREAS, the farmers and landowners who have lived and farmed along these stream banks for generations have the right to protect and preserve their precious soil so as to protect and continue their way of life; and

WHEREAS, these streams need to be managed in a manner that is beneficial to the stream's aquatic life as well as the farmer's interest in protecting private property, financial interest, and ability to feed their family and yours; and

WHEREAS, the federal and state agencies in charge of regulating in-stream activities, including stream bank stabilization, gravel removal and excavation, vegetation removal, or a combination thereof, are basing their decisions

and practice approval on policy developed not on scientific study but solely on their priorities determined by these agencies and their commenting groups; and

WHEREAS, the federal and state agencies as well as their commenting groups that are in charge of protecting the aquatic life and environment of these streams and rivers should base their decisions and practices on unbiased scientific studies that take into account all aspects of these streams, including flood control, soil conservation, gravel buildup, and the aquatic life, and not undertake actions to achieve policy goals; and

WHEREAS, these federal agencies as well as their commenting groups should place as much importance on our farmers' fields, private property, and precious soils as the aquatic life in these streams:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby encourage our Governor and our Missouri Congressional delegation to demand these agencies review all policy decisions on in-stream activity, thereby promoting the use of sound scientific research and data that is produced from unbiased studies; and

BE IT FURTHER RESOLVED that our Missouri Congressional delegation demand federal and state agencies as well as their commenting groups base past and future decisions and practices involving any stream activity inside the high banks on unbiased scientific university studies along with practices that have been proven effective over generations of landowner implementing; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the United States Army Corps of Engineers, the Bureau of Land Management and the Fish and Wildlife Service within the United States Department of Interior, the United States Environmental Protection Agency, the United States Department of Agriculture, the Missouri Congressional delegation, Governor Jay Nixon, the Missouri Department of Conservation, the Missouri Department of Agriculture, and the Missouri Department of Natural Resources.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1251**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

HB 2014, introduced by Representative Silvey, to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2012.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1630, introduced by Representative Franz, relating to the highways and transportation commission.

HB 1631, introduced by Representatives Walton Gray, McCreery, Newman, Pace, Nichols, Hubbard, McGeoghegan, Spreng, Zerr, Schad, Oxford, Jones (63), Brown (50), May, Shively, Aull, Cookson and Carter, relating to dating violence education in secondary schools.

HB 1632, introduced by Representatives Walton Gray, Jones (117), Pace, McGeoghegan, Atkins, Oxford, Colona, Ellinger, Brown (50), Meadows, Hubbard, Swearingen, Carlson, McDonald, Kratky, Fallert, McCreery, Still, Black, Riddle, Quinn, Long, Nichols, Lasater, Fraker, Cierpiot, Lant and Cross, relating to vacation leave for state employees.

HB 1633, introduced by Representatives Walton Gray, Colona and Ellinger, relating to delinquent real estate payments.

HB 1634, introduced by Representative Ruzicka, relating to the recycling of newspapers.

HB 1635, introduced by Representatives Still, McManus, Black, Fallert, Wallingford, Ellinger, Smith (71), Swinger, Wright, Sifton, Carter, Hummel, Webb, McGhee, Stream, Higdon, Phillips and Webber, relating to Missouri state humane association special license plate.

HB 1636, introduced by Representatives Fuhr, Jones (89), McNary, Haefner, Ellinger, Brown (85), Sifton, Funderburk, Colona, Pace, Stream, Koenig, Bahr and Smith (71), relating to the election of courts to hear violations of municipal ordinances.

HB 1637, introduced by Representatives Curtman, Koenig, Bahr, Higdon, Schatz, Brattin, Wyatt, Burlison, McNary, Kelley (126) and Fuhr, relating to legal tender.

HB 1638, introduced by Representatives Curtman, Parkinson, Koenig, Bahr and Brattin, relating to ordinances adopted by political subdivisions regulating firearms.

HB 1639, introduced by Representatives Nolte, Allen, Neth, Conway (14), Nance, Shumake, Koenig and Brown (85), relating to the taxation of business income.

HB 1640, introduced by Representatives Denison, Meadows, Cookson, Shumake, Rowland, Long, Fallert, McDonald, Schieffer and Conway (27), relating to motor vehicle dealers.

HB 1641, introduced by Representatives Pollock, Denison, Wells, Holsman, Nasheed, Molendorp, Loehner and Entlicher, relating to an American Red Cross special license plate.

HB 1642, introduced by Representatives Fitzwater and Black, relating to minimum pay for certain corrections employees.

HB 1643, introduced by Representatives Fitzwater, Black, Shumake, Oxford and Lasater, relating to state employee salary increases.

HB 1644, introduced by Representative Barnes, relating to the licensing period for certain licenses issued by the Missouri gaming commission.

HB 1645, introduced by Representative Fisher, relating to expungement.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 464**, entitled:

An act to amend chapter 376, RSMo, by adding thereto one new section relating to the authority for creating and operating health insurance exchanges in Missouri, with a referendum clause.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGE

February 2, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Melissa Leach as a member of the Committee on Workforce Development and Workplace Safety and appoint Representative Gary Fuhr.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

The following members' presence was noted: Allen, Anders, Atkins, Bahr, Barnes, Berry, Black, Brandom, Brown (116), Burlison, Carlson, Carter, Casey, Cierpiot, Colona, Conway (14), Conway (27), Cookson, Cox, Crawford, Cross, Curtman, Denison, Dieckhaus, Dugger, Ellinger, Ellington, Fallert, Fisher, Fitzwater, Flanigan, Fraker, Franz, Fuhr, Gatschenberger, Gosen, Guernsey, Haefner, Hampton, Harris, Higdon, Hodges, Holsman, Houghton, Hubbard, Hughes, Hummel, Johnson, Jones (63), Jones (89), Jones (117), Kelley (126), Kelly (24), Kirkton, Koenig, Korman, Kratky, Lair, Lampe, Lant, Largent, Lasater, Leach, Loehner, Marshall, McCann Beatty, McCreery, McDonald, McGhee, McNary, McNeil, Meadows, Molendorp, Montecillo, Morgan, Nasheed, Neth, Newman, Nichols, Oxford, Pace, Pollock, Quinn, Redmon, Reiboldt, Riddle, Rizzo, Rowland, Ruzicka, Schad, Scharnhorst, Schatz, Schieber, Schieffer, Schneider, Shumake, Sifton, Silvey, Smith (71), Smith (150), Solon, Sommer, Spreng, Still, Stream, Swearingen, Taylor, Thomson, Tilley, Torpey, Wallingford, Walton Gray, Wells, Weter, White, Wyatt and Zerr.

ADJOURNMENT

On motion of Representative Long, the House adjourned until 4:00 p.m., Monday, February 6, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, February 7, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1404
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 4.
DNR Budget presentation (continued).
Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 4.
Discussion of horse processing in Missouri.
Department of Conservation Budget presentation (continued).
Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

APPROPRIATIONS - EDUCATION
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 1.
Analyst markup sheets.

APPROPRIATIONS - EDUCATION
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 1.
Analyst markup sheets continued.

APPROPRIATIONS - GENERAL ADMINISTRATION
Monday, February 6, 2012, 12:00 PM House Hearing Room 3.
Budget presentation.
Testifying Officials and/or Agencies: Lieutenant Governor; Attorney General; General Assembly; Judiciary.
NOTE: Due to scheduling conflicts, the Lieutenant Governor will not be in attendance until mid-hearing. All other officials and agencies should be prepared to testify at any point during the hearing. Should any testimony not be completed by 3:15 PM, committee will recess and reconvene the hearing upon adjournment of the House.

APPROPRIATIONS - GENERAL ADMINISTRATION
Tuesday, February 7, 2012, 12:00 PM House Hearing Room 3.
Budget presentation.
Testifying Officials and/or Agencies: Governor (Chief of Staff); Treasurer; Secretary of State.

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 8, 2012, Upon Adjournment of Budget Committee House Hearing Room 3.
Budget presentation.
Testifying Officials and/or Agencies: Auditor; Tax Commission; Lottery Commission; Department of Revenue.
NOTE: Due to scheduling conflicts, hearing will commence shortly after adjournment of the Budget hearing that day.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup for Public Safety and Corrections.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Markup for Public Safety and Corrections.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, February 7, 2012, 8:00 AM House Hearing Room 3.
DED Budget presentation (may require continuation in afternoon meeting).

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 7.
DED Budget presentation continuation (if necessary).

ECONOMIC DEVELOPMENT
Tuesday, February 7, 2012, 5:00 PM House Hearing Room 7.
Work session - no public testimony.

ELECTIONS
Tuesday, February 7, 2012, 8:15 AM House Hearing Room 5.
Public hearing will be held: HB 1236, HB 1340, HB 1365
Executive session will be held: HB 1059, HB 1060, HB 1106, HB 1457, HJR 41, HB 1442
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, February 7, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1513, HB 1318, HB 1317
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, February 8, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1541
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY
Monday, February 6, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1144, HB 1113
Executive session may be held on any matter referred to the committee.

RETIREMENT
Monday, February 6, 2012, 2:00 PM House Hearing Room 5.
Public hearing will be held: HB 1226, HB 1139
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Monday, February 6, 2012, 3:00 PM House Hearing Room 2.
Executive session will be held: HCS HCR 3, HCR 13, HJR 45, HB 1075, HB 1093, HB 1141, HB 1156, HB 1179, HB 1185, HCS HBs 1186 & 1147, HB 1250, HB 1251, HB 1269, HCS HBs 1298 & 1180, HCS HB 1311, HCS HB 1329, HCS HB 1370

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, February 6, 2012, 2:00 PM House Hearing Room 6.
Public hearing will be held: HB 1518, HB 1522
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Presentation from the Missouri Supreme Court and Judge Mary Russell.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Monday, February 13, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1305, HB 1487
Executive session may be held on any matter referred to the committee.

TAX REFORM
Wednesday, February 8, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1356, HB 1215
Executive session may be held on any matter referred to the committee.

TAX REFORM
Monday, February 13, 2012, 7:00 PM, 516 S Country Club, JC.
Presentation

URBAN ISSUES
Monday, February 6, 2012, Upon Evening Adjournment House Hearing Room 5.
Public hearing will be held: HB 1273, HB 1466
Executive Session will be held: HB 1220, HB 1344
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, February 7, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1303, HB 1098, HCR 12, HB 1128, HB 1347, HB 1517
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, February 6, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1131
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

EIGHTEENTH DAY, MONDAY, FEBRUARY 6, 2012

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 2014

HOUSE BILLS FOR SECOND READING

HB 1630 through HB 1645

HOUSE BILLS FOR PERFECTION

1 HB 1104 - Schoeller
2 HB 1219 - Elmer
3 HCS HB 1277 - Long

HOUSE BILLS FOR PERFECTION - CONSENT

(1/31/2012)

1 HB 1036 - Dugger
2 HB 1039 - Leara
3 HB 1099 - Fitzwater
4 HB 1100 - Fitzwater
5 HB 1105 - Day

SENATE BILLS FOR SECOND READING

SS SB 464

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

EIGHTEENTH DAY, MONDAY, FEBRUARY 6, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

Dear Lord, through Your prophet Isaiah, You have revealed that "It is You who sits above the circle of the earth...It is You who stretches out the heavens like a curtain and spreads them out like a tent to dwell in. It is You who reduces rulers to nothing, It is You who makes the judges of the earth meaningless. Scarcely have they been planted, scarcely have they been sown, scarcely has their stock taken root in the earth, but He merely blows on them, and they wither, and the storm carries them away like stubble." (Isaiah 40:22-24)

Lord, please remind us that we all, regardless of profession and stage in life, are here today and gone tomorrow. Remind each of us when we walk down the halls and see the photographs of past legislators that one future day today's legislators will be past legislators.

Therefore, may each one be of a humble mind and spirit, seeking to be diligent in his or her service by honoring You in all that is done.

Only You, O Lord, remain eternal.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good, and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixteenth day was approved as printed.

The Journal of the seventeenth day was approved as corrected by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher

Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Hughes	Largent	McCaherty	Nolte
Weter				

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 549 through House Resolution No. 556

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 2014 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1630 through **HB 1645** were read the second time.

SECOND READING OF SENATE BILL

SS SB 464 was read the second time.

Representative Smith (150) assumed the Chair.

PERFECTION OF HOUSE BILL

HB 1104, relating to voter identification requirements, was taken up by Representative Schoeller.

Speaker Tilley resumed the Chair.

HB 1104 was laid over.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 47 - Elections
HJR 52 - Tourism and Natural Resources
HJR 63 - Agriculture Policy
HJR 64 - General Laws

REFERRAL OF HOUSE BILL - APPROPRIATIONS

HB 2014 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1063 - Tourism and Natural Resources
HB 1083 - Crime Prevention and Public Safety
HB 1209 - Economic Development
HB 1231 - Transportation Funding and Public Institutions
HB 1382 - Judiciary
HB 1419 - Crime Prevention and Public Safety
HB 1430 - Crime Prevention and Public Safety
HB 1460 - Judiciary
HB 1498 - General Laws
HB 1510 - Transportation
HB 1521 - Ways and Means
HB 1540 - Workforce Development and Workplace Safety
HB 1576 - Children and Families
HB 1587 - Higher Education
HB 1609 - Elementary and Secondary Education
HB 1610 - Elementary and Secondary Education
HB 1621 - General Laws

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1049 - Children and Families

COMMITTEE REPORTS

Committee on Rules, Vice-Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 3**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 45**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1075**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1093**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1141**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1156**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1179**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1185**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1186 & 1147**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1250**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1251**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1269**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1298 & 1180**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1311**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1329**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

HB 2001, introduced by Representative Silvey, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2002, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2003, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2004, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2005, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2006, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2007, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2008, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2009, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2010, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2011, introduced by Representative Silvey, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2012, introduced by Representative Silvey, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013.

HB 2013, introduced by Representative Silvey, to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with travel or staffing for the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

HB 2019, introduced by Representative Silvey, to appropriate money for purposes for the several departments and offices of state government; for planning, expenses, and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the fiscal period beginning July 1, 2012 and ending June 30, 2013.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1646, introduced by Representatives Brown (116) and Schad, relating to the issuance of temporary boating safety identification cards to nonresidents.

HB 1647, introduced by Representatives Riddle, Taylor, Fitzwater, Fuhr, Schad, Dugger, Anders, Holsman, Hummel, Smith (71), Davis, Webb, Ruzicka, Conway (14), Scharnhorst, Cauthorn, Korman, McNary, Hough, Hinson and Johnson, relating to fees for hazardous substances.

HB 1648, introduced by Representative Nasheed, relating to voter centers.

HB 1649, introduced by Representative McGhee, relating to the certified home inspection profession title protection act.

HB 1650, introduced by Representatives Spreng, Zerr, Hubbard, Wyatt, Haefner, Casey, Hummel, Hughes, Brown (50), Nichols, Colona, Torpey, McNary, Conway (14), Cierpiot, Schneider, Schad and Walton Gray, relating to domestic violence education in elementary and secondary schools.

HB 1651, introduced by Representatives McGeoghegan, Ellington, Morgan, Harris, Anders, Marshall, Lauer, Pace, Lampe, Swearingen, Montecillo, Atkins, Hodges, Meadows, Fallert, Casey, Walton Gray, Rizzo, Talboy, Hughes, Colona, McManus, Aull, Zerr, Brown (116), Long, Burlison, McNary, Riddle, Gatschenberger, Schatz, Cauthorn, Oxford, Conway (14), Newman, Conway (27), Smith (71), White, McCann Beatty and Lant, relating to the designation of spinal cord injury month in Missouri.

HB 1652, introduced by Representatives McGeoghegan, Ellington, Morgan, Harris, Anders, Pace, Lauer, Lampe, Swearingen, Montecillo, Atkins, Hodges, Meadows, Fallert, Casey, Smith (71), Walton Gray, Rizzo, Talboy, Hughes, Colona, McManus, Aull, Zerr, Brown (116), Burlison, Long, McNary, Riddle, Gatschenberger, Schatz, Cauthorn, Oxford, Newman, White, Conway (27), McCann Beatty and Lant, relating to the designation of fibromyalgia month in Missouri.

HB 1653, introduced by Representatives Kelly (24), Still, Kirkton, Talboy, Montecillo, Schupp, Carlson, Taylor, McCreery, Fallert, Anders, McNeil, McCann Beatty, Spreng, Ellinger, Lampe, Hummel, Morgan, Swearingen, McGeoghegan, Hodges, Pace, Walton Gray, Oxford, Rizzo, Nichols, Smith (71), Black, Sifton, Colona, Jones (63), Webber, Shively, Aull and May, relating to campaign disclosure reports.

HB 1654, introduced by Representatives Kirkton, Nasheed, Oxford, McNeil, Newman, Torpey, McCann Beatty, Talboy, McCreery, Taylor, Spreng, Jones (63), McManus, Carlson, Schupp, McDonald, McGeoghegan, Casey, Kratky, Atkins, Pace, Anders, Montecillo, Lasater, Walton Gray, Smith (71), Meadows, May, Ellinger, Grisamore, Lampe, Colona, Pierson, Nichols, Carter, Hummel, Funderburk, Sifton, Hubbard and Rizzo, relating to animal shelter fees.

HB 1655, introduced by Representative Riddle, relating to products liability.

HB 1656, introduced by Representatives Webber and Kelly (24), relating to the multijurisdictional internet cyber crime law enforcement task force.

HB 1657, introduced by Representatives Webber and Meadows, relating to state contracts.

HB 1658, introduced by Representatives Molendorp, Guernsey, Phillips, Kelley (126), Burlison, Lichtenegger and Torpey, relating to the duty to maintain motor vehicle financial responsibility.

HB 1659, introduced by Representatives Torpey, Brown (50), Holsman, Neth, Rizzo, Berry, McCann Beatty, Talboy, McManus, Lauer, Cross and Swearingen, relating to land tax collection.

HB 1660, introduced by Representatives Holsman, Hummel, Talboy, Atkins, Conway (27), Newman, Kelly (24), Still, Rizzo, Swearingen, McManus, Taylor, Pierson, Montecillo, Nasheed, Jones (63), McNeil, Loehner, Colona, Wyatt, Ellington, Lampe, Guernsey, Kirkton, McCann Beatty, Webb, McCreery, Pace, Oxford, Long, Molendorp, May, Carter, Carlson, Walton Gray, Anders, Morgan, Schupp, Smith (71), Ellinger, Nichols, Tilley, Webber, Sifton, Casey and Hough, relating to urban agricultural zones.

HB 1661, introduced by Representatives Hoskins, Lauer, Tilley, Lichtenegger, Cierpiot, Hinson, Korman, Funderburk, Keeney, Scharnhorst, Johnson, Loehner, Torpey, Jones (117), Lant, Rowland, Reiboldt, Brown (85), Curtman, Guernsey, Bernskoetter, Dugger, Long, Diehl, Higdon, Davis, Brattin, White, Crawford, Entlicher, Berry, Fitzwater, Marshall, Stream, Cox, Phillips, Brown (116), Wieland, Hampton, Zerr, Jones (89), Asbury, Sommer, Redmon, Franklin, Fraker, Leach, Wyatt, Molendorp, Neth, Houghton, Lair, Grisamore, Frederick, Schoeller and Smith (150), relating to tax deductions for job creation by small businesses.

COMMITTEE CHANGE

February 6, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Lyndall Fraker and Representative Melissa Leach as members of the Utility Committee.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the House

WITHDRAWAL OF HOUSE BILL

February 6, 2012

Mr. D. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
Room 306 State Capitol
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I request that **HB 1389**, relating to the No-Call List, be withdrawn. Thank you.

Sincerely,

/s/ Jeanne Kirkton
State Representative
District 91

The following members' presence was noted: Barnes, Hughes and Nolte.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 7, 2012.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Don Phillips, District 62, hereby state and affirm that my presence as recorded on Page 221 of the Journal of the House for Thursday, February 2, 2012, was not recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, and my absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 6th day of February, 2012.

/s/ Don Phillips
State Representative

State of Missouri)
) ss.
County of Cole)

Subscribed and sworn to before me this 6th day of February in the year 2012.

/s/ Patricia G. Pleus
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, February 7, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1404
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 4.
DNR Budget presentation (continued).
Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 4.
Discussion of horse processing in Missouri.
Department of Conservation Budget presentation (continued).
Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

APPROPRIATIONS - EDUCATION
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 1.
Analyst markup sheets.

APPROPRIATIONS - EDUCATION
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 1.
Analyst markup sheets, continued.

APPROPRIATIONS - GENERAL ADMINISTRATION
Tuesday, February 7, 2012, 12:00 PM House Hearing Room 3.
Budget presentation.
Testifying officials and/or agencies: Governor (Chief of Staff); Treasurer; Secretary of State.

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 8, 2012, Upon Adjournment of Budget Committee House Hearing Room 3.
Budget presentation.
Testifying officials and/or agencies: Auditor; Tax Commission; Lottery Commission; Department of Revenue.
NOTE: Due to scheduling conflicts, hearing will commence shortly after adjournment of the Budget hearing that day.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
DMH, DHSS, and DSS program discussion followed by DSS budget overview.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
DSS budget overview, continued.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 3.
Discuss Public Safety and Corrections estimated appropriations (Es) and flexibility.
AMENDED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Markup for Public Safety and Corrections.
CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, February 7, 2012, 8:00 AM House Hearing Room 3.
DED budget presentation (may require continuation in afternoon meeting).

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 7.
DED budget presentation continuation (if necessary).

BUDGET
Wednesday, February 8, 2012, Upon Morning Adjournment House Hearing Room 3.
Public hearing will be held: HB 1029, HB 1030, HB 2014
Executive session will be held: HB 2014
Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES
Wednesday, February 8, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1327, HB 1385, HB 1323, HB 1576, HB 1049
Executive session may be held on any matter referred to the committee.

CORRECTIONS
Wednesday, February 8, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1272
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, February 8, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1127, HB 1525
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, February 7, 2012, 5:00 PM House Hearing Room 7.
Work session - no public testimony.

ELECTIONS
Tuesday, February 7, 2012, 8:15 AM House Hearing Room 5.
Public hearing will be held: HB 1236, HB 1340, HB 1365
Executive session will be held: HB 1059, HB 1060, HB 1106, HB 1457, HJR 41, HB 1442
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, February 8, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1157, HB 1387
Executive session will be held: HB 1228
Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN ANIMAL AGRICULTURE
Tuesday, February 7, 2012, 5:00 PM House Hearing Room 1.
Executive session will be held: HJR 61, HB 1444
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, February 9, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee.

GENERAL LAWS
Tuesday, February 7, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1513, HB 1318, HB 1317
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, February 8, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1541
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, February 8, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1396, HB 1453, HB 1458
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, February 8, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1291
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Tuesday, February 7, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Presentation from the Missouri Supreme Court & Judge Mary Russell.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Monday, February 13, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1305, HB 1487
Executive session may be held on any matter referred to the committee.

TAX REFORM
Wednesday, February 8, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1356, HB 1215
Executive session may be held on any matter referred to the committee.

TAX REFORM
Monday, February 13, 2012, 7:00 PM, 516 S Country Club, JC.
Presentation.

TOURISM AND NATURAL RESOURCES
Thursday, February 9, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1063, HB 1266, HJR 52
Executive session will be held: HJR 52
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, February 7, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: SS SCS SB 443, HB 1451, HB 1338, HB 1431, HB 1264, HB 1378
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, February 7, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1341, HB 1488
Executive session will be held: HB 1108
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, February 7, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1303, HB 1098, HCR 12, HB 1128, HB 1347, HB 1517
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Wednesday, February 8, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HB 1131
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

NINETEENTH DAY, TUESDAY, FEBRUARY 7, 2012

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

1 HB 2001 through HB 2013
2 HB 2019

HOUSE BILLS FOR SECOND READING

HB 1646 through HB 1661

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

1 HB 1104 - Schoeller
2 HB 1219 - Elmer
3 HCS HB 1277 - Long
4 HCS HB 1186 & 1147 - Parkinson
5 HCS HB 1298 & 1180 - Parkinson
6 HCS HB 1311 - Silvey
7 HCS HB 1329 - Silvey

HOUSE BILLS FOR PERFECTION - CONSENT

(1/31/2012)

1 HB 1036 - Dugger
2 HB 1039 - Leara
3 HB 1099 - Fitzwater
4 HB 1100 - Fitzwater
5 HB 1105 - Day

(2/7/2012)

1 HB 1075 - Sater
2 HB 1093 - Elmer
3 HB 1141 - Gatschenberger
4 HB 1156 - Rowland
5 HB 1179 - Hampton
6 HB 1185 - Parkinson
7 HB 1250 - Ruzicka
8 HB 1251 - Ruzicka
9 HB 1269 - Brattin

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 3, (1-31-12, Page 194) - Scharnhorst

HOUSE CONCURRENT RESOLUTIONS

HCR 13, (2/2/12, Page 217) - Loehner

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

NINETEENTH DAY, TUESDAY, FEBRUARY 7, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed is everyone that feareth the Lord; that walketh in His ways. (Psalm 128:1)

O God, Who is the Creator and the Sustainer of all peoples, without Whose benediction all our labor is in vain and with Whose blessing we walk the way to life and light - we pause before You this quiet moment seeking strength, peace and guidance from You.

Strengthen us when we are weak. May the peace of Your presence still the turmoil in our hearts, and when we would stumble on the way make straight our paths before us and give us courage to walk with You forever.

For our loved ones, for our districts and for our whole state we pray. Together may we be led from stress to peace, from fear to faith, from ill will to good will, from the depths of shallow living to the heights of a noble and sincere devotion.

We recall our Missouri history today when two hundred years ago, the New Madrid area was devastated by an earthquake. We pray that God will protect us from all earthquakes and other natural disasters in the future.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the eighteenth day was approved as printed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall

McCann Beatty	McGeoghegan	McGhee	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 027

Aull	Barnes	Berry	Carlson	Carter
Denison	Flanigan	Franz	Frederick	Funderburk
Hodges	Holsman	Hoskins	Hughes	Kelly 24
Lair	May	McCaherty	McCreery	McDonald
McManus	Meadows	Parkinson	Quinn	Silvey
Stream	Webb			

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 557 through House Resolution No. 576

HOUSE CONCURRENT RESOLUTIONS

Representative Hampton, et al., offered House Concurrent Resolution No. 30.
Representative Schieffer, et al., offered House Concurrent Resolution No. 31.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 2001 through **HB 2013** were read the second time.
HB 2019 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1646 through **HB 1661** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1104, relating to voter identification requirements, was taken up by Representative Schoeller.

Representative Leara assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Carter	Frederick	McCaherty	Meadows	Webb

On motion of Representative Schoeller, **HB 1104** was ordered perfected and printed by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 005

Carter	Frederick	McCaherty	Meadows	Webb

HCS HB 1277, relating to highway infrastructure improvements, was taken up by Representative Long.

Representative Long moved that **HCS HB 1277** be adopted.

Which motion was defeated by the following vote:

AYES: 044

Berry	Brandom	Burlison	Cookson	Crawford
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Gatschenberger	Gosen	Hampton	Hoskins
Hough	Jones 89	Jones 117	Keeney	Kelley 126
Lant	Leara	Long	McDonald	McNary
Pollock	Redmon	Richardson	Rowland	Ruzicka
Sater	Scharnhorst	Thomson	Torpey	Weter
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 110

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brattin
Brown 50	Brown 85	Brown 116	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cox	Cross	Curtman	Davis	Ellinger
Ellington	Entlicher	Franklin	Franz	Fuhr
Funderburk	Guernsey	Haefner	Harris	Higdon
Hinson	Hodges	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Marshall	May	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Reiboldt
Riddle	Rizzo	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Wallingford
Walton Gray	Webber	Wells	White	Wright

PRESENT: 000

ABSENT WITH LEAVE: 009

Carter	Frederick	Grisamore	Holsman	Kander
McCaherty	Meadows	Nolte	Webb	

On motion of Representative Long, **HB 1277** was ordered perfected and printed.

HB 1219, relating to discriminatory employment, was taken up by Representative Elmer.

Representative Elmer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1219, Section 213.010, Page 1, Line 10, by inserting after the phrase: "**motivating factor**" on said line the following:

"**except with regard to claims of adverse impact discrimination as defined in this section**"; and

Further amend said section, Page 2, Line 31, by inserting after the word: "housing" on said line the following:

"**or decisions or actions that have an adverse impact on the aforementioned protected criterion. In the case of decisions or actions that have an adverse impact, courts shall rely heavily upon judicial interpretations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et. seq., as amended; the Age Discrimination Employment Act of 1967, 29 U.S.C. 621, et. seq., as amended; and the Americans With Disabilities Act, 42 U.S.C. 12101, et. seq., as amended**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cox offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Bill No. 1219, Page 1, Section 213.010, Line 10, by inserting at the end of said line, after the word "**factor**", the following:

"**unless the decision or action has an adverse impact on the protected criterion. In which case, courts shall rely heavily upon judicial interpretations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e, et. seq., as amended; the Age Discrimination Employment Act of 1967, 29 U.S.C. 621, et. seq., as amended; and the Americans With Disabilities Act, 42 U.S.C. 12101, et. seq., as amended**"; and

Further amend said bill, Pages 4-5, Section 213.101, Lines 1-23, by deleting all of said lines; and

Further amend said bill, Page 5, Section 213.111, Line 27, by inserting an opening bracket ("**[**") immediately after the words "other order"; and

Further amend said section and page, Line 31, by inserting a closing bracket ("**]**") immediately after the word "foundation"; and

Further amend said section and page, Line 32, by deleting all of said line and inserting in lieu thereof the following:

"**4. The court may award to the plaintiff actual and punitive damages and may award court costs and reasonable attorney fees to the prevailing party, other than a state agency or commission or a local commission; except that, a prevailing respondent may be awarded court costs and reasonable attorney fees upon a showing that a case is without foundation. An award of damages may include all future pecuniary losses, emotional pain,**"; and

Further amend said bill, Page 6, Section 213.111, Line 41, by inserting the word "**one**" after the word "**hundred**"; and

Further amend said section and page, Line 44, by inserting the word "**one**" after the word "**hundred**"; and

Further amend said section and page, Line 47, by inserting the word "**one**" after the word "**hundred**"; and

Further amend said section and page, Line 57, by inserting the following after all of said line:

"**8. Subsections 4, 5, and 6 of this section shall not apply when there is an alleged violation of sections 213.040, 213.045, or 213.050. Subsections 4, 5, and 6 of this section shall apply when there is an alleged violation of section 213.070 against an employer, but not otherwise.**"; and

Further amend said bill, Page 7, Line 16, by deleting "**who reports to an employer**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Curtman	Day	Dugger	Frederick
Kander	McCaherty	Meadows	Neth	Webb

On motion of Representative Cox, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 009

Carter	Conway 14	Day	Frederick	Kander
McCaherty	Meadows	Nolte	Webb	

On motion of Representative Elmer, **HB 1219, as amended**, was ordered perfected and printed by the following vote:

AYES: 084

Allen	Bernskoetter	Brandom	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leara	Lichtenegger	Loehner	Long	McGhee
McNary	Molendorp	Nance	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schneider	Schoeller	Shumake	Smith 150	Sommer
Stream	Thomson	Wallingford	Wells	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 070

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Berry	Black	Brattin	Brown 50
Carlson	Casey	Colona	Conway 27	Cookson
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Lasater	Leach	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Silvey	Smith 71	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Torpey	Walton Gray	Webber	Weter	Wyatt

PRESENT: 000

ABSENT WITH LEAVE: 009

Carter	Day	Frederick	Grisamore	McCaherty
Meadows	Nolte	Sater	Webb	

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1035 - Ways and Means
HB 1096 - Local Government
HB 1110 - Veterans
HB 1111 - General Laws
HB 1124 - Insurance Policy
HB 1136 - Corrections
HB 1142 - Crime Prevention and Public Safety
HB 1149 - Transportation
HB 1152 - Children and Families
HB 1175 - Corrections
HB 1181 - General Laws
HB 1196 - Crime Prevention and Public Safety
HB 1197 - Tax Reform
HB 1203 - Corrections
HB 1217 - Elementary and Secondary Education
HB 1261 - Transportation
HB 1263 - Elections
HB 1289 - Utilities
HB 1296 - Veterans
HB 1297 - Professional Registration and Licensing
HB 1313 - Local Government
HB 1328 - Judiciary
HB 1354 - Crime Prevention and Public Safety
HB 1363 - Agriculture Policy
HB 1364 - Agriculture Policy
HB 1377 - Judiciary
HB 1386 - Elementary and Secondary Education
HB 1391 - Judiciary
HB 1417 - Insurance Policy
HB 1420 - Crime Prevention and Public Safety
HB 1427 - Ways and Means
HB 1449 - International Trade and Job Creation
HB 1463 - General Laws
HB 1468 - Crime Prevention and Public Safety
HB 1474 - Corrections
HB 1502 - Higher Education
HB 1531 - Health Care Policy
HB 1593 - Economic Development
HB 1613 - Transportation Funding and Public Institutions
HB 1659 - International Trade and Job Creation

COMMITTEE REPORTS

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1442**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1103**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1308**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1349**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1041**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1112**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SCS SB 443**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 12

WHEREAS, while war deaths have been a part of our heritage since the birth of this nation, the United States has not instituted an official symbol commemorating fallen servicepersons; and

WHEREAS, H.R. 1034 was introduced in the 111th Congress designating the Honor and Remember Flag, created by Honor and Remember, Inc., as an official recognition and in honor of fallen members of the United States Armed Forces; and

WHEREAS, the Honor and Remember Flag's red field represents the brave men and women who sacrificed their lives for freedom. The flag's blue star is a symbol of active service in military conflict that dates back to World War I. The flag's white border recognizes the purity of sacrifice. The flag's gold star signifies the ultimate sacrifice of a warrior in active service who is not returning home and reflects the value of the life given. The folded flag element highlights this nation's final tribute to a fallen serviceperson and a family's sacrifice. The flag's flame symbolizes the eternal spirit of the departed; and

WHEREAS, the Honor and Remember Flag is a unifying symbol recognizing this nation's solemn debt to the estimated 1.6 million fallen servicepersons throughout history and the families and communities who mourn their loss:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby designates the Honor and Remember Flag as the State of Missouri's emblem of service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty and urges the United States Congress to enact a similar resolution; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Missouri Veterans Commission and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1128**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1347**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1517**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1198**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1036, HB 1039, HB 1099, HB 1100** and **HB 1105**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 74, introduced by Representatives Koenig, Brattin, Davis, White, Lasater, Lichtenegger, Bahr, Fisher, Burlison and Higdon, relating to taxation.

HJR 75, introduced by Representatives Neth, Fitzwater, Lant, Kelley (126), Lair and Torpey, relating to suffrage and elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1662, introduced by Representative Weter, relating to county drinking water supply lake authorities.

HB 1663, introduced by Representatives Kirkton, Sater, Weter, Pace, McNeil, Grisamore and McGhee, relating to physical and chemical restraints for patients in mental health facilities.

HB 1664, introduced by Representative Pollock, relating to adverse possession.

HB 1665, introduced by Representatives Jones (63), Oxford, McDonald, Kirkton, Phillips, Hodges, Colona, Hummel, Cross, Fitzwater, Barnes, Fraker, McGeoghegan, McCann Beatty, Taylor, Carter, Schatz, Cauthorn, Brown (85), Frederick, Kelley (126), Houghton, Redmon, Brown (50), Torpey, Kelly (24), Anders, Atkins, Pace, Ellington, Schieffer, Hughes, Cookson, Nasheed, Hubbard, Franklin, Berry, Entlicher, White, Shumake, Fisher, Cox, Webb, Wells, Wieland, Wright, Elmer, Hinson, Casey and Kratky, relating to the designation of lupus awareness month.

HB 1666, introduced by Representatives Jones (63), Oxford, McDonald, Kirkton, Phillips, Hodges, Colona, Hummel, Barnes, McGeoghegan, McCann Beatty, Taylor, Cauthorn, McCaherty, Brown (85), Kelley (126), Redmon, Brown (50), Torpey, Kelly (24), Anders, Atkins, Pace, Schieffer, Hughes, Weter, Nasheed, Hubbard, Entlicher, Shumake, Fisher, Carter, Webb, Wells, Wieland, Wright, Elmer, Casey and Kratky, relating to designation of tax refunds to the lupus revolving research trust fund.

HB 1667, introduced by Representatives Hough, Elmer, Leach, Schoeller, Fraker, Lampe, Long and Denison, relating to a surcharge on civil court cases.

HB 1668, introduced by Representatives Denison, Hough, Hinson, Long, Weter, Phillips, Schoeller, Lant, Lampe, Fallert and Leach, relating to United States Olympic Committee special license plates.

HB 1669, introduced by Representatives Day, Lasater, Davis and Higdon, relating to temporary motorcycle instruction permits.

HB 1670, introduced by Representatives Day, Burlison, Lasater, Davis, Bahr, Higdon and Franz, relating to protective headgear for operation of motorcycles and motortricycles.

HB 1671, introduced by Representative Stream, relating to political subdivision contracts for water storage tanks.

HB 1672, introduced by Representatives Fuhr, Conway (14), Schad, Hinson, Phillips, Higdon, Brown (85), Haefner, Jones (89), Bahr, Kelly (24), Colona, Riddle, Barnes, McGeoghegan, Ellinger and Meadows, relating to audit of federal seizure proceeds.

HB 1673, introduced by Representatives Ellinger, Schupp, Pace, McDonald, Pierson, Carlson, Smith (71), Ellington, Kirkton, Hummel, Colona, McNeil, Newman, Morgan, Meadows, Oxford and Swearingen, relating to cigarette taxes.

HB 1674, introduced by Representatives Scharnhorst, Tilley, Cox, Jones (89) and Diehl, relating to confidentiality of department of revenue records.

HB 1675, introduced by Representatives Ruzicka, Lasater, Phillips and Higdon, relating to charges in criminal cases for law enforcement services.

HB 1676, introduced by Representatives Nichols, McNary, Harris, Ellinger and Torpey, relating to homeowner and community improvement associations.

HB 1677, introduced by Representatives Ellinger, Morgan, McCreery and Swearingen, relating to petitions to expunge certain criminal records.

HB 1678, introduced by Representatives Long, Bahr, McDonald, Kelley (126), Koenig, Burlison, Shumake, Curtman, Pollock, Hough, Oxford, Hodges, Zerr, Funderburk, McGhee, Franz, Dugger, Schad, Leach, Korman, Hughes, Swearingen, Redmon, Brown (50), Cauthorn, McNary, Wieland, Lasater, Smith (150), Schoeller, McCaherty, Fitzwater, Lant, Cookson, Fisher, Reiboldt, Jones (89), Fraker, Kirkton, Davis, Jones (63) and Richardson, relating to midwifery.

HB 1679, introduced by Representative Franz, relating to sales and use tax collection.

COMMUNICATION

February 7, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol
Jefferson City, MO 65101

Re: Possible Personal Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written report of possible interest in legislation on which the Missouri House of Representatives may vote during the legislative session. I am part owner of a business entity involved in the establishment and implementation of point of sales collection of sales and use taxes.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Thank you for your attention to this matter.

Respectfully yours,

/s/ Vicki A. Schneider
District 17

The following member's presence was noted: McCaherty.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 8, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS
Thursday, February 9, 2012, Upon Morning Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.
Discussion of hiring legislative assistants with incoming years of state service.
CANCELLED

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 4.
Discussion of horse processing in Missouri.
Department of Conservation Budget presentation (continued).
Public testimony will be heard. If you would like to testify, please notify Eric Jacquin by calling (573) 721-9458 or sending an e-mail to Eric.Jacquin@house.mo.gov.

APPROPRIATIONS - EDUCATION
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 1.
Analyst markup sheets, continued.

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 8, 2012, Upon Adjournment of Budget Committee House Hearing Room 3.
Budget presentation.
Testifying officials and/or agencies: Auditor; Tax Commission; Lottery Commission; Department of Revenue.
NOTE: Due to scheduling conflicts, hearing will commence shortly after adjournment of the Budget hearing that day.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
DSS budget overview, continued.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, February 9, 2012, 10:00 AM
Tour of the Fulton State Hospital. Transportation will be provided to committee members from the Capitol to location. Please meet at the guard shack upon adjournment for departure.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.
Discuss budget, possible amendments to be offered when bills are received and markup for upcoming budget bills for Departments of Public Safety and Department of Corrections
CANCELLED

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 8, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Markup for Public Safety and Corrections.
CANCELLED

BUDGET
Wednesday, February 8, 2012, Upon Morning Adjournment House Hearing Room 3.
Public hearing will be held: HB 1029, HB 1030, HB 2014
Executive session will be held: HB 2014
Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES
Wednesday, February 8, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1327, HB 1385, HB 1323, HB 1576, HB 1049
Executive session may be held on any matter referred to the committee.

CORRECTIONS
Wednesday, February 8, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1272
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, February 8, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1127, HB 1525
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, February 8, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1157, HB 1387
Executive session will be held: HB 1228
Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS
Wednesday, February 8, 2012, 5:00 PM House Hearing Room 6.
Public hearing will be held: HB 1153, HB 1400, HCR 9
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, February 9, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Wednesday, February 8, 2012, 3 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 7.
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, February 8, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1541
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY
Monday, February 13, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1495, HB 1074, HB 1144
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, February 8, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1116, HB 1659
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, February 8, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1473, HB 1527, HB 1288, HB 1384, HB 1512
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, February 8, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1396, HB 1453, HB 1458
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, February 8, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1291
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Monday, February 13, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1305, HB 1487
Executive session may be held on any matter referred to the committee.

TAX REFORM
Wednesday, February 8, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1356, HB 1215
Executive session may be held on any matter referred to the committee.

TAX REFORM
Monday, February 13, 2012, 7:00 PM, 516 S Country Club, Jefferson City.
Presentation

TOURISM AND NATURAL RESOURCES
Thursday, February 9, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1063, HB 1266, HJR 52
Executive session will be held: HJR 52
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, February 9, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HCR 8, HB 1182, HB 1381
Executive session will be held: HCR 8
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Wednesday, February 8, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HB 1131
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTIETH DAY, WEDNESDAY, FEBRUARY 8, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 74 and HJR 75

HOUSE BILLS FOR SECOND READING

HB 1662 through HB 1679

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

1 HCS HB 1186 & 1147 - Parkinson
2 HCS HB 1298 & 1180 - Parkinson
3 HCS HB 1311 - Silvey
4 HCS HB 1329 - Silvey

HOUSE BILLS FOR PERFECTION - CONSENT

(2/7/2012)

1 HB 1075 - Sater
2 HB 1093 - Elmer
3 HB 1141 - Gatschenberger
4 HB 1156 - Rowland
5 HB 1179 - Hampton
6 HB 1185 - Parkinson
7 HB 1250 - Ruzicka
8 HB 1251 - Ruzicka
9 HB 1269 - Brattin

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 3, (1/31/12, Page 194) - Scharnhorst

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1036 - Dugger
2 HB 1039 - Leara
3 HB 1099 - Fitzwater
4 HB 1100 - Fitzwater
5 HB 1105 - Day

HOUSE CONCURRENT RESOLUTIONS

HCR 13, (2/2/12, Page 217) - Loehner

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTIETH DAY, WEDNESDAY, FEBRUARY 8, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord will give strength unto His people; the Lord will bless His people with peace. (Psalm 29:11)

Our God, grant us Your peace as we begin this wintery day - give us peace in our own hearts, peace in our homes, peace in our districts and in our state. Grant to us, and all who meet with us, the sense of Your presence and the power of Your spirit. Out of these endeavors may there come a greater peace to our world and an increasing desire and determination to live together in greater harmony and finer accord.

May we meet the pressures of this present period with courage and faith through the presence of Your spirit living in our hearts.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Lincoln Kaderly.

The Journal of the nineteenth day was approved as printed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNary

McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Conway 27	Flanigan	Frederick	Jones 117
Kirkton	Koenig	Lasater	McCreery	McDonald
Newman	Oxford	Weter		

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 577 through House Resolution No. 584

HOUSE CONCURRENT RESOLUTION

Representative Cookson, et al., offered House Concurrent Resolution No. 32.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 74 and **HJR 75** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1662 through **HB 1679** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1311, relating to data storage centers, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 1311** was adopted.

On motion of Representative Silvey, **HCS HB 1311** was ordered perfected and printed.

HCS HB 1329, relating to motor vehicle registration, was taken up by Representative Silvey.

Representative Wright offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1329, Page 6, Section 301.559, Line 55, by inserting after said line the following:

"301.3087. 1. Any person may receive special license plates as prescribed by this section, for any motor vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual payment of an emblem-use authorization fee to the Missouri State Humane Association. The Missouri State Humane Association hereby authorizes the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. All emblem-use authorization fees, except reasonable administrative costs, shall be placed into a special fund as described in subsection 4 of this section and shall be used exclusively for the purpose of spaying and neutering dogs and cats in the state of Missouri.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Missouri State Humane Association, the Missouri State Humane Association shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. **Application for the use of the logo and payment of the twenty-five dollar contribution may also be made at the time of registration to the director, who shall deposit such contribution in the state treasury to the credit of the Missouri pet spay-neuter fund.** Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a personalized license plate which shall bear the emblem of the Missouri State Humane Association and shall have the words "I'M PET FRIENDLY" on the license plates in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner, who was previously issued a plate with the Missouri State Humane Association emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri State Humane Association emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536.

4. The "Missouri Pet Spay/Neuter Fund" is hereby created as a special fund in the state treasury and shall be administered by the department of agriculture. This fund shall consist of moneys collected pursuant to this section. All moneys deposited in the Missouri pet spay/neuter fund, except reasonable administrative costs, shall be paid as grants to humane societies, local municipal animal shelters regulated by sections 273.400 to 273.405, and organizations exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code to be used solely for the spaying and neutering of dogs and cats in the state of Missouri. For purposes of approving grants under this section, the governor shall appoint a volunteer board that shall consist of three Missouri residents, of which two shall be administrators of local municipal animal shelters regulated by sections 273.400 to 273.405 and one shall be an administrator of a humane society. Each of the three members shall be from separate congressional districts. Members of this board shall be appointed for three-year terms and shall meet at least twice a year to review grant applications. All moneys deposited in the Missouri pet spay/neuter fund, except reasonable administrative costs, shall be spent by the end of each fiscal year. Notwithstanding the provisions of section 33.080 to the contrary, if any moneys remain in the fund at the end of the biennium, said moneys shall not revert to the credit of the general revenue fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wright, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 005

Frederick	Holsman	Jones 117	Kelly 24	Weter

On motion of Representative Silvey, **HCS HB 1329, as amended,** was adopted.

On motion of Representative Silvey, **HCS HB 1329, as amended,** was ordered perfected and printed.

Speaker Pro Tem Schoeller assumed the Chair.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1036, relating to political party emblems, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1036** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 001

Hughes

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 006

Frederick	Hough	Kelly 24	Nolte	Reiboldt
Weter				

Speaker Pro Tem Schoeller declared the bill passed.

HB 1039, relating to local government employee retirement, was taken up by Representative Leara.

On motion of Representative Leara, **HB 1039** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Frederick	Hough	Kelly 24	Redmon	Weter

Speaker Pro Tem Schoeller declared the bill passed.

HB 1099, relating to Operation Enduring Freedom Day, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HB 1099** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Frederick	Hough	Jones 117	Kelly 24	Shumake
Weter				

Speaker Pro Tem Schoeller declared the bill passed.

HB 1100, relating to Vietnam Veterans Day, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HB 1100** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Dieckhaus	Flanigan	Frederick	Funderburk	Hough
Kelly 24	Nolte	Shumake	Weter	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

HB 1105, relating to the state militia age requirement, was taken up by Representative Day.

On motion of Representative Day, **HB 1105** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Flanigan	Frederick	Funderburk	Jones 117	Kelley 126
Kelly 24	Redmon	Weter	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 22 - Veterans
HCR 27 - Elementary and Secondary Education
HCR 30 - Agri-Business

REFERRAL OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were referred to the Committee indicated:

HB 2001 - Budget
HB 2002 - Budget
HB 2003 - Budget
HB 2004 - Budget
HB 2005 - Budget
HB 2006 - Budget
HB 2007 - Budget
HB 2008 - Budget
HB 2009 - Budget
HB 2010 - Budget
HB 2011 - Budget
HB 2012 - Budget
HB 2013 - Budget
HB 2019 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1104 - Fiscal Review
HCS HB 1311 - Fiscal Review
HB 1044 - General Laws
HB 1050 - Health Insurance
HB 1069 - Economic Development
HB 1072 - Health Care Policy
HB 1079 - Children and Families
HB 1081 - Health Insurance
HB 1085 - Veterans
HB 1126 - Transportation
HB 1168 - Corrections
HB 1170 - General Laws
HB 1172 - Children and Families
HB 1218 - Ways and Means
HB 1222 - Budget
HB 1232 - Crime Prevention and Public Safety

HB 1238 - Children and Families
HB 1267 - Children and Families
HB 1283 - Health Care Policy
HB 1301 - Veterans
HB 1307 - Local Government
HB 1315 - General Laws
HB 1368 - Crime Prevention and Public Safety
HB 1388 - Elementary and Secondary Education
HB 1407 - Health Care Policy
HB 1432 - Crime Prevention and Public Safety
HB 1445 - Children and Families
HB 1447 - Crime Prevention and Public Safety
HB 1462 - Agriculture Policy
HB 1465 - Elementary and Secondary Education
HB 1484 - Transportation Funding and Public Institutions
HB 1489 - Ways and Means
HB 1490 - Health Care Policy
HB 1492 - Local Government
HB 1494 - Local Government
HB 1503 - Crime Prevention and Public Safety
HB 1523 - Local Government
HB 1546 - Health Insurance
HB 1550 - Children and Families
HB 1562 - Local Government
HB 1566 - Insurance Policy
HB 1574 - Veterans
HB 1577 - Children and Families
HB 1578 - Children and Families
HB 1608 - Downsizing State Government
HB 1611 - Judiciary
HB 1619 - Professional Registration and Licensing
HB 1628 - Special Standing Committee on Government Oversight and Accountability
HB 1629 - Elementary and Secondary Education
HB 1630 - Transportation Funding and Public Institutions
HB 1638 - General Laws
HB 1640 - Transportation
HB 1644 - General Laws
HB 1647 - Crime Prevention and Public Safety
HB 1658 - Insurance Policy
HB 1660 - Agriculture Policy
HB 1672 - Crime Prevention and Public Safety

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 33, introduced by Representative Bernskoetter, relating to the Joint Interim Committee on State Employee Wages.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 76, introduced by Representative Wyatt, relating to property tax exemption for veterans.

HJR 77, introduced by Representatives Funderburk, Tilley, Dieckhaus, Cross, Bahr, Lair, Berry, Higdon, Leara, Guernsey, Conway (14), Parkinson, Gatschenberger and Scharnhorst, relating to judicial elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1680, introduced by Representatives Davis, Day, Brattin, Kelley (126) and Solon, relating to the Show-Me heroes program.

HB 1681, introduced by Representative Neth, relating to assault on a police animal.

HB 1682, introduced by Representatives Wyatt, Curtman, Conway (14), Guernsey and Burlison, relating to state contracts and funds.

HB 1683, introduced by Representatives Brattin, Davis, Riddle, Dugger, Cox, Brown (116), Leach, Crawford, Zerr, Allen, Curtman, Sommer, Cookson, Burlison, Funderburk, Lant, Keeney, Flanigan, Gosen, Franz, Grisamore, Hoskins, White, Bahr, Solon, Wieland, Jones (89), Schoeller, Fuhr, Fallert, Asbury, Kelley (126), Ruzicka, Largent, Day, Schieffer, Harris, McGhee, Pollock, Shively, Hodges, Hinson, Houghton, Lasater, Fraker, Torpey, Tilley, Richardson, Diehl, Denison, Wells, Jones (117) and Smith (150), relating to emergency dispatch operator training.

HB 1684, introduced by Representatives Fallert, Denison, Casey, Meadows, Lant, Oxford, McDonald, Conway (27) and Black, relating to the renewal of disabled license plates and placards.

HB 1685, introduced by Representatives Fallert, Atkins, Hummel, Taylor, Schieffer, Smith (71), May, Spreng and Meadows, relating to state purchasing.

HB 1686, introduced by Representatives Talboy, Newman, Jones (63), Montecillo, Colona, McCreery, Kirkton, Holsman, Rizzo, McCann Beatty, McDonald, Ellinger, Schupp, Carter, Oxford, McManus, Hummel and Webb, relating to Blair's law.

HB 1687, introduced by Representatives Schieffer, Denison, Meadows, Fallert, Webber, Ruzicka, Long, Quinn, Pollock, Molendorp, Kelley (126), Leach, Loehner, Spreng, Conway (27), McGeoghegan, Lasater, Bahr, Wyatt, Lichtenegger, Bernskoetter, Wieland, Zerr and Jones (89), relating to the designation of a memorial highway.

HB 1688, introduced by Representatives Guernsey, Conway (14), Houghton, Redmon, Dugger and Klippenstein, relating to the financial responsibility for damage caused by reintroduced wildlife.

HB 1689, introduced by Representative Sommer, relating to the crime of abuse of a child.

HB 1690, introduced by Representatives May, Wyatt, Carter, Morgan, Walton Gray, Ellinger, Pierson, Webb, Conway (14), Anders, Oxford, McGeoghegan, Smith (71), Talboy and Hubbard, relating to criminal nonsupport.

HB 1691, introduced by Representative Dugger, relating to salvage dealers.

HB 1692, introduced by Representatives Entlicher, Dugger, Conway (27) and Diehl, relating to the oath of an election judge.

HB 1693, introduced by Representatives Zerr, Jones (89), Allen, Funderburk, Leara, Schneider, McNary, Jones (117), Brown (85), Casey, Colona, Hummel, Stream, Bahr, Gatschenberger, Haefner, Meadows, Carter, Fallert, Oxford, Fuhr, Conway (14), Sommer and Scharnhorst, relating to tax increment financing in certain counties.

HB 1694, introduced by Representatives Jones (63), Newman, Pace, Nichols, McCreery, Black, McCann Beatty, Oxford, McGeoghegan, Torpey, Riddle, Solon, Entlicher, Crawford, Franklin, Leach, Sommer, Schieffer and Meadows, relating to breast cancer awareness funding.

HB 1695, introduced by Representative Cookson, relating to department of revenue fee office contracts.

HB 1696, introduced by Representative Cookson, relating to concealed carry endorsements.

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2014**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 41**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was returned **HB 1059**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1106**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1457**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1188**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1107**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1131**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

COMMUNICATION

February 8, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session.

As an agent for Farmers Insurance, sole owner of Chris Molendorp Insurance Agency Inc., I sell and service multiple lines of the insurance. My wife, Julie Molendorp owns Molendorp Appraisals, Inc. a company which provides residential and commercial appraising services for contract vendors. Responsibilities of this company require us to work in the property valuation/real estate industry.

This letter is to notify the general public of my interest in the above mentioned industries. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Best regards,

/s/ Chris Molendorp
District 123

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 9, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS
Thursday, February 9, 2012, Upon Morning Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.
Discussion of hiring legislative assistants with incoming years of state service.
CANCELLED

AGRICULTURE POLICY
Tuesday, February 14, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1073, HB 1194
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, February 9, 2012, 10:00 AM
Tour of the Fulton State Hospital. Transportation will be provided to committee members from the Capitol to location. Please meet at the guard shack upon adjournment for departure.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, February 14, 2012, 2:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup on budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Markup on budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, February 14, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup for House Bill 2007
CORRECTED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Markup for House Bill 2007.
CORRECTED

FISCAL REVIEW
Thursday, February 9, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee.

INSURANCE POLICY
Monday, February 13, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1495, HB 1074, HB 1144
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Monday, February 13, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1305, HB 1487
Executive session may be held on any matter referred to the committee.

TAX REFORM
Monday, February 13, 2012, 7:00 PM 516 S Country Club, JC.
Presentation.

TOURISM AND NATURAL RESOURCES
Thursday, February 9, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1063, HB 1266, HJR 52
Executive session will be held: HJR 52
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, February 9, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HCR 8, HB 1182, HB 1381
Executive session will be held: HCR 8
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, February 13, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1441, HB 1403, HB 1540
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 9, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 33

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 76 and HJR 77

HOUSE BILLS FOR SECOND READING

HB 1680 through HB 1696

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

1 HCS HB 1186 & 1147 - Parkinson
2 HCS HB 1298 & 1180 - Parkinson

HOUSE BILLS FOR PERFECTION - CONSENT

(2/7/2012)

1 HB 1075 - Sater
2 HB 1093 - Elmer
3 HB 1141 - Gatschenberger
4 HB 1156 - Rowland
5 HB 1179 - Hampton
6 HB 1185 - Parkinson
7 HB 1250 - Ruzicka
8 HB 1251 - Ruzicka
9 HB 1269 - Brattin

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 3, (1/31/12, Page 194) - Scharnhorst

HOUSE BILLS FOR THIRD READING

1 HB 1104, (Fiscal Review, 2/8/12) - Schoeller
2 HB 1277 - Long
3 HB 1219 - Elmer
4 HCS HB 1311, (Fiscal Review, 2/8/12) - Silvey
5 HCS HB 1329 - Silvey

HOUSE CONCURRENT RESOLUTIONS

HCR 13, (2/2/12, Page 217) - Loehner

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 9, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

My presence shall go with Thee. (Exodus 33:14)

Almighty God, Who is from everlasting to everlasting, Whose truth endures forever and Whose love never fails, we pause before You this solemn moment as we begin another day in the history of our beloved state and in the story of our lives together as the leaders of this great House of Representatives.

Awaken within us the realization that You have a purpose for each one of us, that You are the supporter of our own human spirits. May Your presence strengthen us, Your spirit guide us and Your wisdom make us wise. Bless our Speaker and our Representatives, together may they strive for peace and for the well-being of the people of Missouri.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twentieth day was approved as corrected.

HOUSE RESOLUTION

Representative Haefner, et al., offered House Resolution No. 639.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 585 through House Resolution No. 638
House Resolution No. 640 through House Resolution No. 649

HOUSE CONCURRENT RESOLUTIONS

Representative Bahr, et al., offered House Concurrent Resolution No. 34.
Representative McNeil, et al., offered House Concurrent Resolution No. 35.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 33 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 76 and **HJR 77** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1680 through **HB 1696** were read the second time.

Representative Hoskins assumed the Chair.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1104**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1311**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 1311, relating to data storage centers, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 1311** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo

Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 005

Bahr	Brattin	Leach	Marshall	Oxford

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 008

Brown 85	Flanigan	Hubbard	Hughes	Kelly 24
Largent	Nolte	Weter		

Representative Hoskins declared the bill passed.

HCS HB 1329, relating to motor vehicle registration, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 1329** was read the third time and passed by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller

Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Hughes

PRESENT: 002

Ellington Johnson

ABSENT WITH LEAVE: 006

Franklin	Hubbard	Kelly 24	Largent	Nolte
Weter				

Representative Hoskins declared the bill passed.

HB 1219, relating to discriminatory employment practices, was taken up by Representative Elmer.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr		

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 005

Hubbard	Kelly 24	Largent	Weter	Mr Speaker

On motion of Representative Elmer, **HB 1219** was read the third time and passed by the following vote:

AYES: 089

Allen	Bahr	Bernskoetter	Brandom	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McGhee
McNary	Molendorp	Nance	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schneider	Schoeller	Shumake	Smith 150
Sommer	Stream	Thomson	Wallingford	Wells
White	Wieland	Wright	Zerr	

NOES: 068

Anders	Asbury	Atkins	Aull	Barnes
Berry	Black	Brattin	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	Lasater	Leach	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Silvey

Smith 71	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Torpey	Walton Gray
Webb	Webber	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 006

Hubbard	Kelly 24	Largent	Nolte	Weter
Mr Speaker				

Representative Hoskins declared the bill passed.

HB 1104, relating to voter identification requirements, was taken up by Representative Schoeller.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Wyatt	Zerr

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo

Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Day	Franklin	Hubbard	Kelly 24	Lampe
Largent	Nolte	Weter	Mr Speaker	

On motion of Representative Schoeller, **HB 1104** was read the third time and passed by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr				

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 008

Day	Hubbard	Kelly 24	Lampe	Largent
Nolte	Weter	Mr Speaker		

Representative Hoskins declared the bill passed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 77 - Special Standing Committee on Judicial Reform

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1158 - Health Insurance
HB 1333 - Health Insurance
HB 1436 - Special Standing Committee on Disability Services
HB 1455 - Economic Development
HB 1529 - Health Care Policy
HB 1637 - Ways and Means
HB 1661 - Small Business
HB 1675 - Judiciary

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1172 - Special Standing Committee on Disability Services

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1324**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Corrections, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 1272**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1174**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Emerging Issues in Animal Agriculture, Chairman Wright reporting:

Mr. Speaker: Your Committee on Emerging Issues in Animal Agriculture, to which was referred **HJR 61**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1051**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1169**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1513**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1123**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 1339**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1042**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1193**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1191**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1220**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 8

Relating to the disapproval of the Missouri State Tax Commission's recommendations regarding the value for each grade of agricultural and horticultural land based on productive capability.

WHEREAS, Section 137.021, RSMo, provides that on or before December thirty-first of each odd-numbered year the State Tax Commission is required under Section 137.021, RSMo, to promulgate by regulation a value for each grade of agricultural and horticultural land based on productive capability; and

WHEREAS, the State Tax Commission, in accordance with Section 137.021, RSMo, did on December 23, 2011, propose a value for each of the eight grades of agricultural and horticultural land for the 2013 and 2014 assessment years, with changes to grades 1 through 4; and

WHEREAS, the members of the General Assembly believe that the proposed agricultural and horticultural land values are excessive; and

WHEREAS, Section 137.021, RSMo, permits the General Assembly to disapprove within the first sixty days of the next Regular Session of the General Assembly the agricultural and horticultural values as proposed by the State Tax Commission:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby disapprove the State Tax Commission's proposed state regulation to be promulgated under Section 137.021, RSMo, establishing agricultural land values for the 2013 and 2014 assessment years; and

BE IT FURTHER RESOLVED that the General Assembly recommends that the State Tax Commission review the current procedure for determining and establishing agricultural land values; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Jay Nixon and the Missouri State Tax Commission.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 78, introduced by Representatives Schad, Day, Houghton, Conway (14), Loehner, Marshall, Cox, Jones (117), Scharnhorst, Barnes, Hinson, Fitzwater, Brattin and Shumake, relating to meetings of apportionment commissions.

HJR 79, introduced by Representatives Schieffer and Conway (27), relating to the state lottery.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1697, introduced by Representative Sommer, relating to the designation of animal rescue week.

HB 1698, introduced by Representatives Redmon, Higdon, Fuhr, Klippenstein, Houghton, Phillips, Shively, Quinn, Ellinger, Hampton, Entlicher, Fraker, Burlison, Keeney and Cauthorn, relating to obstruction of justice.

HB 1699, introduced by Representative Schad, relating to failure to report illegal conduct regarding prescription medications.

HB 1700, introduced by Representatives Schad and Tilley, relating to sex offender registration and classification.

HB 1701, introduced by Representative Gatschenberger, relating to the use of a special road and bridge tax in certain counties.

HB 1702, introduced by Representatives Fuhr, Korman, Schatz, Wieland, Hinson, Haefner, Berry, McGeoghegan, Ellinger, Ellington and Brown (85), relating to public works contracts.

HB 1703, introduced by Representatives Higdon and Conway (27), relating to fines for violations of county ordinances.

HB 1704, introduced by Representatives Kirkton, Pace, Oxford and Newman, relating to insurance coverage for hearing screenings and hearing aid devices.

HB 1705, introduced by Representatives Kirkton, Oxford, Jones (63), McCreery, Schupp, Molendorp and Long, relating to telephone calls.

HB 1706, introduced by Representatives McGhee, Colona, Spreng, Atkins, Fallert, McDonald, Funderburk, Meadows, Schad, Wieland and McCaherty, relating to the transportation of railroad employees.

HB 1707, introduced by Representative Jones (117), relating to driver's license qualifications.

HB 1708, introduced by Representatives Bahr, Jones (89), Koenig, Curtman and Sommer, relating to the Common Core Standards Initiative.

HB 1709, introduced by Representatives Hough, Talboy, Kratky, Long, Smith (71), Brown (50), Rizzo, Fraker, Swearingen, Haefner, Webber, Brandom, Brown (116), McManus, McGeoghegan, Hinson, Scharnhorst, Richardson, Torpey and Sifton, relating to tax incentives for business development.

HB 1710, introduced by Representatives Hough, Zerr, Brown (50), Smith (71), Swearingen, Rizzo, Talboy, Fraker, Haefner, Webber, Brandom, Brown (116), McManus, Long, McGeoghegan, Hinson, Scharnhorst, Richardson, Torpey, Sifton and Kratky, relating to job training programs.

HB 1711, introduced by Representatives McNeil, Kirkton, Spreng, Pace, Talboy, Atkins, Jones (63), Morgan, Still, Lampe, Carter, McCreery, Oxford, Anders and Newman, relating to health insurance premium rate reviews.

HB 1712, introduced by Representative Grisamore, relating to a telephone tracking system for in-home services providers.

HB 1713, introduced by Representative Grisamore, relating to MO HealthNet benefits.

HB 1714, introduced by Representative Grisamore, relating to comprehensive day rehabilitation services under the MO HealthNet program.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 564**, entitled:

An act to repeal section 302.173, RSMo, and to enact in lieu thereof one new section relating to the waiver of the motorcycle roads skills test for members of the armed forces who have successfully completed certain military motorcycle rider training courses.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 592**, entitled:

An act to repeal sections 213.010, and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

In which the concurrence of the House is respectfully requested.

WITHDRAWAL OF HOUSE BILL

February 8, 2012

The Honorable Steve Tilley
Speaker
Room 308, Capitol Bldg.
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to request that **House Bill No. 1582** be withdrawn from consideration at this time.

Your consideration is appreciated.

Sincerely,

/s/ Steve Hodges
161st District

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, February 13, 2012.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twentieth Day, Wednesday, February 8, 2012, Page 270, Line 37, by deleting said line; and

Page 271, Line 24, by deleting "Children and Families", and inserting in lieu thereof "Elementary and Secondary Education"; and

Page 271, Line 42, by inserting after said line the following:

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1172 - Children and Families

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, February 14, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1073, HB 1194
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Tuesday, February 14, 2012, 2:00 PM House Hearing Room 4.
Markup on Agriculture.
Markup on Department of Natural Resource.
Markup on Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
Markup on Agriculture continued, if needed.
Markup on Department of Natural Resource continued, if needed.
Markup on Department of Conservation continued, if needed.
Markup on HB 2006.

APPROPRIATIONS - EDUCATION
Tuesday, February 14, 2012, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Markup.

APPROPRIATIONS - EDUCATION
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Markup, continued.

APPROPRIATIONS - GENERAL ADMINISTRATION
Tuesday, February 14, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup session for HBs 2001, 2004, 2005, 2012, and 2013.

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 15, 2012, Upon Adjournment of Budget Committee Hearing House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
NOTE: This hearing will be held only if committee matters are not completed during the hearing on the preceding day.
Markup of HBs 2001, 2004, 2005, 2012, and 2013.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, February 14, 2012, 2:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup on budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Markup on budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, February 14, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup for House Bill 2007.
CORRECTED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Markup for House Bill 2007.
CORRECTED

BUDGET
Wednesday, February 15, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session will be held: HB 1030, HB 1029
Executive session may be held on any matter referred to the committee.
FY 2013 Budget overview by State Budget Director.

ELECTIONS
Tuesday, February 14, 2012, 8:15 AM House Hearing Room 5.
Public hearing will be held: HB 1046, HB 1263, HJR 47
Executive session will be held: HB 1236, HB 1340
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, February 14, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1111, HB 1342, HB 1395, HB 1549
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, February 15, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1475, HB 1531, HB 1283, HB 1072
Executive session may be held on any matter referred to the committee.
AMENDED

HIGHER EDUCATION
Tuesday, February 14, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1216, HB 1502, HB 1467
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY
Monday, February 13, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1495, HB 1074, HB 1144, HB 1658
Executive session may be held on any matter referred to the committee.
AMENDED

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Tuesday, February 14, 2012, 9:30 AM Senate Lounge.
Executive session may be held on any matter referred to the committee.
Executive session: Highway naming for Sergeant Joe Specker, license plate for National Multiple Sclerosis Society

RETIREMENT
Monday, February 13, 2012, 2:00 PM House Hearing Room 6.
Public hearing will be held: HB 1331, HB 1138
Executive session will be held: HB 1139
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Monday, February 13, 2012, 3:00 PM House Hearing Room 1.
Executive session will be held: HB 1192, HB 1112, HB 1347, HB 1517, HB 1128, HB 1041, HB 1103, HCS HB 1308, HCS HB 1442, HB 1349, HCS HB 1198, HB 1107, HCS HB 1059, HCS HB 1457, HB 1188, HCR 12, HCR 8, HCS HJR 61

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, February 13, 2012, 1:00 PM House Hearing Room 7.
Public hearing will be held: HB 1172, HB 1436
Executive session will be held: HB 1518, HB 1522
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, February 13, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1359, HB 1383
Executive session may be held on any matter referred to the committee.
Meal will not be provided.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Monday, February 13, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1305
Executive session may be held on any matter referred to the committee.
AMENDED

TAX REFORM
Monday, February 13, 2012, 7:00 PM 516 S Country Club, JC.
Presentation.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, February 14, 2012, 4:00 PM House Hearing Room 2.
Public hearing will be held: HB 1484, HB 1231, HB 1345
Executive session may be held on any matter referred to the committee.

URBAN ISSUES
Monday, February 13, 2012, Upon Evening Adjournment House Hearing Room 5.
Executive session will be held: HB 1344, HB 1273, HB 1466
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, February 14, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1084, HB 1574, HB 1097, HB 1296, HCR 22, HB 1110
Executive session may be held on any matter referred to the committee.
Please note the change. We will be hearing HB 1110 Barnes, not HB 1100 Fitzwater.
AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, February 13, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1441, HB 1403, HB 1540
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SECOND DAY, MONDAY, FEBRUARY 13, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 78 and HJR 79

HOUSE BILLS FOR SECOND READING

HB 1697 through HB 1714

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

1 HCS HB 1186 & 1147 - Parkinson
2 HCS HB 1298 & 1180 - Parkinson

HOUSE BILLS FOR PERFECTION - CONSENT

(2/7/2012)

1 HB 1075 - Sater
2 HB 1093 - Elmer
3 HB 1141 - Gatschenberger
4 HB 1156 - Rowland
5 HB 1179 - Hampton

6 HB 1185 - Parkinson
7 HB 1250 - Ruzicka
8 HB 1251 - Ruzicka
9 HB 1269 - Brattin

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 3, (1/31/12, Page 194) - Scharnhorst

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

SENATE BILLS FOR SECOND READING

1 SB 564
2 SS SCS SB 592

HOUSE CONCURRENT RESOLUTIONS

HCR 13, (2/2/12, Page 217) - Loehner

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-SECOND DAY, MONDAY, FEBRUARY 13, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Major Kendall Mathews.

Dear Lord, I ask Your blessing on these men and women, Your legislators and people, to give them the courage to make sound decisions this week that will positively impact the people of this great state. Lord, we also pray for the people in need, the downtrodden, and the homeless in Missouri.

Give this body the wisdom, knowledge and clear thinking as they set policy that will impact people of every economic level. May Your Holy Hand touch them today and guide them to do what is right in Your sight. You, O Lord, have the power to renew, restore and reclaim these who need help to stand tall, even against all odds. You are a God Who will never fail them.

"Blessed are the peacemakers, for they will be called sons and daughters of God." *(Matthew 5:9).* May these lawmakers be Your agents of Your perfect peace, by their outward actions of sound policy making, and an inward conviction to remain faithful to the people they represent.

God, show them Your love, show them Your peace, show them Your grace, and show them that You are Lord of all. Bless their families, their staff and their constituents. May it be so in the power and joy of Jesus Christ. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-first day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 650 through House Resolution No. 671.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 78 and **HJR 79** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1697 through **HB 1714** were read the second time.

SECOND READING OF SENATE BILLS

SB 564 and **SS SCS SB 592** were read the second time.

HOUSE CONCURRENT RESOLUTION

HCR 13, relating to rivers and streams, was taken up by Representative Loehner.

Representative Silvey assumed the Chair.

Speaker Tilley resumed the Chair.

On motion of Representative Loehner, **HCR 13** was adopted.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCS HCR 3, relating to a balanced budget amendment, was taken up by Representative Scharnhorst.

Representative Parkinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Concurrent Resolution No. 3, Page 1, Section 3, Line 21, by inserting after all of said section the following:

"Section 4. The Congress shall not impose upon a state or political subdivision of the United States any obligation or duty to make expenditures unless such expenditures shall be fully reimbursed by the United States; nor shall Congress place any condition on the expenditure or receipt of appropriated funds requiring a state or political subdivision of the United States to enact a law or regulation restricting the liberties of its citizens."; and

Further amend said bill, Page 2, Section 4, Line 23, by deleting the number, "4" and inserting in lieu thereof the number, "5"; and

Further amend said bill, Page 2, Section 5, Line 26, by deleting the number, "5" and inserting in lieu thereof the number, "6"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Parkinson, **House Amendment No. 1** was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty

McGhee	Molendorp	Nance	Nasheed	Neth
Parkinson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 055

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Grisamore	Harris	Higdon	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kelly 24
Kirkton	Klippenstein	Kratky	Lampe	Lasater
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Rizzo	Schieffer	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Aull	Brown 50	Brown 116	Diehl	Hughes
Kander	McNary	Nolte	Schoeller	

On motion of Representative Scharnhorst, **HCS HCR 3, as amended**, was adopted.

On motion of Representative Scharnhorst, **HCS HCR 3, as amended**, was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad

Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 033

Atkins	Carlson	Carter	Colona	Ellinger
Ellington	Hubbard	Hummel	Jones 63	Kirkton
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 008

Aull	Brown 50	Brown 116	Day	Diehl
Hughes	Kander	Nolte		

Speaker Tilley declared the bill passed.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 73 - Transportation

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1275 - Ways and Means
HB 1520 - Corrections
HB 1542 - Ways and Means
HB 1569 - Tax Reform
HB 1573 - Local Government
HB 1641 - Transportation
HB 1646 - Tourism and Natural Resources
HB 1679 - Local Government
HB 1700 - Crime Prevention and Public Safety

COMMITTEE REPORTS

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1037**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1114**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1139**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1431**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1441**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Vice-Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 61**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1041**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1059**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1103**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1107**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1112**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1128**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1188**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1192**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1198**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1308**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1347**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1349**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1442**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1457**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1517**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 80, introduced by Representatives Hoskins, Largent and Day, relating to the state lottery.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1715, introduced by Representative Riddle, relating to the release of a lien or encumbrance from a certificate of ownership.

HB 1716, introduced by Representative Cox, relating to construction contract bidding standards for political subdivisions.

HB 1717, introduced by Representatives Kelley (126), Conway (14), Bahr, Brattin, Johnson, Reiboldt and Schoeller, relating to withholding tax returns.

COMMUNICATION

February 13, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session.

As an independent licensed insurance agent and sole owner of Wieland Insurance Group, LLC, I sell and service multiple lines of the insurance.

This letter is to notify the general public of my interest in the above mentioned industries. In order to comply with Section 105.461, RSMo, please publish this report in the Journal of the House. Should you have any questions or require additional information, please let me know.

Best regards,

/s/ Paul Wieland
District 102

The following member's presence was noted: Brown (116).

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 14, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, February 14, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1073, HB 1194
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Tuesday, February 14, 2012, 2:00 PM House Hearing Room 4.
Markup on Agriculture.
Markup on Department of Natural Resource.
Markup on Department of Conservation.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
Markup on Agriculture continued, if needed.
Markup on Department of Natural Resource continued, if needed.
Markup on Department of Conservation continued, if needed.
Markup on HB 2006.

APPROPRIATIONS - EDUCATION
Tuesday, February 14, 2012, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Markup.

APPROPRIATIONS - EDUCATION
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Markup, continued.

APPROPRIATIONS - GENERAL ADMINISTRATION
Tuesday, February 14, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup session for HB's 2001, 2004, 2005, 2012, and 2013.

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 15, 2012, Upon Adjournment of Budget Committee Hearing House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
NOTE: This hearing will be held only if committee matters are not completed during the hearing on the preceding day.
Markup of HB's 2001, 2004, 2005, 2012, and 2013.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Tuesday, February 14, 2012, 2:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup on budget.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Markup on budget.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Tuesday, February 14, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Markup for House Bill 2007.
CORRECTED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Markup for House Bill 2007.
CORRECTED

BUDGET
Wednesday, February 15, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session will be held: HB 1030, HB 1029
Executive session may be held on any matter referred to the committee.
FY 2013 Budget overview by State Budget Director.

CHILDREN AND FAMILIES
Wednesday, February 15, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1577, HB 1578, HB 1079, HB 1145, HB 1278
Executive session may be held on any matter referred to the committee.

CORRECTIONS
Wednesday, February 15, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1175, HB 1203, HB 1168, HB 1136, HB 1474
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, February 15, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1700
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, February 14, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1593
Executive session may be held on any matter referred to the committee.
Work session, continued (No public testimony during work session).

ELECTIONS
Tuesday, February 14, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1046, HB 1263, HJR 47
Executive session will be held: HB 1236, HB 1340
Executive session may be held on any matter referred to the committee.
CORRECTED

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, February 15, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1629, HB 1425
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, February 14, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1111, HB 1342, HB 1395, HB 1549
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, February 15, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1475, HB 1531, HB 1283, HB 1072
Executive session may be held on any matter referred to the committee.
AMENDED

HIGHER EDUCATION
Tuesday, February 14, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1216, HB 1502, HB 1467
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Tuesday, February 14, 2012, 9:30 AM Senate Lounge.
Executive session may be held on any matter referred to the committee.
Executive session: Highway naming for Sergeant Joe Specker, license plate for National Multiple Sclerosis Society.

JUDICIARY
Wednesday, February 15, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1460, HB 1527, HB 1391, HB 1675, HB 1382
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, February 15, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1325, HB 1492, HB 1313, HB 1336, HB 1096
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, February 15, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1399
Executive session may be held on any matter referred to the committee.

SMALL BUSINESS
Wednesday, February 15, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1134, HB 1214, HB 1379, HB 1146, HB 1661
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Tuesday, February 14, 2012, 3:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
The bills to be heard this week in committee are:
HJR 44 - Rep. Stanley Cox
HJR 77 - Rep. Doug Funderburk

TAX REFORM
Wednesday, February 15, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1569
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, February 14, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1510, HB 1149, HB 1261, HB 1126, HB 1640, HB 1641
Executive session may be held on any matter referred to the committee.
AMENDED

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, February 14, 2012, 4:00 PM House Hearing Room 2.
Public hearing will be held: HB 1484, HB 1231, HB 1345
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, February 14, 2012, Upon Morning Adjournment House Hearing Room 1.
Executive session will be held: HB 1108, HB 1341, HB 1361
Executive session may be held on any matter referred to the committee.
We will go into executive session either at noon or upon morning adjournment, whichever comes first. Your prompt arrival is requested.
Informational hearings will follow executive session.

VETERANS
Tuesday, February 14, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1084, HB 1574, HB 1097, HB 1296, HCR 22, HB 1110
Executive session may be held on any matter referred to the committee.
Please note the change. We will be hearing HB 1110 Barnes, not HB 1100 Fitzwater.
AMENDED

HOUSE CALENDAR

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 14, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 80

HOUSE BILLS FOR SECOND READING

HB 1715 through HB 1717

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 45 - Solon
2 HCS HJR 61 - Loehner

HOUSE BILLS FOR PERFECTION

1 HCS HBs 1186 & 1147 - Parkinson
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1041 - Thomson
4 HB 1103 - Crawford
5 HB 1192 - Koenig
6 HCS HB 1308 - Wells
7 HB 1349 - Jones (117)
8 HCS HB 1442 - Smith (150)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/7/2012)

1 HB 1075 - Sater
2 HB 1093 - Elmer
3 HB 1141 - Gatschenberger
4 HB 1156 - Rowland
5 HB 1179 - Hampton
6 HB 1185 - Parkinson
7 HB 1250 - Ruzicka
8 HB 1251 - Ruzicka
9 HB 1269 - Brattin

(2/14/2012)

1 HCS HB 1059 - Dugger
2 HB 1107 - Dugger
3 HB 1112 - Gosen
4 HB 1128 - Largent
5 HB 1188 - Allen
6 HB 1347 - Franz
7 HCS HB 1457 - Crawford
8 HB 1517 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

HOUSE CONCURRENT RESOLUTIONS

HCR 12, (2/7/12, Page 251) - Davis

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 14, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Look unto Me, and be ye saved, all the ends of the earth: for I am God, and there is no other. (Isaiah 45:22)

Spirit of God, arise within our hearts and make us ready for the tasks of this day. Help us to turn our thoughts to You and to open our hearts to Your spirit that we may always be honest in our dealings, understanding in our endeavors, and loving in our relationships.

From this moment of prayer on St. Valentine's Day, may there come a power which will carry us through every experience with courage, love and faith.

Bless our people with Your favor, that being mindful of Your spirit we may live together in peace and good will, and all of us work for the good of all. May those who walk through the valley of the shadow of death find comfort and strength in You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-second day was approved as printed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald

McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brattin	Brown 50	Franz	Fuhr	Haefner
Hughes	Molendorp	Rizzo		

SPECIAL RECOGNITION

James Brady, President of the Missouri Future Farmers of America (FFA) was introduced by Speaker Tilley.

Mr. Brady addressed the House.

HOUSE RESOLUTIONS

Representative Fuhr offered House Resolution No. 672.
Representative Hinson offered House Resolution No. 677.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 673 through House Resolution No. 676
House Resolution No. 678 through House Resolution No. 681

HOUSE CONCURRENT RESOLUTIONS

Representative Asbury, et al., offered House Concurrent Resolution No. 36.
Representative Barnes, et al., offered House Concurrent Resolution No. 37.
Representative McCreery, et al., offered House Concurrent Resolution No. 38.
Representative Nasheed offered House Concurrent Resolution No. 39.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 80 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1715 through **HB 1717** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HBs 1186 & 1147, relating to English-only driver's examinations, was taken up by Representative Parkinson.

Representative Sifton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1186 & 1147, Page 3, Section 302.173, Line 70, by inserting after all of said line the following:

"**5. In the event a license is denied under this section for any reason, the department shall provide to the applicant written information relating to the procedure for obtaining a nondriver's identification card issued under this chapter. Written material distributed under this subsection shall be made available in the applicant's native language, provided his or her native language is one of the eleven languages other than English offered for the written driver's examination prior to August 28, 2012.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sifton moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Anders	Atkins	Aull	Bahr	Black
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Frederick	Gosen
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Sater	Schieber
Schieffer	Schupp	Shively	Shumake	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber

NOES: 090

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford

Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McNary	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Cauthorn	Hoskins	Jones 117	Schatz
Schneider	Schoeller	Webb		

Representative Diehl assumed the Chair.

Representative May offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 1186 & 1147, Page 2, Section 302.173, Lines 34 and 35, by deleting all of said lines and inserting in lieu thereof the following:

"**applicant may provide his or her own spoken language interpreter, provided the applicant is responsible for reimbursing the interpreter for his or her services. The director shall not supply nor pay for the use of an interpreter in connection with the written and driving tests required under this section, but sign language**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative May moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo

Schieffer	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber	Wyatt			

NOES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schneider	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Cierpiot	Dieckhaus	Fuhr	Haefner
Hoskins	Meadows	Nolte	Schatz	Schoeller
Torpey	Webb			

Representative Hughes offered **House Amendment No. 3**.

Representative Long raised a point of order that **House Amendment No. 3** is in violation of Rule 46(d).

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS HBs 1186 & 1147 was laid over.

HCS HBs 1298 & 1180, relating to tort actions for damages, was taken up by Representative Parkinson.

Representative Ruzicka offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1298 & 1180, Page 2, Section 537.067, Line 32, by inserting after all of said section and line the following:

"**537.850. 1. Sections 537.850 to 537.862 shall be known and may be cited as the "Agritourism Promotion Act".**

2. As used in sections 537.850 to 537.862, the following terms shall mean:

(1) "Agritourism activity", any activity which allows members of the general public for recreational, entertainment, or educational purposes to view or enjoy rural activities, including but not limited to farming activities, ranching activities, or historic, cultural, or natural attractions. An activity may be an agritourism activity whether or not the participant pays to participate in the activity. An activity is not an agritourism activity if the participant is paid to participate in the activity;

(2) "Department", the state department of agriculture;

(3) "Director", the director of the department of agriculture;

(4) "Inherent risks of a registered agritourism activity", those dangers or conditions which are an integral part of such agritourism activity, including but not limited to certain hazards such as surface and subsurface conditions; natural conditions of land, vegetation, and waters; the behavior of wild or domestic animals; and ordinary dangers of structures or equipment ordinarily used in farming or ranching operations. Inherent risks of a registered agritourism activity also includes the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, such as failing to follow instructions given by the registered agritourism operator or failing to exercise reasonable caution while engaging in the registered agritourism activity;

(5) "Participant", any person who engages in a registered agritourism activity;

(6) "Registered agritourism activity", any agritourism activity that is registered with the director of the department of agriculture under section 537.853, and any rules promulgated thereunder;

(7) "Registered agritourism location", a specific parcel of land which is registered with the director of the department of agriculture under section 537.853, and any rules promulgated thereunder, and where a registered agritourism operator engages in registered agritourism activities;

(8) "Registered agritourism operator", any person who is engaged in the business of providing one or more agritourism activities and is registered with the director of the department of agriculture under section 537.853, and any rules promulgated thereunder.

537.853. 1. Any person who is engaged in the business of providing one or more agritourism activities may register with the director of the department of agriculture. The registration shall contain all of the following:

(1) Information describing the agritourism activity which the person conducts or intends to conduct;

(2) Information describing the location where the person conducts or intends to conduct such agritourism activity.

2. The department shall maintain a list of all registered agritourism operators, the registered agritourism activities conducted by each operator, and the registered agritourism location where the operator conducts such activities. Such list shall be made available to the public. The department shall promote and publicize registered agritourism operators, activities, and locations to advance the purpose of sections 537.850 to 537.862 by promoting and encouraging tourism.

3. Registration under this section shall be for a period of two years.

4. A registration fee not to exceed one hundred dollars may be imposed on an applicant to cover the actual administrative costs associated with such registration under this section.

537.856. 1. At every registered agritourism location, the registered agritourism operator shall post and maintain signage which contains the warning notice specified in subsection 3 of this section. The requirements of this section shall be deemed satisfied if such signage is placed in a clearly visible location at or near the registered agritourism location. The warning notice shall appear on the sign in black letters, with each letter to be at least one inch in height.

2. Every written contract entered into by a registered agritourism operator for the providing of a registered agritourism activity shall contain in clearly readable print the warning notice and language specified in subsection 3 of this section.

3. The required signage under this section shall contain the following warning notice:

"WARNING: Under Missouri law, there is no liability for an injury or death of a participant in a registered agritourism activity conducted at this registered agritourism location if such injury or death results from the inherent risks of such agritourism activity. Inherent risks of agritourism activities include, but are not limited to, the potential of you as a participant to act in a negligent manner that may contribute to your injury or death and the potential of another participant to act in a negligent manner that may contribute to your injury or death. You are assuming the risk of participating in this registered agritourism activity.".

4. Upon request, the registered agritourism operator shall provide to any participant a written description of the registered agritourism activity, as set forth in the registration under section 537.853 for which sections 537.850 to 537.862 limits the registered agritourism operator's liability at the registered agritourism location.

537.859. 1. Any participant is assuming the inherent risks of a registered agritourism activity when such participant engages in such agritourism activity. Except as provided in subsection 2 of this section, a registered agritourism operator is not liable for injury to or death of a participant resulting from the inherent risks of agritourism activities so long as the warning contained in section 537.856 is posted as required and, except as provided in subsection 2 of this section, no participant or participant's representative shall maintain an action against or recover from a registered agritourism operator for injury, loss, damage, or death of the participant resulting exclusively from any of the inherent risks of agritourism activities.

2. Nothing in sections 537.850 to 537.862 shall prevent or limit the liability of a registered agritourism operator if the registered agritourism operator:

(1) Injures the participant by willful or wanton conduct;

(2) Has actual knowledge or should have known of a dangerous condition in the facilities or equipment used in the registered agritourism activity and does not make such dangerous condition known to a participant and such dangerous condition causes the participant to sustain injuries; or

(3) Fails to use that degree of care that an ordinarily careful and prudent person would use under the same or similar circumstances.

3. In any action for damages for personal injury, death, or property damage arising from the operation of a registered tourism activity in which an owner or operator is named as a defendant, it shall be an affirmative defense to that liability that:

(1) The injured person assumed the risk;

(2) The injured person deliberately disregarded conspicuously posted signs, verbal instructions, or other warnings regarding safety measures during the activity; or

(3) Any equipment, animals, or appliance used by the injured person during the activity were used in a manner or for a purpose other than that for which a reasonable person should have known they were intended.

537.862. 1. There is hereby created in the state treasury the "Agritourism Fee Fund", which shall consist of any moneys appropriated to the fund and registration fees collected under section 537.853. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. Upon appropriation, money in the fund shall be used solely for the administration of sections 537.850 to 537.862.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 1** was adopted by the following vote:

AYES: 111

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McGhee	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 038

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Ellington	Hodges	Holsman	Hubbard
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Oxford	Pace	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Talboy
Taylor	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Day	Dugger	Gatschenberger	Hoskins
Hughes	Jones 63	Long	McCaherty	Redmon
Scharnhorst	Schatz	Swearingen	Wright	

Representative Colona offered **House Amendment No. 2**.

Representative Cox raised a point of order that **House Amendment No. 2** is in violation of Rule 46(d).

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS HBs 1298 & 1180, as amended, was laid over.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 5 - Veterans
HCR 32 - Tourism and Natural Resources

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1052 - Elections
HB 1067 - Crime Prevention and Public Safety
HB 1426 - Crime Prevention and Public Safety
HB 1524 - Rural Community Development
HB 1551 - Crime Prevention and Public Safety
HB 1552 - Local Government
HB 1615 - Judiciary
HB 1634 - Tourism and Natural Resources
HB 1691 - Utilities

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1679 - General Laws

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1404**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1258, HB 1259** and **HB 1260**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1236**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1340**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1228**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1495**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1344**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 1361**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 22

WHEREAS, women have served honorably and with courage in all of America's wars and conflicts since the American Revolution; and

WHEREAS, the United States military has evolved from a predominantly male force to a force of over 14% women who are currently serving on active duty, and nearly 17% serving in the Reserves and National Guard; and

WHEREAS, the population of women veterans is increasing exponentially from 1.1 million in 1980 to a projection of nearly 2 million by 2020, and will comprise more than 10% of the veteran population; and

WHEREAS, the projected population of male veterans is expected to continue to decline; and

WHEREAS, given that an unprecedented number of women are serving in the military and participating in Operation Enduring Freedom and Operation Iraqi Freedom, the United States Department of Veterans Affairs (VA) is working to provide consistent, comprehensive, and quality health care and benefits to women veterans of all eras; and

WHEREAS, the number of women veterans has increased over the last decade because there is an increasing number and proportion of women who are entering and leaving the military, and women are living longer than men and have a younger age distribution compared to male veterans; and

WHEREAS, even though the VA has been at the forefront of health care and lifestyle solutions affecting an aging male population, there is now a growing need to improve health care services for women veterans, ensure clinicians are properly trained to provide primary care and gender specific care to women of all ages, and identify innovative courses of treatment and solutions to obstacles that are unique to women veterans; and

WHEREAS, with a rapidly increasing number of women serving in the military today and returning from deployments as seasoned veterans, and some with exposure to combat, VA facilities and veterans service organizations are working to ensure that the post-deployment mental and physical health needs unique to women veterans are also met; and

WHEREAS, even though the roles of women in the military have changed over time and will continue to change, they deserve to be acknowledge for their military service and treated with equal respect:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby encourages the Missouri Veterans Commission and its women veterans state coordinator to work in conjunction with the National Foundation for Women Legislators and the Center for Women Veterans at the United States Department of Veterans Affairs to reach out to all women veterans within the State of Missouri to encourage them to bring their specific needs and concerns to the attention of agency officials so that state legislators and agency officials may work together to identify unique issues impacting women veterans and consider policy solutions that will improve the quality of life for women veterans within this state; and

BE IT FURTHER RESOLVED that the Missouri General Assembly formally honors all of the women in this state who have heroically answered their call to duty and recognizes the important role women have played in shaping this great nation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Veterans Commission.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1098** and **HB 1084**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1075, HB 1093, HB 1141, HB 1156, HB 1179, HB 1185, HB 1250, HB 1251,** and **HB 1269**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 40, introduced by Representatives McNeil, Oxford, McDonald, Spreng, McCann Beatty, McCreery, Newman, Lampe, Webb, Carter, Kirkton, Taylor, Sifton, Colona, Schupp, Carlson, McGeoghegan, Walton Gray, Smith (71), Nichols, Pace and Ellinger, relating to the ratification of the Equal Rights Amendment to the United States Constitution.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 81, introduced by Representatives Kelley (126), Davis, Reiboldt, Long, Conway (14), Bahr, Johnson and Entlicher, relating to property taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1718, introduced by Representatives Scharnhorst, Tilley, Jones (89), Dieckhaus, Diehl and McNary, relating to the Missouri special needs scholarship tax credit program known as Bryce's Law.

HB 1719, introduced by Representatives Scharnhorst, Tilley, Talboy, Dugger, Conway (27), Webber, Smith (71), Hinson and Entlicher, relating to Agreement Among the States to Elect the President by National Popular Vote Act.

HB 1720, introduced by Representatives Ruzicka, Lasater, Phillips, Pollock, Franklin, Scharnhorst and McNary, relating to park rangers.

HB 1721, introduced by Representatives Colona and Ellinger, relating to probation and parole for juvenile offenders.

HB 1722, introduced by Representatives Thomson and Wallingford, relating to proprietary schools.

HB 1723, introduced by Representatives Torpey, Talboy, Brown (50), Jones (89), Cierpiot, McCann Beatty, Swearingen, Ellington, Jones (117), Tilley, Morgan, Holsman, Anders, Lasater, Webber, Jones (63), Carter, McManus, Sifton, Hummel, Colona, McCreery, Rizzo, Atkins, McDonald, Berry, Neth, Zerr, Hough, Lauer, Solon, Hughes, Casey, Ellinger, Higdon, Grisamore, Montecillo, Molendorp, Largent, Conway (27), Nolte and Silvey, relating to the distressed areas land assemblage tax credit.

HB 1724, introduced by Representatives Wright, Fisher, Sater, Houghton, Schatz, Phillips, Richardson, Hampton, Guernsey, Lair, Grisamore, Brown (116), Higdon, Koenig, White, Wieland, Crawford, Elmer, Nance, Leara, Wallingford, Loehner, Schad, Scharnhorst, Swinger, Aull, Holsman, Hodges, Schieffer, Casey, Quinn, Shively, Hughes, Pollock, Wells and Dugger, relating to operating a motor vehicle with dyed motor fuel.

HB 1725, introduced by Representatives Fitzwater, Fraker, Cookson, Day, Phillips, Franz, Loehner, Rowland, Pollock, Wells, Dugger, Smith (150), Reiboldt, Lant and Wright, relating to the tax credit for wood energy procedures.

HB 1726, introduced by Representatives Shively, Hughes, Swinger, Aull, Fallert, Schieffer, Black and Quinn, relating to training requirements for a concealed carry endorsement.

HB 1727, introduced by Representatives McCreery, Newman, Oxford, Kirkton, Schupp, Ellinger, McCann Beatty, McNeil, Morgan, Carlson, Pierson, Lampe and Still, relating to taxation.

HB 1728, introduced by Representatives Johnson, Tilley, Houghton, McNary, Brown (85), Kelley (126), Fuhr, Scharnhorst, Hinson, Schatz, Hoskins, Berry, Riddle, Ruzicka, Molendorp, Franklin, Entlicher, Zerr, Hampton, Fraker, Reiboldt, Schneider, Higdon, Redmon, Klippenstein, Brattin, Lichtenegger, Kratky, Conway (27), Lampe, Talboy, Holsman, Jones (117) and Brown (116), relating to the Missouri jobs for education program.

HB 1729, introduced by Representatives Elmer, Rowland, Phillips and Weter, relating to judicial circuits.

HB 1730, introduced by Representatives Cox, Gatschenberger, Fuhr, Wieland, Zerr and Fisher, relating to the protection of the religious beliefs and moral convictions of certain persons and entities.

HB 1731, introduced by Representatives Day, Nance, Atkins, White, Higdon, Elmer, Wells, Wieland, Solon, Ruzicka, Richardson, Cookson, Meadows, Fitzwater, Cauthorn, Brown (85), Fisher, Hoskins and Frederick, relating to the gaming moneys.

HB 1732, introduced by Representatives Cookson, Phillips, Franklin, Bahr, Burlison and Fitzwater, relating to the school calendar.

HB 1733, introduced by Representatives Kelley (126), Berry, Brattin, Reiboldt and Entlicher, relating to all-terrain utility vehicle use in municipalities.

HB 1734, introduced by Representative Kelley (126), relating to motor vehicle dealer administration fees.

The following member's presence was noted: Brown (50).

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 15, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.
Markup on Agriculture continued, if needed.
Markup on Department of Natural Resource continued, if needed.
Markup on Department of Conservation continued, if needed.
Markup on HB 2006.

APPROPRIATIONS - EDUCATION
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Markup, continued.
CANCELLED

APPROPRIATIONS - GENERAL ADMINISTRATION
Wednesday, February 15, 2012, Upon Adjournment of Budget Committee,
Hearing House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
NOTE: This hearing will be held only if committee matters are not completed during the hearing on the preceding day.
Markup of HB's 2001, 2004, 2005, 2012, and 2013.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, February 16, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommended changes to HB's 2010 and 2011 will be considered.

APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Markup on budget.
CANCELLED

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT
Wednesday, February 15, 2012, 2:00 PM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Markup for HB 2007.
CORRECTED

BUDGET
Wednesday, February 15, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session will be held: HB 1030, HB 1029
Executive session may be held on any matter referred to the committee.
FY 2013 Budget overview by State Budget Director.

CHILDREN AND FAMILIES
Wednesday, February 15, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1577, HB 1578, HB 1079, HB 1278
Executive session may be held on any matter referred to the committee.
AMENDED

CORRECTIONS
Wednesday, February 15, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1474, HB 1175, HB 1520
Executive session may be held on any matter referred to the committee.
No public hearing on HB's 1203, 1168 and 1136
AMENDED

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, February 15, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1700
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, February 15, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1629, HB 1425
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Wednesday, February 15, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
All bills referred to the committee.

HEALTH CARE POLICY
Wednesday, February 15, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1475, HB 1531, HB 1283, HB 1072
Executive session may be held on any matter referred to the committee.
AMENDED

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, February 15, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1449
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, February 15, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1460, HB 1527, HB 1391, HB 1675, HB 1382
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, February 15, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1325, HB 1492, HB 1313, HB 1336, HB 1096
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, February 15, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1399
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Wednesday, February 15, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HB 1037, HCS HB 1106, HB 1114, HB 1131, HCS HB 1193, HCS HB 1220, HB 1441, HCS HB 2014, HCS HJR 41, HCS HB 1344
Executive session may be held for any or all bills referred to the committee.

SMALL BUSINESS
Wednesday, February 15, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1134, HB 1214, HB 1661
Executive session may be held on any matter referred to the committee.
We will not be hearing HB 1379 or HB 1146
AMENDED

TAX REFORM
Wednesday, February 15, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1569
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, February 16, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1637, HB 1542, HB 1218
Executive session will be held: HB 1381
Executive session may be held on any matter referred to the committee.
HB 1489 has been removed.
AMENDED

HOUSE CALENDAR

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 15, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 40

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 81

HOUSE BILLS FOR SECOND READING

HB 1718 through HB 1734

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 45 - Solon
2 HCS HJR 61 - Loehner

HOUSE BILLS FOR PERFECTION

1 HCS HBs 1186 & 1147 - Parkinson
2 HCS HBs 1298 & 1180, as amended - Parkinson
3 HB 1041 - Thomson
4 HB 1103 - Crawford
5 HB 1192 - Koenig
6 HCS HB 1308 - Wells
7 HB 1349 - Jones (117)
8 HCS HB 1442 - Smith (150)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/14/2012)

1 HCS HB 1059 - Dugger
2 HB 1107 - Dugger
3 HB 1112 - Gosen
4 HB 1128 - Largent
5 HB 1188 - Allen
6 HB 1347 - Franz
7 HCS HB 1457 - Crawford
8 HB 1517 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1075 - Sater
2 HB 1093 - Elmer
3 HB 1141 - Gatschenberger
4 HB 1156 - Rowland
5 HB 1179 - Hampton
6 HB 1185 - Parkinson
7 HB 1250 - Ruzicka
8 HB 1251 - Ruzicka
9 HB 1269 - Brattin

HOUSE CONCURRENT RESOLUTIONS

HCR 12, (2/7/12, Page 251) - Davis

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 15, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let the words of my mouth, and the mediation of my heart, be acceptable in Thy sight, O Lord, my strength, and my Redeemer. (Psalm 19:14)

Our God, Who is in Heaven and on Earth, we pause in Your presence once again to acknowledge our dependence upon You, and to offer to You the devotion of our hearts. Make plain to us what we should do this day and give us courage to walk in that way.

In all our thinking, in all our speaking, in all our doing, may Your love motivate us. Your strength support us, and Your spirit guide us for the good of our state and for the well-being of all people.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-third day was approved as printed.

SPECIAL RECOGNITION

Individuals representing the Joplin Emergency Operations Center were introduced by Representative White and recognized as Outstanding Missourians.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 682 through House Resolution No. 696

HOUSE CONCURRENT RESOLUTIONS

Representative Curtman, et al., offered House Concurrent Resolution No. 41.
Representative Rowland, et al., offered House Concurrent Resolution No. 42.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 40 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 81 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1718 through **HB 1734** were read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1075, relating to pharmacy inventory requirements, was taken up by Representative Sater.

On motion of Representative Sater, **HB 1075** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Mr Speaker	

NOES: 012

Colona	Ellington	Hughes	Kelly 24	May
McCann Beatty	Montecillo	Rizzo	Smith 71	Spreng
Talboy	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 007

Day	Fuhr	Grisamore	Hough	McNary
Wyatt	Zerr			

Speaker Tilley declared the bill passed.

HB 1093, relating to a Navy Cross special license plate, was taken up by Representative Elmer.

On motion of Representative Elmer, **HB 1093** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McDonald
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Newman

PRESENT: 011

Atkins	Kirkton	McCann Beatty	McCreery	McNeil
Morgan	Oxford	Pace	Spreng	Taylor
Walton Gray				

ABSENT WITH LEAVE: 002

Day	Fuhr

Speaker Tilley declared the bill passed.

PERFECTION OF HOUSE BILL

HB 1103, relating to appraisal management company notices, was taken up by Representative Crawford.

On motion of Representative Crawford, **HB 1103** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1141, relating to a "Don't Tread on Me" special license plate, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 1141** was read the third time and passed by the following vote:

AYES: 124

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer

Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 032

Atkins	Carlson	Carter	Colona	Ellington
Hodges	Hughes	Jones 63	Kander	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Schupp	Sifton
Smith 71	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 002

Kirkton	Spreng

ABSENT WITH LEAVE: 005

Day	Lampe	Long	Schad	Schneider

Speaker Tilley declared the bill passed.

HB 1156, relating to the designation of the "Matthew J. England Memorial Highway", was taken up by Representative Rowland.

On motion of Representative Rowland, **HB 1156** was read the third time and passed by the following vote:

AYES: 158

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo

Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Day	Long	McGhee	Schad	Shumake

Speaker Tilley declared the bill passed.

Representative Keeney assumed the Chair.

HB 1179, relating to major water users, was taken up by Representative Hampton.

Representative Hummel moved that **HB 1179** be recommitted to the committee of origin.

Which motion was defeated by the following vote:

AYES: 048

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		

NOES: 108

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long

Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Cauthorn	Day	Fraker	Korman	Largent
Scharnhorst	Wallingford			

On motion of Representative Hampton, **HB 1179** was read the third time and passed by the following vote:

AYES: 095

Allen	Aull	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Casey	Cierpiot
Conway 14	Conway 27	Cookson	Crawford	Cross
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Lichtenegger	Loehner	Long
McCaherty	McDonald	McGeoghegan	McGhee	McManus
McNary	Meadows	Nance	Nasheed	Nichols
Nolte	Parkinson	Phillips	Quinn	Redmon
Richardson	Rowland	Ruzicka	Sater	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Solon	Still	Stream
Swinger	Taylor	Thomson	Torpey	Webber
Weter	Wieland	Wright	Zerr	Mr Speaker

NOES: 047

Anders	Asbury	Atkins	Bahr	Brattin
Burlison	Carlson	Carter	Colona	Cox
Curtman	Davis	Ellington	Frederick	Guernsey
Houghton	Hughes	Hummel	Jones 63	Kelley 126
Kelly 24	Koenig	Korman	Leach	Marshall
May	McCann Beatty	McNeil	Molendorp	Montecillo
Neth	Newman	Pace	Pierson	Pollock
Riddle	Rizzo	Schad	Schatz	Schupp
Silvey	Smith 71	Smith 150	Swearingen	Walton Gray
Webb	White			

PRESENT: 007

Ellinger	Kirkton	McCreery	Morgan	Oxford
Sommer	Spreng			

ABSENT WITH LEAVE: 014

Barnes	Bernskoetter	Cauthorn	Day	Dugger
Flanigan	Hough	Klippenstein	Leara	Reiboldt
Talboy	Wallingford	Wells	Wyatt	

Representative Keeney declared the bill passed.

PERFECTION OF HOUSE BILL

HB 1192, relating to the Missouri Higher Education Savings Program, was taken up by Representative Koenig.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Asbury	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 116	Burlison	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wells	Weter	White
Wieland	Wright			

NOES: 057

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp

Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Barnes	Brown 85	Cauthorn	Day
Dugger	Flanigan	Funderburk	Korman	Leara
Marshall	McGhee	Schneider	Shumake	Silvey
Wallingford	Wyatt	Zerr	Mr Speaker	

On motion of Representative Koenig, **HB 1192** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1185, relating to the reporting of certain illegal aliens, was taken up by Representative Parkinson.

On motion of Representative Parkinson, **HB 1185** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Neth	Nichols	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	Wieland	Wright	Wyatt
Zerr				

NOES: 024

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Ellington	Hubbard	Hughes	Jones 63
Kelly 24	McDonald	McGeoghegan	Morgan	Nasheed
Newman	Oxford	Pace	Pierson	Smith 71
Swearingen	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 008

Davis	Day	Dugger	Gatschenberger	Leara
Sommer	White	Mr Speaker		

Representative Keeney declared the bill passed.

HB 1250, relating to third class city primary elections, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 1250** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson

Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 001

Hughes

PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Dugger	Ellington	Elmer	Gatschenberger
Jones 117	Leara	Nolte	Rowland	Mr Speaker

Representative Keeney declared the bill passed.

PERFECTION OF HOUSE BILL

HB 1041, relating to state university property transfers, was taken up by Representative Thomson.

On motion of Representative Thomson, **HB 1041** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1251, relating to Safe Drinking Water Act fees, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 1251** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips

Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 004

Curtman	Hughes	Koenig	Marshall

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 007

Day	Gatschenberger	Jones 117	Leara	Loehner
Schad	Mr Speaker			

Representative Keeney declared the bill passed.

HB 1269, relating to "The Burnt District" special license plate, was taken up by Representative Brattin.

On motion of Representative Brattin, **HB 1269** was read the third time and passed by the following vote:

AYES: 094

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 056

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Brown 116	Day	Denison	Klippenstein
Loehner	Neth	Nolte	Schad	Scharnhorst
Swinger	Wyatt	Mr Speaker		

Representative Keeney declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 4 - General Laws
HCR 20 - Tourism and Natural Resources
HCR 21 - Tourism and Natural Resources
HCR 23 - Economic Development
HCR 25 - Health Care Policy
HCR 26 - Veterans
HCR 36 - General Laws
HCR 37 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 57 - Budget
HJR 59 - Rural Community Development
HJR 65 - Elections
HJR 66 - Elections
HJR 68 - Budget
HJR 71 - Tax Reform
HJR 75 - Elections
HJR 79 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1221 - Transportation
HB 1249 - Local Government
HB 1335 - General Laws
HB 1408 - Tourism and Natural Resources
HB 1416 - General Laws
HB 1482 - General Laws
HB 1491 - Children and Families
HB 1506 - Health Insurance
HB 1509 - Health Insurance
HB 1511 - Transportation
HB 1515 - Crime Prevention and Public Safety
HB 1516 - Crime Prevention and Public Safety
HB 1560 - Judiciary
HB 1570 - Elementary and Secondary Education
HB 1571 - Economic Development
HB 1580 - Health Insurance
HB 1588 - Judiciary
HB 1594 - Insurance Policy
HB 1600 - Retirement
HB 1604 - Elementary and Secondary Education
HB 1612 - Transportation
HB 1631 - Elementary and Secondary Education
HB 1632 - Transportation Funding and Public Institutions
HB 1636 - Judiciary
HB 1648 - Elections
HB 1651 - Special Standing Committee on Disability Services
HB 1652 - Special Standing Committee on Disability Services
HB 1655 - Judiciary
HB 1665 - Urban Issues
HB 1668 - Transportation
HB 1677 - Judiciary
HB 1680 - Veterans
HB 1684 - Transportation
HB 1687 - Transportation
HB 1688 - Agri-Business
HB 1692 - Elections
HB 1694 - Transportation
HB 1701 - Local Government
HB 1704 - Health Insurance
HB 1705 - Utilities
HB 1712 - Budget
HB 1713 - Special Standing Committee on Disability Services

HB 1714 - Special Standing Committee on Disability Services
HB 1722 - Higher Education
HB 1731 - Veterans

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 1337 - Health Care Policy
HB 1435 - Children and Families

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1029**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1030**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 47**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1300**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1317**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1318**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 1108**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **1341**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1037**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1106**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1114**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1131**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1193**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1220**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1344**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1344**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1441**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2014**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1735, introduced by Representative Dieckhaus, relating to a scholarship program for unaccredited school districts.

HB 1736, introduced by Representatives Dieckhaus, Jones (89), Tilley and Scharnhorst, relating to school operations.

HB 1737, introduced by Representative Gatschenberger, relating to the designation of a memorial highway.

HB 1738, introduced by Representative Grisamore, relating to lift accessible parking.

HB 1739, introduced by Representatives Holsman, Wyatt, Berry and Talboy, relating to restrictions by homeowners' associations.

HB 1740, introduced by Representative Dieckhaus, relating to school operations.

HB 1741, introduced by Representative Leara, relating to retirement of education employees.

HB 1742, introduced by Representatives Rowland, Lichtenegger, Houghton, Lant, Entlicher, Crawford, Weter, Wells, Phillips, Lair, Reiboldt, Hampton, Solon, Elmer, Sater and Kelly (24), relating to recognition of the Northern Chickamauga Indian Nation as a tribe.

HB 1743, introduced by Representatives Kelley (126), Black, Hubbard, Nasheed, Reiboldt, Casey and Brattin, relating to the sex offender registry.

HB 1744, introduced by Representatives Kelley (126), Bahr, Sommer, Haefner, Johnson, Taylor, Swinger, Entlicher, Berry and Brattin, relating to the designation of pancreatic cancer awareness month.

HB 1745, introduced by Representative Gosen, relating to right of intervention by insurers in certain civil actions.

HB 1746, introduced by Representatives Wells, Dugger, Entlicher, Fisher, Pollock, Smith (150), Schatz, Schoeller and Loehner, relating to licensure of livestock slaughter and processing plants.

HB 1747, introduced by Representatives Wells, Dugger, Entlicher, Fisher, Pollock, Nolte, Smith (150), Schatz, Schoeller, Loehner, Kelley (126), Molendorp, Ruzicka, Torpey, Guernsey, Diehl, Haefner, Davis, White, Lant, Sommer, Lichtenegger, Zerr, McCaherty, Brandom, Rowland, Parkinson, Nance, Weter, Johnson, Cauthorn, Korman, Leara, McNary, Schieber, Hodges, Schad, Cookson, Scharnhorst, Brattin, Koenig, Jones (117), Long, Conway (14), Schneider, Phillips, Meadows, Funderburk, Hinson, Fraker, Keeney, Klippenstein, Sater, Crawford, Swinger, Fallert, Schieffer, Tilley, McGhee, Brown (116), Gatschenberger, Hough, Black, Webber, Cross, Wright, Jones (89), Bernskoetter, Cox and Thomson, relating to weapons.

HB 1748, introduced by Representative Walton Gray, relating to abandoned property.

HB 1749, introduced by Representatives Lasater and Burlison, relating to fines for failing to yield the right-of-way.

HB 1750, introduced by Representatives Webber, Still, Quinn, Kelly (24) and Jones (117), relating to the multijurisdictional internet cyber crime law enforcement task force.

HB 1751, introduced by Representatives Pollock, Wells and Dugger, relating to assessment of electric utilities.

HB 1752, introduced by Representative Cauthorn, relating to environmental control rules.

HB 1753, introduced by Representative Cauthorn, relating to lands owned by resident aliens.

HB 1754, introduced by Representative Cox, relating to judicial circuits.

HB 1755, introduced by Representative Weter, relating to the mandatory offering of sinkhole insurance coverage for property damage caused by sinkhole activity.

HB 1756, introduced by Representatives Kander, Carter, Still, McManus, Newman, Quinn, Walton Gray, Black, Pace, McCreery, Swearingen, Lampe, Casey, Conway (27) and Schupp, relating to ethics.

HB 1757, introduced by Representative Grisamore, relating to the reporting of missing and dead children.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:00 a.m., Thursday, February 16, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, February 21, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1363, HB 1364, HB 1462
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Thursday, February 16, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommended changes to HB's 2010 and 2011 will be considered.

BUDGET
Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
FY 2013 Budget overview by State Budget Director.
Recommendations from Appropriation Committees.

BUDGET
Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.

BUDGET
Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, February 21, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1052,
Executive session will be held: HB 1046
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, February 21, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1524
Executive session may be held on any matter referred to the committee.

URBAN ISSUES
Monday, February 20, 2012, Upon Evening Adjournment House Hearing Room 5.
Executive session will be held: HCS HB 1344, HB 1273, HB 1466
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, February 16, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1637, HB 1542, HB 1218,
Executive session will be held: HB 1381
Executive session may be held on any matter referred to the committee.
HB 1489 has been removed.
AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, February 20, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1367, HB 1403
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 16, 2012

HOUSE BILLS FOR SECOND READING

HB 1735 through HB 1757

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 45 - Solon
2 HCS HJR 61 - Loehner

HOUSE BILLS FOR PERFECTION

1 HCS HBs 1186 & 1147 - Parkinson
2 HCS HBs 1298 & 1180, as amended - Parkinson
3 HCS HB 1308 - Wells
4 HB 1349 - Jones (117)
5 HCS HB 1442 - Smith (150)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/14/2012)

1 HCS HB 1059 - Dugger
2 HB 1107 - Dugger
3 HB 1112 - Gosen
4 HB 1128 - Largent
5 HB 1188 - Allen
6 HB 1347 - Franz
7 HCS HB 1457 - Crawford
8 HB 1517 - Nolte

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HB 1103 - Crawford
3 HB 1192 - Koenig
4 HB 1041, E.C. - Thomson

HOUSE CONCURRENT RESOLUTIONS

HCR 12, (2/7/12, Page 251) - Davis

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 16, 2012

The House met pursuant to adjournment.

Representative Schad in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

He that dwelleth in the secret place of the Most High shall abide under the shadow of the Almighty. (Psalm 91:1)

O God, Who is a tower of strength to all Who put their trust in You, help us to turn from the noise and clamor of the world, and to find peace in the assurance of Your presence. Keep us sensitive to the needs of others, understanding amid our differences, and determined to live in the spirit of good will. May we ever be mindful of the fact that we are one family in You, and in this oneness may we do our work and live our lives.

Our minds and hearts reach out in prayer for those in the Armed Forces of our country. Keep them strong in temptations, resolute in duty, and faithful to You, Who is ever with them and with us. Lord God of Hosts, be with us all - lest we forget, lest we forget You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Megan Crocker, Cailin Mooney, RaeAnn Fooks, Grace Griffin, Alex Standgard, Grant Argent, Ryan Sparks, Daniel Xiang, Andrew Chaffin, Nathan Dennigmann, Drew Brissette, Connor Cantwell and Anders Stenstadvolden.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 697 through House Resolution No. 704

SECOND READING OF HOUSE BILLS

HB 1735 through **HB 1757** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 41 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1290 - Special Standing Committee on Renewable Energy
HB 1592 - Economic Development
HB 1711 - Health Insurance
HB 1723 - Economic Development
HB 1754 - Special Standing Committee on Judicial Reform

COMMITTEE REPORT

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1576**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1758, introduced by Representatives Long, Richardson, Higdon and Grisamore, relating to rights of persons with parental relationships.

HB 1759, introduced by Representatives Brown (116) and Smith (150), relating to outboard motors.

HB 1760, introduced by Representatives Anders, McGeoghegan, Lampe, Harris, Kratky, Fallert, Casey, Swinger, Quinn, Newman, Carlson, Ellinger, Morgan, Rowland and McDonald, relating to marshals in fourth class cities.

HB 1761, introduced by Representatives Ellington, Montecillo, Pace, Hubbard, Rizzo, Swearingen, McGeoghegan, Morgan, Walton Gray, Torpey, Neth, Nasheed, Jones (63), Still, Tilley, Carter, McCann Beatty, Pierson, Lasater and Sifton, relating to statute of limitations for certain offenses against a child.

HB 1762, introduced by Representatives Ellington, McGeoghegan, Hubbard, Pace, Atkins, Oxford, Morgan, Walton Gray, Nasheed, Jones (63), Carter, McCann Beatty, Pierson and Brown (50), relating to applications for state employment and public assistance.

HB 1763, introduced by Representatives Ellington, Hubbard, Smith (71), Carter, Hughes, McCann Beatty, Fitzwater, Ellinger, Pace, Morgan, Harris, Taylor, Rizzo, Talboy, Colona, Webb, Montecillo, Walton Gray, Nasheed, Jones (63), Pierson, May and Brown (50), relating to the Malcolm X observance day commission.

HB 1764, introduced by Representative Bernskoetter, relating to service salary increases for corrections officers.

HB 1765, introduced by Representatives Smith (71), Oxford, Jones (63), Pierson, Hughes, Ellington, Sifton, Pace, Montecillo, McGeoghegan, Kirkton, Hummel, Walton Gray, Hodges, Ellinger, May, McCann Beatty, Hubbard, Nasheed, Webb, Brown (50) and Taylor, relating to the Rosa Parks observance day commission.

HB 1766, introduced by Representative Schneider, relating to complaints against real estate appraisers.

RECESS

Representative Schad moved that the House stand in recess until messages are received from the Senate, and then stand adjourned until 10:00 a.m., Friday, February 17, 2012.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 15**.

SENATE CONCURRENT RESOLUTION NO. 15

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these rivers, estimated to be $6 billion, does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the river; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantifies the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 450**, entitled:

An act to repeal section 162.481, RSMo, and to enact in lieu thereof one new section relating to school directors in urban districts, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 455**, entitled:

An act to repeal sections 173.005 and 173.040, RSMo, and to enact in lieu thereof two new sections relating to duties prescribed to the coordinating board for higher education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 469**, entitled:

An act to repeal sections 536.041, 536.087, and 536.325, RSMo, and to enact in lieu thereof five new sections relating to administrative procedures and review.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 485**, entitled:

An act to repeal sections 430.020 and 430.082, RSMo, and to enact in lieu thereof two new sections relating to statutory liens against personalty.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 498**, entitled:

An act to repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 572**, entitled:

An act to repeal sections 287.067, 287.120, 287.150, and 287.240, RSMo, and to enact in lieu thereof four new sections relating to workers' compensation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 594**, entitled:

An act to repeal sections 407.1095, 407.1098, 407.1101, 407.1104, and 407.1107, RSMo, and to enact in lieu thereof five new sections relating to the no-call list.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 611**, entitled:

An act to amend chapter 304, RSMo, by adding thereto one new section relating to the establishment of minimal yellow light change interval times for traffic control devices.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 773**, entitled:

An act to repeal sections 115.345 and 115.349, RSMo, and to enact in lieu thereof two new sections relating to primary elections, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Allen, Atkins, Bahr, Barnes, Berry, Brandom, Brown (50), Casey, Conway (14), Conway (27), Cookson, Curtman, Dieckhaus, Diehl, Ellinger, Ellington, Fallert, Fisher, Flanigan, Franklin, Franz, Gatschenberger, Gosen, Grisamore, Guernsey, Harris, Higdon, Hodges, Holsman, Hubbard, Hughes, Jones (89), Kelley (126), Kelly (24), Kirkton, Koenig, Korman, Kratky, Lair, Lampe, Leach, Lichtenegger, Marshall, May, McCann Beatty, McDonald, McGhee, McManus, McNeil, Meadows, Molendorp, Montecillo, Morgan, Nance, Nasheed, Neth, Newman, Oxford, Pace, Rizzo, Scharnhorst, Schieffer, Schneider, Smith (71), Smith (150), Sommer, Spreng, Still, Stream, Swearingen, Swinger, Talboy, Taylor, Thomson, Tilley, Wallingford, Walton Gray, Webb, White and Zerr.

ADJOURNMENT

Pursuant to the motion of Representative Schad, the House adjourned until 10:00 a.m., Friday, February 17, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, February 21, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1363, HB 1364, HB 1462
Executive session may be held on any matter referred to the committee.

BUDGET
Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
FY 2013 Budget overview by State Budget Director.
Recommendations from Appropriation Committees.

BUDGET
Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.

BUDGET
Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.
CORRECTED

CRIME PREVENTION AND PUBLIC SAFETY
Monday, February 20, 2012, 1:00 PM House Hearing Room 3.
Public hearing will be held: HB 1292, HB 1167, HB 1196
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, February 21, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1052
Executive session will be held: HB 1046
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, February 21, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1081, HB 1158, HB 1050, HB 1533
Executive session will be held: HB 1081
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, February 21, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1722
Executive session will be held: HB 1216, HB 1502
Executive session may be held on any matter referred to the committee.

RULES
Monday, February 20, 2012, Upon Afternoon Adjournment House Hearing Room 4.
Public hearing will be held: HCR 41
Executive session will be held: HCR 41

RULES - PURSUANT TO RULE 25(32)(F)
Monday, February 20, 2012, Upon Afternoon Adjournment House Hearing Room 4.
Executive session may be held on any or all bills referred to this committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, February 21, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1524, HJR 59
Executive session may be held on any matter referred to the committee.
AMENDED

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, February 20, 2012, 2:00 PM House Hearing Room 7.
Public hearing will be held: HB 1651, HB 1652, HB 1713, HB 1714
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Monday, February 20, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1290, HB 1305
Executive session may be held on any matter referred to the committee.

URBAN ISSUES
Monday, February 20, 2012, Upon Evening Adjournment House Hearing Room 5.
Executive session will be held: HCS HB 1344, HB 1273, HB 1466
Executive session may be held on any matter referred to the committee.

VETERANS
Monday, February 20, 2012, 2:00 PM House Hearing Room 5.
Public hearing will be held: HB 1731
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, February 21, 2012, 8:30 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Executive session only.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, February 20, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1367, HB 1403
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SIXTH DAY, FRIDAY, FEBRUARY 17, 2012

HOUSE BILLS FOR SECOND READING

HB 1758 through HB 1766

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 45 - Solon
2 HCS HJR 61 - Loehner
3 HCS HJR 41 - Nasheed

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2014 - Silvey

HOUSE BILLS FOR PERFECTION

1 HCS HB 1186 & 1147 - Parkinson
2 HCS HB 1298 & 1180, as amended - Parkinson
3 HCS HB 1308 - Wells
4 HB 1349 - Jones (117)
5 HCS HB 1442 - Smith (150)
6 HCS HB 1106 - Dugger
7 HCS HB 1193 - Frederick
8 HCS HB 1220 - Hubbard

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1131 - Fisher

HOUSE BILLS FOR PERFECTION - CONSENT

(2/14/2012)

1 HCS HB 1059 - Dugger
2 HB 1107 - Dugger
3 HB 1112 - Gosen
4 HB 1128 - Largent
5 HB 1188 - Allen

6 HB 1347 - Franz
7 HCS HB 1457 - Crawford
8 HB 1517 - Nolte

(2/17/2012)

1 HB 1037 - Dugger
2 HB 1114 - Weter
3 HB 1441 - Fisher

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HB 1103 - Crawford
3 HB 1192 - Koenig
4 HB 1041, E.C. - Thomson

SENATE BILLS FOR SECOND READING

1 SB 450 - Rupp
2 SB 455 - Pearce
3 SS SCS SB 469 - Dixon
4 SCS SB 485 - Cunningham
5 SCS SB 498 - Munzlinger
6 SS SCS SB 572 - Dempsey
7 SB 594 - Kraus
8 SB 611 - Lembke
9 SCS SB 773 - Parson

HOUSE CONCURRENT RESOLUTIONS

HCR 12, (2/7/12, Page 251) - Davis

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-SIXTH DAY, FRIDAY, FEBRUARY 17, 2012

The House met pursuant to adjournment.

Representative Dieckhaus in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILLS

HB 1758 through **HB 1766** were read the second time.

SECOND READING OF SENATE BILLS

SB 450, SB 455, SS SCS SB 469, SCS SB 485, SCS SB 498, SS SCS SB 572, SB 594, SB 611 and **SCS SB 773** were read the second time.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 773 - Elections

COMMITTEE REPORT

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1072**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and copies ordered printed:

HB 1767, introduced by Representatives Allen and Flanigan, relating to cyber crime investigation.

The following members' presence was noted: Barnes, Smith (71) and Still.

ADJOURNMENT

On motion of Representative Dieckhaus, the House adjourned until 4:00 p.m., Monday, February 20, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS
Tuesday, February 21, 2012, 8:00 AM House Hearing Room 4.
Public hearing will be held: HCR 11, HCR 30, HB 1271, HB 1477, HB 1688
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY
Tuesday, February 21, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1363, HB 1364, HB 1462
Executive session may be held on any matter referred to the committee.

BUDGET
Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
FY 2013 Budget overview by State Budget Director.
Recommendations from Appropriation Committees.

BUDGET
Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.

BUDGET
Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.
CORRECTED

CRIME PREVENTION AND PUBLIC SAFETY
Monday, February 20, 2012, 1:00 PM House Hearing Room 3.
Public hearing will be held: HB 1292, HB 1167, HB 1196
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, February 21, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1455
Executive session may be held on any matter referred to the committee.
Work session, continued. (No public testimony during work session.)

ELECTIONS
Monday, February 20, 2012, 3:00 PM House Hearing Room 6.
Public hearing will be held: SCS SB 773
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, February 21, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1052
Executive session will be held: HB 1046
Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS
Monday, February 20, 2012, 7:00 PM House Hearing Room 1.
Public hearing will be held: HB 1376, HCR 9
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, February 22, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCR 25, HB 1337, HB 1407, HB 1529
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, February 21, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1081, HB 1158, HB 1050, HB 1533
Executive session will be held: HB 1081
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, February 21, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1722
Executive session will be held: HB 1216, HB 1502
Executive session may be held on any matter referred to the committee.

RULES
Monday, February 20, 2012, Upon Afternoon Adjournment House Hearing Room 4.
Public hearing will be held: HCR 41
Executive session will be held: HCR 41

RULES - PURSUANT TO RULE 25(32)(F)
Monday, February 20, 2012, Upon Afternoon Adjournment House Hearing Room 4.
Executive session may be held on any or all bills referred to this committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, February 21, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1524, HJR 59
Executive session may be held on any matter referred to the committee.
AMENDED

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, February 20, 2012, 2:00 PM House Hearing Room 7.
Public hearing will be held: HB 1651, HB 1652, HB 1713, HB 1714
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Tuesday, February 21, 2012, 2:00 PM House Hearing Room 6.
Public hearing will be held: HB 1754
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Monday, February 20, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1290, HB 1305
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 7.
Public hearing will be held: HB 1221, HB 1511, HB 1687, HB 1684, HB 1694, HB 1612, HB 1668, HB 1640
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, February 21, 2012, 2:00 PM House Hearing Room 7.
Public hearing will be held: HB 1630, HB 1613, HB 1213, HB 1117
Executive session may be held on any matter referred to the committee.

URBAN ISSUES
Monday, February 20, 2012, Upon Evening Adjournment House Hearing Room 5.
Executive session will be held: HCS HB 1344, HB 1273, HB 1466
Executive session may be held on any matter referred to the committee.

VETERANS
Monday, February 20, 2012, 2:00 PM House Hearing Room 5.
Public hearing will be held: HB 1731
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, February 21, 2012, 8:30 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Executive session only.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, February 20, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1367, HB 1403
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-SEVENTH DAY, MONDAY, FEBRUARY 20, 2012

HOUSE BILLS FOR SECOND READING

HB 1767

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 45 - Solon
2 HCS HJR 61 - Loehner
3 HCS HJR 41 - Nasheed

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2014 - Silvey

HOUSE BILLS FOR PERFECTION

1 HCS HBs 1186 & 1147 - Parkinson
2 HCS HBs 1298 & 1180, as amended - Parkinson
3 HCS HB 1308 - Wells
4 HB 1349 - Jones (117)
5 HCS HB 1442 - Smith (150)
6 HCS HB 1106 - Dugger
7 HCS HB 1193 - Frederick
8 HCS HB 1220 - Hubbard

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1131 - Fisher

HOUSE BILLS FOR PERFECTION - CONSENT

(2/14/2012)

1 HCS HB 1059 - Dugger
2 HB 1107 - Dugger
3 HB 1112 - Gosen
4 HB 1128 - Largent
5 HB 1188 - Allen
6 HB 1347 - Franz
7 HCS HB 1457 - Crawford
8 HB 1517 - Nolte

(2/17/2012)

1 HB 1037 - Dugger
2 HB 1114 - Weter
3 HB 1441 - Fisher

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HB 1103 - Crawford
3 HB 1192 - Koenig
4 HB 1041, E.C. - Thomson

HOUSE CONCURRENT RESOLUTIONS

HCR 12, (2/7/12, Page 251) - Davis

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-SEVENTH DAY, MONDAY, FEBRUARY 20, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

Dear LORD, through Your servants You have revealed that You are "a God of truth and without injustice" (Deuteronomy 32:4a); that You are "abounding in loving-kindness and truth" (Exodus 34:6); that Your words are truth (2 Samuel 7:28) and that it is impossible for You to lie (Hebrews 6:18).

We also know, O LORD, that You want people to "speak the truth to one another" and to "judge with truth" (Zechariah 8:16b) and that "You desire truth in the innermost being..." (Psalm 51:6a)

"Loyalty and truth preserve the king, and he upholds his throne by righteousness" (Proverbs 20:28).

O LORD, may this place be a place of truth. May these, Your servants who lead our state, be people of truth. May we all repent of our falsehoods. May we all see and know that so much is lost and nothing really gained when we seek to deceive and distort. Give to each of us – legislators, staff, lobbyists, guests and pastors – a heart that desires and is able to speak the truth in love; for the good of all people and for the glory of Your name.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emma Grace Winschel, Elizabeth Rose Winschel, Caroline Renee Winschel, Olivia Korpecki and John Korpecki.

The Journal of the twenty-fourth day was approved as printed.

The Journal of the twenty-fifth day was approved as printed.

The Journal of the twenty-sixth day was approved as printed.

HOUSE RESOLUTION

Representative Bernskoetter offered House Resolution No. 729.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 705 through House Resolution No. 728
House Resolution No. 730 through House Resolution No. 745

SECOND READING OF HOUSE BILL

HB 1767 was read the second time.

Speaker Pro Tem Schoeller assumed the Chair.

THIRD READING OF HOUSE BILLS

HB 1103, relating to appraisal management company notices, was taken up by Representative Crawford.

On motion of Representative Crawford, **HB 1103** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen

Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Carter	Frederick	Hughes	Jones 63
Kander	May	Molendorp	Quinn	Schneider
Still	Webb			

Speaker Pro Tem Schoeller declared the bill passed.

HB 1192, relating to a higher education savings plan, was taken up by Representative Koenig.

On motion of Representative Koenig, **HB 1192** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Aull	Brown 116	Carter	Frederick	Hughes
Jones 63	Kander	Largent	May	Molendorp
Quinn	Schneider	Still	Webb	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1041, relating to state university property transfers, was taken up by Representative Thomson.

On motion of Representative Thomson, **HB 1041** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 001

Schatz

PRESENT: 000

ABSENT WITH LEAVE: 018

Aull	Brown 116	Carter	Day	Diehl
Frederick	Hughes	Jones 63	Kander	Largent
McGhee	Molendorp	Nolte	Quinn	Schneider
Still	Webb	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 008

Colona	Kirkton	Lasater	Marshall	McCreery
Newman	Schatz	Taylor		

PRESENT: 000

ABSENT WITH LEAVE: 018

Aull	Brown 116	Carter	Cookson	Diehl
Frederick	Hughes	Jones 63	Kander	Largent
McGhee	Molendorp	Nolte	Quinn	Schneider
Still	Webb	Mr Speaker		

PERFECTION OF HOUSE BILL

HCS HBs 1186 & 1147, relating to English only driver's examinations, was taken up by Representative Parkinson.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Lasater	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 049

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Brown 116	Carter	Frederick	Hughes
Jones 63	Kander	Largent	Lauer	Molendorp
Pollock	Quinn	Schneider	Still	Webb

On motion of Representative Parkinson, **HCS HBs 1186 & 1147** was adopted.

On motion of Representative Parkinson, **HCS HBs 1186 & 1147** was ordered perfected and printed by the following vote:

AYES: 091

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Hoskins	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Nance	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Schatz	Schieffer	Schoeller
Shively	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 059

Anders	Atkins	Barnes	Berry	Black
Brown 50	Carlson	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Gosen	Harris
Holsman	Hough	Hubbard	Hummel	Kelly 24
Kirkton	Klippenstein	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Phillips	Pierson	Rizzo	Sater
Scharnhorst	Schieber	Schupp	Shumake	Sifton
Smith 71	Spreng	Swearingen	Talboy	Taylor
Torpey	Walton Gray	Webber	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Brown 116	Carter	Frederick	Hughes
Jones 63	Kander	Largent	Molendorp	Quinn
Schneider	Still	Webb		

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 61, relating to the right to raise livestock, was taken up by Representative Loehner.

On motion of Representative Loehner, **HCS HJR 61** was adopted.

On motion of Representative Loehner, **HCS HJR 61** was ordered perfected and printed.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 8, relating to agriculture land values, was taken up by Representative Guernsey.

HCR 8 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1623 - Economic Development
HB 1649 - Professional Registration and Licensing
HB 1735 - Elementary and Secondary Education
HB 1736 - Elementary and Secondary Education
HB 1740 - Elementary and Secondary Education
HB 1758 - Judiciary

COMMITTEE REPORTS

Committee on Administration and Accounts, Chairman McGhee reporting:

Mr. Speaker: Your Committee on Administration and Accounts, to which was referred **HR 89**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE RESOLUTION NO. 89

WHEREAS, Section 21.155, RSMo, provides that the House of Representatives may, by resolution, continue in employment such number of efficient employees after any adjournment of a regular session or sine die adjournment of the General Assembly as may be necessary for operation of the House; and

WHEREAS, the House of Representatives will have need for secretarial, administrative, and research, budget, and support staff after the adjournment of the House on May 18, 2012; and

WHEREAS, employees of the House of Representatives are designated and funded through appropriations, including those employees who may be needed for veto, special, or extraordinary sessions of the House:

NOW, THEREFORE, BE IT RESOLVED that Missouri House of Representatives, Ninety-sixth General Assembly, may employ for the period between May 18, 2012, and January 9, 2013, such employees as are necessary to perform the duties of the House, not to exceed that amount authorized pursuant to appropriation. Such employees

shall include necessary secretarial, administrative, and research, budget, and support staff personnel appointed by the Speaker whose terms of employment are established by the Committee on Administration and Accounts.

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution.

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1212**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1525**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SCS SB 773**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1165**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1512**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTION NO. 41

WHEREAS, under Section 2713 of the federal Patient Protection and Affordable Care Act of 2010 health insurers must cover "preventive services" for women without charging a co-pay beginning August 1, 2012; and

WHEREAS, Health and Human Services Secretary Kathleen Sebelius defined these preventive services to include "all FDA-approved forms of contraception, sterilization procedures and patient education and counseling"; and

WHEREAS, regulations announced last year (Interim Final Rule 76 FR 46621, August 3, 2011) provided an exemption for certain religious employers regarding contraception. At that time, it was unclear if the religious exemption applied to entities operated by religious organizations that employed or served people from a variety of faiths or had no religious affiliation at all; and

WHEREAS, on January 20, 2012, Secretary Sebelius said this mandate would take effect in August for most employers. Churches would be exempted from the rule, but not religious affiliated hospitals, colleges, or charities, though they would be given an extra year to comply; and

WHEREAS, Obama administration officials said that 28 states, including California and New York, already have similar rules for health insurance; and

WHEREAS, on Friday, February 10, 2012, President Obama announced a compromise that would exempt churches, other houses of worship, and similar organizations from covering contraception on the basis of their religious objections, and would provide a one-year transition period for religious organizations while this policy is being implemented; and

WHEREAS, the Obama administration also announced that sometime in the upcoming year it will propose and finalize a new regulation to address the religious objections of the non-exempted religious organizations. The new regulation will require insurance companies to cover contraception if the non-exempted religious organization chooses not to. Under the compromise:

(1) Religious organizations would not have to provide contraception coverage or refer their employees to organizations that provide contraception;

(2) Religious organizations would not be required to subsidize the cost of contraception;

(3) Contraception coverage would be offered to women by their employers' insurance companies directly, with no role for religious employers who oppose contraception;

(4) Insurance companies would be required to provide contraception coverage to these women free of charge; and

WHEREAS, the Missouri General Assembly has a solemn duty and obligation to uphold the laws of the State of Missouri, and to take all steps necessary and legal to stop any infringement upon the protected rights of Missouri citizens; and

WHEREAS, the people of the State of Missouri adopted Section 1.330, RSMo, by referendum, Proposition C, on August 3, 2010, which states in part:

"1.330. 1. No law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in any health care system."; and

WHEREAS, in accordance with Section 1.330:

(1) No employee, self-employed person, or any other person should be compelled to obtain coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employee or person; and

(2) No employer, health plan provider, health plan sponsor, health care provider, or any other entity should be compelled to provide coverage for, or be discriminated against or penalized for declining or refusing coverage for, abortion, contraception, or sterilization in a health plan if such items or procedures are contrary to the religious beliefs or moral convictions of such employer, health plan provider, health plan sponsor, health care provider, or entity; and

(3) No governmental entity, public official, or entity acting in a governmental capacity should be permitted to discriminate against or penalize a health plan, plan sponsor, health care provider, employer, employee, or other entity or person because of such plan's, sponsor's, provider's, employer's, employee's, entity's, or person's unwillingness, based on religious beliefs or moral convictions, to provide or obtain coverage for, participate in, or refer for, abortion, contraception, or sterilization in a health plan; and

WHEREAS, the most recent regulation under the federal Patient Protection and Affordable Care Act (PPACA) will require religious hospitals and institutions to choose between offering insurance coverage to their employees which provide birth control, sterilization procedures, and abortifacients, such as the "morning after pill", services which are contrary to the religious tenets and beliefs of the Catholic Church, other churches, and religious organizations who operate such hospitals and institutions, or decide not to provide health insurance coverage to their employees and pay the penalty imposed under PPACA; and

WHEREAS, the compromise announced by President Barack Obama on February 10, 2012, does not resolve the issue for the Catholic Church, other churches, and many religious organizations because it failed to address several important issues, such as self insurers, conscience objections of individuals, and states' rights; and

WHEREAS, in many religious hospitals and institutions, the Catholic Church, other churches, or religious organizations are self insured, which once again forces them to make an unnecessary choice in violation of their religious liberties; and

WHEREAS, even if the Catholic Church, other churches, or religious organizations do not self insure, the transfer of responsibility to the insurer of providing these services free of charge under the announced compromise will likely be passed on to employers in the form of higher premiums to cover the cost to the insurer, which forces these churches and institutions to indirectly pay for these mandates through their premiums in violation of their religious liberties; and

WHEREAS, religious liberty is a fundamental principle in our nation and state that must be protected. The intrusion of the federal government into our health care choices by creating a health care mandate which forces not only the Catholic Church, other churches, and religious organizations, but also any person with deeply held religious beliefs to violate their conscience or be subject to a penalty is unacceptable in a free society; and

WHEREAS, under the Tenth Amendment to the United States Constitution, the State of Missouri and every other state in the nation has the right to enact laws which prohibit the infringement of the federal government into the lives and affairs of its citizens in areas which are not expressly provided to the federal government under the United States Constitution; and

WHEREAS, Missouri has enacted legislation which directly contradicts the mandates contained in the federal Patient Protection and Affordable Care Act of 2010; and

WHEREAS, the Missouri General Assembly takes a firm and unwavering stand against an unconstitutional infringement on the right of the State of Missouri and its citizens not to be forced to participate in any health care system which is contrary to the laws of the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby declare the firm and unwavering stand of the Missouri General Assembly to strongly oppose the federal health care mandates contained in the Patient Protection and Affordable Care Act of 2010, including the most recent regulation requiring the provision of preventive services, as an infringement of the rights of the State of Missouri and a violation of state law; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly affirms the right of each state under the Tenth Amendment of the United States Constitution to enact laws which prohibit the unconstitutional infringement of the federal government into the lives and affairs of the states in areas which are not expressly provided to the federal government; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly urges and encourages the members of the Missouri Congressional delegation to write letters to Secretary Sebelius to express opposition to this new regulation; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Kathleen Sebelius, Secretary of the Department of Health and Human Services, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1174**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 1059, HB 1107, HB 1112, HB 1128, HB 1188, HB 1347, HCS HB 1457** and **HB 1517**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 82, introduced by Representatives Wyatt, Curtman, Burlison, Haefner, Koenig and Leach, relating to the commission on retirement, removal, and discipline.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1768, introduced by Representative Hinson, relating to statewide 911 service.

HB 1769, introduced by Representative Jones (117), relating to funeral directors.

HB 1770, introduced by Representative Jones (117), relating to the sale of preneed funeral contracts.

HB 1771, introduced by Representatives Solon, Oxford, Barnes, Conway (14) and Leach, relating solely to public notice before the issuance of municipal or local appropriation bonds.

HB 1772, introduced by Representatives Parkinson, Barnes, Smith (150), Solon, Flanigan, Ellinger and Oxford, relating solely to due diligence procedures by the department of economic development.

HB 1773, introduced by Representatives Barnes, Kelly (24), Long, Ellinger, Parkinson, Smith (150), Solon, Flanigan and Oxford, relating solely to due diligence duties of third-party professionals in municipal or local government appropriation bonds.

HB 1774, introduced by Representatives Barnes, Ellinger, Parkinson and Solon, relating solely to municipal and local government appropriations bonds and procedures of the department of economic development.

HB 1775, introduced by Representatives Barnes, Kelly (24), Ellinger, Richardson, Long, Parkinson, Smith (150), Solon, Flanigan and Oxford, relating solely to the sharing of information for economic development incentives.

HB 1776, introduced by Representatives Barnes, Kelly (24), Flanigan, Ellinger, Solon and Oxford, relating solely to local government appropriation bonds.

HB 1777, introduced by Representatives Barnes and Ellinger, relating solely to consulting contracts with the department of economic development.

HB 1778, introduced by Representatives Hoskins, Largent and McGhee, relating to the designation of the state historical dog.

HB 1779, introduced by Representative Flanigan, relating to tax increment financing for redevelopment of disaster areas.

HB 1780, introduced by Representatives Hinson, Gatschenberger, Cierpiot, Conway (27) and Taylor, relating to statewide 911 service.

HB 1781, introduced by Representative Nasheed, relating to candidates for public office.

HB 1782, introduced by Representatives Fitzwater, Cookson, Fisher, Marshall, Keeney, Lasater, Bahr, Fraker, Burlison, Torpey, Grisamore, Meadows, McGeoghegan, Harris, Swearingen, Montecillo, Rizzo, Schieber, Kelley (126), Reiboldt, Davis, Crawford, Entlicher, Solon, Wallingford, Shumake, Wells, Weter, Smith (150), Hampton, Cross and Dugger, relating to the designation of a memorial highway.

HB 1783, introduced by Representatives Brown (50), Walton Gray, Oxford and Black, relating to obesity.

WITHDRAWAL OF HOUSE BILL

February 6, 2012

Dear Speaker Tilley,

I have filed **House Bill No. 1379** to allow certain business subscribers to place their telephone numbers on the state No-Call list. Due to unintended consequences with my bill I wish to retract it.

Thank you for your consideration.

Sincerely,

/s/ Kurt Bahr
Representative
District 19

The following member's presence was noted: Hughes.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 21, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS
Tuesday, February 21, 2012, 8:00 AM House Hearing Room 4.
Public hearing will be held: HCR 11, HCR 30, HB 1271, HB 1477, HB 1688
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY
Tuesday, February 21, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1363, HB 1364, HB 1462
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Tuesday, February 21, 2012, 2:00 PM House Hearing Room 4.
Meeting with Joe Gillman from DNR about earthquakes and how they affect Missouri.
Sponsored by Appropriations - Agriculture and Natural Resources.

BUDGET
Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
FY 2013 Budget overview by State Budget Director.
Recommendations from Appropriation Committees.

BUDGET
Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.

BUDGET
Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.
CORRECTED

CHILDREN AND FAMILIES
Wednesday, February 22, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1152, HB 1491, HB 1357
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, February 22, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1551, HB 1647, HB 1190
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, February 23, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1608
Executive session will be held: HB 1094
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, February 21, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1455
Executive session may be held on any matter referred to the committee.
Work Session, continued. (No public testimony during work session.)

ELECTIONS
Tuesday, February 21, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1052
Executive session will be held: HB 1046
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Tuesday, February 21, 2012, 3:00 PM House Hearing Room 5.
Public hearing will be held: HB 1740
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, February 22, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
EXECUTIVE SESSION

GENERAL LAWS
Tuesday, February 21, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1326, HB 1319, HB 1369, HB 1045, HB 1621
Executive session may be held on any matter referred to the committee.
AMENDED

HEALTH CARE POLICY
Wednesday, February 22, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCR 25, HB 1337, HB 1407, HB 1529
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, February 21, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1081, HB 1158, HB 1050, HB 1533
Executive session will be held: HB 1081
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, February 21, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1722
Executive session will be held: HB 1216, HB 1502
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, March 1, 2012, 8:30 AM Senate Lounge.
Informational meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications.

LOCAL GOVERNMENT
Wednesday, February 22, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1307, HB 1494, HB 1573, HB 1562, HB 1552
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, February 22, 2012, 6:30 PM 2125 Missouri Blvd.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, February 22, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1649
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Tuesday, February 21, 2012, 5:00 PM House Hearing Room 6.
Executive session may be held on any or all bills that may be referred to this committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, February 21, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1524, HJR 59
Executive session may be held on any matter referred to the committee.
AMENDED

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Tuesday, February 21, 2012, 2:00 PM House Hearing Room 6.
Public hearing will be held: HB 1754
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES
Thursday, February 23, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HCR 32, HB 1634
Executive session may be held on any matter referred to the committee.
Division of Tourism will be presenting their annual report to the committee during the second hour of the meeting.

TRANSPORTATION
Tuesday, February 21, 2012, Upon Morning Adjournment House Hearing Room 7.
Public hearing will be held: HB 1221, HB 1511, HB 1687, HB 1684, HB 1694, HB 1612, HB 1668, HB 1640
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, February 21, 2012, 2:00 PM House Hearing Room 7.
Public hearing will be held: HB 1630, HB 1613, HB 1213, HB 1117
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, February 21, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1289, HB 1691
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, February 21, 2012, 8:30 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Executive session only.

HOUSE CALENDAR

TWENTY-EIGHTH DAY, TUESDAY, FEBRUARY 21, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 82

HOUSE BILLS FOR SECOND READING

HB 1768 through HB 1783

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 45 - Solon
2 HCS HJR 41 - Nasheed

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2014 - Silvey

HOUSE BILLS FOR PERFECTION

1 HCS HBs 1298 & 1180, as amended - Parkinson
2 HCS HB 1308 - Wells
3 HB 1349 - Jones (117)

4 HCS HB 1442 - Smith (150)
5 HCS HB 1106 - Dugger
6 HCS HB 1193 - Frederick
7 HCS HB 1220 - Hubbard
8 HCS HB 1174 - Lair

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1131 - Fisher

HOUSE BILLS FOR PERFECTION - CONSENT

(2/17/2012)

1 HB 1037 - Dugger
2 HB 1114 - Weter
3 HB 1441 - Fisher

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 8, (2/9/12, Page 288) - Guernsey

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

HOUSE BILLS FOR THIRD READING - CONSENT

1 HCS HB 1059 - Dugger
2 HB 1107 - Dugger
3 HB 1112 - Gosen
4 HB 1128 - Largent
5 HB 1188 - Allen
6 HB 1347 - Franz
7 HCS HB 1457 - Crawford
8 HB 1517 - Nolte

HOUSE CONCURRENT RESOLUTIONS

1 HCR 12, (2/7/12, Page 251) - Davis
2 HCR 41, (2/20/12) - Curtman

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-EIGHTH DAY, TUESDAY, FEBRUARY 21, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Commit thy works unto the Lord, and thy thoughts shall be established. (Proverbs 16:3)

Eternal God, as we bow before the altar of prayer on Mardi Gras, grant unto us a realization of Your presence and the assurance that as we face the demanding duties of these days that You are with us. As we turn to You, may we find wisdom to make wise decisions, strength to stand for what is good for all, and good will to motivate all our endeavors.

May we think of You - not only this moment - but throughout this day, and from these moments may there come a confidence and courage which will enable us to lead our state to better days and to a greater spirit between our people.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kelsey Cochran and Kristen Cochran.

The Journal of the twenty-seventh day was approved as printed.

SPECIAL RECOGNITION

The 2011-2012 University of Missouri Football Tigers were introduced by Representatives Kelly (24), Still, Webber, Quinn and Cauthorn and were recognized for their 2011 Independence Bowl victory.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 746 through House Resolution No. 775

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 82 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1768 through **HB 1783** were read the second time.

Representative Hoskins assumed the Chair.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 8, relating to agriculture land values, was taken up by Representative Guernsey.

On motion of Representative Guernsey, **HCR 8** was read the third time and passed by the following vote:

AYES: 117

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swinger
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 039

Anders	Atkins	Carlson	Casey	Colona
Ellinger	Ellington	Hubbard	Hughes	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Swearingen	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 007

Asbury	Carter	Day	Frederick	Holsman
Quinn	Webb			

Representative Hoskins declared the bill passed.

PERFECTION OF HOUSE JOINT RESOLUTION

HCS HJR 41, relating to General Assembly term limits, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HCS HJR 41** was adopted.

On motion of Representative Nasheed, **HCS HJR 41** was ordered perfected and printed.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 2014 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2014** was adopted.

On motion of Representative Silvey, **HCS HB 2014** was ordered perfected and printed.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HCS HJR 41 - Fiscal Review
HJR 61 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1771 - Special Standing Committee on Government Oversight and Accountability
HB 1772 - Special Standing Committee on Government Oversight and Accountability
HB 1773 - Special Standing Committee on Government Oversight and Accountability
HB 1774 - Special Standing Committee on Government Oversight and Accountability
HB 1775 - Special Standing Committee on Government Oversight and Accountability
HB 1776 - Special Standing Committee on Government Oversight and Accountability
HB 1777 - Special Standing Committee on Government Oversight and Accountability

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SB 464 - Health Insurance
SS SCS SB 572 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1073**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **HB 1400**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 1659** and **HB 1116**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1524**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1231**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1345**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was returned **HB 1344**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1466**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1296**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1731**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1784, introduced by Representative Bahr, relating to real estate agents.

HB 1785, introduced by Representatives Burlison, Pollock, Davis, White, Entlicher, Crawford, Jones (117), Wieland, Schoeller, Long, Wyatt, Solon, Cookson, Ruzicka, Gatschenberger, Korman, Lasater, Denison, Scharnhorst, Sater, Neth, Bahr, Weter, Funderburk, Hough, Hoskins, Fitzwater and Leach, relating to a special license plate.

HB 1786, introduced by Representatives Burlison, White, Davis, Crawford, Jones (117), Entlicher, Wieland, Schoeller, Long, Wyatt, Cookson, Ruzicka, Gatschenberger, Korman, Lasater, Denison, Scharnhorst, Sater, Neth, Weter, Pollock, Bahr, Hough, Funderburk, Hoskins, Fitzwater and Leach, relating to a special license plate.

HB 1787, introduced by Representative Rizzo, relating to merchants requirement to maintain a list of suppliers for law enforcement purposes.

HB 1788, introduced by Representatives Elmer, Fraker, Funderburk, Jones (117), Long and Lasater, relating to contracts for state projects.

HB 1789, introduced by Representative Schad, relating to travel hardships of public school pupils.

HB 1790, introduced by Representatives Torpey, McGeoghegan, Largent, Cierpiot and Grisamore, relating to admissibility of statements of children.

HB 1791, introduced by Representative Sater, relating to waste management services for state agencies.

HB 1792, introduced by Representative Franz, relating to school-parent communications.

HB 1793, introduced by Representative Johnson, relating to the Missouri international agriculture exchange website.

HB 1794, introduced by Representative Grisamore, relating to the definition of employment under employment security law.

HB 1795, introduced by Representative Ruzicka, relating to solid waste landfill charges.

HB 1796, introduced by Representatives Houghton, Guernsey, Hough, Rowland, Schatz, Neth, Phillips, Asbury, Redmon, Smith (150), Loehner, Riddle, Brown (116) and Crawford, relating to crimes involving agricultural operations.

COMMITTEE CHANGES

February 21, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Kent Hampton from the Special Standing Committee on Renewable Energy and appoint Representative Melissa Leach.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

The following members' presence was noted: Asbury, Day, Holsman, Quinn and Webb.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 22, 2012.

COMMITTEE MEETINGS

BUDGET
Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.

BUDGET
Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.
CANCELLED

CHILDREN AND FAMILIES
Wednesday, February 22, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1152, HB 1491, HB 1357
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, February 22, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1551, HB 1647, HB 1190, HB 1672
Executive session may be held on any matter referred to the committee.
AMENDED

DOWNSIZING STATE GOVERNMENT
Thursday, February 23, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1608
Executive session will be held: HB 1094
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, February 22, 2012, 8:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
EXECUTIVE SESSION

FISCAL REVIEW
Thursday, February 23, 2012, 8:30 AM South Gallery.
Public hearing will be held: HCS HJR 61
Executive session will be held: HCS HJR 61
Executive session may be held on any matter referred to the committee.
Any and all bills referred to the committee

HEALTH CARE POLICY
Wednesday, February 22, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCR 25, HB 1337, HB 1407, HB 1529
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Wednesday, February 22, 2012, Upon Morning Adjournment House Hearing Room 7.
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, February 22, 2012, 5:30 PM 3234 West Truman Blvd., Jefferson City, MO.
Executive session may be held on any matter referred to the committee.
Dinner

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, March 1, 2012, 8:30 AM Senate Lounge.
Informational meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications.

JUDICIARY
Wednesday, February 22, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1636, HB 1615, HB 1560, HB 1208
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, February 22, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1307, HB 1494, HB 1573, HB 1562, HB 1552
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, February 22, 2012, 6:30 PM 2125 Missouri Blvd.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, February 22, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1649
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Thursday, February 23, 2012, Upon Morning Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES
Thursday, February 23, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HCR 32, HB 1634
Executive session may be held on any matter referred to the committee.
Division of Tourism will be presenting their annual report to the committee during the second hour of the meeting.

WAYS AND MEANS
Thursday, February 23, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1489, HB 1521, HB 1275
Executive session will be held: HB 1637
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

TWENTY-NINTH DAY, WEDNESDAY, FEBRUARY 22, 2012

HOUSE BILLS FOR SECOND READING

HB 1784 through HB 1796

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

1 HCS HBs 1298 & 1180, as amended - Parkinson
2 HCS HB 1308 - Wells
3 HB 1349 - Jones (117)
4 HCS HB 1442 - Smith (150)
5 HCS HB 1106 - Dugger
6 HCS HB 1193 - Frederick
7 HCS HB 1220 - Hubbard
8 HCS HB 1174 - Lair

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1131 - Fisher

HOUSE BILLS FOR PERFECTION - CONSENT

(2/17/2012)

1 HB 1037 - Dugger
2 HB 1114 - Weter
3 HB 1441 - Fisher

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61, (Fiscal Review 2/21/12) - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1186 & 1147 - Parkinson

HOUSE BILLS FOR THIRD READING - CONSENT

1 HCS HB 1059 - Dugger
2 HB 1107 - Dugger
3 HB 1112 - Gosen
4 HB 1128 - Largent
5 HB 1188 - Allen
6 HB 1347 - Franz
7 HCS HB 1457 - Crawford
8 HB 1517 - Nolte

HOUSE CONCURRENT RESOLUTIONS

1 HCR 12 - Davis
2 HCR 41 - Curtman

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

TWENTY-NINTH DAY, WEDNESDAY, FEBRUARY 22, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is just in all His ways, and kind in all His doings. (Psalm 145:17)

Almighty God, unto Whom all hearts are open, all desires known and from Whom no secrets are hid, cleanse our hearts as we at this moment wait upon You in prayer on this Ash Wednesday. And as we prepare ourselves for the period of Lent, give us grace to recognize the awakening of Your spirit within us and to listen to all You have to say to us. Let us not yield to the temptations of the world, but strong in You may we face our experiences with courage and faith.

In all sincerity do we pray for each other and for all those with whom we associate this day. In our minds may we think of our friends with love, our enemies with forgiveness, and our fellow people with abounding good will. Unto You do we commend ourselves and our state. Together may we walk in the way of Your commandments, speak Your word of love, and obey Your will to serve our people.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 776 through House Resolution No. 805

SECOND READING OF HOUSE BILLS

HB 1784 through **HB 1796** were read the second time.

HOUSE CONCURRENT RESOLUTIONS

HCR 12, relating to the designation of the Honor and Remember Flag, was taken up by Representative Davis.

On motion of Representative Davis, **HCR 12** was adopted.

HCR 41, relating to health care mandates, was taken up by Representative Curtman.

Representative Oxford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Concurrent Resolution No. 41, Page 3, Line 74, by inserting after the word "control," the word "and"; and

Further amend said resolution, Page 3, Line 75, by deleting the words "and abortifacients, such as the "morning after pill","; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 048

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Colona	Ellinger	Ellington	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Sater
Schupp	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber	Weter		

NOES: 108

Asbury	Bahr	Barnes	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Allen	Denison	Frederick	Jones 89	Riddle
Scharnhorst	Wright			

Representative Diehl assumed the Chair.

HCR 41 was laid over.

PERFECTION OF HOUSE BILL

HCS HB 1308, relating to security of moneys, was taken up by Representative Wells.

HCS HB 1308 was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

HOUSE CONCURRENT RESOLUTION

HCR 41, relating to health care mandates, was again taken up by Representative Curtman.

Representative Diehl resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt

Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 004

Harris	Quinn	Schieffer	Swinger

ABSENT WITH LEAVE: 005

Dieckhaus	Elmer	Frederick	Holsman	Mr Speaker

On motion of Representative Curtman, **HCR 41** was adopted by the following vote:

AYES: 114

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 045

Anders	Atkins	Aull	Brown 50	Carlson
Carter	Colona	Ellinger	Ellington	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 004

Dieckhaus	Elmer	Frederick	Mr Speaker

PERFECTION OF HOUSE BILL

HCS HB 1308, relating to securities of money, was again taken up by Representative Wells.

On motion of Representative Wells, **HCS HB 1308** was adopted.

On motion of Representative Wells, **HCS HB 1308** was ordered perfected and printed.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HB 1131, relating to withholding form information, was taken up by Representative Fisher.

On motion of Representative Fisher, **HB 1131** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HB 1059, relating to recount of votes, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1059** was read the third time and passed by the following vote:

AYES: 122

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Kander	Keeney	Kelley 126	Klippenstein	Koenig

Korman	Kratky	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 032

Anders	Carlson	Carter	Colona	Ellinger
Ellington	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kirkton	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Oxford	Pace	Pierson	Rizzo
Schupp	Smith 71	Spreng	Still	Talboy
Walton Gray	Webb			

PRESENT: 001

Kelly 24

ABSENT WITH LEAVE: 008

Brown 116	Dieckhaus	Frederick	Jones 117	Richardson
Scharnhorst	Schneider	Mr Speaker		

Representative Diehl declared the bill passed.

HB 1107, relating to a Missouri Fox Trotting highway, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1107** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky

Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 150	Solon	Sommer
Spreng	Still	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 012

Carter	Colona	Ellington	Hughes	Hummel
Jones 63	McCann Beatty	McNeil	Newman	Smith 71
Talboy	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Brown 116	Cierpiot	Dieckhaus	Flanigan
Frederick	Hough	Kelly 24	Lampe	Nolte
Schneider	Silvey	Stream	Mr Speaker	

Representative Diehl declared the bill passed.

HB 1112, relating to life insurance companies, was taken up by Representative Gosen.

On motion of Representative Gosen, **HB 1112** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May

McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 001

Hughes

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Brown 116	Day	Dieckhaus	Frederick
Jones 117	Pollock	Richardson	Schneider	Mr Speaker

Representative Diehl declared the bill passed.

HB 1128, relating to National Guard ribbons and awards, was taken up by Representative Largent.

On motion of Representative Largent, **HB 1128** was read the third time and passed by the following vote:

AYES: 157

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo

Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 116	Dieckhaus	Frederick	McNary	Schneider
Mr Speaker				

Representative Diehl declared the bill passed.

HB 1188, relating to administration of asthma medication, was taken up by Representative Allen.

On motion of Representative Allen, **HB 1188** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber

Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Brown 116	Cookson	Day	Dieckhaus
Frederick	May	McCreery	Nolte	Scharnhorst
Schneider	Mr Speaker			

Representative Diehl declared the bill passed.

HB 1347, relating to veterans preference in contracts, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1347** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford

Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Brown 116	Day	Dieckhaus	Frederick
Lampe	Scharnhorst	Mr Speaker		

Representative Diehl declared the bill passed.

HCS HB 1457, relating to county treasurer candidates, was taken up by Representative Crawford.

On motion of Representative Crawford, **HCS HB 1457** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 003

Hughes	Marshall	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 116	Day	Dieckhaus	Frederick	Jones 89
Lampe	Scharnhorst	Mr Speaker		

Representative Diehl declared the bill passed.

HB 1517, relating to military medallions and medals, was taken up by Representative Nolte.

On motion of Representative Nolte, **HB 1517** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 116	Day	Dieckhaus	Franklin	Franz
Frederick	Lampe	Molendorp	Scharnhorst	Wright
Mr Speaker				

Representative Diehl declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 1442, relating to vacancies in office, was taken up by Representative Smith (150).

Representative Smith (150) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1442, Page 4, Section 105.031, Lines 1 to 10, by removing all of said section from the bill and inserting in lieu thereof the following:

"**105.031. In the case of a vacancy for cause in the offices of senator of the United States from this state, lieutenant governor, attorney general, secretary of state, state auditor, or state treasurer, such vacancy shall be filled by a special election called by the governor at the same time as the general election when there is a general election scheduled before the expiration of the term of such offices as required by section 17, article IV, Constitution of Missouri, or Amendment XVII of the Constitution of the United States. If there is no general election scheduled prior to the expiration of the term of such offices, then the acting official appointed by the governor shall serve out the remainder of the full term in office. The candidate elected and qualified at a special election held on the general election day shall take office on January first immediately following such election, and shall relieve any acting official filling such vacancy of the duties of the office.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HCS HB 1442, as amended**, was adopted.

On motion of Representative Smith (150), **HCS HB 1442, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1442 - Fiscal Review
HB 1709 - Economic Development
HB 1710 - Economic Development

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HCS HB 1323**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1577**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1046**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1740**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Emerging Issues in Animal Agriculture, Chairman Wright reporting:

Mr. Speaker: Your Committee on Emerging Issues in Animal Agriculture, to which was referred **HB 1444**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1337**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1615**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1221**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1261**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1264**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1641**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1668**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1687**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 773**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 773 - Fiscal Review

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1797, introduced by Representative Johnson, relating to a funeral protest fee.

HB 1798, introduced by Representative Johnson, relating to a tax credit for construction of data centers.

HB 1799, introduced by Representative Colona, relating to custodial interrogations.

HB 1800, introduced by Representative Johnson, relating to a sales tax exemption for farm products sold at farmers' markets.

HB 1801, introduced by Representative Johnson, relating to advertising to attract international businesses to Missouri.

HB 1802, introduced by Representatives Swearingen, Silvey, Neth, Berry and Hummel, relating to sales taxes for public safety.

HB 1803, introduced by Representative Korman, relating to school social workers.

HB 1804, introduced by Representatives Molendorp, Talboy, Holsman, Berry, Brown (50), Rizzo, McDonald, McManus and McCann Beatty, relating to convention and tourism tax exemptions.

HB 1805, introduced by Representatives Brandom, Spreng, Fraker, Jones (63), Nasheed, Loehner, Zerr, Fisher, Shumake, Jones (89), Franklin, Berry, McGhee, Stream, Schneider, Entlicher, White, Allen, Kratky, Pierson, Tilley, Redmon, Houghton, Jones (117), Kelley (126), Conway (14), Johnson, Hough, Carter, Guernsey, Smith (150), Bernskoetter, Burlison, Lasater, Hodges, Nichols, Pace, Walton Gray, Lauer, Brown (116), Weter, Haefner, Meadows, Rizzo, Smith (71), Brown (50) and Silvey, relating to a tax credit for internship programs.

HB 1806, introduced by Representatives Scharnhorst and Jones (89), relating to the duties and liabilities of ski area operators and skiers.

HB 1807, introduced by Representatives Marshall, Higdon and Schieber, relating to the designation of a memorial highway.

HB 1808, introduced by Representatives Carter, Meadows, Fraker, Lasater, Fitzwater, Redmon, Dugger, Lant, Reiboldt, Berry and Jones (63), relating to the transportation of passengers by motor vehicle.

HB 1809, introduced by Representative Wyatt, relating to incorporation of building codes.

HB 1810, introduced by Representatives Jones (89) and Talboy, relating to restricting public contracts with entities that invest in the energy sector in Iran.

HB 1811, introduced by Representative Carter, relating to anatomical gifts.

HB 1812, introduced by Representative Webber, relating to county purchases.

HB 1813, introduced by Representative Sommer, relating to the designation of the official state historical dog of Missouri.

HB 1814, introduced by Representatives Scharnhorst, Koenig and Curtman, relating to lead abatement.

HB 1815, introduced by Representatives Pollock, Wells, Smith (150), Ruzicka, Crawford, Cookson, Sater, Dugger and Weter, relating to use of state park facilities.

HB 1816, introduced by Representative White, relating to health insurance providers.

HB 1817, introduced by Representative Cox, relating to the sentencing advisory commission.

HB 1818, introduced by Representative Schad, relating to residential property.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, February 23, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, February 28, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1660
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 29, 2012, 6:30 PM
Shooters Alley Indoor Range.

BUDGET
Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Recommendations from Appropriation Committees.
CANCELLED

DOWNSIZING STATE GOVERNMENT
Thursday, February 23, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1608
Executive session will be held: HB 1094
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, February 23, 2012, 8:30 AM South Gallery.
Public hearing will be held: HCS HJR 61
Executive session will be held: HCS HJR 61
Executive session may be held on any and all bills referred to the committee.

HEALTH INSURANCE
Thursday, February 23, 2012, Upon Morning Adjournment House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
CANCELLED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, March 1, 2012, 8:30 AM Senate Lounge.
Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications.

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, February 23, 2012, 9:30 AM House Hearing Room 6.
Executive session will be held: HB 1029, HCS HB 1030, HCS HB 1042, HCS HB 1072, HCS HBs 1098 & 1084, HCS HB 1108, HCS HB 1123, HCS HB 1139, HB 1191, HB 1236, HCS HBs 1258, 1259, & 1260, HCS HB 1300, HCS HB 1317, HB 1318, HCS HB 1324, HCS HB 1340, HB 1341, HB 1404, HB 1431, HCS HB 1495, HB 1513, HCS HB 1576, HCS HB 1731

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Thursday, February 23, 2012, Upon Morning Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, February 27, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1304, HB 1771, HB 1772, HB 1773, HB 1774, HB 1775, HB 1776, HB 1777
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES
Thursday, February 23, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HCR 32, HB 1634
Executive session may be held on any matter referred to the committee.
Division of Tourism will be presenting their annual report to the committee during the second hour of the meeting.

VETERANS
Tuesday, February 28, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1301, HB 1680, HB 1248, HCR 5
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, February 23, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1489, HB 1521, HB 1275
Executive session will be held: HB 1637
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTIETH DAY, THURSDAY, FEBRUARY 23, 2012

HOUSE BILLS FOR SECOND READING

HB 1797 through HB 1818

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

1 HCS HBs 1298 & 1180, as amended - Parkinson
2 HB 1349 - Jones (117)
3 HCS HB 1106 - Dugger
4 HCS HB 1193 - Frederick
5 HCS HB 1220 - Hubbard
6 HCS HB 1174 - Lair

HOUSE BILLS FOR PERFECTION - CONSENT

(2/17/2012)

1 HB 1037 - Dugger
2 HB 1114 - Weter
3 HB 1441 - Fisher

HOUSE JOINT RESOLUTIONS FOR THIRD READING

1 HCS HJR 61, (Fiscal Review 2/21/12) - Loehner
2 HCS HJR 41, (Fiscal Review 2/21/12) - Nasheed

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 2014 - Silvey

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1186 & 1147 - Parkinson
3 HCS HB 1308 - Wells
4 HCS HB 1442, (Fiscal Review 2/22/12) - Smith (150)

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HB 1131 - Fisher

SENATE BILLS FOR THIRD READING

SCS SB 773, (Fiscal Review 2/22/12), E.C. - Diehl

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTIETH DAY, THURSDAY, FEBRUARY 23, 2012

The House met pursuant to adjournment.

Representative Jones (89) in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

In God we live, and move, and have our being. (Acts 17:28)

Our God, Who is the source of light and life, and Whose glory is in all the world, without Whom no one can live - make us one with You as we move through the experiences of this day. By ourselves we are not adequate for our daily tasks, but with You we are made ready for every responsibility and equal to every experience. This day, help us to think, and to think clearly; help us to speak, and to speak wisely; help us to live, and to live faithfully. May we always do our very best and then leave the results with You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Helena Schmidt, Elijah Schmidt, Noah Schmidt, Joshua Schmidt, John Paul Schmidt and Benjamin Schmidt.

The Journal of the twenty-ninth day was approved as printed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus

McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Brattin	Dieckhaus	Hough	Hughes
Jones 117	Kander	Leara	Long	Molendorp
Richardson	Torpey	Zerr	Mr Speaker	

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 806 through House Resolution No. 833

HOUSE CONCURRENT RESOLUTION

Representative Franklin offered House Concurrent Resolution No. 43.

SECOND READING OF HOUSE BILLS

HB 1797 through **HB 1818** were read the second time.

Speaker Pro Tem Schoeller assumed the Chair.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 61**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1442**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 773**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 2014, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2014** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Dieckhaus	Diehl	Hughes	Kander
Schatz	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HCS HJR 41, relating to General Assembly term limits, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HCS HJR 41** was read the third time and passed by the following vote:

AYES: 098

Allen	Atkins	Aull	Bahr	Bernskoetter
Black	Brown 50	Carlson	Carter	Cierpiot
Colona	Cross	Curtman	Davis	Denison
Dugger	Ellinger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Jones 63	Jones 89	Keeney
Kelley 126	Kelly 24	Kirkton	Koenig	Kratky
Lair	Lampe	Lant	Largent	Leara
Lichtenegger	Loehner	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Pierson	Redmon	Reiboldt
Rizzo	Ruzicka	Sater	Schad	Scharnhorst
Schneider	Schupp	Silvey	Smith 71	Solon
Spreng	Stream	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber	Weter	Wieland
Wright	Wyatt	Zerr		

NOES: 055

Anders	Asbury	Barnes	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Conway 14	Conway 27	Cookson	Cox
Crawford	Elmer	Fallert	Frederick	Guernsey
Hampton	Harris	Johnson	Jones 117	Klippenstein
Korman	Lasater	Lauer	Leach	Long
Marshall	McManus	Meadows	Phillips	Pollock
Quinn	Richardson	Riddle	Rowland	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Sifton	Smith 150	Sommer	Still	Swinger
Thomson	Torpey	Wallingford	Wells	White

PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Dieckhaus	Diehl	Ellington	Franklin
Fuhr	Hughes	Kander	Nolte	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILLS

HCS HBs 1186 & 1147, relating to English only driver's examinations, was taken up by Representative Parkinson.

On motion of Representative Parkinson, **HCS HBs 1186 & 1147** was read the third time and passed by the following vote:

AYES: 093

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hodges	Hoskins	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Parkinson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Shively	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Wallingford	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 063

Anders	Atkins	Aull	Barnes	Berry
Black	Brown 50	Carlson	Carter	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Gosen	Harris	Holsman	Hough	Hubbard
Hughes	Hummel	Jones 63	Kelly 24	Kirkton
Klippenstein	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Rizzo	Sater	Schieber	Schupp
Shumake	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Torpey	Walton Gray
Webb	Webber	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 007

Cox	Dieckhaus	Flanigan	Franz	Kander
Nolte	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1308, relating to security of moneys, was taken up by Representative Wells.

On motion of Representative Wells, **HCS HB 1308** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Davis	Day	Denison	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 003

Curtman	Ellington	Hughes

PRESENT: 000

ABSENT WITH LEAVE: 009

Atkins	Bahr	Cox	Dieckhaus	Franklin
Kander	Nolte	Still	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1442, relating to vacancies in office, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1442** was read the third time and passed by the following vote:

AYES: 094

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 057

Atkins	Aull	Bahr	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	Lasater	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieber	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 012

Anders	Brown 50	Cox	Day	Dieckhaus
Funderburk	Guernsey	Kander	Leach	Redmon
Swinger	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HB 1131, relating to withholding form information, was taken up by Representative Fisher.

On motion of Representative Fisher, **HB 1131** was read the third time and passed by the following vote:

AYES: 146

Asbury	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 85
Brown 116	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Crawford	Cross	Davis	Denison
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Anders	Brandom	Brown 50	Cox
Curtman	Day	Dieckhaus	Ellinger	Flanigan
Funderburk	Kander	Leach	Nolte	Redmon
Swinger	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF SENATE BILL

SCS SB 773, relating to the 2012 state primary election, was taken up by Representative Diehl.

Representative Diehl moved that **SCS SB 773** be third read and finally passed.

The motion to third read and finally pass **SCS SB 773** was withdrawn.

MOTION

Representative Jones (89) moved that Rule 62 be suspended.

Which motion was adopted by the following vote:

AYES: 140

Asbury	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 85
Brown 116	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 001

Still

PRESENT: 006

Hughes	Kirkton	McCann Beatty	McNeil	Smith 71
Webber				

ABSENT WITH LEAVE: 016

Allen	Anders	Brandom	Brown 50	Cox
Day	Dieckhaus	Fisher	Flanigan	Holsman
Kander	Molendorp	Nolte	Redmon	Swinger
Mr Speaker				

THIRD READING OF SENATE BILL

SCS SB 773, relating to the 2012 state primary election, was taken up by Representative Diehl.

Representative Hummel offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 773, Page 2, Section 115.349, Line 40, by inserting after the phrase: "**April 24, 2012.**" on said line the following:

"**This subsection shall not apply to modify the filing deadlines for any primary elections held in political subdivisions or special districts.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Dugger offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 773, Page 2, Section 115.349, Line 39, by deleting the date, "**March 27, 2012**" and inserting in lieu thereof the date, "**March 19, 2012**"; and

Further amend said page and section, Line 40, by deleting the date, "**April 24, 2012**" and inserting in lieu thereof the date, "**March 30, 2012**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 2** was adopted.

Representative Conway (27) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 773, Section 115.345, Page 1, Lines 8 to 11, by deleting all of said subsection 3 and lines and inserting in lieu thereof the following:

"**3. Notwithstanding the provisions of subsection 2 of this section to the contrary, for the primary occurring on August 7, 2012, upon notification by the Secretary of State that Subsection 4 of section 115.349 has become effective, each election authority shall publish the notice and date by which candidates shall file as required under subsection 2 of this section and subsection 4 of section 115.349. The state shall reimburse each**

election authority for the cost of publishing such notice and the legislature shall appropriate funds for that purpose."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (27), **House Amendment No. 3** was adopted.

On motion of Representative Diehl, **SCS SB 773, as amended**, was read the third time and passed by the following vote:

AYES: 147

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 004

Kirkton	Pollock	Smith 71	Still

PRESENT: 000

ABSENT WITH LEAVE: 012

Anders	Brown 50	Cox	Day	Dieckhaus
Ellington	Kander	Meadows	Montecillo	Redmon
Swinger	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 150

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 002

Smith 71	Still

PRESENT: 000

ABSENT WITH LEAVE: 011

Anders	Brown 50	Cox	Day	Dieckhaus
Kander	Meadows	Nasheed	Redmon	Swinger
Mr Speaker				

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 78 - Special Standing Committee on Judicial Reform

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1065 - Small Business
HB 1068 - Tourism and Natural Resources
HB 1101 - Ways and Means
HB 1129 - Local Government
HB 1171 - Judiciary
HB 1265 - Veterans
HB 1276 - Elementary and Secondary Education
HB 1282 - Tourism and Natural Resources
HB 1299 - Local Government
HB 1310 - Ways and Means
HB 1350 - Professional Registration and Licensing
HB 1353 - Higher Education
HB 1362 - Children and Families
HB 1375 - Agriculture Policy
HB 1398 - Local Government
HB 1414 - Workforce Development and Workplace Safety
HB 1422 - Crime Prevention and Public Safety
HB 1424 - Crime Prevention and Public Safety
HB 1434 - Utilities
HB 1480 - Utilities
HB 1481 - Agriculture Policy
HB 1519 - Elementary and Secondary Education
HB 1535 - Ways and Means
HB 1536 - Tax Reform
HB 1537 - Transportation Funding and Public Institutions
HB 1545 - Health Care Policy
HB 1547 - Local Government
HB 1548 - Tourism and Natural Resources
HB 1565 - Children and Families
HB 1568 - Children and Families
HB 1572 - Elementary and Secondary Education
HB 1595 - Elementary and Secondary Education
HB 1596 - Elementary and Secondary Education
HB 1624 - Crime Prevention and Public Safety
HB 1625 - Crime Prevention and Public Safety
HB 1626 - Elementary and Secondary Education
HB 1650 - Elementary and Secondary Education
HB 1662 - Rural Community Development
HB 1681 - Crime Prevention and Public Safety
HB 1683 - General Laws
HB 1689 - General Laws
HB 1690 - General Laws
HB 1702 - Small Business

HB 1708 - Elementary and Secondary Education
HB 1718 - Elementary and Secondary Education
HB 1728 - Economic Development
HB 1738 - Special Standing Committee on Disability Services
HB 1749 - Transportation
HB 1751 - Utilities
HB 1789 - Elementary and Secondary Education
HB 1804 - Transportation Funding and Public Institutions

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1319, HB 1045, and HB 1369**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1342**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1549**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1096**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1325**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1373**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1492**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1331**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HJR 52**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1063**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1266**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1634**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1029**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1030**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1042**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1072**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1098 & 1084**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1108**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1123**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1139**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1191**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1236**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1258, 1259 & 1260**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1300**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1317**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1317**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1318**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1324**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1340**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1404**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Committee on Rules, Vice Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1431**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1495**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1513**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1576**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1731**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1037, HB 1114** and **HB 1441**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1819, introduced by Representative Jones (63), relating to alternative educational procedures for charter schools.

HB 1820, introduced by Representatives Asbury and Shively, to authorize the conveyance of property owned by the state to the state highways and transportation commission.

HB 1821, introduced by Representative Long, relating to appeal procedures for nonmerit employees.

HB 1822, introduced by Representatives Lampe, Silvey, Montecillo, Kirkton, McCann Beatty, Taylor, McNeil, Pierson, Newman, Spreng, Grisamore, Lair, Entlicher, Crawford, Hoskins, Black, Nichols, Ellinger, Leach, Morgan, Walton Gray, Smith (71), Harris, May, Anders, Pace, Atkins, Oxford, Nasheed, Jones (63), Kelly (24), Talboy, Webber, Hummel, Rizzo, Webb, Carter and Schoeller, relating to domestic violence orders of protection.

HB 1823, introduced by Representatives Brown (85), Entlicher, Wieland, White, Koenig, Brattin, Atkins, Kelley (126), McNary, Lichtenegger, Bahr, Leach, Kirkton and Redmon, relating to tax increment financing.

HB 1824, introduced by Representative Johnson, relating to the licensure of mobile food vendors.

HB 1825, introduced by Representatives Hinson, Leara, Fuhr, Brown (85) and Haefner, relating to patient transport.

HB 1826, introduced by Representatives Fitzwater, Redmon, Fraker, Lasater, Black, Bahr, Wyatt, Cross, Hampton, Riddle and Silvey, relating to videoconferencing of offenders.

HB 1827, introduced by Representatives Richardson, Jones (117), Sater, Webber, Jones (89), Talboy, Torpey, Ellinger and Diehl, relating to the Missouri electronic prior authorization committee.

HB 1828, introduced by Representative Franz, relating to unsecured loans of five hundred dollars or less.

HB 1829, introduced by Representatives McNeil, Lampe, Anders, McGeoghegan, Walton Gray, McCann Beatty and Spreng, relating to school district accreditation.

HB 1830, introduced by Representative Stream, relating to student transfers.

HB 1831, introduced by Representative Stream, relating to school discipline.

HB 1832, introduced by Representatives Brown (116), Pollock and Scharnhorst, relating to forms for concealed carry endorsements.

HB 1833, introduced by Representatives Brown (116), Pollock and Scharnhorst, relating to knives.

HB 1834, introduced by Representatives Funderburk, Bahr, Koenig, Davis, Shumake, Barnes, Webb, Lampe and Higdon, relating to extracurricular and interscholastic program participation.

HB 1835, introduced by Representatives Silvey, Diehl, Stream, Jones (89), Parkinson, Loehner, Hough, Cauthorn, Scharnhorst, Davis, Neth, McCaherty, Solon, Schatz, Long, Higdon, Allen, Haefner, Leach, Brown (85), Conway (14), Largent, Day, Brown (116), Hoskins, Funderburk, Curtman, Torpey, Jones (117), Elmer, Richardson, Molendorp, Berry, Cross, Gatschenberger, McGhee, Fitzwater, Bahr, Brattin and Flanigan, relating to health care costs of blind individuals.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 26**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for statewide elected officials.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 484, 477 & 606**, entitled:

An act to repeal sections 130.047, 407.1095, 407.1098, 407.1101, 407.1104, 407.1107, and 407.1110, RSMo, and to enact in lieu thereof nine new sections relating to telephone calls.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 701**, entitled:

An act to repeal section 142.932, RSMo, and to enact in lieu thereof one new section relating to operating a motor vehicle with dyed motor fuel, with penalty provisions in existing language.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 719**, entitled:

An act to repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary boating safety identification cards to nonresidents, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, February 27, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, February 28, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1660
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 29, 2012, 6:30 PM
Shooters Alley Indoor Range

CRIME PREVENTION AND PUBLIC SAFETY
Monday, February 27, 2012, 2:00 PM House Hearing Room 3.
Executive session will be held: HB 1190, HB 1647, HB 1672
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, February 28, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1592, HB 1723, HB 1130, HB 1069, HB 1623
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, February 28, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1692, HJR 39
Executive session will be held: HB 1060
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, February 28, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1509, HB 1546, HB 1711
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, February 28, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1257, HB 1587
Executive session will be held: HB 1722
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY
Monday, February 27, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1124, HB 1594
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, March 1, 2012, 8:30 AM Senate Lounge.
Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, February 27, 2012, 1:30 PM House Hearing Room 7.
Public hearing will be held: HB 1738
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, February 27, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1304, HB 1771, HB 1772, HB 1773, HB 1774, HB 1775, HB 1776, HB 1777
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, February 28, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1301, HB 1680, HB 1248, HCR 5
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, February 27, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: SS SCS SB 572, HB 1403
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-FIRST DAY, MONDAY, FEBRUARY 27, 2012

HOUSE BILLS FOR SECOND READING

HB 1819 through HB 1835

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 45 - Solon

HOUSE BILLS FOR PERFECTION

1 HCS HBs 1298 & 1180, as amended - Parkinson
2 HB 1349 - Jones (117)
3 HCS HB 1106 - Dugger
4 HCS HB 1193 - Frederick
5 HCS HB 1220 - Hubbard
6 HCS HB 1174 - Lair
7 HB 1513 - Franz
8 HCS HB 1731 - Day

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1037 - Dugger
2 HB 1114 - Weter
3 HB 1441 - Fisher

SENATE JOINT RESOLUTIONS FOR SECOND READING

SJR 26

SENATE BILLS FOR SECOND READING

1 SCS SBs 484, 477 & 606
2 SB 701
3 SS SCS SB 719

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-FIRST DAY, MONDAY, FEBRUARY 27, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

My help cometh from the Lord, who made heaven and earth. (Psalm 121:2)

Almighty God, Who has given us this good state for our heritage, we humbly pray that we may always be a people mindful of Your favor, eager to do Your will, and glad to be of service to our fellow citizens.

Save us from discord and discrimination, from pride and prejudice, from vindictiveness and violence, and lead us into the glorious liberty of those who put their trust in You, and who walk in the way of Your commandments.

Give us wisdom to know Your will and the strength to do it. Fill us all with the love of truth and righteousness and good will, that we may be a blessing to our state and in turn our state be a blessing to our nation.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the thirtieth day was approved as printed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCreery	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson

Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schieber	Schieffer	Schneider	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Barnes	Brattin	Diehl	Flanigan	Funderburk
Hinson	Houghton	Hughes	Kander	Kelley 126
Largent	Leara	McCann Beatty	McManus	Neth
Nolte	Schad	Schatz	Schoeller	Still
Swinger	Webb	Wells	Weter	

HOUSE RESOLUTION

Representative Leara offered House Resolution No. 882.

HOUSE COURTESY RESOLUTION OFFERED AND ISSUED

House Resolution No. 834 through House Resolution No. 881
House Resolution No. 883

SECOND READING OF HOUSE BILLS

HB 1819 through **HB 1835** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 26 was read the second time.

SECOND READING OF SENATE BILLS

SCS SBs 484, 477 & 606, SB 701 and **SS SCS SB 719** were read the second time.

Representative Schatz assumed the Chair.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 45, relating to a veterans lottery ticket, was taken up by Representative Solon.

On motion of Representative Solon, **HJR 45** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HB 1349, relating to irrevocable life insurance trusts, was taken up by Representative Jones (117).

Representative Jones (117) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1349, Page 1, Section 362.333, Line 5, by inserting an opening bracket, "**[**" in front of the word, "the" and by deleting the opening bracket, "**[**" from in front of the word, "Missouri"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1** was adopted.

On motion of Representative Jones (117), **HB 1349, as amended**, was ordered perfected and printed.

HCS HB 1106, relating to county collectors, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1106** was adopted.

On motion of Representative Dugger, **HCS HB 1106** was ordered perfected and printed.

HCS HB 1193, relating to the Prescription Drug Monitoring Program Act, was taken up by Representative Frederick.

HCS HB 1193 was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1737 - Transportation
HB 1795 - Tourism and Natural Resources
HB 1807 - Transportation

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1190**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
for
HOUSE CONCURRENT RESOLUTION NO. 32

WHEREAS, the Land and Water Conservation Fund (LWCF) was established by the United States Congress in 1965 to preserve, develop, and assure accessibility to quality outdoor recreation resources "to strengthen the health and vitality of the citizens of the United States"; and

WHEREAS, the LWCF is principally funded by revenue received from offshore energy extraction and is authorized to receive $900 million annually through the annual appropriations process; and

WHEREAS, the LWCF funds a federal land acquisition program and provides matching grants to states and localities for capital projects through the State Assistance program; and

WHEREAS, investments from the LWCF State Assistance program support the creation of public parks in rural and urban communities throughout America, protect green space and local water supplies, guarantee outdoor recreation opportunities, spur economic development, create jobs, and significantly aid national efforts to promote health, connect youth to nature and the outdoors, combat childhood obesity, and protect the environment; and

WHEREAS, in the original authorizing legislation, Congress recognized the important role of state and local parks in achieving its intended purpose by requiring the allocation of 60% of LWCF annual funding to the State Assistance program and 40% to the federal program; and

WHEREAS, the language protecting the State Assistance program was removed in the mid 1970s resulting in a disproportional amount (84%) of LWCF funding going to the federal side of the program over the past 25 years; and

WHEREAS, no language exists to protect the State Assistance funding allocations, and Congress appropriated a total of approximately $304 million to LWCF in FY 2009 but allocated only $19 million (6%) to the State Assistance program, and in FY 2010 appropriated a total of approximately $479 million to LWCF with a mere $40 million (8%) going to the State Assistance program; and

WHEREAS, Missouri received only $509,599 in FY 2009 and $699,429 in FY 2010 based on Missouri's portion (.017%) of the 16% that is currently allocated to the states; and

WHEREAS, the disproportional allocation of LWCF funding between the two programs has severely limited state and local governments in their capacity to develop parks and open spaces and protect green space and local water supplies in light of rapidly increasing populations; and

WHEREAS, LWCF provides one-time funding for state and local capital projects and state and local governments equally match the federal dollars, then assume all costs of management and maintenance; and

WHEREAS, the State of Missouri has approximately $7 million in unmet need for LWDF State Assistance projects; and

WHEREAS, requiring 40% of LWCF funds to be annually allocated to the State Assistance program would not increase the national debt, but would ensure a more balanced allocation of resources between federal land acquisition and state and local community conservation efforts, as intended by the authorizing legislation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby call on the United States Congress to implement legislation specifying an annual allocation of at least 40% of Land and Water Conservation Fund (LWCF) moneys to the State Assistance program; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama, the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS SCS SB 572**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1836, introduced by Representatives Shively and Asbury, to authorize the conveyance of property owned by the state to the state highways and transportation commission.

HB 1837, introduced by Representative Molendorp, relating to workplace safety.

COMMITTEE APPOINTMENT

February 27, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby appoint the following members to serve on the Special Standing Committee on Governmental Affairs:

Representative Vicki Schneider, Chairman
Representative Sandy Crawford, Vice Chair
Representative Mike McGhee
Representative Jeanie Lauer
Representative Gary Cross
Representative Tom Loehner
Representative Ray Weter
Representative Kathie Conway
Representative Jacob Hummel
Representative Michele Kratky
Representative Brandon Ellington
Representative Judy Morgan

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

The following members' presence was noted: Barnes, Diehl, Flanigan, Funderburk, Houghton, Kelley (126), Leara, McCann Beatty, McManus, Neth, Nolte, Schad, Schoeller, Still, Webb and Wells.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, February 28, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS
Tuesday, February 28, 2012, 8:00 AM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY
Tuesday, February 28, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1660
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 29, 2012, 6:30 PM
Shooters Alley Indoor Range.

CHILDREN AND FAMILIES
Wednesday, February 29, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1568, HB 1238, HB 1435
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, February 28, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1592, HB 1723, HB 1130, HB 1069, HB 1623
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, February 28, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1692, HJR 39
Executive session will be held: HB 1060
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, February 29, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1062, HB 1609, HB 1789, HB 1048
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, February 28, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HCR 37, HB 1498, HB 1644, HB 1679, HB 1317
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, February 29, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1490, HB 1545
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, February 28, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1509, HB 1546, HB 1711
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, February 28, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1257, HB 1587
Executive session will be held: HB 1722
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, March 1, 2012, 8:30 AM Senate Lounge.
Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications

JUDICIARY
Wednesday, February 29, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1171, HB 1588, HB 1758, HB 1377
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, February 29, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1249, HB 1701, HB 1398
Executive session may be held on any matter referred to the committee.
AMENDED

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, February 29, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1619, HB 1350
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Tuesday, February 28, 2012, 5:45 PM House Hearing Room 6.
Executive session will be held: HCS HB 1740
Executive session may be held on any or all bills referred to this committee.

TAX REFORM
Wednesday, February 29, 2012, 9:00 AM House Hearing Room 5.
Executive session will be held: HB 1569
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, February 28, 2012, Upon Morning Adjournment House Hearing Room 7.
Public hearing will be held: HB 1749
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, February 28, 2012, 5:00 PM House Hearing Room 5.
Public hearing will be held: HB 1804
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, February 28, 2012, Upon Morning Adjournment House Hearing Room 1.
Public hearing will be held: HB 1434, HB 1751
Executive session will be held: HB 1691
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, February 28, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1301, HB 1680, HB 1248, HCR 5
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SECOND DAY, TUESDAY, FEBRUARY 28, 2012

HOUSE BILLS FOR SECOND READING

HB 1836 and HB 1837

HOUSE BILLS FOR PERFECTION

1 HCS HBs 1298 & 1180, as amended - Parkinson
2 HCS HB 1193 - Frederick
3 HCS HB 1220 - Hubbard
4 HCS HB 1174 - Lair
5 HB 1513 - Franz
6 HCS HB 1731 - Day
7 HB 1029 - Flanigan
8 HCS HB 1030 - Flanigan
9 HCS HB 1042 - Thomson
10 HCS HB 1072 - Sater
11 HCS HB 1123 - Frederick
12 HCS HB 1139 - Gatschenberger
13 HB 1191 - Ruzicka
14 HCS HB 1300 - Franz
15 HB 1318 - Riddle
16 HCS HB 1324 - Loehner
17 HB 1431 - Hoskins
18 HCS HB 1495 - Nance

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/2012)

1 HCS HBs 1098 & 1084 - Shumake
2 HCS HB 1108 - Lauer
3 HB 1236 - Entlicher
4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
5 HCS HB 1340 - Dugger
6 HB 1404 - Reiboldt
7 HCS HB 1576 - Largent

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

HB 1277 - Long

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1037 - Dugger
2 HB 1114 - Weter
3 HB 1441 - Fisher

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-SECOND DAY, TUESDAY, FEBRUARY 28, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I remind you to rekindle the gift of God that is within you, for God did not give us the spirit of fear, but of power, and of love and of a sound mind. (II Timothy 1:6-7)

Our God, beyond Whose love and care we cannot drift, in the glory of a new day we come lifting our hearts unto You, praying that Your spirit may guide us, Your strength support us, and Your peace pervade our minds and hearts.

Within the noise and commotion of this day may we hear Your still small voice and responding find our weakness changed to strength, our fear to faith, and our ill will to good will.

We are disturbed by the dangers in our world, weighted down by many burdens, and tempted to be critical if not cynical, because of human error and human evil. Give us the spirit to carry on with courage and faith, believing that You are with us, and believing that together we can do what needs to be done.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jacque-Adam Smith, Jacque-Arthur Smith, Anwar Smith, Sebastian Smith, Aidan Smith and Hannah R. Barron.

The Journal of the thirty-first day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 884 through House Resolution No. 934

HOUSE CONCURRENT RESOLUTIONS

Representative Sommer, et al., offered House Concurrent Resolution No. 44.
Representatives Sommer and Nolte offered House Concurrent Resolution No. 45.

SECOND READING OF HOUSE BILLS

HB 1836 and **HB 1837** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1174, relating to school accreditation, was taken up by Representative Lair.

Representative Lair offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1174, Page 4, Section 162.081, Line 115, by inserting after all of said line the following:

"**8. No action of the state board of education pursuant to this section shall be construed to supersede the right of a student residing in an unaccredited school district, under section 167.131, to transfer to an accredited district in the same or an adjoining county and have his or her tuition paid by his or her school district of residence.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lair, **House Amendment No. 1** was adopted.

On motion of Representative Lair, **HCS HB 1174, as amended**, was adopted.

On motion of Representative Lair, **HCS HB 1174, as amended**, was ordered perfected and printed.

HCS HB 1731, relating to gaming and lottery moneys, was taken up by Representative Day.

Representative Day offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1731, Page 1, Section 313.321, Lines 8 & 9, by striking the following on said lines "**development, education and care fund created in section 161.215**" and inserting in lieu thereof the following "**education and development programs**"; and

Further amend said substitute, Page 3, Section 313.835, Line 22, by inserting a "**[**" immediately before the word "four"; and

Further amend said page, section, and line, by inserting the following after word "one-half" "**] five**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Day, **House Amendment No. 1** was adopted.

On motion of Representative Day, **HCS HB 1731, as amended**, was adopted.

On motion of Representative Day, **HCS HB 1731, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILL - CONSENT

HB 1441, relating to workers' compensation and unemployment benefits, was taken up by Representative Fisher.

On motion of Representative Fisher, **HB 1441** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Day	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Davis	Denison	Entlicher	Franklin
Hinson	Holsman	Hubbard	Hughes	Largent
May	Nasheed	Pierson	Shumake	Spreng
Weter				

Speaker Tilley declared the bill passed.

Representative Diehl assumed the Chair.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 45 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1504 - General Laws
HB 1579 - Veterans
HB 1584 - Transportation
HB 1747 - Crime Prevention and Public Safety
HB 1761 - Crime Prevention and Public Safety
HB 1762 - Crime Prevention and Public Safety
HB 1763 - Crime Prevention and Public Safety
HB 1769 - Professional Registration and Licensing

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1363**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1364**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1060**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1692**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1144**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1484**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1574 and HB 1097**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1680**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1436**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1518 and HB 1522**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1651**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1652**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1341**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1524**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1524**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1838, introduced by Representatives Jones (117) and Houghton, relating to compensatory leave for nonexempt state employees.

HB 1839, introduced by Representatives Jones (117), Schupp and Kirkton, relating to temporary license plates.

HB 1840, introduced by Representative Jones (117), relating to midwifery.

HB 1841, introduced by Representatives Jones (117), Webber and Richardson, relating to pyramid sales schemes.

HB 1842, introduced by Representatives Lant, Schad, Leara, Riddle, Tilley, Talboy, Jones (89), Reiboldt, Lair, Grisamore, Stream, Davis, Fisher, Scharnhorst, Korman, Kelly (24), Richardson, Barnes, Gatschenberger, Fuhr, Funderburk, Zerr, Dugger, Thomson, Ruzicka, Smith (150), Brown (85), Franklin, Burlison, Brown (50), Berry and Jones (63), relating to the joint committee on child abuse and neglect.

HB 1843, introduced by Representatives Morgan, Walton Gray, McGeoghegan, Smith (71), McCann Beatty, Still, Ellington, Newman, McNeil, Harris, Talboy, Oxford, Schupp, Taylor, Ellinger and Rizzo, relating to school attendance.

HB 1844, introduced by Representatives Reiboldt, Cauthorn, White, Schatz, Lant and Davis, relating to certain disclosures on credit card processing service contracts.

HB 1845, introduced by Representatives Reiboldt, Lant, White, Wieland, Cauthorn, Schatz, Brattin and Davis, relating to fees for garnishments.

HB 1846, introduced by Representatives Long and Ellinger, relating to referrals for MO HealthNet home- and community-based care.

HB 1847, introduced by Representatives Jones (117) and Richardson, relating to long-term care facilities.

HB 1848, introduced by Representative Webb, relating to court of appeals.

HB 1849, introduced by Representative McGhee, relating to health control for multifamily rental dwelling units.

The following members' presence was noted: Barnes, Davis, Denison, Franklin, Holsman, Hubbard, Largent, May, Nasheed, Pierson, Shumake, Spreng and Weter.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, February 29, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES
Wednesday, February 29, 2012, 6:30 PM
Shooters Alley Indoor Range.

BUDGET
Monday, March 5, 2012, 10:00 AM House Hearing Room 3.
Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013
Executive session may be held on any matter referred to the committee.
Review of House Committee Substitutes for House Bills 2001 through 2013.

CHILDREN AND FAMILIES
Wednesday, February 29, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1568, HB 1238, HB 1435
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, February 29, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1515, HB 1424, HB 1422
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, March 1, 2012, 9:00 AM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, February 29, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1062, HB 1609, HB 1789, HB 1048
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, March 1, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any and all bills referred to the committee.

HEALTH CARE POLICY
Wednesday, February 29, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1490, HB 1545
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION
Thursday, March 1, 2012, Upon Morning Adjournment North Gallery.
Executive session will be held: HB 1449
Executive session may be held on any matter referred to the committee.
CORRECTED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, March 1, 2012, 8:30 AM Senate Lounge.
Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications

JUDICIARY
Wednesday, February 29, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1171, HB 1588, HB 1758, HB 1377
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, February 29, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1249, HB 1701, HB 1398
Executive session may be held on any matter referred to the committee.
AMENDED

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, February 29, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1619, HB 1350
Executive session may be held on any matter referred to the committee.

SMALL BUSINESS
Wednesday, February 29, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1065, HB 1146
Executive session will be held: HB 1661, HB 1214, HB 1134
Executive session may be held on any matter referred to the committee.

TAX REFORM
Wednesday, February 29, 2012, 9:00 AM House Hearing Room 5.
Executive session will be held: HB 1569
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Thursday, March 1, 2012, Upon Morning Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, March 1, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1535, HB 1310, HB 1101,
Executive session will be held: HB 1275
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-THIRD DAY, WEDNESDAY, FEBRUARY 29, 2012

HOUSE BILLS FOR SECOND READING

HB 1838 through HB 1849

HOUSE BILLS FOR PERFECTION

1 HCS HBs 1298 & 1180, as amended - Parkinson
2 HCS HB 1193 - Frederick
3 HCS HB 1220 - Hubbard
4 HB 1513 - Franz
5 HB 1029 - Flanigan
6 HCS HB 1030 - Flanigan
7 HCS HB 1042 - Thomson
8 HCS HB 1072 - Sater
9 HCS HB 1123 - Frederick
10 HCS HB 1139 - Gatschenberger
11 HB 1191 - Ruzicka
12 HCS HB 1300 - Franz
13 HB 1318 - Riddle
14 HCS HB 1324 - Loehner
15 HB 1431 - Hoskins
16 HCS HB 1495 - Nance

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/2012)

1 HCS HBs 1098 & 1084 - Shumake
2 HCS HB 1108 - Lauer
3 HB 1236 - Entlicher
4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
5 HCS HB 1340 - Dugger
6 HB 1404 - Reiboldt
7 HCS HB 1576 - Largent

HOUSE JOINT RESOLUTIONS FOR THIRD READING

1 HCS HJR 61 - Loehner
2 HJR 45, (Fiscal Review 2/28/12) - Solon

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HB 1349 - Jones (117)
3 HCS HB 1106 - Dugger

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1037 - Dugger
2 HB 1114 - Weter

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-THIRD DAY, WEDNESDAY, FEBRUARY 29, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Rest in the Lord and wait patiently for Him; fret not thyself. (Psalm 37:7)

Eternal God, Who has made us for Yourself so that our hearts are restless until they find rest in You, we pause in silence before You as we begin our duties on this leap year day. We would quiet our spirits in Your presence and find rest in the support of Your sustaining strength.

Forgive our folly and our excuses, our coldness to human suffering, our indifference to those treasures of the spirit which are light and life, and our neglect of Your wise and gracious laws. So change our minds and turn our thoughts to You that we may walk in the way of Your commandments and with courage serve our state, with compassion help our citizens, and with confidence keep our lives committed to You.

Finally, watch over and bless all who were harmed last evening by severe storms in Southern Missouri. Spare and save us from all harmful weather in the future.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-second day was approved as printed.

SECOND READING OF HOUSE BILLS

HB 1838 through **HB 1849** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1318, relating to mental health facility employees, was taken up by Representative Riddle.

On motion of Representative Riddle, **HB 1318** was ordered perfected and printed.

Representative Diehl assumed the Chair.

HCS HB 1139, relating to the 2012 Missouri State Employee Incentive Program, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HCS HB 1139** was adopted.

On motion of Representative Gatschenberger, **HCS HB 1139** was ordered perfected and printed.

HCS HBs 1298 & 1180, as amended, relating to tort actions for damages, was taken up by Representative Parkinson.

On motion of Representative Parkinson, **HCS HBs 1298 & 1180, as amended**, was adopted.

On motion of Representative Parkinson, **HCS HBs 1298 & 1180, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Diehl.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 935 through House Resolution No. 948

PERFECTION OF HOUSE BILLS

HCS HB 1030, relating to collection of state money, was taken up by Representative Flanigan.

Representative Nolte offered **House Amendment No. 1**.

House Amendment No. 1 was withdrawn.

Representative Kelly (24) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1030, Page 2, Section 32.058, Line 4, by deleting the words, "**on any assessed delinquency or underpayment**" and inserting in lieu thereof the words, "**of deficiency or assessment**"; and

Further amend said bill, Page 5, Section 32.087, Line 127, by inserting after all of said section the following:

"**32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144,**

147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section."; and

Further amend said bill, Page 17, Section 144.190, Line 77, by deleting the words, "**August 28, 2013**" and inserting in lieu thereof the words, "**September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 2** was adopted.

Representative Nance offered **House Amendment No. 3**.

Representative Leara raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Flanigan, **HCS HB 1030, as amended**, was adopted.

On motion of Representative Flanigan, **HCS HB 1030, as amended**, was ordered perfected and printed by the following vote:

AYES: 145

Allen	Anders	Asbury	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner

Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 004

Atkins	Guernsey	Hughes	Smith 71	

PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Brown 50	Carter	Colona	Crawford
Fitzwater	Funderburk	Holsman	Korman	McGhee
Phillips	Schoeller	Still	Webb	

HCS HB 1072, relating to the Volunteer Health Services Act, was taken up by Representative Sater.

Representative Sater offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1072, Page 2, Section 191.1106, Line 7, by deleting the word "**officer's**" and insert in lieu thereof the word "**officers**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 1** was adopted.

On motion of Representative Sater, **HCS HB 1072, as amended**, was adopted.

On motion of Representative Sater, **HCS HB 1072, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1318 - Fiscal Review
HB 1066 - Workforce Development and Workplace Safety
HB 1082 - Professional Registration and Licensing
HB 1095 - General Laws
HB 1102 - Children and Families
HB 1118 - Crime Prevention and Public Safety
HB 1202 - Judiciary
HB 1233 - Children and Families
HB 1306 - Small Business
HB 1355 - Professional Registration and Licensing
HB 1358 - Local Government
HB 1406 - Insurance Policy
HB 1415 - Elections
HB 1423 - Crime Prevention and Public Safety
HB 1446 - Ways and Means
HB 1454 - Transportation Funding and Public Institutions
HB 1456 - Corrections
HB 1470 - Children and Families
HB 1559 - Children and Families
HB 1563 - Professional Registration and Licensing
HB 1564 - Crime Prevention and Public Safety
HB 1590 - Local Government
HB 1598 - Crime Prevention and Public Safety
HB 1602 - Special Standing Committee on Renewable Energy
HB 1607 - Children and Families
HB 1627 - Judiciary
HB 1639 - International Trade and Job Creation
HB 1642 - Corrections
HB 1656 - Crime Prevention and Public Safety
HB 1674 - Small Business
HB 1676 - Local Government
HB 1699 - Crime Prevention and Public Safety
HB 1707 - General Laws
HB 1717 - Ways and Means
HB 1725 - Agriculture Policy
HB 1733 - Agriculture Policy
HB 1741 - Retirement
HB 1742 - General Laws
HB 1743 - Crime Prevention and Public Safety
HB 1744 - Tourism and Natural Resources
HB 1750 - Crime Prevention and Public Safety

HB 1752 - Tourism and Natural Resources
HB 1753 - Agriculture Policy
HB 1767 - Crime Prevention and Public Safety
HB 1768 - Utilities
HB 1778 - Tourism and Natural Resources
HB 1780 - Local Government
HB 1782 - Transportation
HB 1817 - Judiciary
HB 1827 - Health Insurance
HB 1847 - Health Care Policy

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1455**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1048**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was returned **HB 1317**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1475**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1541**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1545**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1636**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 1134**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 1214**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 83, introduced by Representatives Kelley (126), Schad, Haefner, Brattin, Gatschenberger, Houghton, Guernsey, Funderburk, Cox, Fisher, Lair, McNary, Stream, Thomson, Day, Hoskins, Entlicher, White, Davis, Weter, Keeney, Rowland, Jones (89), Franz, Diehl, Hummel, Harris, Pace, Webb, Fallert, Casey, Nichols, Brown (85), Long, Redmon, Parkinson, Frederick, Johnson, Richardson, Hampton, Bernskoetter, Conway (14), Reiboldt, Solon, Wieland, Gosen, Lant, Pierson, Burlison, Bahr, Black, Fitzwater, Smith (150), Schoeller, Brown (116), Higdon, Wright, Nance, Riddle, Elmer, Lasater, Largent, Molendorp, McCreery, Brown (50), McGhee, McCann Beatty, McNeil, Lampe, Still, Zerr, Berry, Jones (63), May, Hubbard, Colona, Quinn, Shively, Hodges, Smith (71), Loehner, Grisamore, Dieckhaus, Silvey, Klippenstein, Flanigan, Nolte, Asbury, Schatz, Schieffer, Hughes, Anders, Ellinger, Cross, Sater, Wallingford, McGeoghegan, Schieber, Leach, McCaherty, Sommer, Allen, Lauer, Cookson, Nasheed, Holsman, Torpey, Rizzo, Montecillo, Fraker, Morgan, Brandom and Tilley, relating to laws retrospective in operation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1850, introduced by Representatives Wyatt, Berry, McNeil, Kirkton and Oxford, relating to the Missouri energy efficiency performance standard.

HB 1851, introduced by Representative Jones (117), relating to qualifications for sheriffs.

HB 1852, introduced by Representatives Brandom, Lichtenegger, Korman and Elmer, relating to the board for architects, professional engineers, professional land surveyors and landscape architects.

HB 1853, introduced by Representatives Newman, Jones (63), McCreery, Nichols, Walton Gray, Oxford, Pace, Morgan and Spreng, relating to prohibiting vasectomies.

HB 1854, introduced by Representative Grisamore, relating to the brain injury fund.

HB 1855, introduced by Representatives Wallingford, Thomson, Lichtenegger, Richardson, Molendorp, Schupp, Cookson, Hoskins, Morgan, Korman, Brandom, Aull, Cauthorn, Wright, Smith (150), Entlicher, Curtman, Brown (50), Meadows, Fraker, Pierson, Sommer, McGeoghegan, Conway (14), Lauer, Scharnhorst, Taylor, Walton Gray, Pace, Hodges, McNeil, Johnson, Long, Dieckhaus, Casey and Still, relating to science, technology, engineering, and mathematics education.

HB 1856, introduced by Representatives Hampton, Richardson, Wright, Keeney, Lichtenegger and Fitzwater, relating to county prosecutors.

HB 1857, introduced by Representatives Leara, Carter, Colona, Hummel, Montecillo, Atkins, Meadows and Hinson, relating to the firemen's retirement system of St. Louis.

HB 1858, introduced by Representatives Cox, Riddle, Cross, Hough and Bernskoetter, relating to beer wholesalers.

HB 1859, introduced by Representatives Barnes and Kelly (24), relating to conduit bond offerings by political subdivisions.

HB 1860, introduced by Representative Guernsey, relating to the crime of agricultural production facility fraud.

HB 1861, introduced by Representatives Nolte, Fisher, Lasater, Nance, Cross, White and Neth, relating to the taxation of business income.

HB 1862, introduced by Representative Newman, relating to pay equity.

HB 1863, introduced by Representative Aull, relating to the designation of the state historical dog.

HB 1864, introduced by Representatives Johnson, Higdon and Conway (27), relating to a Pony Express special license plate.

HB 1865, introduced by Representatives Barnes and Solon, relating solely to due diligence given in consideration of economic development incentives.

HB 1866, introduced by Representative Largent, relating to sales taxes on motor vehicles.

HB 1867, introduced by Representatives Denison, Pollock, Wells, Schieffer, Meadows, Fallert, McDonald, Hodges, Jones (63), Franz and Lant, relating to bail bonds.

HB 1868, introduced by Representative Cauthorn, relating to the designation of a highway.

HB 1869, introduced by Representatives Dugger and Diehl, relating to initiative and referendum petitions.

COMMUNICATION

February 29, 2012

Mr. D. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306-C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Chapters 105.452 to 105.461, RSMo, this letter is an official disclosure that my husband is a member of the Missouri State Highway Patrol (MSHP); and that some of the legislation and amendments that I will be voting on could have a direct impact on our family, in the same manner in which other similarly situated members of the MSHP are affected.

In order to comply with Chapters 105.452 to 105.461, RSMo, please publish this report in the Journal of the House.

Sincerely,

/s/ Shelley Keeney
State Representative
District 156

The following members' presence was noted: Bernskoetter, Carter, Colona, Crawford, Fitzwater, Funderburk, Holsman, Korman, Phillips, Schoeller, Still and Webb.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 1, 2012.

COMMITTEE MEETINGS

BUDGET
Monday, March 5, 2012, 10:00 AM House Hearing Room 3.
Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013
Executive session may be held on any matter referred to the committee.
Review of House Committee Substitutes for House Bills 2001 through 2013.

CRIME PREVENTION AND PUBLIC SAFETY
Monday, March 5, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1747, HB 1516
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, March 1, 2012, 9:00 AM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, March 1, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any and all bills referred to the committee

GENERAL LAWS
Thursday, March 1, 2012, Upon Morning Adjournment House Hearing Room 1.
Public hearing will be held: HB 1504
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION
Thursday, March 1, 2012, Upon Morning Adjournment North Gallery.
Executive session will be held: HB 1449
Executive session may be held on any matter referred to the committee.
CORRECTED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, March 1, 2012, 8:30 AM Senate Lounge.
Informational Meeting - Discussion and presentation by city of St. Louis officials and International Association of Fire Fighter's Local 73 Union officials relative to St. Louis Firemen's Retirement System proposed modifications

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, March 1, 2012, 9:30 AM House Hearing Room 7.
Executive session will be held: HR 89, HCR 22, HCS HCR 32, HCS HJR 47, HJR 52, HB 1073, HB 1051, HB 1096, HB 1165, HCS HB 1169, HB 1190, HB 1231, HB 1266, HB 1296, HB 1331, HB 1325, HB 1337, HCS HB 1342, HCS HB 1373, HB 1466, HB 1492, HCS HB 1525, HCS HB 1549, HB 1577, HB 1634, HCS HBs 1659 & 1116, HB 1668, HB 1641
Executive session may be held on any or all bills referred to this committee.

TRANSPORTATION
Thursday, March 1, 2012, Upon Morning Adjournment South Gallery.
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, March 1, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HB 1535, HB 1310, HB 1101
Executive session will be held: HB 1275
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-FOURTH DAY, THURSDAY, MARCH 1, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 83

HOUSE BILLS FOR SECOND READING

HB 1850 through HB 1869

HOUSE BILLS FOR PERFECTION

1 HCS HB 1193 - Frederick
2 HCS HB 1220 - Hubbard
3 HB 1513 - Franz
4 HB 1029 - Flanigan
5 HCS HB 1042 - Thomson
6 HCS HB 1123 - Frederick
7 HB 1191 - Ruzicka
8 HCS HB 1300 - Franz
9 HCS HB 1324 - Loehner
10 HB 1431 - Hoskins
11 HCS HB 1495 - Nance
12 HCS HB 1198 - Fisher

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/2012)

1 HCS HBs 1098 & 1084 - Shumake
2 HCS HB 1108 - Lauer
3 HB 1236 - Entlicher
4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
5 HCS HB 1340 - Dugger
6 HB 1404 - Reiboldt
7 HCS HB 1576 - Largent

HOUSE JOINT RESOLUTIONS FOR THIRD READING

1 HCS HJR 61 - Loehner
2 HJR 45, (Fiscal Review 2/28/12) - Solon

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HB 1349 - Jones (117)
3 HCS HB 1106 - Dugger
4 HCS HB 1174, E.C. - Lair
5 HCS HB 1731 - Day
6 HB 1318, (Fiscal Review 2/29/12) - Riddle
7 HCS HB 1139 - Gatschenberger
8 HCS HBs 1298 & 1180 - Parkinson
9 HCS HB 1030, E.C. - Flanigan
10 HCS HB 1072 - Sater

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1037 - Dugger
2 HB 1114 - Weter

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-FOURTH DAY, THURSDAY, MARCH 1, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Peace I leave with you, My peace I give unto you: not as the world giveth, give I unto you. Let not your heart be troubled, neither let it be afraid. (John 14:27)

Eternal God, our refuge and strength in every generation and Whose creative spirit does ever call us to new frontiers of thought and action, we bow before You this moment as we enter another day and month together. With Your wisdom we would be made wise, by Your strength we would be made strong, inspired by Your spirit we would be made ready for our responsibilities.

May no danger overwhelm us, no difficulty overcome us, no discouragement overburden us, no duty overtax us, but may we now and ever keep our faith in You and in the leading of Your wise and gracious spirit.

Bless our state and all the States of America - together may we seek peace, patiently pursue it and persevere in our pursuit until peace reigns in the hearts of all and in the heart of our world.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Matthew Breite, Leah Grace McCaherty and Jonathan Elijah McCaherty.

The Journal of the thirty-third day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 949 through House Resolution No. 954

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 83 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1850 through **HB 1869** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 45**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1318**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 45, relating to a veterans lottery ticket, was taken up by Representative Solon.

On motion of Representative Solon, **HJR 45** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Pace	Parkinson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 014

Carlson	Ellinger	Ellington	Hummel	Kirkton
May	McCreery	McGhee	Montecillo	Morgan
Newman	Oxford	Pierson	Schupp	

PRESENT: 000

ABSENT WITH LEAVE: 012

Asbury	Brattin	Brown 50	Franklin	Hughes
Jones 117	Kander	Lasater	Lichtenegger	Phillips
Sater	Scharnhorst			

Speaker Tilley declared the bill passed.

THIRD READING OF HOUSE BILLS

HB 1318, relating to mental health facility employees, was taken up by Representative Riddle.

On motion of Representative Riddle, **HB 1318** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brattin	Brown 50	Franklin	Gatschenberger	Higdon
Holsman	Jones 117	Kander	Lasater	Lichtenegger
McGhee	Phillips	Sater	Scharnhorst	

Speaker Tilley declared the bill passed.

HCS HB 1731, relating to gaming and lottery moneys, was taken up by Representative Day.

On motion of Representative Day, **HCS HB 1731** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Hoskins	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Carter	Franklin	Higdon	Holsman
Hough	Jones 117	Kander	Lasater	Lichtenegger
Phillips	Sater	Scharnhorst	Webb	

Speaker Tilley declared the bill passed.

HCS HB 1030, relating to collection of state money, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HCS HB 1030** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Carter	Day	Franklin	Higdon
Hough	Hughes	Jones 117	Kander	Lasater
Lichtenegger	McNary	Neth	Phillips	Sater
Scharnhorst	Webb			

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 002

Hughes	Marshall

PRESENT: 000

ABSENT WITH LEAVE: 019

Brattin	Brown 50	Carter	Day	Franklin
Higdon	Hough	Jones 117	Kander	Lasater
Lichtenegger	May	McNary	Phillips	Sater
Scharnhorst	Sifton	Webb	White	

HCS HB 1139, relating to the 2012 Missouri State Employee Incentive Program, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HCS HB 1139** was read the third time and passed by the following vote:

AYES: 110

Allen	Asbury	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Nolte	Parkinson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Still	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 038

Anders	Aull	Carlson	Casey	Colona
Ellinger	Ellington	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kirkton	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Sifton	Smith 71	Spreng	Swearingen	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 001

Conway 27

ABSENT WITH LEAVE: 014

Brattin	Brown 50	Carter	Day	Franklin
Higdon	Jones 117	Kander	Lasater	Lichtenegger
Phillips	Sater	Scharnhorst	Webb	

Speaker Tilley declared the bill passed.

HCS HB 1106, relating to county collectors, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1106** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 003

Hughes	Marshall	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Carter	Colona	Day	Elmer
Franklin	Funderburk	Higdon	Jones 63	Jones 117
Kander	Lasater	Lichtenegger	May	McNeil
Phillips	Sater	Scharnhorst	Webb	

Speaker Tilley declared the bill passed.

HCS HB 1174, relating to school accreditation, was taken up by Representative Lair.

On motion of Representative Lair, **HCS HB 1174** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Jones 63	Jones 89	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Brown 50	Carter	Day	Franklin
Higdon	Johnson	Jones 117	Kander	Lasater
Lichtenegger	Phillips	Sater	Scharnhorst	Webb

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Pierson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Carter	Franklin	Higdon	Jones 117
Kander	Kelly 24	Lasater	Lichtenegger	Molendorp
Phillips	Redmon	Rowland	Sater	Scharnhorst
Webb				

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1393 - Financial Institutions
HB 1671 - Local Government
HB 1693 - Economic Development
HB 1794 - Special Standing Committee on Disability Services
HB 1803 - Professional Registration and Licensing

HB 1805 - Economic Development
HB 1810 - General Laws
HB 1820 - Local Government
HB 1841 - Small Business
HB 1848 - Special Standing Committee on Judicial Reform
HB 1852 - Professional Registration and Licensing
HB 1855 - Higher Education
HB 1859 - Special Standing Committee on Government Oversight and Accountability
HB 1862 - Crime Prevention and Public Safety
HB 1864 - Transportation
HB 1865 - Special Standing Committee on Government Oversight and Accountability
HB 1868 - Transportation
HB 1869 - Elections

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1862 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 37**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 37

WHEREAS, the United States relies - and will continue to rely for many years - on gasoline, diesel, and jet fuel, as well as renewable and alternative sources of energy; and

WHEREAS, in order to fuel our economy, the United States will need more oil and natural gas while also requiring additional alternative energy sources; and

WHEREAS, the United States currently depends on foreign imports for more than half of its petroleum usage and is the largest consumer of petroleum in the world. United States dependence on overseas oil has created difficult geopolitical relationships with potentially damaging consequences for our national security; and

WHEREAS, oil deposits in the Bakken Reserves of Montana, North Dakota, and South Dakota are an increasingly important crude oil resource, with an estimated 11 billion barrels of recoverable crude oil. There is not enough pipeline capacity for crude oil supplies from Montana, North Dakota, South Dakota, Oklahoma, and Texas to American refineries; and

WHEREAS, Canadian oil reserves contain an estimated 173 billion barrels of recoverable oil. Canada is the single largest supplier of oil to the United States at 2.62 million barrels per day and has the capacity to significantly increase that rate; and

WHEREAS, the original Keystone Pipeline which spans across the northern part of Missouri supplies over 435,000 barrels of North American crude oil to American refineries in the Midwest. The Keystone XL Pipeline will,

when completed, carry 700,000 barrels of North American crude oil to American refineries in the Gulf Coast region; and

WHEREAS, construction of pipelines linking North American energy to the United States will create hundreds of thousands of jobs nationwide, including tens of thousands in construction and manufacturing, creating billions in economic growth and generating millions of dollars worth of government receipts; and

WHEREAS, a recent study by the United States Department of Energy found that increasing delivery of crude oil from Montana, North Dakota, South Dakota, and Alberta, Canada, as well as Texas and Oklahoma to American refineries has the potential to substantially reduce our country's dependency on sources outside of North America; and

WHEREAS, Canada sends more than 99% of its oil exports to the United States, the bulk of which goes to Midwestern refineries. Oil companies are investing huge sums to expand and upgrade refineries in the Midwest and elsewhere to make gasoline and other refined products from Canadian oil derived from oil sands. The expansion and upgrade projects have and will create many new construction jobs over the next five years and will add to the gross product of Missouri; and

WHEREAS, 99% of the money used to buy Canadian oil will likely later be spent directly on United States goods and services, in contrast with increasing the trade relationship with unstable regions. Supporting the continued shift towards reliable and secure sources of North American oil is of vital interest to the United States and the State of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly:

(1) Support continued and increased development and delivery of oil derived from North American oil reserves to American refineries;

(2) Urge the United States Congress to support continued and increased development and delivery of oil from Canada to the United States; and

(3) Urge the United States Congress to enact legislation deeming the Keystone XL Pipeline to be in the national interest of the United States; and

(4) Urge the United States Secretary of State to approve the Keystone XL pipeline project to ensure America's oil independence, improve our national security, reduce the cost of gasoline, create new jobs, and strengthen ties between the United States and Canada; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President Pro Tem of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1111**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1326**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1395**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1498**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1504**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1621**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1644**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1722**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 1449**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1527**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tax Reform, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HB 1569**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1150**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1402**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute** and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1275**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1637**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 89**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 22**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 32**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 52**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1051**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1073**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1096**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1165**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1169**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1190**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1212**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1231**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1266**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1296**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1317**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1325**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin.**

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1331**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1337**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1361**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1373**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1400**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1462**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1462**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1466**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1492**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1525**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1549**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1577**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1634**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1641**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1659 & 1116**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1668**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 572**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1870, introduced by Representative Entlicher, relating to voting methods.

HB 1871, introduced by Representative Rizzo, relating to tax credits.

HB 1872, introduced by Representative Funderburk, relating to sales tax exemptions for various industries and political subdivisions.

HB 1873, introduced by Representatives Berry, Long, Wallingford, Solon, Reiboldt, Lant, Leach, Rizzo, Franz, Conway (14) and Brown (85), relating to state legal expense funds.

HB 1874, introduced by Representative Long, relating to taxes for transportation purposes.

HB 1875, introduced by Representatives Nance, Gosen, McGhee, Berry and Wieland, relating to vehicles purchased by insurers through the claims adjustment process.

HB 1876, introduced by Representatives Long, Lampe, Rowland, Burlison, Neth, Wallingford, Dieckhaus, Leach, Weter, Fraker, Redmon, Cross, Cookson, Aull, Morgan, Taylor, Ellington, Bahr, McGeoghegan, Oxford, Schieffer, Carter, Hughes, Holsman, Talboy, Jones (63), Nasheed and Riddle, relating to the A+ schools program.

HB 1877, introduced by Representatives Sommer, Kelley (126), Parkinson, Jones (89), Lichtenegger, Burlison and Cauthorn, relating to a prohibition on use of public assistance benefits for gambling.

HB 1878, introduced by Representative Riddle, relating to the designation of a memorial highway.

HB 1879, introduced by Representatives McNeil, White, Pace, Wyatt, Oxford, Morgan and Holsman, relating to school energy audits.

HB 1880, introduced by Representatives Pollock, Wells, Riddle, Hinson, Hoskins, Schatz and Denison, relating to centennial business recognition.

HB 1881, introduced by Representative Richardson, relating to workers' compensation.

HB 1882, introduced by Representative Brown (116), relating to food stamps assistance.

HB 1883, introduced by Representative Bernskoetter, relating to fireworks.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 562**, entitled:

An act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the transfer of property by the governing boards of certain state universities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 563**, entitled:

An act to repeal sections 174.332 and 174.450, RSMo, and to enact in lieu thereof two new sections relating to governing boards of state universities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 568**, entitled:

An act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to emergency vehicles, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 578**, entitled:

An act to authorize the conveyance of property owned by the state in Pettis County to the City of Sedalia.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 648**, entitled:

An act to repeal section 302.130, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary driver instruction permits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 655**, entitled:

An act to amend chapter 173, RSMo, by adding thereto one new section relating to the higher education capital fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 690**, entitled:

An act to repeal sections 43.260 and 43.265, RSMo, and to enact in lieu thereof two new sections relating to surplus highway patrol property.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 736**, entitled:

An act to repeal section 137.556, RSMo, and to enact in lieu thereof one new section relating to the use of the special road and bridge tax in certain counties.

In which the concurrence of the House is respectfully requested.

RECESS

On motion of Representative Jones (89), the House recessed until such time that **HCR 8** is signed by the Speaker or until such time that the Senate adjourns without taking action on **HCR 8**.

The hour of recess having expired, the House was called to order by Speaker Tilley.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCR 8.**

SIGNING OF HOUSE CONCURRENT RESOLUTION

All other business of the House was suspended while **HCR 8** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCR 8** was delivered to the Governor by the Chief Clerk of the House.

The following members' presence was noted: Franklin, Jones (117), Lichtenegger and Scharnhorst.

ADJOURNMENT

On motion of Speaker Tilley, the House adjourned until 4:00 p.m., Monday, March 5, 2012.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-third Day, Wednesday, February 29, 2012, Page 461, Line 22, by inserting immediately after the name "Korman" the name "McGhee".

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, March 6, 2012, 1:00 PM House Hearing Room 6.
Executive session will be held: HB 1462
Executive session may be held on any matter referred to the committee.
There will be a work session on HB 1660. Please note time change.

BUDGET
Monday, March 5, 2012, 10:00 AM House Hearing Room 3.
Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013
Executive session may be held on any matter referred to the committee.
Review of House Committee Substitutes for House Bills 2001 through 2013

BUDGET
Wednesday, March 7, 2012, Upon Morning Adjournment House Hearing Room 3.
Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013
Executive session may be held on any matter referred to the committee.
Bills to be considered: HCS House Bills 2001 through 2013

CRIME PREVENTION AND PUBLIC SAFETY
Monday, March 5, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1747, HB 1516, HB 1368, HB 1423
Executive session may be held on any matter referred to the committee.
AMENDED

ELECTIONS
Tuesday, March 6, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HJR 75, HB 1869
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, March 7, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1847
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, March 6, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1855, HB 1353
Executive session will be held: HB 1353, HB 1257, HB 1587
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1855, HB 1353
Executive session will be held: HB 1353, HB 1257, HB 1587
Executive session may be held on any matter referred to the committee.
CANCELLED

RETIREMENT
Monday, March 5, 2012, 2:30 PM House Hearing Room 6.
Public hearing will be held: HB 1741
Executive session will be held: HB 1226
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Monday, March 5, 2012, 3:30 PM South Gallery.
Executive session will be held: HCS HB 1214, HCS HB 1319, 1045 & 1369, HCS HB 1449
Executive session may be held on any or all bills referred to this committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, March 5, 2012, 11:00 AM House Hearing Room 5.
Public hearing will be held: HB 1859, HB 1865
Executive session will be held: HB 1359, HB 1383
Executive session may be held on any matter referred to the committee.
No meal provided.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, March 12, 2012, 11:00 AM House Hearing Room 5.
Public hearing will be held: HB 1859, HB 1865
Executive session will be held: HB 1359, HB 1383
Executive session may be held on any matter referred to the committee.
No meal will be provided.
CANCELLED

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Tuesday, March 6, 2012, 2:00 PM House Hearing Room 6.
Public hearing will be held: HJR 78
Executive session may be held on any matter referred to the committee.
Executive session WILL be held.

URBAN ISSUES
Monday, March 5, 2012, Upon Evening Adjournment House Hearing Room 5.
Public hearing will be held: HB 1665
Executive session will be held: HB 1665
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, March 5, 2012, 2:00 PM House Hearing Room 2.
Public hearing will be held: HB 1066, HB 1862
Executive session will be held: HB 1403, HB 1367
Executive session may be held on any matter referred to the committee.
AMENDED

HOUSE CALENDAR

THIRTY-FIFTH DAY, MONDAY, MARCH 5, 2012

HOUSE BILLS FOR SECOND READING

HB 1870 through HB 1883

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

1 HCS HB 1193 - Frederick
2 HCS HB 1220 - Hubbard
3 HB 1513 - Franz
4 HB 1029 - Flanigan
5 HCS HB 1042 - Thomson

6 HCS HB 1123 - Frederick
7 HB 1191 - Ruzicka
8 HCS HB 1300 - Franz
9 HCS HB 1324 - Loehner
10 HB 1431 - Hoskins
11 HCS HB 1495 - Nance
12 HCS HB 1198 - Fisher
13 HB 1051 - Allen
14 HCS HB 1169 - Franz
15 HCS HB 1212 - Smith (150)
16 HB 1296 - Davis
17 HCS#2 HB 1317 - Riddle
18 HB 1331 - Jones (117)
19 HCS HB 1361 - Pollock
20 HB 1466 - Nasheed
21 HCS HB 1525 - Fuhr
22 HCS HBs 1659 & 1116 - Torpey

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/2012)

1 HCS HBs 1098 & 1084 - Shumake
2 HCS HB 1108 - Lauer
3 HB 1236 - Entlicher
4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
5 HCS HB 1340 - Dugger
6 HB 1404 - Reiboldt
7 HCS HB 1576 - Largent

(3/5/2012)

1 HB 1073 - Sater
2 HB 1096 - Wieland
3 HB 1165 - Diehl
4 HB 1190 - Allen
5 HB 1231 - Cauthorn
6 HB 1266 - Denison
7 HB 1337 - Stream
8 HCS HB 1373 - Asbury
9 HB 1492 - Molendorp
10 HB 1577 - Largent
11 HB 1634 - Ruzicka
12 HB 1641 - Pollock
13 HB 1668 - Denison

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HB 1349 - Jones (117)
3 HCS HBs 1298 & 1180 - Parkinson
4 HCS HB 1072 - Sater

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1037 - Dugger
2 HB 1114 - Weter

SENATE BILLS FOR SECOND READING

1 SCS SB 562
2 SCS SB 563
3 SB 568
4 SB 578
5 SCS SB 648
6 SCS SB 655
7 SB 690
8 SB 736

HOUSE CONCURRENT RESOLUTIONS

1 HCR 22 - Walton Gray
2 HCS HCR 32 - Cookson

SENATE BILLS FOR THIRD READING

SS SCS SB 572, E.C. - Richardson

HOUSE RESOLUTIONS

HR 89 - McGhee

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-FIFTH DAY, MONDAY, MARCH 5, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Paul Meinsen.

O Lord, the beings in the heavens continually sing "HOLY, HOLY, HOLY is THE LORD GOD, THE ALMIGHTY, WHO WAS AND WHO IS AND WHO IS TO COME...Worthy are You, our Lord and our God, to receive glory and honor and power; for You created all things, and because of Your will they existed, and were created". *(Revelation 4:8b, 11)*

It is to You, glorious LORD, that we offer up this prayer; a prayer on behalf of these, Your servants who govern this great state.

Father, while we continue to pray for the supply of wisdom, discernment, humility and grace that each one needs today, I also lift up a special request to You.

O Lord, please guard and guide each one who is married. May each husband love and cherish the wife You have given him as Christ loves the church. And may each wife show proper respect to her husband. Allow not the pressures and busyness of this profession come between what has been put together. May not another marriage be sacrificed upon the idolatrous altar of politics. It simply is not worth it.

May each one here who has children raise them in the grace and knowledge of You.

May we all learn to fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Pastan Gladden and Karissa Sandfort.

The Journal of the thirty-fourth day was approved as printed.

HOUSE RESOLUTION

Representative Jones (89) offered House Resolution No. 959.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 955 through House Resolution No. 958
House Resolution No. 960 through House Resolution No. 989

SECOND READING OF HOUSE BILLS

HB 1870 through **HB 1883** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 562, SCS SB 563, SB 568, SB 578, SCS SB 648, SCS SB 655, SB 690 and **SB 736** were read the second time.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1037, relating to road district commissioners, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1037** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Kander	Keeney	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Aull	Barnes	Brown 116	Day	Ellinger
Funderburk	Hughes	Jones 63	Jones 117	Kelley 126
Meadows	Nolte	Smith 71	Solon	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1114, relating to Taney County emergency services, was taken up by Representative Weter.

On motion of Representative Weter, **HB 1114** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Diehl	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 004

Cierpiot	Koenig	Leara	Marshall

PRESENT: 000

ABSENT WITH LEAVE: 017

Aull	Barnes	Brown 116	Curtman	Dieckhaus
Dugger	Ellinger	Entlicher	Funderburk	Hughes
Jones 63	Klippenstein	Largent	Meadows	Nolte
Smith 71	Solon			

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILLS

HB 1349, relating to irrevocable life insurance trusts, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1349** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson

Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 014

Aull	Berry	Brown 116	Day	Dieckhaus
Diehl	Ellinger	Funderburk	Hughes	Jones 63
Largent	Meadows	Nolte	Smith 71	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1072, relating to the Volunteer Health Services Act, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 1072** was read the third time and passed by the following vote:

AYES: 110

Allen	Asbury	Bahr	Bernskoetter	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lair
Lant	Lauer	Leara	Lichtenegger	Loehner
Long	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 037

Anders	Atkins	Carlson	Colona	Ellington
Holsman	Hummel	Kander	Kratky	Lampe
Lasater	Leach	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols

Oxford	Pierson	Rizzo	Schupp	Sifton
Spreng	Still	Swearingen	Talboy	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 016

Aull	Barnes	Berry	Brown 116	Day
Dieckhaus	Diehl	Ellinger	Funderburk	Hughes
Jones 63	Largent	Meadows	Nolte	Richardson
Smith 71				

Speaker Pro Tem Schoeller declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 31 - Agri-Business

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1543 - Retirement
HB 1715 - General Laws
HB 1811 - Health Care Policy
HB 1813 - Tourism and Natural Resources
HB 1835 - Tax Reform
HB 1837 - Workforce Development and Workplace Safety
HB 1856 - General Laws
HB 1860 - Agri-Business
HB 1863 - Tourism and Natural Resources
HB 1867 - Crime Prevention and Public Safety
HB 1880 - Transportation

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 719 - Tourism and Natural Resources

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, the State of Missouri has a proud agricultural tradition, with the first farms in this state established around 1725 by French settlers in the St. Genevieve area; and

WHEREAS, today in Missouri, according to the 2007 Census of Agriculture:

(1) 66% of Missouri's total land area is farmland;

(2) 53% of Missouri's total agricultural receipts came from livestock;

(3) Missouri ranks 2nd in the nation in the number of farms, with 108,000 farms. The average farm size is 269 acres, with 86% of all Missouri farms having less than 500 acres of land;

(4) 88% of all farm operations in this state were owned by individuals, families, or sole proprietors. Only 0.3% were owned by nonfamily corporations;

(5) Missouri has $7.51 billion value in agricultural products sold each year, with cattle and calves, hogs, and turkeys as Missouri's top livestock crops; and

(6) Missouri ranks 14th in the nation in total value of agricultural products sold. In 2009, 30% of Missouri's top agricultural production was in cattle and calves (16.1%), hogs (10%), and turkeys (4%); and

WHEREAS, in 2009, Missouri ranked 12th in the nation in agricultural exports, with livestock animals and meat as the 3rd highest agricultural export in the state; and

WHEREAS, with animal agriculture playing such a vital role in the lives of Missourians, it is appropriate to set aside one day to celebrate Missouri's animal agriculture industry in Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby designate October 3, 2012, as "Missouri Animal Agriculture Day" and encourage all citizens of this state to commemorate the day by eating and enjoying the fine meat selections raised in Missouri, including beef, pork, chicken, and turkey, as well as our wild game of deer, turkey, rabbit, and elk, and the many fish from our lakes, rivers, streams, and creeks.

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, over the course of the Spring and Summer of 2011, unprecedented releases of water upstream by the U.S. Army Corps of Engineers have caused extensive pressure on the river levees in the state of Missouri that protect many communities, businesses, and prime agricultural lands; and

WHEREAS, in the face of this tremendous pressure some of Missouri's levees have been intentionally and unintentionally breached, resulting in widespread flooding, which has proved devastating to many Missouri homes, farms, families, and livelihoods; and

WHEREAS, last summer, the U.S. Army Corps of Engineers intentionally breached the Birds Point levee in southeast Missouri which resulted in the flooding of 130,000 acres of mostly agricultural land; and

WHEREAS, Missouri families have suffered unprecedented losses as a result of this situation and many Missouri farmers have experienced a complete and total loss of agricultural production, resulting in decimated farm incomes and ravaged local economies; and

WHEREAS, according to a June 2011 report drafted by the Food and Agriculture Policy Research Institute of the University of Missouri, the breach of the levee and subsequent flooding of crop lands in Southeast Missouri has resulted in economic losses totaling $60.6 million, a combination of forgone net returns and incurred production expenses in the affected area; and

WHEREAS, according to the University of Missouri Extension, the southeast Missouri region produced the following shares of the state's total production of specific agricultural commodities in 2010:

1) 100% of total cotton production in Missouri;
2) 99.6% of total rice production in Missouri;
3) 52.9% of total wheat production in Missouri;
4) 21.4% of total grain sorghum production in Missouri;
5) 18.1% of total soybean production in Missouri;
6) 15.4% of total corn production in Missouri; and

WHEREAS, with the agricultural production of southeast Missouri accounting for approximately one-third of the state's total economy, the catastrophic results of the flooding of agricultural land due to the intentional breach of the Birds Point levee in southeast Missouri has a significant economic impact for the entire state. This complete and total loss of agricultural production at a time when our state's economy is experiencing recession can only exacerbate the state's current economic hardships; and

WHEREAS, the flood waters have not yet receded in some parts of Missouri and continue to disrupt the lives of hard-working Missourians; and

WHEREAS, even after the flood waters recede, much work will need to be done to restore the productivity of the damaged agricultural land and repair the ruined homes and businesses; and

WHEREAS, the U.S. Army Corps of Engineers is charged with management of the nation's rivers and flood control is one of the primary purposes for which the rivers are to be managed; and

WHEREAS, the original flood plan was authorized in 1928 in response to severe flooding of the Mississippi River in 1927. The U.S. Army Corps of Engineers is obligated to re-examine the flood plan in light of the devastating losses, both short-term and long-term, suffered in this state as a result of the unprecedented releases of water upstream and the intentional breach of the Birds Point levee by the U.S. Army Corps of engineers during the Spring and Summer of 2011:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the U.S. Army Corps of Engineers to:

1) Re-examine the flood control operations for the Missouri and Mississippi rivers; and

2) Manage the rivers in such a way as to avoid the devastating flooding disasters that have occurred this year; and

3) Rebuild the damaged levees to at least their previous heights as expediently as possible; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly encourage communities, families and other stakeholders to work together to restore the prime agricultural lands that have been damaged by the recent flooding so that the productive value of these lands is not irrevocably lost; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly strongly encourage the members of the Missouri Congressional delegation to actively support policies for the management of the Missouri River that minimize devastating flood events such as those that have been experienced by so many Missourians this summer; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Secretary of the U.S. Army and the members of the Missouri Congressional delegation.

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1424**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1647**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1862**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1738**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1214**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1319, 1045 & 1369**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1449**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1504**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1621**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1884, introduced by Representatives Marshall, White, Schad and Leach, relating to liability for driving while intoxicated.

HB 1885, introduced by Representative Schneider, relating to complaints against real estate appraisers.

HB 1886, introduced by Representative Grisamore, relating to youth with disabilities.

HB 1887, introduced by Representative Grisamore, relating to sheltered workshop boards.

HB 1888, introduced by Representative Grisamore, relating to advocacy for persons with disabilities.

HB 1889, introduced by Representative Denison, relating to towing operations.

HB 1890, introduced by Representative Molendorp, relating to an actuarial analysis of the cost impact of insurance mandates.

HB 1891, introduced by Representative Diehl, relating to municipal services in St. Louis county.

The following members' presence was noted: Brown (116) and Smith (71).

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 6, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, March 6, 2012, 1:00 PM House Hearing Room 6.
Executive session will be held: HB 1462
Executive session may be held on any matter referred to the committee.
There will be a work session on HB 1660. Please note time change.

BUDGET
Wednesday, March 7, 2012, Upon Morning Adjournment House Hearing Room 3.
Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013
Executive session will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013
Executive session may be held on any matter referred to the committee.
Bills to be considered: HCS House Bills 2001 through 2013
AMENDED

CHILDREN AND FAMILIES
Wednesday, March 7, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1267, HB 1470, HB 1362, HB 1445, HB 1145
Executive session may be held on any matter referred to the committee.

CORRECTIONS
Wednesday, March 7, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1136, HB 1642, HB 1456
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, March 6, 2012, 5:00 PM House Hearing Room 3.
Public hearing will be held: HB 1710, HB 1709, HB 1693
Executive session may be held on any matter referred to the committee.
Work session may follow.

ELECTIONS
Tuesday, March 6, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HJR 75, HB 1869
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1718
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, March 6, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1109, HB 1170, HB 1315, HB 1534, HCR 36, HCR 7, HJR 49, HJR 64, HB 1810
Executive session may be held on any matter referred to the committee.
AMENDED

HEALTH CARE POLICY
Wednesday, March 7, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1847
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, March 6, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1580, HB 1827
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, March 6, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1855, HB 1353
Executive session will be held: HB 1353, HB 1257, HB 1587
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1855, HB 1353
Executive session will be held: HB 1353, HB 1257, HB 1587
Executive session may be held on any matter referred to the committee.
CANCELLED

JUDICIARY
Wednesday, March 7, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1202, HB 1655, HB 1817, HB 1627
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, March 7, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1820, HB 1671, HB 1358
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Thursday, March 8, 2012, 12:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Upon adjournment, Executive session only

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, March 7, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1769, HB 1563, HB 1803, HB 1852
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, March 6, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1662
Executive session will be held: HB 1524
Executive session may be held on any matter referred to the committee.
HCS HB 1524 referred back to Rural Community Development Committee

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, March 12, 2012, 11:00 AM House Hearing Room 5.
Public hearing will be held: HB 1859, HB 1865
Executive session will be held: HB 1359, HB 1383
Executive session may be held on any matter referred to the committee.
No meal will be provided.
CANCELLED

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Tuesday, March 6, 2012, 2:00 PM House Hearing Room 6.
Public hearing will be held: HJR 78
Executive session may be held on any matter referred to the committee.
Executive session WILL be held.

TAX REFORM
Wednesday, March 7, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HJR 71, HB 1835
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, March 6, 2012, Upon Morning Adjournment House Hearing Room 7.
Public hearing will be held: HB 1737, HB 1807, HB 1782, HB 1864, HB 1868
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, March 6, 2012, 5:00 PM House Hearing Room 5.
Public hearing will be held: HB 1454, HB 1632
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, March 6, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1316
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SIXTH DAY, TUESDAY, MARCH 6, 2012

HOUSE BILLS FOR SECOND READING

HB 1884 through HB 1891

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

1 HCS HB 1193 - Frederick
2 HCS HB 1220 - Hubbard
3 HB 1513 - Franz
4 HB 1029 - Flanigan
5 HCS HB 1042 - Thomson
6 HCS HB 1123 - Frederick
7 HB 1191 - Ruzicka
8 HCS HB 1300 - Franz
9 HCS HB 1324 - Loehner
10 HB 1431 - Hoskins
11 HCS HB 1495 - Nance
12 HCS HB 1198 - Fisher
13 HB 1051 - Allen
14 HCS HB 1169 - Franz
15 HCS HB 1212 - Smith (150)
16 HB 1296 - Davis
17 HCS#2 HB 1317 - Riddle
18 HB 1331 - Jones (117)
19 HCS HB 1361 - Pollock
20 HB 1466 - Nasheed
21 HCS HB 1525 - Fuhr
22 HCS HBs 1659 & 1116 - Torpey
23 HCS HB 1214 - Torpey
24 HCS HBs 1319, 1045 & 1369 - Riddle
25 HCS HB 1449 - Berry
26 HB 1504 - Richardson
27 HB 1621 - Brown (116)

HOUSE BILLS FOR PERFECTION - CONSENT

(2/28/2012)

1 HCS HBs 1098 & 1084 - Shumake
2 HCS HB 1108 - Lauer
3 HB 1236 - Entlicher
4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
5 HCS HB 1340 - Dugger
6 HB 1404 - Reiboldt
7 HCS HB 1576 - Largent

(3/5/2012)

1 HB 1073 - Sater
2 HB 1096 - Wieland
3 HB 1165 - Diehl
4 HB 1190 - Allen
5 HB 1231 - Cauthorn
6 HB 1266 - Denison
7 HB 1337 - Stream
8 HCS HB 1373 - Asbury
9 HB 1492 - Molendorp
10 HB 1577 - Largent
11 HB 1634 - Ruzicka
12 HB 1641 - Pollock
13 HB 1668 - Denison

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson

HOUSE CONCURRENT RESOLUTIONS

1 HCR 22 - Walton Gray
2 HCS HCR 32 - Cookson

SENATE BILLS FOR THIRD READING

SS SCS SB 572, E.C. - Richardson

HOUSE RESOLUTIONS

HR 89 - McGhee

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-SIXTH DAY, TUESDAY, MARCH 6, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Brett Capranica, Summit Woods Baptist Church, Lee's Summit, MO.

Most High God, as one ancient ruler once acknowledged:

You are "the Most High and praised and honored," the one "who lives forever, for Your dominion is an everlasting dominion, and Your kingdom endures from generation to generation" *(Daniel 4:34)*. Your "works are right and Your ways are just; and those who walk in pride You are able to humble." *(Daniel 4:37)*.

So we begin this day of legislation acknowledging You as the supreme lawmaker and ultimate king. We humble ourselves in recognition that justice is not determined by human pleasures, but by who You have revealed Yourself to be through the Holy Scriptures. Wisdom is not found in man-made principles but from the foundation of fearing You as the Almighty. Mercy is not calculated according to natural inclinations, but by the heights and depths by which You have shown Your own love to us through Your Son. All human authority is a derived authority, fixed by Your sovereign pleasure.

And so we pray with humility to You. Govern Your creation through these men and women whom You have sent as Your servants for good. For each of these leaders, along with all who interact with them, give them a humbled sense that they serve a cause, a purpose, a society, and a creator all much greater than themselves. As they serve the people of Missouri, may they have a strong sense that they are serving You by Your pleasure. Let Your supremacy season every debate, conversation, vote, and legal measure presented here this day.

We acknowledge You as the Most High. We humble ourselves as people here to carry out Your pleasure.

To the honor of Your great name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chance Bedell, Chloe Bedell, Jacob Vegso, Montana Bedell and Tate Bedell.

The Journal of the thirty-fifth day was approved as printed.

SPECIAL RECOGNITION

Max Deforest, a World War II Veteran, was introduced by Representative Denison and was recognized as an Outstanding Missourian.

SECOND READING OF HOUSE BILLS

HB 1884 through **HB 1891** were read the second time.

PERFECTION OF HOUSE BILLS

HCS#2 HB 1317, relating to abuse of a child, was taken up by Representative Riddle.

On motion of Representative Riddle, **HCS#2 HB 1317** was adopted.

On motion of Representative Riddle, **HCS#2 HB 1317** was ordered perfected and printed.

HCS HB 1525, relating to the Justice Reinvestment Act, was taken up by Representative Fuhr.

Representative Jones (63) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1525, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

"195.222. 1. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

2. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

3. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than **[**two**]** **twenty eight** grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than **[**two**]** **twenty eight** grams but less than **[**six**]** **two hundred eighty** grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is **[**six**]** **two hundred eighty** grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

4. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or

produce more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one gram or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

5. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

6. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is twelve grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

7. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty kilograms of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

8. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

9. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he or she distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the

accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

195.223. 1. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

2. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be guilty of a class B felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be guilty of a class A felony.

3. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than **[**two**]** **twenty eight** grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than **[**two**]** **twenty eight** grams but less than **[**six**]** **two hundred eighty** grams the person shall be guilty of a class B felony;

(2) If the quantity involved is **[**six**]** **two hundred eighty** grams or more the person shall be guilty of a class A felony.

4. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be guilty of a class B felony;

(2) If the quantity involved is one gram or more the person shall be guilty of a class A felony.

5. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

6. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be guilty of a class B felony;

(2) If the quantity involved is twelve grams or more the person shall be guilty of a class A felony.

7. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty kilograms or more of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be guilty of a class B felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be guilty of a class A felony.

8. A person commits the class A felony of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred marijuana plants.

9. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole.

10. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he or she possesses or has under his or her control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (63) moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Nance offered **House Amendment No. 2**.

Representative Barnes raised a point of order that **House Amendment No. 2** is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Fuhr, **HCS HB 1525** was adopted.

On motion of Representative Fuhr, **HCS HB 1525** was ordered perfected and printed.

HCS HB 1193, relating to the Prescription Drug Monitoring Program Act, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 1193** was adopted.

On motion of Representative Frederick, **HCS HB 1193** was ordered perfected and printed.

HCS HB 1198, relating to prevailing wages, was taken up by Representative Fisher.

HCS HB 1198 was laid over.

HCS HB 1220, relating to children of incarcerated mothers, was taken up by Representative Hubbard.

Representative Hubbard offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1220, Page 1, Section 217.145, Line 4, by inserting immediately after the word "**rights**" the following:

"**, except that a person who has pled guilty to or been found guilty of any of the offenses listed in subsection 1 of section 210.117 when the victim of the crime is a child or of child abuse under sections 210.109 to 210.183 shall not be eligible to participate in the program**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hubbard, **House Amendment No. 1** was adopted.

Representative Hubbard offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1220, Page 2, Section 217.145, Line 33, by deleting the words "**which houses women**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hubbard, **House Amendment No. 2** was adopted.

On motion of Representative Hubbard, **HCS HB 1220, as amended**, was adopted.

On motion of Representative Hubbard, **HCS HB 1220, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tyler Kesselring, Judah Kesselring, Augustine Kesselring and Abigal Culpepper.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 990 through House Resolution No. 1034

PERFECTION OF HOUSE BILLS

HB 1029, relating to state agency program evaluations, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HB 1029** was ordered perfected and printed.

HB 1431, relating to an aviation jet fuel tax exemption, was taken up by Representative Hoskins.

Representative Webber offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1431, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal section 144.805, RSMo, and to enact in lieu thereof two new sections relating to aviation sales taxes."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**94.1050. 1. The governing body of any home rule city with more than one hundred eight thousand but fewer than one hundred sixteen thousand inhabitants may impose, by order or ordinance, a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof. The tax shall be not more than three percent per occupied room per night, and shall be imposed solely for the purpose of funding improvements to any regional airport owned and operated by such city and any other economic development purpose. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and shall be stated separately from all other charges and taxes.**

2. No such order or ordinance shall become effective unless the governing body of the city submits to the voters of the city on any date available for elections for the city a proposal to authorize the governing body of the city to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue generated by the tax shall be collected by the city and shall be deposited in a special trust fund. If the tax is repealed, all funds remaining in the special trust fund shall be used as determined by the

governing body of the city. Any funds in the special trust fund that are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any city that has adopted the tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which all bonds repaid by the revenue generated by such tax are repaid in full. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city, and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any city that has adopted the tax authorized in this section receives a petition, signed by a number of registered voters of the city equal to at least ten percent of the number of registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which all bonds repaid by the revenue generated by such tax are repaid in full. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters of the city and the repeal is approved by a majority of the qualified voters voting on the question.

6. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for twenty-eight days or less during any calendar quarter."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Webber, **House Amendment No. 1** was adopted.

On motion of Representative Hoskins, **HB 1431, as amended**, was ordered perfected and printed.

HCS HB 1495, relating to reporting of insurance fraud, was taken up by Representative Nance.

On motion of Representative Nance, **HCS HB 1495** was adopted.

On motion of Representative Nance, **HCS HB 1495** was ordered perfected and printed.

HCS HB 1212, relating to vehicles hauling livestock or milk, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1212** was adopted.

On motion of Representative Smith (150), **HCS HB 1212** was ordered perfected and printed.

HOUSE CONCURRENT RESOLUTION

HCS HCR 32, relating to land/water conservation, was taken up by Representative Cookson.

Representative Keeney assumed the Chair.

On motion of Representative Cookson, **HCS HCR 32** was adopted by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	Guernsey	Holsman	Lasater	Meadows
Oxford	Schneider			

HOUSE RESOLUTION

HR 89, relating to house employees, was taken up by Representative McGhee.

On motion of Representative McGhee, **HR 89** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 013

Berry	Curtman	Day	Dieckhaus	Diehl
Dugger	Funderburk	Lasater	Long	Meadows
Oxford	Shively	Mr Speaker		

PERFECTION OF HOUSE BILLS

HB 1331, relating to transfer of retirement service, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1331** was ordered perfected and printed.

HCS HB 1123, relating to licensure of hospitals, was taken up by Representative Frederick.

Representative Frederick offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1123, Page 2, Section 197.080, Lines 33-34, by deleting the words "**threat of immediate jeopardy of safety**" and inserting in lieu thereof the following:

"**documented immediate and serious threat, as defined directly and through interpretive guidelines included in hospital licensure regulations promulgated under this chapter,**"; and

Further amend said bill, Page 3, Section 197.100, Lines 14-15, by deleting the words "**threat of immediate jeopardy of safety**" and inserting in lieu thereof the following:

"**immediate and serious threat, as defined directly and through interpretive guidelines included in hospital licensure regulations promulgated under this chapter,**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 1** was adopted.

On motion of Representative Frederick, **HCS HB 1123, as amended**, was adopted.

On motion of Representative Frederick, **HCS HB 1123, as amended**, was ordered perfected and printed.

HB 1513, relating to animal rights, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1513** was ordered perfected and printed.

HB 1466, relating to the Math and Science Tutoring Act, was taken up by Representative Nasheed.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Elmer	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Carlson	Conway 14	Day	Denison	Diehl
Dugger	Entlicher	Fraker	Funderburk	Hoskins
Hughes	Lampe	Largent	Lasater	Leach
Meadows	Neth	Oxford	Schneider	

On motion of Representative Nasheed, **HB 1466** was ordered perfected and printed by the following vote:

AYES: 101

Allen	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Cross
Dieckhaus	Ellinger	Ellington	Fallert	Fisher
Flanigan	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Harris	Higdon
Hinson	Holsman	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Korman	Kratky	Lair	Lant
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McGeoghegan	McGhee	McNary	Montecillo
Nasheed	Neth	Nichols	Pace	Parkinson
Phillips	Pierson	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Scharnhorst	Schieffer	Schneider
Schoeller	Shumake	Sifton	Silvey	Smith 71
Smith 150	Spreng	Stream	Swearingen	Talboy
Taylor	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	Wieland	Wright	Zerr
Mr Speaker				

NOES: 046

Anders	Asbury	Brattin	Brown 116	Burlison
Conway 14	Crawford	Curtman	Davis	Elmer
Fitzwater	Franklin	Franz	Hampton	Hodges
Kelly 24	Koenig	Lauer	Leara	Marshall
McCreery	McDonald	McManus	McNeil	Molendorp
Morgan	Nance	Newman	Pollock	Quinn
Redmon	Ruzicka	Sater	Schad	Schatz
Schieber	Schupp	Shively	Solon	Sommer
Still	Swinger	Thomson	Wells	White
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 016

Carlson	Day	Denison	Diehl	Dugger
Entlicher	Fraker	Funderburk	Hoskins	Lampe
Largent	Lasater	Leach	Meadows	Nolte
Oxford				

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 42 - Special Standing Committee on Disability Services

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1500 - Judiciary
HB 1698 - Judiciary
HB 1788 - Transportation Funding and Public Institutions
HB 1818 - General Laws
HB 1857 - Retirement
HB 1875 - Insurance Policy
HB 1878 - Transportation
HB 1890 - Health Insurance

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 736 - Local Government

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was returned **HB 1462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1094**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was returned **HB 1524**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1662**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 1488**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 1691**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1403**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HBs 1098 & 1084, HCS HB 1108, HB 1236, HCS HBs 1258, 1259 & 1260, HCS HB 1340, HB 1404** and **HCS HB 1576**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1892, introduced by Representative Asbury, relating to salvage vehicles.

HB 1893, introduced by Representatives Carter, Webb and Nasheed, relating to teacher tenure.

HB 1894, introduced by Representatives Carter, Jones (63), Oxford, Ellington and Pace, relating to trafficking drugs.

HB 1895, introduced by Representatives Loehner, Wright, Johnson, Reiboldt, Entlicher, Dugger, Quinn, Shively, Schieffer, Swinger, Nance and Aull, relating to University of Missouri extension districts.

HB 1896, introduced by Representatives Cauthorn, Still, Quinn, Webber, Barnes, Kelly (24), Ellinger, Bernskoetter, Asbury and Jones (117), relating to sexual offenses.

HB 1897, introduced by Representatives Cox, Kelly (24) and Barnes, for the sole purpose of restructuring the Missouri criminal code.

HB 1898, introduced by Representatives Brown (50), Nasheed, Hubbard, McCaherty, Hodges, Conway (27) and Hughes, relating to urban historic districts.

HB 1899, introduced by Representatives Curtman, Houghton and Schatz, relating to motor vehicle sales by dealers.

HB 1900, introduced by Representatives Redmon, Klippenstein, White, Fitzwater, Elmer and Crawford, for the sole purpose of restructuring statutes based on executive branch reorganizations.

HB 1901, introduced by Representative Grisamore, relating to voter accessibility.

HB 1902, introduced by Representative Grisamore, relating to state procurement.

HB 1903, introduced by Representatives Koenig, Brattin, Brown (116), Higdon, White, Wieland, Davis, Curtman, Schatz, Hinson, Marshall, Rowland, Haefner, Cauthorn, Bernskoetter, Zerr, Tilley, Pollock, Gatschenberger, Bahr, Kelley (126), Franklin, Crawford, Riddle, Allen, Flanigan, Lant, Lair, Lichtenegger and McNary, relating to food stamps.

COMMITTEE APPOINTMENTS

March 2, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Jonas Hughes to the Committee on Downsizing State Government.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

March 2, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Gail McCann Beatty to the Committee on Appropriations - Health, Mental Health, and Social Services.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

COMMITTEE CHANGES

March 6, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Under authority of House Rule 22, I hereby remove Representative Genise Montecillo from the Special Standing Committee on Renewable Energy and appoint Representative Jeanette Mott Oxford.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

March 2, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Webber from the Committee on Economic Development.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

The following members' presence was noted: Lasater and Oxford.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 7, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS
Thursday, March 8, 2012, 8:00 AM House Hearing Room 4.
Public hearing will be held: HB 1860, HCR 31
Executive session may be held on any matter referred to the committee.

BUDGET
Wednesday, March 7, 2012, Upon Morning Adjournment House Hearing Room 3.
Public hearing will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013
Executive session will be held: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013
Executive session may be held on any matter referred to the committee.
Bills to be considered: HCS House Bills 2001 through 2013
AMENDED

CHILDREN AND FAMILIES
Wednesday, March 7, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1267, HB 1470, HB 1362, HB 1445, HB 1145
Executive session may be held on any matter referred to the committee.

CORRECTIONS
Wednesday, March 7, 2012, 5:00 PM House Hearing Room 1.
Public hearing will be held: HB 1136, HB 1642, HB 1456
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, March 7, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1867, HB 1767, HB 1532
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Wednesday, March 7, 2012, Upon Morning Recess South Gallery.
Executive session will be held: HB 1608
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1718
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, March 8, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any and all bills assigned to the committee

GENERAL LAWS
Thursday, March 8, 2012, 9:00 AM North Gallery.
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, March 7, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1847, HB 1811
Executive session may be held on any matter referred to the committee.
AMENDED

HEALTH INSURANCE
Thursday, March 8, 2012, 8:00 AM House Hearing Room 3.
Public hearing will be held: HB 1890
Executive session may be held on any matter referred to the committee.
AMENDED

HIGHER EDUCATION
Wednesday, March 7, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1855, HB 1353
Executive session will be held: HB 1353, HB 1257, HB 1587
Executive session may be held on any matter referred to the committee.
CANCELLED

JUDICIARY
Wednesday, March 7, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1202, HB 1655, HB 1817, HB 1627
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, March 7, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1820, HB 1671, HB 1358
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Thursday, March 8, 2012, 12:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Upon adjournment, executive session only
CANCELLED

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, March 7, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1563, HB 1803, HB 1852
Executive session may be held on any matter referred to the committee.
AMENDED

SMALL BUSINESS
Wednesday, March 7, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1065, HB 1674, HB 1702, HB 1841, HB 1146
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, March 12, 2012, 11:00 AM House Hearing Room 5.
Public hearing will be held: HB 1859, HB 1865
Executive session will be held: HB 1359, HB 1383
Executive session may be held on any matter referred to the committee.
No meal will be provided.
CANCELLED

TAX REFORM
Wednesday, March 7, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HJR 71, HB 1835
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES
Thursday, March 8, 2012, 9:00 AM House Hearing Room 7.
Public hearing will be held: HB 1752, HB 1744, HB 1408
Executive session may be held on any matter referred to the committee.

UTILITIES
Thursday, March 8, 2012, 9:00 AM House Hearing Room 6.
Executive session will be held: HB 1316
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, March 8, 2012, 9:00 AM House Hearing Room 5.
Public hearing will be held: HB 1446, HB 1717
Executive session will be held: HB 1717
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 7, 2012

HOUSE BILLS FOR SECOND READING

HB 1892 through HB 1903

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

1 HCS HB 1042 - Thomson
2 HB 1191 - Ruzicka
3 HCS HB 1300 - Franz
4 HCS HB 1324 - Loehner
5 HCS HB 1198 - Fisher
6 HB 1051 - Allen
7 HCS HB 1169 - Franz
8 HB 1296 - Davis
9 HCS HB 1361 - Pollock
10 HCS HBs 1659 & 1116 - Torpey

11 HCS HB 1214 - Torpey
12 HCS HBs 1319, 1045 & 1369 - Riddle
13 HCS HB 1449 - Berry
14 HB 1504 - Richardson
15 HB 1621 - Brown (116)

HOUSE BILLS FOR PERFECTION - CONSENT

(3/5/2012)

1 HB 1073 - Sater
2 HB 1096 - Wieland
3 HB 1165 - Diehl
4 HB 1190 - Allen
5 HB 1231 - Cauthorn
6 HB 1266 - Denison
7 HB 1337 - Stream
8 HCS HB 1373 - Asbury
9 HB 1492 - Molendorp
10 HB 1577 - Largent
11 HB 1634 - Ruzicka
12 HB 1641 - Pollock
13 HB 1668 - Denison

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson

HOUSE BILLS FOR THIRD READING - CONSENT

1 HCS HBs 1098 & 1084 - Shumake
2 HCS HB 1108 - Lauer
3 HB 1236 - Entlicher
4 HCS HBs 1258, 1259, & 1260 - Kelly (24)
5 HCS HB 1340 - Dugger
6 HB 1404 - Reiboldt
7 HCS HB 1576 - Largent

HOUSE CONCURRENT RESOLUTIONS

HCR 22 - Walton Gray

SENATE BILLS FOR THIRD READING

SS SCS SB 572, E.C. - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 7, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Representative Rodney Schad.

Our Father in Heaven, we bow our heads before You in reverence because of who You are. You are our holy, loving and merciful Father and we stand here today in awe of You and Your compassion for us in this life. We are Your servants and just now we praise You and thank You for this life and all the joy that it brings. We give You thanks for our health and we pray for Your healing for those we love who are hurting or sick or broken.

We lift up to You our service men and women wherever they may be serving and ask for their safety and protection. Be with our families this week as distance separates us and allow them to feel Your comfort and peace as we work to accomplish Your will and Your purpose. Your Word declares "The fear of the Lord is the beginning of knowledge but fools despise wisdom and discipline."

At this hour on this day in this place we seek Your help and Your wisdom to do the work that You have called us to do. You know our needs before we speak and yet as Your children we ask that You be with us as we strive to represent and serve the people of Missouri. We pray all this in the name of Jesus. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Maranda Burke.

The Journal of the thirty-sixth day was approved as printed.

SECOND READING OF HOUSE BILLS

HB 1892 through **HB 1903** were read the second time.

Representative Diehl assumed the Chair.

THIRD READING OF SENATE BILL

SS SCS SB 572, relating to workers' compensation, was taken up by Representative Richardson.

Representative Morgan requested a division of the question on **SS SCS SB 572**.

Representative Diehl requested a parliamentary ruling.

The division of the question was denied by the Parliamentary Committee.

On motion of Representative Richardson, **SS SCS SB 572** was truly agreed to and finally passed by the following vote:

AYES: 087

Allen	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leara
Loehner	Long	McNary	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schoeller	Shumake
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wyatt	Mr Speaker			

NOES: 068

Anders	Asbury	Aull	Barnes	Black
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Ellington	Fallert	Grisamore
Harris	Higdon	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	Lasater	Leach	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McNeil	Molendorp	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Silvey
Smith 71	Sommer	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber
Weter	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 008

Atkins	Funderburk	Hughes	Lichtenegger	McGhee
McManus	Meadows	Schneider		

Representative Diehl declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 078

Allen	Bahr	Bernskoetter	Berry	Brandom
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Hoskins	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leara	Loehner	Long	McNary	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schoeller	Shumake	Smith 150
Solon	Stream	Swinger	Thomson	Wallingford
Wells	White	Mr Speaker		

NOES: 078

Anders	Asbury	Atkins	Aull	Barnes
Black	Brattin	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Grisamore	Harris	Higdon	Hinson
Hodges	Holsman	Hough	Hubbard	Hughes
Hummel	Jones 63	Jones 117	Kander	Kelly 24
Kirkton	Kratky	Lampe	Lasater	Leach
Lichtenegger	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Silvey	Smith 71	Sommer	Spreng
Still	Swearingen	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Weter	Wieland
Wright	Wyatt	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 007

Funderburk	McGhee	McManus	Meadows	Molendorp
Nolte	Schneider			

PERFECTION OF HOUSE BILLS

HCS HBs 1659 & 1116, relating to a land bank agency in Kansas City, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HBs 1659 & 1116** was adopted.

On motion of Representative Torpey, **HCS HBs 1659 & 1116** was ordered perfected and printed.

HCS HB 1214, relating to an entrepreneur resource network, was taken up by Representative Torpey.

Representative Johnson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1214, Page 2, Section 620.2400, Line 18, by inserting after the number, "**2.**" the following:

"**The network must have specific sections containing information for anyone considering starting a business, information for anyone that has decided to start a Missouri business, information about expanding a Missouri business, information about moving a business to Missouri from another state, and information about moving a business to Missouri from another country, with links to each section prominently displayed on the website home page. Missouri small business and technology development centers must apply search engine optimization to the website's content to achieve top search engine rankings.**

3."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 1** was adopted.

Representative Anders offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1214, Page 2, Section 620.2400, Line 27, by inserting after the word "**section.**" the following:

"**Included in the report shall be detailed information on donations received and expenditures by the Missouri small business and technology development centers on the MERVN.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Anders, **House Amendment No. 2** was adopted.

On motion of Representative Torpey, **HCS HB 1214, as amended,** was adopted.

On motion of Representative Torpey, **HCS HB 1214, as amended,** was ordered perfected and printed.

HB 1621, relating to discrimination regarding firearms, was taken up by Representative Brown (116).

Representative Talboy offered **House Amendment No. 1**.

Representative Cox raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Silvey	Smith 150	Solon
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 014

Day	Ellinger	Funderburk	Guernsey	McManus
McNary	Meadows	Nolte	Redmon	Schneider
Schupp	Shumake	Sommer	Mr Speaker	

On motion of Representative Brown (116), **HB 1621** was ordered perfected and printed by the following vote:

AYES: 118

Allen	Asbury	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McDonald	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Stream	Swearingen
Swinger	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 037

Anders	Atkins	Bahr	Brown 50	Carlson
Carter	Colona	Curtman	Ellington	Holsman
Hummel	Jones 63	Kelly 24	Kirkton	Koenig
Leach	May	McCann Beatty	McCreery	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Schupp	Sifton
Smith 71	Spreng	Still	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 008

Day	Ellinger	Funderburk	Hughes	McManus
Meadows	Nolte	Sommer		

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1035 through House Resolution No. 1078

HOUSE CONCURRENT RESOLUTION

Representative Franklin, et al., offered House Concurrent Resolution No. 46.

PERFECTION OF HOUSE BILLS

HB 1504, relating to a public library district sales tax, was taken up by Representative Richardson.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1504, Page 1, Section A, Line 2, by inserting after all of said line the following:

"144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, **[**2013**]** **2023**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hoskins, **House Amendment No. 1** was adopted.

Representative Zerr offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 1504, Page 1, Section A, Line 2, by inserting after all of said line the following:

"67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:

(1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(2) "County", any county or any city not within a county;

(3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;

(5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**

(6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;

[(6)**] (7)** "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;

[(7)**] (8)** "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

[(8)**] (9)** "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district**, including any areas under concurrent jurisdiction with an agency of the United States government**. Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. **1.** The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The **[**tax**] taxes** authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the **[**proposed**]** metropolitan district enacting such an ordinance shall

submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. **1. For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712,** the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of . . . ., state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall . . . . . County join such other of . . . . . (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". . . . . Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to . . . . County for local park improvements, all as authorized by the . . . . . (insert name of governing body) of . . . . . County pursuant to (insert ordinance number), on the . . . . day of . . . . (insert month), ... (insert year)?

☐ YES ☐ NO

2. For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing expanded activities and improvements of such areas, shall ..... (insert county name) County join such other of ..... (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a ..... (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to ..... (insert county name) County for local and county park improvements as authorized by the ..... (insert governing body name) of ..... (insert county name) County under ..... (insert ordinance number), on the ..... (insert day) day of ..... (insert month), ... (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?".

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and **[**sections**]** **subsection 1 of section** 67.1715 and **in section** 67.1718.

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769**. No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1)**

of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754;

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district**. Any contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712**;

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. **1.** The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization."; and

Further amend said bill, Page 3, Section 182.802, Line 56, by inserting after all of said line the following:

"Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, , 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 2** was adopted.

On motion of Representative Richardson, **HB 1504, as amended,** was ordered perfected and printed.

Representative Diehl resumed the Chair.

HCS HBs 1319, 1045 & 1369, relating to weapons, was taken up by Representative Riddle.

Representative Riddle offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 6, Section 571.092, Line 1, by deleting the words "**over the age of eighteen years**"; and

Further amend said bill, Page 18, Section 571.117, Line 100, by inserting after all of said section and line the following:

"**[**475.375. 1. Any individual over the age of eighteen years who has been adjudged incapacitated under this chapter or who has been involuntarily committed under chapter 632 may file a petition for the removal of the disqualification to purchase, possess, or transfer a firearm when:

(1) The individual no longer suffers from the condition that resulted in the individual's incapacity or involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. No individual who has been found guilty by reason of mental disease or defect may petition a court for restoration under this section.

2. The petition shall be filed in the circuit court that entered the letters of guardianship or the most recent order for involuntary commitment, whichever is later. Upon receipt of the petition, the clerk shall schedule a hearing and provide notice of the hearing to the petitioner.

3. The burden is on the petitioner to establish by clear and convincing evidence that:

(1) The petitioner no longer suffers from the condition that resulted in the incapacity or the involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest.

4. Upon the filing of the petition the court shall review the petition and determine if the petition is based upon frivolous grounds and if so may deny the petition without a hearing. In order to determine whether petitioner has met the burden pursuant to this section, the court may request the local prosecuting attorney, circuit attorney, or attorney general to provide a written recommendation as to whether relief should be granted. In any order requiring such review the court may grant access to any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The court may allow presentation of evidence at the hearing if requested by the local prosecuting attorney, circuit attorney, or attorney general.

5. If the petitioner is filing the petition as a result of an involuntary commitment under chapter 632, the hearing and records shall be closed to the public, unless the court finds that public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in-camera inspection of mental health records. The court may allow the use of the record but shall restrict from public disclosure, unless it finds that the public interest would be better served by making the record public.

6. The court shall enter an order that:

(1) The petitioner does or does not continue to suffer from the condition that resulted in commitment;

(2) The individual does or does not continue to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. The court shall include in its order the specific findings of fact on which it bases its decision.

7. Upon a judicial determination to grant a petition under this section, the clerk in the county where the petition was granted shall forward the order to the Missouri state highway patrol for updating of the petitioner's record with the National Instant Criminal Background Check System (NICS).

8. (1) Any person who has been denied a petition for the removal of the disqualification to purchase, possess, or transfer a firearm pursuant to this section shall not be eligible to file another petition for removal of the disqualification to purchase, possess, or transfer a firearm until the expiration of one year from the date of such denial.

(2) If a person has previously filed a petition for the removal of the disqualification to purchase, possess, or transfer a firearm and the court determined that:

(a) The petitioner's petition was frivolous; or

(b) The petitioner's condition had not so changed such that the person continued to suffer form the condition that resulted in the individual's incapacity or involuntary commitment and continued to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; or

(3) Granting relief under this section would be contrary to the public interest, then the court shall deny the subsequent petition unless the petition contains the additional facts upon which the court could find the condition of the petitioner had so changed that a hearing was warranted.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 1** was adopted.

Representative Cross offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 6, Section 571.037, Lines 1-3, by removing all of said section and lines from the bill and inserting in lieu thereof the following:

"**571.037. Any person who has a valid concealed carry endorsement, and who is lawfully carrying a firearm in a concealed manner, may briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self-defense.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 6, Section 571.037, Lines 1-3, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel moved that **House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 038

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Ellinger	Ellington	Holsman	Hummel
Jones 63	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb		

NOES: 111

Asbury	Aull	Bahr	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert

Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Johnson	Jones 89	Kander
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Silvey
Smith 150	Solon	Stream	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Barnes	Flanigan	Funderburk	Jones 117
Keeney	Kelly 24	McManus	McNary	Meadows
Nolte	Schoeller	Smith 71	Sommer	

On motion of Representative Cross, **House Amendment No. 2** was adopted.

Representative Ellinger offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 2, Section 571.020, Lines 26-27, by deleting all of said lines and inserting in lieu thereof the phrase "dramatic performance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) assumed the Chair.

Representative Ellinger moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Diehl offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill Nos. 1319, 1045 & 1369, Page 4, Section 571.030, Line 71, by inserting after the word "**Forces,**" the following:

"**honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers' Training Corps,**"; and

Further amend said bill, Page 8, Section 571.101, Line 20, by inserting after the word "**Forces,**" the following:

"**honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers' Training Corps,**"; and

Further amend said bill, Page 9, Section 571.101, Line 62, by inserting after the word "**Forces,**" the following:

"**honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers' Training Corps,**"; and

Further amend said bill, Page 16, Section 571.117, Line 33, by inserting after the word "**Forces,**" the following:

"**honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers' Training Corps,**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 4** was adopted.

On motion of Representative Riddle, **HCS HBs 1319, 1045 & 1369, as amended,** was adopted.

On motion of Representative Riddle, **HCS HBs 1319, 1045 & 1369, as amended,** was ordered perfected and printed.

Representative Diehl resumed the Chair.

HCS HB 1449, relating to economic development in Kansas City, was taken up by Representative Berry.

On motion of Representative Berry, **HCS HB 1449** was adopted.

On motion of Representative Berry, **HCS HB 1449** was ordered perfected and printed.

HCS HB 1042, relating to the Coordinating Board for Higher Education, was taken up by Representative Thomson.

Representative Sifton offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1042, Page 7, Section 173.040, Line 19, by adding after all of said line the following:

"173.300. The Compact for Education is hereby entered into and enacted into law with all jurisdictions legally joining therein, in the form substantially as follows:

Article I Purpose and Policy

A. It is the purpose of this compact to:

1. Establish and maintain close cooperation and understanding among the executive, legislative, professional, educational and lay leadership on a nationwide basis at the state and local levels.

2. Provide a forum for the discussion, development, crystallization and recommendation of public policy alternatives in the field of education.

3. Provide a clearing house of information on matters relating to educational problems and how they are being met in different places throughout the nation, so that the executive and legislative branches of state government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.

4. Facilitate the improvement of state and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.

B. It is the policy of this compact to encourage and promote local and state initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and states.

C. The party states recognize that each of them has an interest in the quality and quantity of education furnished in each of the other states, as well as in the excellence of its own educational systems and institutions, because of the highly mobile character of individuals within the nation, and because the products and services contributing to the health, welfare and economic advancement of each state are supplied in significant part by persons educated in other states.

Article II State Defined

As used in this compact, "state" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

Article III The Commission

A. The **[**Educational**]** **Education** Commission of the States, hereinafter called "the commission", is hereby established. The commission shall consist of seven members representing each party state. One of such members shall be the governor; two shall be members of the state legislature selected by its respective houses and serving in such manner as the legislature may determine; and four shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. If the laws of a state prevent legislators from serving on the commission, six members shall be appointed and serve at the pleasure of the governor, unless the laws of the state otherwise provide. In addition to any other principles or requirements which a state may establish for the appointment and service of its members of the commission, the guiding principle for the composition of the membership on the commission from each party state shall be that the members representing such state shall, by virtue of their training, experience, knowledge or affiliations be in a position collectively to reflect broadly the interests of the state government, higher education, the state education system, local education, lay and professional, public and non-public educational leadership. Of those appointees, one shall be the head of a state agency or institution, designated by the governor, having responsibility for one or more programs of public education. In addition to the members of the commission representing the party states, there may be not to exceed ten non-voting commissioners selected by the steering committee for terms of one year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

B. The members of the commission shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners are present. The commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the commission may delegate the exercise of any of its powers to the steering committee or the executive director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to Article IV and adoption of the annual report pursuant to Article III(J).

C. The commission shall have a seal.

D. The commission shall elect annually, from among its members, a chairman, who shall be a governor, a vice chairman and a treasurer. The commission shall provide for the appointment of an executive director. Such executive director shall serve at the pleasure of the commission, and together with the treasurer and such other personnel as the commission may deem appropriate shall be bonded in such amount as the commission shall determine. The executive director shall be secretary.

E. Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director subject to the approval of the steering committee shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the commission, and shall fix the duties and compensation of such personnel. The commission in its bylaws shall provide for the personnel policies and programs of the commission.

F. The commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party jurisdictions or their subdivisions.

G. The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States, or any other governmental agency, or from any person, firm, association, foundation, or corporation, and may receive, utilize and dispose of the same. Any donation or grant accepted by the commission pursuant to this paragraph or services borrowed pursuant to paragraph (F) of this article shall be reported in the annual report of the commission. Such report shall include the nature, amount and conditions, if any, of the donation, grant, or services borrowed, and the identity of the donor or lender.

H. The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.

I. The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states.

J. The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year. The commission may make such additional reports as it may deem desirable.

Article IV Powers

In addition to authority conferred on the commission by other provisions of the compact, the commission shall have authority to:

1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.

2. Encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems.

3. Develop proposals for adequate financing of education as a whole and at each of its many levels.

4. Conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education, and other agencies and institutions, both public and private.

5. Formulate suggested policies and plans for the improvement of public education as a whole or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.

6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

Article V Cooperation With Federal Government

A. If the laws of the United States specifically so provide, or if administrative provision is made therefor within the federal government, the United States may be represented on the commission by not to exceed ten representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law, and may be drawn from any one or more branches of the federal government, but no such representative shall have a vote on the commission.

B. The commission may provide information and make recommendations to any executive or legislative agency or officer of the federal government concerning the common educational policies of the states, and may advise with any such agencies or officers concerning any matter of mutual interest.

Article VI Committees

A. To assist in the expeditious conduct of its business when the full commission is not meeting, the commission shall elect a steering committee of thirty-two members which, subject to the provisions of this compact and consistent with the policies of the commission, shall be constituted and function as provided in the bylaws of the commission. Eight of the voting membership of the steering committee shall consist of governors, eight shall be legislators, and the remainder shall consist of other members of the commission. A federal representative on the commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of two years, except that members elected to the first steering committee of the commission shall be elected as follows: sixteen for one year and sixteen for two years. The chairman, vice chairman, and treasurer of the commission shall be members of the steering committee and, anything in this paragraph to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than two terms as a member of the steering committee; provided that service for a partial term of one year or less shall not be counted toward the two term limitation.

B. The commission may establish advisory and technical committees composed of state, local and federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the states concerned, be established to consider any matter of special concern to two or more of the party states.

C. The commission may establish such additional committees as its bylaws may provide.

Article VII Finance

A. The commission shall advise the governor or designated officer or officers of each party state of its budget and estimated expenditures for such period as may be required by the laws of that party state. Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states.

B. The total amount of appropriation requests under any budget shall be apportioned among the party states. In making such apportionment, the commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party states.

C. The commission shall not pledge the credit of any party states. The commission may meet any of its obligations in whole or in part with funds available to it pursuant to Article III(G) of this compact, provided that the commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it pursuant to Article III(G) thereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

D. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the commission.

E. The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any person authorized by the commission.

F. Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

Article VIII Eligible Parties; Entry Into and Withdrawal

A. This compact shall have as eligible parties all states, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a governor, the term "governor", as used in this compact, shall mean the closest equivalent official of such jurisdiction.

B. Any state or other eligible jurisdiction may enter into this compact and it shall become binding thereon when it has adopted the same; provided that in order to enter into initial effect, adoption by at least ten eligible party jurisdictions shall be required.

C. Adoption of the compact may be either by enactment thereof or by adherence thereto by the governor; provided that in the absence of enactment, adherence by the governor shall be sufficient to make his state a party only until December 31, 1967. During any period when a state is participating in this compact through gubernatorial action, the governor shall appoint those persons who, in addition to himself, shall serve as the members of the commission from his state, and shall provide to the commission an equitable share of the financial support of the commission from any source available to him.

D. Except for a withdrawal effective on December 31, 1967 in accordance with paragraph C of this article, any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

Article IX Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States, or the application thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the state affected as to all severable matters." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sifton moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Flanigan	Gosen	Grisamore
Harris	Hodges	Hubbard	Hughes	Hummel
Jones 63	Jones 89	Kander	Kelley 126	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Silvey	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Zerr	Mr Speaker

NOES: 088

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	Molendorp	Nance	Nasheed	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Shumake	Smith 150	Solon	Sommer	Stream
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Day	Denison	Ellinger	Funderburk
Holsman	Jones 117	Keeney	Kelly 24	McManus
McNary	Meadows	Nolte	Schoeller	Smith 71

On motion of Representative Thomson, **HCS HB 1042** was adopted.

On motion of Representative Thomson, **HCS HB 1042** was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1042 - Fiscal Review
HCS HB 1212 - Fiscal Review
HCS HB 1220 - Fiscal Review
HB 1431 - Fiscal Review
HB 1466 - Fiscal Review
HB 1504 - Fiscal Review

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1477**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2001**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2002**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2003**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2004**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2005**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2006**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2007**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2008**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2009**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2010**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2011**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2012**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2013**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1267**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1278** and **HB 1152**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1568**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1608**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1623**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1062**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1425**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 25

WHEREAS, the practice of school nursing began in the United States in 1902, when the initial role of the school nurse was to reduce absenteeism by intervening with students and families regarding health care needs related to communicable diseases; and

WHEREAS, today, professional school nursing is a specialized practice that advances the well-being, academic success, and lifelong achievement of students. To that end, school nurses facilitate positive student responses to normal development, promote health and safety, intervene with actual and potential health problems, provide case management services, and actively collaborate with others to build student and family capacity for adaptation, self-management, and self-advocacy, and learning; and

WHEREAS, seven roles have been identified by the National Association of School Nurses:

(1) Providing health care to students and staff;
(2) Providing leadership for the provision of health services;
(3) Providing screening and referral for health care;
(4) Promoting a healthy school environment;
(5) Promoting health;
(6) Serving in a leadership role for health policies and programs;
(7) Serving as a liaison between school personnel, family, community, and health care providers; and

WHEREAS, under optimal conditions, all public schools should have a school nurse on staff; and

WHEREAS, today, school nurses are facing increased pressures from every direction. Overwhelming amounts of paperwork, strict administrative policies, diminishing school budgets, and serious concerns regarding legal liabilities leave an insufficient amount of time and resources to provide students with the quality of care they deserve; and

WHEREAS, as schools grapple with mandates from the federal government to vaccinate students, many districts have few or no nurses to prevent or respond to outbreaks, leaving students more vulnerable to viruses that spread easily in classrooms and take a heavier toll on children and young adults; and

WHEREAS, a 2008 survey by the National Association of School Nurses found that only 45% of public schools have their own full-time nurse, another 30% have a part-time nurse, and 25% don't have any nurses at all; and

WHEREAS, given the vital role of our professional school nurses, school districts should recognize the dedication and contributions made by professionals:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby recognize the important health and educational services that professional school nurses provide and strongly urge every school district in this state to recognize the dedication of professional school nurses and the valuable role they play in Missouri schools; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for each school district in Missouri.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1407**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1811**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was returned **HB 1325**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1358**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1820**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 1841**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1612**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1640**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1782**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1807**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1864**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1868**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1630**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1804**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1172**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1904, introduced by Representatives Wells, Ruzicka, Kelly (24), McGhee, Jones (117) and Jones (89), relating to fire sprinkler contractors.

HB 1905, introduced by Representative Ruzicka, relating to solid waste management.

HB 1906, introduced by Representatives Nolte, Lasater, Wells, Nance, Korman and Lichtenegger, relating to the designation of a memorial highway.

HB 1907, introduced by Representatives Jones (117) and Talboy, relating to vulnerable persons.

HB 1908, introduced by Representative Ruzicka, relating to asbestos abatement.

HB 1909, introduced by Representative Hoskins, relating to sales of aviation jet fuel.

HB 1910, introduced by Representatives McNeil, Kirkton, Oxford, Schupp, McGeoghegan, Pace, McCreery and McCann Beatty, relating to the sale of children's products containing bisphenol-A.

HB 1911, introduced by Representatives Shumake, Rowland, Weter, Cross, Cauthorn and Redmon, relating to the Missouri Advisory Boards and Commissions Association.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 24.**

SENATE CONCURRENT RESOLUTION NO. 24

WHEREAS, the trucking industry is a critical component of the United States economy; and

WHEREAS, truck safety is an important public policy concern; and

WHEREAS, on December 16, 2011, the Federal Motor Carrier Safety Administration (FMCSA) published a final rule establishing new Hours of Service (HOS) regulations for commercial motor vehicles; and

WHEREAS, the final rule institutes a new 30-minute rest break requirement for drivers, mandates that the 34-hour restart provision include two off-duty periods between 1:00 a.m. and 5:00 a.m., and revises the definition of on-duty time; and

WHEREAS, FMCSA's new HOS rule reduces the maximum weekly hours truck drivers may work from an average of 82 hours to 70 hours; and

WHEREAS, the final rule also establishes penalties for egregious violations of the HOS regulations and revises log book requirements for drivers involved in oilfield operations; and

WHEREAS, the FMCSA's final rule would decrease the overall number of hours a truck driver could work, and require the addition of more trucks and drivers to deliver the nation's freight; and

WHEREAS, this impact would likely compromise highway safety by generating more exposure to crashes, putting less experienced drivers on the road, exacerbating the shortage of rest area parking spaces and creating long periods of idle time for truck drivers; and

WHEREAS, the increased costs generated by the need for additional trucks and drivers, as well as operational changes, under the proposal would inflate delivery expenses and raise business and consumer costs; and

WHEREAS, the impact of the final rule will result in additional costs for motor carriers, reduced income for truck drivers, reduced productivity, an increase in highway congestion, and an increase in the cost of goods for Missourians; and

WHEREAS, the FMCSA's cost-benefit analysis of the proposal is incomplete, fails to completely account for all trucking-industry and economy-wide costs, and inflates the safety benefits of the proposal; and

WHEREAS, the American Trucking Association recently filed a petition with the U.S. Circuit Court of Appeals for the District of Columbia, asking the court to set aside FMCSA's recently published final rule as arbitrary and capricious and contrary to law; and

WHEREAS, FMCSA advisory panels are looking toward adopting regulations that involve screening and treatment of drivers at risk for obstructive sleep apnea; and

WHEREAS, the FMCSA Advisory Committee and Medical Review Board adopted 11 recommendations, including a requirement that all drivers with a body mass index measurement (BMI) of 35 or higher be tested for sleep apnea; and

WHEREAS, while there is some evidence to indicate that some commercial truck drivers have sleep apnea, there is insufficient evidence that this condition has resulted in the increased likelihood of crashes; and

WHEREAS, the Owner-Operator Independent Drivers Association Foundation calculated that 49 percent of the 3.5 million commercial truck drivers have a BMI of 30 or greater and that if a number of drivers is required to undergo sleep lab exams, such a rule would cost truckers $5.25 billion; and

WHEREAS, the reach of the proposed sleep apnea testing regulation would even govern school bus drivers; and

WHEREAS, there are valid operational differences between school bus operations and other commercial carrier operations which should be taken into account when considering applying the recommendations to all commercial drivers; and

WHEREAS, FMCSA is considering adopting other rules and regulations, notably regulations concerning electronic stability control for large trucks and speed limits for large trucks, all measures that could have a profound effect on the national economy:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Federal Motor Carrier Safety Administration to rescind its newly published rule regarding hours of service and refrain from adopting regulations concerning sleep apnea and other measures affecting the trucking industry; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Administrator of the Federal Motor Carrier Safety Administration, Anne S. Ferro, and each member of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

COMMITTEE CHANGES

March 7, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative David Day from the Committee on Professional Registration and Licensing and appoint Representative Diane Franklin.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

March 7, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Doug Funderburk from the Committee on Rules and appoint Representative Caleb Jones to this committee and to serve as Vice Chairman.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

March 7, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Caleb Jones from the Committee on Utilities and appoint Representative Kent Hampton.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

March 7, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Bill White from the Committee on Tax Reform and appoint Representative Dwight Scharnhorst.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

COMMITTEE APPOINTMENT

March 7, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Bill White and Representative Craig Redmon to the Committee on Small Business.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker of the Missouri House of Representatives

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 8, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS
Thursday, March 8, 2012, 8:00 AM House Hearing Room 4.
Public hearing will be held: HB 1860, HCR 31
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Thursday, March 8, 2012, Upon Morning Adjournment House Hearing Room 5.
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, March 8, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any and all bills assigned to the committee

GENERAL LAWS
Thursday, March 8, 2012, 9:00 AM North Gallery.
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Thursday, March 8, 2012, 8:00 AM House Hearing Room 3.
Public hearing will be held: HB 1890
Executive session may be held on any matter referred to the committee.
AMENDED

INSURANCE POLICY
Thursday, March 8, 2012, Upon Morning Adjournment South Gallery.
Public hearing will be held: HB 1875
Executive session may be held on any matter referred to the committee.
We will have a short executive session Thursday, March 8th.
AMENDED

LOCAL GOVERNMENT
Thursday, March 8, 2012, 12:00 PM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Upon adjournment, Executive session only
CANCELLED

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, March 8, 2012, 9:30 AM House Hearing Room 1.
Executive Session will be held: HCS HB 1272, HB 1046, HB 1512, HCS HB 1323, HCS HB 1060, HCS HB 1475, HCS HB 1134, HCS HB 1541, HCS HB 1722, HB 1326, HCS HB 1395, HCS HB 1644, HCS#2 HB 1524, HB 1403, HCS HB 1094, HCS HB 1488
Executive Session may be held on any or all bills which have been referred to this committee. This may include Budget bills 2001 - 2013.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, March 12, 2012, 11:00 AM House Hearing Room 5.
Public hearing will be held: HB 1859, HB 1865
Executive session will be held: HB 1359, HB 1383
Executive session may be held on any matter referred to the committee.
No meal will be provided.
CANCELLED

TOURISM AND NATURAL RESOURCES
Thursday, March 8, 2012, 9:00 AM House Hearing Room 7.
Public hearing will be held: HB 1752, HB 1744, HB 1408
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Thursday, March 8, 2012, Upon Morning Adjournment House Hearing Room 7.
Public hearing will be held: HB 1880, HB 1878
Executive session may be held on any matter referred to the committee.

UTILITIES
Thursday, March 8, 2012, 9:00 AM House Hearing Room 6.
Executive session will be held: HB 1316
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, March 8, 2012, 9:00 AM House Hearing Room 5.
Public hearing will be held: HB 1446, HB 1717
Executive session will be held: HB 1717
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, March 19, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1837,
Executive session will be held: HB 1540
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-EIGHTH DAY, THURSDAY, MARCH 8, 2012

HOUSE BILLS FOR SECOND READING

HB 1904 through HB 1911

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

1 HB 1191 - Ruzicka
2 HCS HB 1300 - Franz
3 HCS HB 1324 - Loehner
4 HCS HB 1198 - Fisher
5 HB 1051 - Allen
6 HCS HB 1169 - Franz
7 HB 1296 - Davis
8 HCS HB 1361 - Pollock

HOUSE BILLS FOR PERFECTION - CONSENT

(3/5/2012)

1 HB 1073 - Sater
2 HB 1096 - Wieland
3 HB 1165 - Diehl
4 HB 1190 - Allen
5 HB 1231 - Cauthorn
6 HB 1266 - Denison
7 HB 1337 - Stream
8 HCS HB 1373 - Asbury
9 HB 1492 - Molendorp
10 HB 1577 - Largent
11 HB 1634 - Ruzicka
12 HB 1641 - Pollock
13 HB 1668 - Denison

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HCS#2 HB 1317 - Riddle
4 HCS HB 1525 - Fuhr
5 HCS HB 1193 - Frederick
6 HCS HB 1220, (Fiscal Review 3/7/12) - Hubbard
7 HB 1029 - Flanigan
8 HB 1431, (Fiscal Review 3/7/12) - Hoskins
9 HCS HB 1495 - Nance
10 HCS HB 1212, (Fiscal Review 3/7/12) - Smith (150)
11 HB 1331 - Jones (117)
12 HCS HB 1123 - Frederick

HB 1513 - Franz
HB 1466, (Fiscal Review 3/7/12) - Nasheed
HCS HBs 1659 & 1116 - Torpey
HCS HB 1214 - Torpey
HB 1621 - Brown (116)
HB 1504, (Fiscal Review 3/7/12), E.C. - Richardson
HCS HBs 1319, 1045 & 1369 - Riddle
HCS HB 1449 - Berry
HCS HB 1042, (Fiscal Review 3/7/12) - Thomson

HOUSE BILLS FOR THIRD READING - CONSENT

HCS HBs 1098 & 1084 - Shumake
HCS HB 1108 - Lauer
HB 1236 - Entlicher
HCS HBs 1258, 1259, & 1260 - Kelly (24)
HCS HB 1340 - Dugger
HB 1404 - Reiboldt
HCS HB 1576 - Largent

HOUSE CONCURRENT RESOLUTIONS

HCR 22 - Walton Gray

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-EIGHTH DAY, THURSDAY, MARCH 8, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Representative Tommie Pierson.

Eternal God, Our Father – As we stand here in thanksgiving, we pray now that You would give us the wisdom to do those things that will strengthen and build up the people of the great State of Missouri and the love for each citizen of our great state that we would make the kind of laws that will make us all stronger and more prosperous.

I thank You that You look down upon all of us with Your hand of mercy and Your love of kindness, and now as we debate the bills that will come before us today, let us do it with a love for self and a love for others, and make the best decision that we know how; because one day, every knee shall bow and every tongue confess the deeds that we have done in this body.

As we leave here today to embark upon our spring break, let us use that time to allow God to renew and refresh us. Let us connect with our families and loved ones, realizing that what we do in this House can have a profound effect on their lives. So Lord, relax us and refresh us that when we come back from spring break, we will have a new and refreshing look as we deliberate our bills, guided by Your Holy Spirit. We will joyously and gladly do what is in the best interests of the people of the great State of Missouri.

Because You are the author and finisher of our faith, let Your words be a lamp unto our feet and a light unto our path.

In the name of Him who said, "Blessed and fortunate and happy and spiritually prosperous are those who hunger and thirst for righteousness, for they shall be completely satisfied!" *(Matthew 5:6)*

And the House says, "Amen."

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Madison Mitchell, Michael Kempker, Gavin Spicer, Caitlyn Murdick, Drew Anthony and Watson Byrd.

The Journal of the thirty-seventh day was approved as printed by the following vote:

AYES: 148

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford

Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 002

Atkins	Oxford

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Day	Diehl	Funderburk	Hughes
Kander	May	Meadows	Nolte	Scharnhorst
Smith 71	Swearingen	Wyatt		

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1079 through House Resolution No. 1105

SECOND READING OF HOUSE BILLS

HB 1904 through **HB 1911** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1042**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1212**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1220**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1431**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1504**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS#2 HB 1317, relating to abuse of a child, was taken up by Representative Riddle.

On motion of Representative Riddle, **HCS#2 HB 1317** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Diehl	Funderburk	Hughes	Kander
Meadows	Nolte	Scharnhorst	Smith 71	Swearingen
Wyatt				

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1525, relating to the Justice Reinvestment Act, was taken up by Representative Fuhr.

On motion of Representative Fuhr, **HCS HB 1525** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Diehl	Elmer	Franklin	Funderburk
Hughes	Jones 117	Kander	Meadows	Nolte
Scharnhorst	Smith 71	Swearingen	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1193, relating to the Prescription Drug Monitoring Program Act, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 1193** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 006

Brattin	Curtman	Ellington	Lasater	Marshall
Schieber				

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Diehl	Funderburk	Grisamore	Hughes

Kander	McGhee	Meadows	Nolte	Redmon
Scharnhorst	Smith 71	Swearingen	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1220, relating to children of incarcerated mothers, was taken up by Representative Hubbard.

On motion of Representative Hubbard, **HCS HB 1220** was read the third time and passed by the following vote:

AYES: 126

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Cross	Davis	Denison	Dieckhaus
Ellinger	Ellington	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Phillips	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	Wieland	Wright	Zerr
Mr Speaker				

NOES: 023

Bahr	Brattin	Brown 116	Burlison	Crawford
Curtman	Dugger	Elmer	Entlicher	Guernsey
Higdon	Jones 117	Koenig	Lasater	Leach
Marshall	McNary	Pollock	Richardson	Schatz
Schieber	Wells	White		

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Day	Diehl	Fuhr	Funderburk
Hughes	Kander	Meadows	Nolte	Parkinson
Scharnhorst	Smith 71	Swearingen	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1029, relating to state agency program evaluations, was taken up by Representative Flanigan.

On motion of Representative Flanigan, **HB 1029** was read the third time and passed by the following vote:

AYES: 134

Allen	Anders	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 014

Carlson	Carter	Colona	Ellinger	Holsman
Jones 63	May	Morgan	Pace	Pierson
Schupp	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Barnes	Diehl	Dugger	Fuhr
Funderburk	Hughes	Kander	Meadows	Nolte
Parkinson	Scharnhorst	Smith 71	Swearingen	Wyatt

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1495, relating to reporting of insurance fraud, was taken up by Representative Nance.

On motion of Representative Nance, **HCS HB 1495** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Brown 85	Cox	Diehl	Franz
Fuhr	Funderburk	Hughes	Kander	Largent
Meadows	Nolte	Scharnhorst	Smith 71	Spreng
Still	Swearingen	Wyatt		

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1212, relating to vehicles hauling livestock or milk, was taken up by Representative Smith (150).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Diehl	Fuhr	Funderburk	Gatschenberger
Hughes	Kander	Meadows	Nolte	Scharnhorst
Smith 71	Swearingen	Wyatt		

On motion of Representative Smith (150), **HCS HB 1212** was read the third time and passed by the following vote:

AYES: 114

Allen	Asbury	Aull	Bahr	Berry
Black	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 035

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Ellington	Jones 63	Kelly 24	Kirkton
Lasater	Marshall	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Spreng
Still	Talboy	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Bernskoetter	Diehl	Fuhr	Funderburk
Gatschenberger	Hughes	Kander	Meadows	Nolte
Scharnhorst	Smith 71	Swearingen	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1331, relating to the transfer of retirement service, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1331** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Davis	Day	Diehl	Fuhr
Funderburk	Kander	Meadows	Nolte	Riddle
Scharnhorst	Smith 71	Swearingen	Webber	Wyatt

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1123, relating to licensure of hospitals, was taken up by Representative Frederick.

On motion of Representative Frederick, **HCS HB 1123** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Bernskoetter	Day	Diehl	Fuhr
Funderburk	Kander	Meadows	Nolte	Scharnhorst
Shumake	Smith 71	Swearingen	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1513, relating to animal rights, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1513** was read the third time and passed by the following vote:

AYES: 116

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Webb	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 033

Anders	Atkins	Carlson	Colona	Ellinger
Ellington	Holsman	Jones 63	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Spreng	Still
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Day	Denison	Diehl	Funderburk
Kander	Kelly 24	Meadows	Nolte	Scharnhorst
Smith 71	Swearingen	Webber	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HBs 1659 & 1116, relating to a land bank agency in Kansas City, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HBs 1659 & 1116** was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kirkton	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Zerr				

NOES: 010

Burlison	Cox	Curtman	Franklin	Franz
Koenig	Marshall	Pollock	Schad	Wells

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Bernskoetter	Day	Diehl	Funderburk
Hughes	Kander	Kelly 24	McCreery	Meadows
Nolte	Parkinson	Scharnhorst	Smith 71	Swearingen
Wyatt	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1214, relating to the Missouri Entrepreneur Resource Network, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HB 1214** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Cross	Day	Diehl	Funderburk
Kander	Meadows	Nolte	Scharnhorst	Smith 71
Swearingen	Wright	Wyatt		

Speaker Pro Tem Schoeller declared the bill passed.

HB 1621, relating to discrimination regarding firearms, was taken up by Representative Brown (116).

On motion of Representative Brown (116), **HB 1621** was read the third time and passed by the following vote:

AYES: 115

Allen	Asbury	Aull	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Dugger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McManus	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 036

Anders	Atkins	Bahr	Brown 50	Carlson
Carter	Colona	Curtman	Ellinger	Ellington
Holsman	Hummel	Jones 63	Kelly 24	Kirkton
Koenig	May	McCann Beatty	McCreery	McDonald
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Schupp	Sifton
Spreng	Still	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Day	Diehl	Elmer	Funderburk
Kander	Meadows	Nolte	Scharnhorst	Smith 71
Swearingen	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

HB 1504, relating to sales taxes, was taken up by Representative Richardson.

On motion of Representative Richardson, **HB 1504** was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 017

Brattin	Burlison	Carlson	Curtman	Franklin
Fuhr	Hughes	Kirkton	Koenig	Lasater
Leach	Marshall	McCreery	Oxford	Parkinson
Schieber	Schupp			

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 012

Barnes	Day	Diehl	Funderburk	Kander
Meadows	Nolte	Scharnhorst	Smith 71	Swearingen
Webb	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 125

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Pace	Phillips
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 023

Bahr	Brattin	Burlison	Carlson	Curtman
Franklin	Fuhr	Hughes	Kirkton	Koenig
Lasater	Leach	Marshall	McCreery	Newman
Oxford	Parkinson	Pierson	Schieber	Schupp
Spreng	Still	Taylor		

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 014

Barnes	Day	Diehl	Funderburk	Kander
Meadows	Nolte	Pollock	Schad	Scharnhorst
Smith 71	Swearingen	Webb	Wyatt	

Speaker Tilley assumed the Chair.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1219.**

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HB 1219** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 1219** was delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SS SCS SB 572** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Speaker Pro Tem Schoeller resumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HBs 1319, 1045 & 1369, relating to weapons, was taken up by Representative Riddle.

On motion of Representative Riddle, **HCS HBs 1319, 1045 & 1369** was read the third time and passed by the following vote:

AYES: 120

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150

Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 031

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Holsman	Hummel	Jones 63	Kelly 24
Kirkton	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Schupp
Sifton	Spreng	Still	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Day	Diehl	Funderburk	Kander
Meadows	Nolte	Scharnhorst	Smith 71	Swearingen
Webb	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1042, relating to the Higher Education Coordinating Board, was taken up by Representative Thomson.

On motion of Representative Thomson, **HCS HB 1042** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp

Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Zerr	Mr Speaker			

NOES: 003

Hughes	Kelly 24	Webber

PRESENT: 001

Aull

ABSENT WITH LEAVE: 017

Barnes	Carter	Day	Diehl	Flanigan
Funderburk	Kander	Meadows	Nolte	Pollock
Scharnhorst	Smith 71	Swearingen	Torpey	Webb
Wright	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILLS - CONSENT

HCS HBs 1098 & 1084, relating to charitable veterans' organization, was taken up by Representative Shumake.

On motion of Representative Shumake, **HCS HBs 1098 & 1084** was read the third time and passed by the following vote:

AYES: 140

Allen	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Sater

Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Wallingford	Walton Gray	Webber	Wells
Weter	Wieland	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Anders

ABSENT WITH LEAVE: 022

Barnes	Carlson	Carter	Cauthorn	Day
Diehl	Flanigan	Funderburk	Hubbard	Kander
Meadows	Nasheed	Nolte	Redmon	Richardson
Scharnhorst	Smith 71	Swearingen	Torpey	Webb
White	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1108, relating to emergency call location information, was taken up by Representative Lauer.

On motion of Representative Lauer, **HCS HB 1108** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer

Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Zerr			

NOES: 003

Ellington	Hughes	Marshall

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Carter	Cauthorn	Day	Diehl
Flanigan	Funderburk	Hubbard	Kander	Meadows
Nasheed	Nolte	Scharnhorst	Smith 71	Swearingen
Webb	Wyatt	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

HB 1236, relating to third-party candidates, was taken up by Representative Entlicher.

On motion of Representative Entlicher, **HB 1236** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 001

Ellington

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Bernskoetter	Carter	Cauthorn	Day
Diehl	Funderburk	Hubbard	Kander	Meadows
Nasheed	Nolte	Schad	Scharnhorst	Smith 71
Swearingen	Webb	Wyatt		

Speaker Pro Tem Schoeller declared the bill passed.

HCS HBs 1258, 1259 & 1260, relating to acknowledgment of paternity, was taken up by Representative Kelly (24).

On motion of Representative Kelly (24), **HCS HBs 1258, 1259 & 1260** was read the third time and passed by the following vote:

AYES: 126

Allen	Anders	Asbury	Aull	Bahr
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Carlson	Casey	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Morgan	Nance	Neth	Newman	Nichols
Oxford	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 015

Atkins	Brown 50	Ellinger	Ellington	Hughes
Kirkton	Marshall	May	McCreery	McDonald
Montecillo	Pace	Pierson	Schupp	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Bernskoetter	Carter	Cauthorn	Day
Diehl	Funderburk	Holsman	Hubbard	Kander
Lampe	Leara	Meadows	Nasheed	Nolte
Riddle	Scharnhorst	Shumake	Smith 71	Swearingen
Webb	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1340, relating to interim county officials, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1340** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 002

Colona	Hughes

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Bernskoetter	Carter	Cauthorn	Day
Diehl	Funderburk	Hubbard	Kander	Leara
McNeil	Meadows	Nasheed	Nolte	Scharnhorst
Smith 71	Swearingen	Webb	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1404, relating to "Pet Breeders Appreciation Month", was taken up by Representative Reiboldt.

On motion of Representative Reiboldt, **HB 1404** was read the third time and passed by the following vote:

AYES: 119

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McDonald	McGeoghegan	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 025

Carlson	Colona	Ellinger	Holsman	Hughes
Hummel	Jones 63	Kirkton	McCann Beatty	McCreery
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Spreng	Talboy	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Bernskoetter	Carter	Cauthorn	Day
Diehl	Funderburk	Hubbard	Kander	Leara
Meadows	Nasheed	Nolte	Riddle	Scharnhorst
Smith 71	Swearingen	Webb	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1576, relating to state insurance for foster parents, was taken up by Representative Largent.

On motion of Representative Largent, **HCS HB 1576** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Hummel	Johnson	Jones 63
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Barnes	Bernskoetter	Carter	Cauthorn	Day
Diehl	Funderburk	Hubbard	Jones 89	Kander

Lampe	Leara	Meadows	Nasheed	Nolte
Riddle	Schad	Scharnhorst	Schatz	Schneider
Smith 71	Swearingen	Webb	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 19 - Tourism and Natural Resources
HCR 29 - Veterans
HCR 33 - Workforce Development and Workplace Safety
HCR 34 - Elementary and Secondary Education
HCR 43 - General Laws
HCR 44 - Transportation
HCR 45 - Budget

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 42 - Downsizing State Government
HJR 50 - Veterans
HJR 53 - Elections
HJR 60 - Downsizing State Government
HJR 62 - Elections
HJR 76 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1449 - Fiscal Review
HB 1159 - Financial Institutions
HB 1351 - Tax Reform
HB 1380 - General Laws
HB 1471 - Health Care Policy
HB 1483 - General Laws
HB 1496 - Corrections
HB 1508 - Professional Registration and Licensing
HB 1553 - Judiciary
HB 1554 - International Trade and Job Creation
HB 1555 - Workforce Development and Workplace Safety
HB 1556 - Urban Issues
HB 1558 - Corrections
HB 1581 - Health Insurance

HB 1589 - General Laws
HB 1597 - Elementary and Secondary Education
HB 1606 - Tax Reform
HB 1617 - Tax Reform
HB 1618 - General Laws
HB 1678 - Professional Registration and Licensing
HB 1697 - Tourism and Natural Resources
HB 1703 - Local Government
HB 1719 - Elections
HB 1724 - Transportation
HB 1726 - General Laws
HB 1734 - General Laws
HB 1739 - Special Standing Committee on Renewable Energy
HB 1760 - Local Government
HB 1779 - Economic Development
HB 1790 - Children and Families
HB 1793 - Agriculture Policy
HB 1799 - Crime Prevention and Public Safety
HB 1802 - Local Government
HB 1809 - Special Standing Committee on Renewable Energy
HB 1815 - Rural Community Development
HB 1821 - Transportation
HB 1825 - Local Government
HB 1826 - Corrections
HB 1828 - General Laws
HB 1829 - Elementary and Secondary Education
HB 1830 - Elementary and Secondary Education
HB 1831 - Elementary and Secondary Education
HB 1832 - General Laws
HB 1833 - General Laws
HB 1836 - Transportation Funding and Public Institutions
HB 1842 - Children and Families
HB 1843 - Elementary and Secondary Education
HB 1845 - Ways and Means
HB 1853 - Special Standing Committee on Governmental Affairs
HB 1854 - Special Standing Committee on Disability Services
HB 1870 - Elections
HB 1872 - Tax Reform
HB 1874 - Transportation
HB 1876 - Elementary and Secondary Education
HB 1877 - Children and Families
HB 1879 - Special Standing Committee on Renewable Energy
HB 1882 - Children and Families
HB 1895 - Agriculture Policy
HB 1886 - Special Standing Committee on Disability Services
HB 1888 - Special Standing Committee on Disability Services
HB 1898 - Urban Issues

HB 1900 - Downsizing State Government
HB 1904 - Professional Registration and Licensing
HB 1906 - Transportation
HB 1909 - Transportation

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 450 - Elementary and Secondary Education
SS SCS SB 467 - Downsizing State Government
SS SCS SB 469 - Downsizing State Government
SCS SB 498 - Veterans
SCS SB 562 - Higher Education
SB 564 - Transportation
SB 568 - General Laws
SB 594 - Utilities
SB 611 - Transportation

COMMITTEE REPORTS

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1609**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1789**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1170**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1315**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 1827**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 1890**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1875**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1171**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1256**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1460**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1560**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1563**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1408**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1744**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1126**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1737**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1878**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1880**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HB 1316**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1717**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Vice Chairman Jones (117) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 37**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1046**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1060**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1094**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1134**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1272**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1323**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1323**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1326**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1395**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1403**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1475**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1488**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1512**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1524**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1541**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1644**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1722**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2001**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2002**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2003**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2004**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2005**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2006**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2007**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2008**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2009**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2010**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2011**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2012**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2013**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 6 (six) hours total debate, divided equally among both sides for debate on Perfection**.

INTRODUCTION OF HOUSE BILLS

HB 1912, introduced by Representatives McGeoghegan, Schad, Smith (71), Ellinger, Kratky, Harris, Montecillo, Anders, Morgan, Carlson, Wyatt, Colona, Schneider, Gatschenberger, Parkinson, Conway (14), Pace, Schieffer, Swearingen, Hinson, Brown (85), Lichtenegger and Kelly (24), relating to an emergency contact database.

HB 1913, introduced by Representatives McGeoghegan, Grisamore, Kratky, Conway (14), Atkins, Oxford, Phillips, Houghton, Lauer, Cookson, Schneider, Hummel, Aull, Rizzo, Carter, Kelly (24), Jones (63), Still, McNeil, Pace, McCann Beatty, Hodges, Gatschenberger, Torpey, Sifton, Newman, Fallert, Casey, Conway (27), Walton Gray, Smith (71), Harris, Swearingen, Anders, Hubbard, Ellington, Montecillo, Schupp, May, Colona, Morgan, Ellinger, Quinn, Wyatt, Carlson, Brown (85), Lichtenegger and Schieffer, relating to lift van accessible parking spaces.

HB 1914, introduced by Representatives Kirkton, Jones (63), Oxford, Pace, McCreery, Newman, Ellinger and Schupp, relating to child support.

HB 1915, introduced by Representatives Kirkton, Schupp and Oxford, relating to parental visitation during guardianship.

HB 1916, introduced by Representatives McManus, Holsman and Conway (27), relating to emergency vehicles.

HB 1917, introduced by Representatives Black, Fallert and Hummel, relating to primary elections.

HB 1918, introduced by Representative Richardson, relating to higher education course delivery priorities.

HB 1919, introduced by Representatives Schatz, Pollock, Smith (150), Scharnhorst, Korman, Houghton, Schneider, Leara, Cookson, Richardson, Wright, Brattin, Reiboldt, Hinson, Cierpiot and Schad, relating to underground facility safety and damage prevention.

HB 1920, introduced by Representatives McNary, Lair, Dieckhaus, Burlison, Neth, Jones (63) and Nasheed, relating to unaccredited school districts.

HB 1921, introduced by Representatives Torpey, Largent, Rizzo, Jones (89), Hinson, Tilley, Johnson, Lichtenegger, Hoskins, Taylor, McCaherty and Cross, relating to safety studies by the state fire marshal.

HB 1922, introduced by Representatives Molendorp, Franz, Tilley, Keeney, Hodges, Pollock, Hinson, Phillips, Day, Hough, Largent, Black, Diehl, Brandom, Fraker, Lampe, Barnes, Scharnhorst, Jones (117), Schoeller, Leach, Kelley (126), Guernsey, Solon, Lichtenegger, Zerr, Allen, Flanigan, Talboy, Gosen, McGhee, Asbury, Dieckhaus, Haefner, Parkinson and Bahr, relating to the health benefits plan for members of the Missouri department of transportation and highway patrol employees' retirement system.

HB 1923, introduced by Representatives Holsman, Hummel, Oxford, Talboy, Rizzo, McManus, Morgan, McCann Beatty and Hughes, relating to high school dropout prevention.

HB 1924, introduced by Representatives Holsman, Oxford, Talboy and Morgan, relating to light pollution.

HB 1925, introduced by Representatives Holsman, Hummel, Talboy, Rizzo, Morgan, Ellington and Hughes, relating to tuition rates for students at institutions of higher education.

HB 1926, introduced by Representatives Holsman, Hummel, Talboy, Sifton, Morgan and Hughes, relating to solar water heating systems.

HB 1927, introduced by Representatives Holsman, Hummel, Talboy, Rizzo and McManus, relating to the school calendar.

HB 1928, introduced by Representatives Holsman, Oxford, Hummel, Newman, Talboy, Sifton, Rizzo, McManus, Morgan, Ellington, McCann Beatty and Hughes, relating to medical assistance benefits.

HB 1929, introduced by Representatives Holsman, Oxford, Hummel, Talboy, Rizzo, Morgan, Ellington and Hughes, relating to public financing of certain election campaigns.

HB 1930, introduced by Representatives Holsman, Hummel, Oxford, Newman, Talboy, Sifton, Rizzo, Morgan, Ellington, McCann Beatty and Hughes, relating to the preschool plus program.

HB 1931, introduced by Representatives Holsman, Oxford, Hummel, Newman, Talboy, Sifton, Rizzo, Ellington, Morgan and Hughes, relating to the KidCare Co-op program.

HB 1932, introduced by Representatives Holsman, Oxford, Hummel, Talboy, McManus, Morgan and McCann Beatty, relating to school class size.

HB 1933, introduced by Representatives McCaherty, Jones (89), Stream, Long, Lair, Grisamore, Houghton, Neth, Curtman, Koenig, Higdon, Brown (116), Lauer, Cross, Cookson, Schatz, Shumake, Haefner, Lasater, Frederick, Fitzwater, Asbury and Brown (85), relating to a ban on abortions for sex selection and genetic abnormalities.

HB 1934, introduced by Representatives Torpey, Curtman, Sifton, Berry, Wieland, Diehl, Cross and McCaherty, relating to animal shelter fees.

HB 1935, introduced by Representative Franz, relating to interest rates.

HB 1936, introduced by Representative Molendorp, relating to reinsurance.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 37**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to apportionment commissions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 470**, entitled:

An act to repeal sections 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.116, and 390.280, RSMo, and to enact in lieu thereof thirteen new sections relating to motor carrier transportation regulated by the state highways and transportation commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 480**, entitled:

An act to repeal sections 144.030 and 390.020, RSMo, and to enact in lieu thereof two new sections relating to regulation of motor carriers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SB 492**, entitled:

An act to repeal sections 104.1084 and 104.1091, RSMo, and to enact in lieu thereof two new sections relating to retirement.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 569**, entitled:

An act to repeal section 115.123, RSMo, and to enact in lieu thereof one new section relating to dates for conducting elections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 591**, entitled:

An act to repeal sections 137.115 and 138.060, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle valuations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 607**, entitled:

An act to amend chapter 226, RSMo, by adding thereto one new section relating to the regulation of outdoor advertising.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 635**, entitled:

An act to repeal section 30.270, RSMo, and to enact in lieu thereof one new section relating to securities that are pledged for the safekeeping and payment of public funds deposited in banks and financial institutions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 699**, entitled:

An act to repeal sections 221.105, 559.016, 559.036, 559.100, and 559.115, RSMo, and to enact in lieu thereof nine new sections relating to criminal offenders under the supervision of the department of corrections, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 711**, entitled:

An act to repeal section 453.005, RSMo, and to enact in lieu thereof one new section relating to the prohibition of racial considerations in adoption proceedings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 722**, entitled:

An act to amend chapter 34, RSMo, by adding thereto one new section relating to restricting public contracts with entities that invest in the energy sector in Iran.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 726**, entitled:

An act to repeal sections 408.052 and 443.812, RSMo, and to enact in lieu thereof two new sections relating to residential mortgage loan brokers, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Schad, the House adjourned until 4:00 p.m., Monday, March 19, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, March 20, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1725, HB 1733
Executive session may be held on any matter referred to the committee.
We will have a presentation by Neighbors of the Mississippi.

CRIME PREVENTION AND PUBLIC SAFETY
Monday, March 19, 2012, 1:30 PM House Hearing Room 4.
Public hearing will be held: HB 1468, HB 1699
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, March 20, 2012, 5:00 PM House Hearing Room 3.
Public hearing will be held: HB 1805, HB 1728, HB 1493
Executive session may be held on any matter referred to the committee.
Work session may follow.

FISCAL REVIEW
Monday, March 19, 2012, 2:30 PM House Hearing Room 5.
Executive session will be held: HB 1466, HCS HB 1449
Executive session may be held on any matter referred to the committee.
Any and all bills referred to the committee.

HEALTH CARE POLICY
Wednesday, March 21, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1471
Executive session may be held on any matter referred to the committee.

RETIREMENT
Monday, March 19, 2012, 2:30 PM House Hearing Room 6.
Public hearing will be held: HB 1543, HB 1857
Executive session will be held: HB 1741
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, March 20, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1815
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, March 19, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HCR 42, HB 1794, HB 1854, HB 1886, HB 1888
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, March 12, 2012, 11:00 AM House Hearing Room 5.
Public hearing will be held: HB 1859, HB 1865
Executive session will be held: HB 1359, HB 1383
Executive session may be held on any matter referred to the committee.
No meal will be provided.
CANCELLED

URBAN ISSUES
Monday, March 19, 2012, Upon Evening Adjournment House Hearing Room 5.
Public hearing will be held: HB 1665, HB 1556, HB 1898
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, March 19, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1837
Executive session will be held: HB 1540
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

THIRTY-NINTH DAY, MONDAY, MARCH 19, 2012

HOUSE BILLS FOR SECOND READING

HB 1912 through HB 1936

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

1 HCS HB 2001, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
2 HCS HB 2002, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
3 HCS HB 2003, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
4 HBS HB 2004, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
5 HCS HB 2005, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
6 HCS HB 2006, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
7 HBS HB 2007, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
8 HCS HB 2008, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
9 HCS HB 2009, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
10 HCS HB 2010, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
11 HCS HB 2011, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
12 HCS HB 2012, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
13 HCS HB 2013, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey

HOUSE BILLS FOR PERFECTION

1 HB 1191 - Ruzicka
2 HCS HB 1300 - Franz
3 HCS HB 1324 - Loehner
4 HCS HB 1198 - Fisher
5 HB 1051 - Allen
6 HCS HB 1169 - Franz
7 HB 1296 - Davis
8 HCS HB 1361 - Pollock

HOUSE BILLS FOR PERFECTION - CONSENT

(3/5/2012)

1 HB 1073 - Sater
2 HB 1096 - Wieland
3 HB 1165 - Diehl
4 HB 1190 - Allen
5 HB 1231 - Cauthorn
6 HB 1266 - Denison
7 HB 1337 - Stream
8 HCS HB 1373 - Asbury
9 HB 1492 - Molendorp
10 HB 1577 - Largent
11 HB 1634 - Ruzicka
12 HB 1641 - Pollock
13 HB 1668 - Denison

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1466, (Fiscal Review 3/7/12) - Nasheed
5 HCS HB 1449, (Fiscal Review 3/8/12) - Berry

SENATE JOINT RESOLUTIONS FOR SECOND READING

SJR 37

SENATE BILLS FOR SECOND READING

1 SS SCS SB 470
2 SCS SB 480
3 SS#2 SB 492
4 SCS SB 569
5 SCS SB 591
6 SS SB 607
7 SCS SB 635
8 SS SCS SB 699
9 SCS SB 711
10 SCS SB 722
11 SCS SB 726

HOUSE CONCURRENT RESOLUTIONS

1 HCR 22 - Walton Gray
2 HCR 37 - Barnes

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

THIRTY-NINTH DAY, MONDAY, MARCH 19, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Major Kendall Mathews.

God, our eternal Father and our hope for tomorrow, You are the creator and preserver of all things in heaven and on earth. We approach Your throne of grace today seeking Your wisdom, guidance and blessing upon this honorable house of lawmakers. Help them to know that faith is the key to the Kingdom, which has the power to direct their decisions and to impact this great State of Missouri. "For as many as are led by the Spirit of God, they are the daughters and sons of God." *(Romans 8:14)*

May Your righteous and holy hand uphold these governmental officials and keep them in perfect peace, while the uncertainty of the world influences our community. Holy God, they need Your spiritual presence, Your endless power, and Your passion to be stamped upon their hearts this very moment, as they make resolutions that will affect the rich and the poor of our state. May these representatives respond to Your holy voice, so they can favorably reply to the voices of the people.

Grant these women and men, and their families, physical health, inner peace and endless mercy as they serve and preserve high governmental standards for our fellow citizens. "To give and it will be given to you; good measure passed over, they will pour into your lap. For whatever measure you deal out to others, it will be dealt to you in return." *(Luke 6:38)* Help them deal fairly with all people so that they can understand how You deal fairly with them, Lord.

And now unto You Who are able to do more than we can think or imagine, I pray that these officials will submit to Your authority and be led by You. May it be so in the righteous Name of our Lord, Savior and Master, Jesus Christ. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Abigail Leara, Kathleen Leara, Alexander Leara and Thomas Leara.

The Journal of the thirty-eighth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1106 through House Resolution No. 1244

SECOND READING OF HOUSE BILLS

HB 1912 through **HB 1936** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 37 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 470, **SCS SB 480**, **SS#2 SB 492**, **SCS SB 569**, **SCS SB 591**, **SS SB 607**, **SCS SB 635**, **SS SCS SB 699**, **SCS SB 711**, **SCS SB 722** and **SCS SB 726** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1449**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1466**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE BILL

HCS HB 1300, relating to motor vehicle valuations, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1300, Page 4, Section 137.115, Line 109, by inserting before the word "trade-in" the word "**lowest**"; and

Further amend said bill, page and section, Lines 110-112, by removing all of said lines and inserting in lieu thereof the following:

"value published in the October issue of **[**the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended**] a single nationally recognized**"; and

Further amend said bill, page and section, Line 114, by inserting after the first appearance of the word "publication" the following:

"**as approved by the state tax commission in conjunction with the association representing the majority of assessors in this state.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1300, Line 15.

"In this state — and would be no greater than the value established by a current NADA publication".

Representative Pollock moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 014

Brattin	Burlison	Cauthorn	Dugger	Hinson
Loehner	Long	McCaherty	Nance	Neth
Pollock	Rowland	Smith 150	Wells	

NOES: 136

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Carlson	Carter	Casey
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Harris	Higdon	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Brown 50	Franklin	Funderburk	Haefner
Hodges	Holsman	Hughes	Kander	Kelly 24
Lampe	Molendorp	Nolte		

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Sifton offered **House Amendment No. 2**.

Representative Scharnhorst raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Franz, **HCS HB 1300, as amended**, was adopted.

On motion of Representative Franz, **HCS HB 1300, as amended**, was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HB 1466, relating to the Math and Science Tutoring Act, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HB 1466** was read the third time and passed by the following vote:

AYES: 097

Allen	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Carlson
Carter	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Davis	Day	Denison
Dieckhaus	Ellinger	Ellington	Fallert	Fisher
Flanigan	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGhee
McManus	McNary	Montecillo	Nasheed	Neth
Pace	Parkinson	Phillips	Pierson	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Schad	Scharnhorst	Schneider	Schoeller	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Stream	Swearingen	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Webber	Weter
Zerr	Mr Speaker			

NOES: 054

Anders	Asbury	Atkins	Bahr	Brattin
Burlison	Casey	Conway 14	Crawford	Cross
Curtman	Dugger	Elmer	Entlicher	Fitzwater
Fraker	Franz	Hampton	Harris	Hummel
Kirkton	Koenig	Lasater	Lauer	Leach
Marshall	McCreery	McGeoghegan	McNeil	Meadows
Morgan	Nance	Newman	Nichols	Oxford
Pollock	Quinn	Ruzicka	Sater	Schatz
Schieber	Schieffer	Schupp	Shively	Sifton
Spreng	Still	Swinger	Thomson	Wells
White	Wieland	Wright	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Diehl	Franklin	Funderburk	Haefner
Higdon	Hodges	Hughes	Jones 117	Kander
Molendorp	Nolte			

Speaker Tilley declared the bill passed.

HCS HB 1449, relating to economic development in Kansas City, was taken up by Representative Berry.

On motion of Representative Berry, **HCS HB 1449** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Harris	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Sommer

Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 011

Bahr	Franz	Kirkton	Leach	Marshall
Oxford	Pollock	Rowland	Sater	Smith 150
Wells				

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Day	Diehl	Franklin	Funderburk
Haefner	Higdon	Hodges	Hughes	Kander
Molendorp	Nolte			

Speaker Tilley declared the bill passed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 677 - Rules

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1834 - Elementary and Secondary Education
HB 1846 - Special Standing Committee on Government Oversight and Accountability

COMMITTEE REPORTS

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1665**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1066**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1540**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **HB 1359**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **HB 1383**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **HB 1865**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1073, HB 1096, HB 1165, HB 1190, HB 1231, HB 1266, HB 1337, HCS HB 1373, HB 1492, HB 1577, HB 1634, HB 1641** and **HB 1668**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1937, introduced by Representative Cauthorn, relating to bicycle operation.

HB 1938, introduced by Representatives Wallingford, Sater, Johnson, Frederick, Franklin, Elmer, Klippenstein, Schatz, Brown (116), Keeney, Scharnhorst, Black, Pace, Swinger and Quinn, relating to the designation of medical radiation safety awareness day.

HB 1939, introduced by Representatives Jones (63), Talboy, Hummel, Ellinger, May, Swinger, Shively, Taylor, McCreery, Schupp, McManus, Oxford, McNeil, Pierson, Newman, Kirkton, Nichols, Morgan, Casey, McGeoghegan, Quinn, Harris, Kratky, Sifton, Carlson, McDonald, Schieffer, Walton Gray, Still, Webb, Rizzo, Pace, Webber, Conway (27), Colona, Nasheed, Black, Lampe, Swearingen, Fallert, Meadows, Anders, Kelly (24), Brown (50), Spreng, Atkins, Holsman and Carter, relating to ethics.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

March 16, 2012

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96TH GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Bill No. 1219** entitled:

"AN ACT"

To repeal sections 213.010, and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

I disapprove of **House Bill No. 1219**. My reasons for disapproval are as follows:

Much like Senate Committee Substitute for Senate Bill No. 188, which I vetoed in 2011, **House Bill No. 1219** weakens Missouri's commitment to address discriminatory conduct and limits existing protections for whistleblowers in the workplace.

The following are several of the unacceptable provisions contained in **House Bill No. 1219** that collectively evince a desire to undo decades of progress in Missouri.

Eliminates individual responsibility for discrimination. House Bill No. 1219 ignores a basic tenet of the Missouri Human Rights Act in that it releases from liability the very person who committed the discriminatory act. The Missouri Human Rights Act was established to protect Missourians from such treatment by holding those who discriminate and harass accountable for their actions.

Exempts private clubs and seasonal employers from suit. House Bill No. 1219 would exempt private clubs and many seasonal employers from the type of conduct prohibited by the Missouri Human Rights Act. This Act must continue to protect against discrimination regardless of where it occurs.

Significantly reduces the availability of damages in discrimination cases. House Bill No. 1219 would establish a cap on damages in discrimination cases. And while federal law also establishes limits, the federal caps apply against the aggregate of only compensatory and punitive damages. **House Bill No. 1219**, meanwhile, would apply that same monetary limit to the sum of awarded "back pay, interest on back pay, other equitable relief **[**front pay**]**, court costs and reasonable attorneys fees," as well as compensatory and punitive damages. Such limits would significantly reduce the potential award in any given case and would undermine the effectiveness of the Missouri Human Rights Act.

Prevents a court from awarding any damages in housing discrimination cases. State law makes it unlawful to discriminate in housing decisions because of race, color, religion, national origin, ancestry, sex, disability or familial status and provides for the recovery of damages for such conduct. **House Bill No. 1219**, by way of Section 213.111.8, RSMo, would inexplicably eliminate a court's ability to award damages in housing discrimination cases brought under Sections 213.040, 213.045 or 213.050, RSMo.

Prohibits punitive damages against government. House Bill No. 1219 would bar punitive damages in discrimination suits against the State or political subdivisions except in certain housing cases, effectively holding governmental entities less accountable to its citizens than their private sector counterparts. Discrimination and unfair treatment does not become more or less abhorrent based on who is doing the discriminating, and the Missouri Human Rights Act should therefore make no such distinction.

Reduces protection for Whistleblowers. House Bill No. 1219 would narrow the protections that currently exist against retaliation in the workplace. Whistleblowers provide an important service to all Missourians, and laws should not be written to discourage individuals from exposing misconduct.

In accordance with the above stated reasons for disapproval, I am returning **House Bill No. 1219** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

The following member's presence was noted: Franklin.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 20, 2012.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-eighth Day, Thursday, March 8, 2012, Page 593, Line 5, by inserting immediately after said line the following:

"The following House Bills were read the first time and copies ordered printed:"

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, March 20, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1725, HB 1733
Executive session may be held on any matter referred to the committee.
We will have a presentation by Neighbors of the Mississippi.

CHILDREN AND FAMILIES
Wednesday, March 21, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1607, HB 1790, HB 1842
Executive session may be held on any matter referred to the committee.
AMENDED

DOWNSIZING STATE GOVERNMENT
Wednesday, March 21, 2012, 6:30 PM 223 East Capitol Avenue.

ECONOMIC DEVELOPMENT
Tuesday, March 20, 2012, 5:00 PM House Hearing Room 3.
Public hearing will be held: HB 1805, HB 1728, HB 1493
Executive session may be held on any matter referred to the committee.
Work session may follow.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, March 21, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1206, HB 1834
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, March 20, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: SB 568, HB 1828, HB 1038, HB 1463, HB 1335
Executive session may be held on any matter referred to the committee.
AMENDED

HEALTH CARE POLICY
Wednesday, March 21, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1471
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, March 20, 2012, 8:30 AM House Hearing Room 6.
Public hearing will be held: SCS SB 562
Executive session will be held: HB 1502
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, March 21, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1639
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, March 21, 2012, 12:00 PM or Upon Morning Recess House Hearing Room 1.
Public hearing will be held: HB 1328, HB 1330, HB 1698
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, March 21, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1547, HB 1703, HB 1780, HB 1590, SB 736, HB 1825
Executive session may be held on any matter referred to the committee.
AMENDED

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, March 21, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1371, HB 1904, HB 1355
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Tuesday, March 20, 2012, Upon Morning Recess House Hearing Room 5.
Executive session will be held: HB 1048, HB 1062, HB 1063, HB 1170, HCS HB 1171, HB 1221, HB 1261, HB 1264, HB 1267, HB 1315, HCS HB 1325, HB 1345, HCS HB 1363, HCS HB 1364, HCS HB 1407, HB 1408, HB 1424, HB 1436, HB 1460, HCS#2 HB 1462, HCS HB 1477, HB 1484, HCS HBs 1518 & 1522, HCS HB 1527, HB 1545, HB 1560, HCS HB 1563, HCS HB 1568, HB 1615, HCS HB 1623, HB 1630, HB 1636, HCS HB 1647, HB 1651, HB 1662, HB 1652, HB 1680, HB 1687, HB 1692, HCS HB 1717, HB 1737, HCS HB 1738, HB 1744, HB 1782, HB 1804, HB 1807, HB 1811, HB 1820, HCS HB 1827, HCS HB 1841, HB 1862, HB 1864, HB 1868, HCS HB 1875, HB 1878, HB 1880
Executive session may be held on any or all bills which have been referred to this committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, March 20, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1815
Executive session may be held on any matter referred to the committee.

TAX REFORM
Wednesday, March 21, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HJR 71, HB 1835
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, March 20, 2012, Upon Morning Adjournment House Hearing Room 7.
Public hearing will be held: SB 564, SB 611, HJR 73, HCR 44, HB 1724, HB 1821, HB 1906, HB 1909
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, March 20, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: SB 594
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTIETH DAY, TUESDAY, MARCH 20, 2012

HOUSE BILLS FOR SECOND READING

HB 1937 through HB 1939

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

1 HCS HB 2001, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
2 HCS HB 2002, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
3 HCS HB 2003, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
4 HCS HB 2004, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
5 HCS HB 2005, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
6 HCS HB 2006, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
7 HCS HB 2007, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
8 HCS HB 2008, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
9 HCS HB 2009, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
10 HCS HB 2010, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
11 HCS HB 2011, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
12 HCS HB 2012, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey
13 HCS HB 2013, (Six hours total debate on Perfection for HCS HB 1 - HCS HB 13) - Silvey

HOUSE BILLS FOR PERFECTION

1 HB 1191 - Ruzicka
2 HCS HB 1324 - Loehner
3 HCS HB 1198 - Fisher
4 HB 1051 - Allen
5 HCS HB 1169 - Franz
6 HB 1296 - Davis
7 HCS HB 1361 - Pollock
8 HB 1046 - Rowland
9 HCS HB 1094 - White
10 HCS HB 1272 - Kelley (126)
11 HB 1326 - Cox
12 HCS HB 1395 - Korman
13 HCS HB 1400 - Richardson
14 HCS HB 1475 - Cross
15 HB 1512 - Curtman
16 HCS HB 1541 - Jones (89)
17 HCS HB 1644 - Barnes
18 HCS HB 1722 - Thomson

HOUSE BILLS FOR PERFECTION - CONSENT

(3/20/2012)

1 HB 1341 - Dugger
2 HCS#2 HB 1524 - Phillips

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1073 - Sater
2 HB 1096 - Wieland
3 HB 1165 - Diehl
4 HB 1190 - Allen
5 HB 1231 - Cauthorn
6 HB 1266 - Denison
7 HB 1337 - Stream
8 HCS HB 1373 - Asbury
9 HB 1492 - Molendorp
10 HB 1577 - Largent
11 HB 1634 - Ruzicka
12 HB 1641 - Pollock
13 HB 1668 - Denison

HOUSE CONCURRENT RESOLUTIONS

1 HCR 22 - Walton Gray
2 HCR 37 - Barnes
3 HCR 11 - Kelley (126)
4 HCS HCR 30 - Hampton

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTIETH DAY, TUESDAY, MARCH 20, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I will lift up mine eyes unto the hills, from whence cometh my help. (Psalm 121:1)

Almighty God, Who is ever present in our world and with us always all our lives, grant unto us Your spirit which will enable us to live this day with dignity, do our work with patience, and serve our state with complete devotion. Lift up before our eyes the standards of truth and love. May they lighten our path, and may we be given courage to walk in that way for the good of our spirits, for the well-being of our state, and for the welfare of all people.

We commend to Your wise and loving care those who walk in sorrow, those who have given their lives for our country. May we match their devotion with our dedication, their willingness to sacrifice with our readiness to serve the great State of Missouri.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

Representative Fraker introduced the Marshfield Junior Jay Singers, who then performed "The National Anthem."

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lucas Fuhr and Claire Fuhr.

The Journal of the thirty-ninth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1245 through House Resolution No. 1325

SECOND READING OF HOUSE BILLS

HB 1937 through **HB 1939** were read the second time.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 2001 was taken up by Representative Silvey.

HCS HB 2001 was laid over.

HCS HB 2002 was taken up by Representative Silvey.

HCS HB 2002 was laid over.

HCS HB 2003 was taken up by Representative Silvey.

HCS HB 2003 was laid over.

HCS HB 2004 was taken up by Representative Silvey.

HCS HB 2004 was laid over.

HCS HB 2005 was taken up by Representative Silvey.

HCS HB 2005 was laid over.

HCS HB 2006 was taken up by Representative Silvey.

HCS HB 2006 was laid over.

HCS HB 2007 was taken up by Representative Silvey.

HCS HB 2007 was laid over.

HCS HB 2008 was taken up by Representative Silvey.

HCS HB 2008 was laid over.

HCS HB 2009 was taken up by Representative Silvey.

HCS HB 2009 was laid over.

HCS HB 2010 was taken up by Representative Silvey.

HCS HB 2010 was laid over.

HCS HB 2011 was taken up by Representative Silvey.

HCS HB 2011 was laid over.

HCS HB 2012 was taken up by Representative Silvey.

HCS HB 2012 was laid over.

HCS HB 2013 was taken up by Representative Silvey.

HCS HB 2013 was laid over.

HOUSE CONCURRENT RESOLUTIONS

HCR 22, relating to women veterans, was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HCR 22** was adopted.

HCR 37, relating to North American oil, was taken up by Representative Barnes.

On motion of Representative Barnes, **HCR 37** was adopted.

On motion of Representative Jones (89), the House recessed until 1:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 2001 was again taken up by Representative Silvey.

HCS HB 2001 was laid over.

HCS HB 2002 was again taken up by Representative Silvey.

Representative Silvey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2002, Page 3, Section 2.017, Line 3, by inserting immediately after the word "urban" the following:

"and metropolitan"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Silvey, **House Amendment No. 1** was adopted.

Representative McNeil offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2002, Page 3, Section 2.017, Line 4, by inserting immediately after said section the following new section:

"Section 2.018. To the Department of Elementary and Secondary Education
For the purpose of providing grants to provisionally accredited and unaccredited school districts for additional instructional time
From Extended Instructional Time Fund. . . . . $1"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative McNeil moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

HCS HB 2002, as amended, was laid over.

HCS HB 2003 was again taken up by Representative Silvey.

HCS HB 2003 was laid over.

HCS HB 2004 was again taken up by Representative Silvey.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2004, Page 4, Section 4.025, Line 4, by deleting "316,945" and inserting "66,945"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Hoskins, **House Amendment No. 1** was adopted.

HCS HB 2004, **as amended**, was laid over.

HCS HB 2005 was again taken up by Representative Silvey.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2005, Page 2, Section 5.020, Line 4, by deleting "19,957,415" and inserting "19,942,915"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted.

HCS HB 2005, as amended, was laid over.

HCS HB 2006 was again taken up by Representative Silvey.

Representative McCreery offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2006, Page 2, Section 6.015, Line 9, by deleting “4,925,000" and inserting “4,775,000"; and

Further amend said bill, said page, Section 6.020, Line 5, by deleting “4,925,000" and inserting “4,775,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative McCreery moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 047

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Curtman
Ellinger	Ellington	Gosen	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kirkton	Koenig
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Talboy	Taylor
Walton Gray	Webb			

NOES: 109

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer

Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Dieckhaus	Fallert	Funderburk	Haefner	Hodges
Meadows	Swearingen			

HCS HB 2006 was laid over.

HCS HB 2007 was again taken up by Representative Silvey.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2007, Page 20, Section 7.820, Line 7, by deleting "801,977" and inserting "638,965"; and

Further amend said bill, said page, said section, Line 20, by deleting "19.50" and inserting "15.50"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted by the following vote:

AYES: 084

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McNary	Molendorp
Nance	Parkinson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schoeller	Shumake
Smith 150	Solon	Sommer	Stream	Thomson
Wells	Weter	White	Mr Speaker	

NOES: 062

Anders	Atkins	Aull	Berry	Black
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Ellington	Harris	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander

Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Silvey	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Webber	Wieland
Wright	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 017

Dieckhaus	Fallert	Franz	Funderburk	Haefner
Hinson	Hodges	Korman	Lasater	McCaherty
McGhee	Meadows	Nasheed	Nolte	Phillips
Schneider	Wyatt			

HCS HB 2007, as amended, was laid over.

HCS HB 2012 was again taken up by Representative Silvey.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2012, Page 10, Section 12.400, Line 7, by deleting "3,558,059" and inserting "3,721,071"; and

Further amend said bill by amending subsection, section and bill totals accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Molendorp

Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 002

Ellington	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Dieckhaus	Fallert	Franz	Fuhr
Funderburk	Haefner	Hodges	Korman	McCaherty
McGhee	Meadows	Nasheed	Nolte	Scharnhorst
Schneider	Wyatt			

HCS HB 2012, as amended, was laid over.

HCS HB 2007, as amended, was again taken up by Representative Silvey.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2007, Page 2, Section 7.005, Line 11, by deleting “619,519" and inserting “614,919”; and

Further amend said bill, Page 2, Section 7.015, Line 8, by deleting “130,141" and inserting “128,179”; and

Further amend said bill, Page 2, Section 7.015, Line 15, by deleting “348,270" and inserting “346,308”; and

Further amend said bill, Page 3, Section 7.015, Line 25, by deleting “172,405" and inserting “168,481”; and

Further amend said bill, Page 3, Section 7.015, Line 35, by deleting “892,185" and inserting “890,233”; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Barnes offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 2007, Page 3, Section 7.015, Line 42, by deleting "789,458" and inserting "739,458"; and

Further amend said bill, said page, said section, Line 47, by deleting "111.34" and inserting "110.34"; and

Further amend said bill, said page, said section, said line, by inserting immediately thereafter the following:

"Section 7.016. To the Department of Economic Development
For an economic development incentives programs due diligence officer
Personal Service
From Federal Funds (Not to exceed 1.00 F.T.E.). . . . . $50,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Barnes, **House Amendment No. 3** was adopted.

Representative May offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 2007, Page 2, Section 7.015, Line 15, by deleting "348,270" and inserting "298,270"; and

Further amend said bill, Page 3, said section, Line 25, by deleting "172,405" and inserting "122,405"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative May, **House Amendment No. 4** was adopted.

HCS HB 2007, as amended, was laid over.

HCS HB 2011 was again taken up by Representative Silvey.

Representative May offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2011, Page 8, Section 11.110, Line 7, by deleting "8,358,297" and inserting "8,458,297"; and

Further amend said bill, said page, said section, Line 8, by deleting "118,445,760" and inserting "119,345,760"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative May, **House Amendment No. 1** was adopted.

HCS HB 2011, as amended, was laid over.

HCS HB 2007, as amended, was again taken up by Representative Silvey.

HCS HB 2007, as amended, was laid over.

HCS HB 2008 was again taken up by Representative Silvey.

HCS HB 2008 was laid over.

HCS HB 2009 was again taken up by Representative Silvey.

Representative Still offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2009, Page 10, Section 9.190, Line 6, by deleting "147,191,974" and inserting "146,691,974"; and

Further amend said bill by adjusting bill totals accordingly.

Representative Still moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Harris	Holsman	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Shively	Sifton	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

NOES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Carter	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford

Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 002

Ellington	Smith 71

ABSENT WITH LEAVE: 012

Day	Dieckhaus	Fallert	Franz	Funderburk
Haefner	Hodges	Meadows	Nolte	Scharnhorst
Schneider	Swinger			

Representative Schad offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2009, Page 5, Section 9.065, Line 9, by deleting "3,000,000"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Schad, **House Amendment No. 2** was adopted.

HCS HB 2009, as amended, was laid over.

HCS HB 2010 was again taken up by Representative Silvey.

Representative Silvey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 2010, Page 21, Section 10.410, Line 29, by deleting "10,621,176" and inserting "3,846,275"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Silvey, **House Amendment No. 1** was adopted.

Representative Silvey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2010, Page 21, Section 10.410, Line 29, by inserting immediately thereafter the following:

"For the purpose of funding Regional Autism Projects provided that services and/or provider rates shall be no less than the FY 2012 level and further provided that the Department shall request supplemental appropriation authority if needed to continue serving individuals at the same FY 2012 level

From General Revenue Fund. . . . . 6,774,901"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Silvey, **House Amendment No. 2** was adopted.

Representative Silvey offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 2010, Page 7, Section 10.110, Line 4, by inserting immediately after the word "services" the following:

"and/or provider rates".

On motion of Representative Silvey, **House Amendment No. 3** was adopted.

Representative Lampe offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 2010, Page 7, Section 10.110, Line 9, by deleting "33,835,165" and inserting "32,726,588"; and

Further amend said bill, said page, said section, Line 13, by deleting "49,028,825" and inserting "48,197,122"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Lampe moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Atkins	Aull	Black	Brown 50	Carlson
Carter	Colona	Ellinger	Ellington	Harris
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber	Weter	

NOES: 102

Allen	Anders	Asbury	Bahr	Barnes
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Higdon	Hinson	Hoskins	Hough	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein

Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 012

Bernskoetter	Dieckhaus	Fallert	Franz	Funderburk
Haefner	Hodges	Houghton	Kander	Meadows
Nolte	Torpey			

Speaker Tilley resumed the Chair.

HCS HB 2010, as amended, was laid over.

Speaker Pro Tem Schoeller resumed the Chair.

HCS HB 2012, as amended, was again taken up by Representative Silvey.

Representative Kelly (24) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2012, Page 11, Section 12.510, Line 6, by deleting "1,434,421" and inserting "1,010,970"; and

Further amend said bill, said section, Line 8, by deleting "37.03" and inserting "28.83"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 2** was adopted.

Representative Kelly (24) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 2012, Page 11, Section 12.505, Line 6, by deleting "10,663,950" and inserting "11,050,341"; and

Further amend said bill, said section, Line 10, by deleting "417.84" and inserting "425.84"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Kelly (24), **House Amendment No. 3** was adopted.

HCS HB 2012, as amended, was laid over.

HCS HB 2013 was again taken up by Representative Silvey.

HCS HB 2013 was laid over.

On motion of Representative Jones (89), the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Diehl.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 2011, as amended, was again taken up by Representative Silvey.

Representative Atkins offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 2011, Page 7, Section 11.095, Line 10, by inserting the following new section immediately thereafter:

"Section 11.097. To the Department of Social Services
For the Family Support Division
For planning, designing and purchasing a Medicaid eligibility and enrollment system
From Federal and Other Funds. . . . . $50,000,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Atkins moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

NOES: 098

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison

Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McGhee	McNary	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 013

Bernskoetter	Dieckhaus	Fallert	Franz	Haefner
Hughes	Loehner	Meadows	Molendorp	Nolte
Schieffer	Webb	Mr Speaker		

HCS HB 2011, as amended, was laid over.

HCS HB 2001 was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2001** was adopted.

On motion of Representative Silvey, **HCS HB 2001** was ordered perfected and printed.

HCS HB 2002, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2002, as amended,** was adopted.

On motion of Representative Silvey, **HCS HB 2002, as amended,** was ordered perfected and printed.

HCS HB 2003 was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2003** was adopted.

On motion of Representative Silvey, **HCS HB 2003** was ordered perfected and printed.

HCS HB 2004, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2004, as amended,** was adopted.

On motion of Representative Silvey, **HCS HB 2004, as amended,** was ordered perfected and printed.

HCS HB 2005, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2005, as amended,** was adopted.

On motion of Representative Silvey, **HCS HB 2005, as amended,** was ordered perfected and printed.

HCS HB 2006 was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2006** was adopted.

On motion of Representative Silvey, **HCS HB 2006** was ordered perfected and printed.

HCS HB 2007, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2007, as amended,** was adopted.

On motion of Representative Silvey, **HCS HB 2007, as amended,** was ordered perfected and printed.

HCS HB 2008 was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2008** was adopted.

On motion of Representative Silvey, **HCS HB 2008** was ordered perfected and printed.

HCS HB 2009, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2009, as amended,** was adopted.

On motion of Representative Silvey, **HCS HB 2009, as amended,** was ordered perfected and printed.

HCS HB 2010, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2010, as amended,** was adopted.

On motion of Representative Silvey, **HCS HB 2010, as amended,** was ordered perfected and printed.

HCS HB 2011, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2011, as amended,** was adopted.

On motion of Representative Silvey, **HCS HB 2011, as amended,** was ordered perfected and printed.

HCS HB 2012, as amended, was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2012, as amended,** was adopted.

On motion of Representative Silvey, **HCS HB 2012, as amended,** was ordered perfected and printed.

HCS HB 2013 was again taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2013** was adopted.

On motion of Representative Silvey, **HCS HB 2013** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1909**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HB 1110**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Judicial Reform, Chairman Smith (150) reporting:

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **HB 1754**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1048**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1062**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1063**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1150**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1170**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1171**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1221**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1261**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1264**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1267**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1315**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1325**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1345**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1363**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1407**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1408**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1424**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1460**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1462**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1477**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1484**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1518 & 1522**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1527**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1545**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1560**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1563**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1615**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1623**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1630**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1636**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1647**, begs leave to report it has examined the same and recommends that it **Do Pass Not Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1651**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1652**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1662**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1665**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1680**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1687**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1691**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1692**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1717**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1737**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1738**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1744**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1782**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1804**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1807**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1811**, begs leave to report it has examined the same and recommends that it **Do Pass By Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1820**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1827**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1841**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1864**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1868**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1875**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1878**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1880**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 84, introduced by Representative Neth, relating to bonded indebtedness of school districts.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1940, introduced by Representative Barnes, relating to the privatization of the Missouri employers mutual insurance company.

HB 1941, introduced by Representative Barnes, relating to Missouri employers mutual insurance company.

HB 1942, introduced by Representatives Molendorp, Nance and Lichtenegger, relating to captive insurance companies.

HB 1943, introduced by Representatives Harris, Meadows, Schatz, Reiboldt, Shively, Pierson, McDonald, Kelley (126), McNary, Bernskoetter, Cauthorn, Hubbard and Ellinger, relating to museums.

HB 1944, introduced by Representatives Wallingford, Lichtenegger, Brandom and Wright, relating to the designation of tax refunds to certain funds.

HB 1945, introduced by Representatives Burlison and Long, relating to fire protection district audits.

HB 1946, introduced by Representative Neth, relating to school district bonded indebtedness.

HB 1947, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1948, introduced by Representative Korman, relating to modular unit installers.

HB 1949, introduced by Representatives Shively, Quinn, Harris, Black, Loehner, Ruzicka, Schieffer and Cauthorn, relating to The State Soil and Water Districts Commission.

HB 1950, introduced by Representative Scharnhorst, relating to the Missouri poison center funding pool.

HB 1951, introduced by Representatives Schoeller, Frederick and Brandom, relating to the state board of chiropractic examiners.

HB 1952, introduced by Representatives Schatz, Lichtenegger, Richardson, Houghton, Phillips, Lant, Reiboldt, Hinson, Denison, Brown (85), Fuhr, Klippenstein, Redmon, Fisher, Stream, Kelley (126), Korman, Cauthorn, Fitzwater, Conway (14), Lair, Solon, Higdon, Pierson, Black, Franklin, Smith (71), Ellinger, Atkins, Montecillo, Webb, Brown (50), Casey, Walton Gray, Hummel, Rizzo, Pace, McManus, Morgan, May, Carlson, Gosen, Hampton and McGhee, relating to the meth lab elimination act.

HB 1953, introduced by Representatives Hinson and Loehner, relating to vocational programming in private schools.

HB 1954, introduced by Representative Higdon, relating to alcohol regulation fees.

COMMUNICATION

March 20, 2012

D. Adam Crumbliss
Chief Clerk of the House of Representatives
State Capitol Building
Jefferson City, MO 65101

RE: Possible Interest in Legislation

Dear Mr. Crumbliss:

Pursuant to Section 105.461, RSMo, I am filing a written report of a personal interest in legislation on which the House of Representatives may vote. My wife, Amanda Marshall, is the owner of a state-licensed day care that provides child

care services for children of parents who may receive state subsidies for child care services distributed to the day care under an agreement with the Department of Social Services.

In compliance with Section 105.461, RSMo, please publish this letter in the Journal of the House.

Sincerely,

/s/ Nick Marshall
Representative
District 30

The following members' presence was noted: Dieckhaus and Meadows.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 21, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS
Thursday, March 22, 2012, 8:00 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Please disregard if you are not involved in the Committee on Agri-Business.

CHILDREN AND FAMILIES
Wednesday, March 21, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1607, HB 1790, HB 1842
Executive session may be held on any matter referred to the committee.
AMENDED

CORRECTIONS
Wednesday, March 21, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.
Public hearing will be held: HB 1826, HB 1496
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, March 21, 2012, 12:00 PM House Hearing Room 4.
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Wednesday, March 21, 2012, 6:30 PM 223 East Capitol Avenue.

DOWNSIZING STATE GOVERNMENT
Thursday, March 22, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1900, SS SCS SB 467, SS SCS SB 469

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, March 21, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1206, HB 1834
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, March 21, 2012, 12:30 PM South Gallery.
Public hearing will be held: SB 450
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Thursday, March 22, 2012, 9:00 AM House Hearing Room 3.
Public hearing will be held: HB 1828, HB 1818
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, March 21, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1471
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, March 21, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1639
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, March 21, 2012, 12:00 PM or Upon Morning Recess House Hearing Room 1.
Public hearing will be held: HB 1328, HB 1330, HB 1698
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, March 21, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1547, HB 1703, HB 1780, HB 1590, SB 736, HB 1825
Executive session may be held on any matter referred to the committee.
AMENDED

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, March 21, 2012, Upon Morning Adjournment or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1371, HB 1904, HB 1355
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Wednesday, March 21, 2012, Upon Afternoon Adjournment or 5 PM (whichever comes first) House Hearing Room 5.
Public hearing will be held: HB 1848
Executive session may be held on any matter referred to the committee.
Possible Executive session MAY be held on previous bills referred to this committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Wednesday, March 21, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 3.
Public hearing will be held: HB 1602, HB 1739, HB 1879
Executive session may be held on any matter referred to the committee.
AMENDED

TAX REFORM
Wednesday, March 21, 2012, 8:00 AM House Hearing Room 5.
Public hearing will be held: HJR 71, HB 1835
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES
Thursday, March 22, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SS SCS SB 719, HB 1548, HB 1795
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, March 22, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1427, HB 1845
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-FIRST DAY, WEDNESDAY, MARCH 21, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 84

HOUSE BILLS FOR SECOND READING

HB 1940 through HB 1954

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

1 HB 1191 - Ruzicka
2 HCS HB 1324 - Loehner
3 HCS HB 1198 - Fisher
4 HB 1051 - Allen
5 HCS HB 1169 - Franz
6 HB 1296 - Davis
7 HCS HB 1361 - Pollock
8 HB 1046 - Rowland
9 HCS HB 1094 - Wieland
10 HCS HB 1272 - Kelley (126)
11 HB 1326 - Cox
12 HCS HB 1395 - Korman
13 HCS HB 1400 - Richardson
14 HCS HB 1475 - Cross
15 HB 1512 - Curtman
16 HCS HB 1541 - Jones (89)
17 HCS HB 1644 - Barnes
18 HCS HB 1722 - Thomson
19 HCS HB 1647 - Riddle

HOUSE BILLS FOR PERFECTION - CONSENT

(3/20/2012)

1 HB 1341 - Dugger
2 HCS#2 HB 1524 - Phillips

(3/21/2012)

1 HB 1048, E.C. - Schneider
2 HB 1062 - Dieckhaus
3 HB 1063 - Conway (27)
4 HB 1170 - Franz
5 HCS HB 1171 - Franz
6 HB 1221 - Black
7 HB 1261 - Swearingen
8 HB 1264 - Fallert
9 HB 1267 - Denison
10 HB 1315 - McCaherty
11 HCS HB 1325 - Cox
12 HB 1345 - Cauthorn
13 HCS HB 1363 - Schieffer
14 HCS HB 1407 - Walton Gray
15 HB 1408 - Walton Gray

HB 1424 - Marshall
HB 1460 - Jones (117)
HCS#2 HB 1462 - Cauthorn
HCS HB 1477 - Brown (116)
HB 1484 - McCaherty
HCS HBs 1518 & 1522 - Grisamore
HCS HB 1527 - Elmer
HB 1545 - Kirkton
HB 1560 - Diehl
HCS HB 1563 - Sater
HB 1615 - Oxford
HCS HB 1623 - Ellinger
HB 1630 - Franz
HB 1636 - Fuhr
HB 1651 - McGeoghegan
HB 1652 - McGeoghegan
HB 1662 - Weter
HB 1665 - Jones (63)
HB 1680 - Davis
HB 1687 - Schieffer
HB 1692 - Entlicher
HCS HB 1717 - Kelley (126)
HB 1737 - Gatschenberger
HCS HB 1738, E.C. - Grisamore
HB 1744 - Kelley (126)
HB 1782 - Fitzwater
HB 1804 - Molendorp
HB 1807 - Marshall
HB 1811 - Carter
HB 1820 - Asbury
HCS HB 1827 - Richardson
HCS HB 1841 - Jones (117)
HB 1864 - Johnson
HB 1868 - Cauthorn
HCS HB 1875 - Nance
HB 1878 - Riddle
HB 1880 - Pollock

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HCS HB 1300 - Franz

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1073 - Sater
2 HB 1096 - Wieland
3 HB 1165 - Diehl
4 HB 1190 - Allen
5 HB 1231 - Cauthorn
6 HB 1266 - Denison
7 HB 1337 - Stream
8 HCS HB 1373 - Asbury
9 HB 1492 - Molendorp
10 HB 1577 - Largent
11 HB 1634 - Ruzicka
12 HB 1641 - Pollock
13 HB 1668 - Denison

HOUSE CONCURRENT RESOLUTIONS

1 HCR 11 - Kelley (126)
2 HCS HCR 30 - Hampton

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-FIRST DAY, WEDNESDAY, MARCH 21, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Trust in the Lord with all thine heart; and lean not unto thine own understanding. (Proverbs 3:5)

Dear Lord, our spirit's unseen and powerful friend, make Your ways known to us as we bow in Your presence this morning after a long day yesterday. May this moment of prayer be an open door to the reality of Your spirit and as we look up to You may we find our strength renewed, our souls restored and be given courage and wisdom for the living of these days.

Grant us with one mind to do justly, to love mercy, and to walk humbly with You, and in so doing to promote the welfare of all our people. Give to us and to all our citizens a love for truth, a passion for doing our duty, and a dedication to You which will hold us steady amid difficult times.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Katherine Jones, Abigail Jones, Daniel Diehl, Tucker Maddox, Samantha Maddox, Hannah Coleman, Kirsten Hilburn, James Prater, Kelsey Stevens, Andrew Cummings, Griffin Buschjost and Kaitlyn Sandbothe.

The Journal of the fortieth day was approved as printed.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 84 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1940 through **HB 1954** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1326, relating to the Business Premises Safety Act, was taken up by Representative Cox.

Representative McCaherty assumed the Chair.

Representative McManus requested a division of the question on **HB 1326**.

The division of the question was denied by the Chair.

Representative Webber requested a division of the question on **HB 1326**.

Representative Jones (89) moved the previous question on **Part I of HB 1326**.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Brattin	McGhee	Meadows	Oxford	Scharnhorst
Torpey				

On motion of Representative Cox, **Part I of HB 1326** was ordered perfected and printed.

Representative Jones (89) moved the previous question on **Part II of HB 1326**.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 005

Hughes	Meadows	Nolte	Scharnhorst	Torpey

On motion of Representative Cox, **Part II of HB 1326** was ordered perfected and printed by the following vote:

AYES: 121

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hughes
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGeoghegan	McGhee
McNary	Molendorp	Nance	Nasheed	Neth
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Thomson	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 034

Brown 50	Carlson	Carter	Colona	Ellinger
Ellington	Holsman	Hummel	Jones 63	Kelly 24
Kirkton	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 008

Curtman	Denison	Hubbard	Meadows	Nolte
Richardson	Scharnhorst	Torpey		

Representative Jones (89) moved the previous question on **Part III of HB 1326**.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Redmon	Reiboldt
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Denison	Meadows	Nolte	Pierson
Pollock	Richardson	Scharnhorst	Torpey	Zerr

On motion of Representative Cox, **Part III of HB 1326** was ordered perfected and printed by the following vote:

AYES: 093

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fisher

Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Quinn	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Solon	Sommer	Stream	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 061

Anders	Atkins	Aull	Barnes	Black
Brown 50	Carlson	Carter	Casey	Cierpiot
Colona	Conway 27	Ellinger	Ellington	Elmer
Fallert	Gosen	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Jones 117
Kander	Kelly 24	Kirkton	Kratky	Lampe
Lasater	Marshall	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 009

Lichtenegger	Meadows	Nolte	Pollock	Richardson
Scharnhorst	Smith 150	Torpey	Mr Speaker	

HCS HB 1644, relating to excursion gambling boat licenses, was taken up by Representative Barnes.

On motion of Representative Barnes, **HCS HB 1644** was adopted.

On motion of Representative Barnes, **HCS HB 1644** was ordered perfected and printed.

HB 1191, relating to the State Parks Earnings Fund, was taken up by Representative Ruzicka.

Representative Lampe moved that **HB 1191** be recommitted to the committee of origin.

Which motion was withdrawn.

Representative Wyatt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1191, Page 1, in the Title, Lines 2-3, by deleting "the state park earnings fund" and inserting in lieu thereof "state parks"; and

Further amend said bill, Page 2, Section 253.090, Line 28, by inserting the following after all of said line:

"**640.950. 1. This section shall be known and may be cited as "The Renewable Energy Pilot Program for State Parks".**

2. The department of natural resources shall, in consultation with the public service commission, develop and implement a pilot program in which renewable energy technology is used to operate a state park.

3. The commission shall retain authority to regulate the rates and cost recovery for electric utilities under its jurisdiction that enter into a contractual agreement to provide renewable energy resources for the department. The department may also contract with those electric utilities that are unregulated by the commission.

4. The pilot program shall begin with the department's selection of a suitable state park by August 28, 2013. The department shall set a goal of achieving the one hundred percent use of renewable energy resources, as defined in section 393.1025, within the boundaries of the park.

5. The pilot program shall involve the department's use of as many energy-efficient products as possible within the boundaries of the park.

6. The department shall set a goal of completing such renewable energy pilot program by August 28, 2018.

7. Beginning August 28, 2012, the department shall annually report to the general assembly if the goal of this section has been met. If the goal provided in this section is not achieved, then such report shall explain why such goal is not feasible at the current time and develop alternative suggestions. If the goal in subsection 6 of this section is not met, then such report shall continue indefinitely on an annual basis.

8. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hinson	Hoskins	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Lant	Lasater	Lauer	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Molendorp	Neth	Nolte	Parkinson	Phillips

Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 50	Day	Dieckhaus	Diehl
Ellinger	Fraker	Hampton	Higdon	Hough
Jones 117	Korman	Largent	Leach	Leara
McNary	Meadows	Nance	Scharnhorst	Taylor
Torpey				

On motion of Representative Wyatt, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Higdon	Hinson	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Lasater
Lauer	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150

Solon	Sommer	Stream	Thomson	Wallingford
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 054

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Brown 50	Day	Dieckhaus	Diehl
Franklin	Hampton	Hoskins	Hough	Jones 117
Largent	Leach	Leara	Meadows	Scharnhorst
Torpey	Wells			

On motion of Representative Ruzicka, **HB 1191, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Diehl.

HOUSE RESOLUTION

Representative Bahr, et al., offered House Resolution No. 1365.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1326 through House Resolution No. 1364

HOUSE CONCURRENT RESOLUTIONS

Representative Allen, et al., offered House Concurrent Resolution No. 47.
Representatives Houghton and Schatz offered House Concurrent Resolution No. 48.
Representative Fallert, et al., offered House Concurrent Resolution No. 49.
Representative Bahr, et al., offered House Concurrent Resolution No. 50.

PERFECTION OF HOUSE BILLS

HCS HB 1324, relating to the right to raise livestock, was taken up by Representative Loehner.

Representative McCreery offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1324, Page 1, Section 262.005, Line 5, by inserting immediately following the word "**later.**" the following:

"**Nothing in this section shall have the force and effect of law.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McCreery moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Hummel offered **House Amendment No. 2**.

Representative Cauthorn raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Loehner, **HCS HB 1324** was adopted.

On motion of Representative Loehner, **HCS HB 1324** was ordered perfected and printed.

HB 1051, relating to a comparative audit of state agencies, was taken up by Representative Allen.

Representative Talboy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1051, Page 1, Section 29.375, Line 3, by inserting after the phrase "**year 2012**" the phrase

"**, and perform a comparative audit of each chamber of the general assembly**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 1** was adopted by the following vote:

AYES: 118

Anders	Asbury	Atkins	Aull	Black
Brandom	Brattin	Brown 50	Brown 85	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Curtman	Davis
Day	Denison	Dugger	Ellinger	Ellington
Fallert	Franklin	Franz	Frederick	Fuhr
Gosen	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lampe	Largent	Lauer
Leach	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Redmon	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Webb	Webber	Wells	White
Wieland	Wright	Wyatt		

NOES: 034

Allen	Bahr	Berry	Brown 116	Burlison
Conway 14	Crawford	Cross	Diehl	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Gatschenberger	Guernsey	Haefner	Hampton	Hough
Keeney	Korman	Lair	Lant	Leara
Lichtenegger	Phillips	Reiboldt	Richardson	Sater
Schatz	Weter	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Bernskoetter	Dieckhaus	Funderburk	Grisamore
Lasater	McNary	Meadows	Scharnhorst	Schneider
Torpey				

Representative Flanigan offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 1051, Pages 1 and 2, Section B, Lines 1 through 4, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 009

Bernskoetter	Dieckhaus	Funderburk	Hughes	McNary
Meadows	Nolte	Schneider	Torpey	

On motion of Representative Allen, **HB 1051, as amended**, was ordered perfected and printed.

HCS HB 1400, relating to financial transactions, was taken up by Representative Richardson.

Representative Oxford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1400, Page 4, Section 408.052, Line 49, by inserting after all of said line the following:

"**408.800. Notwithstanding any law to the contrary, no lender shall impose a fine, fee, or penalty for the prepayment on any loan issued in this state. As used in this section, "lender" includes any bank, savings and loan association, credit union, corporation, partnership, or any other person or entity who makes loans.**"; and

Further amend said bill, Page 5, Section 443.812, Line 46, by inserting after all of said line the following:

"**[**408.241. Notwithstanding the provisions of sections 408.233 and 408.234, a prepayment fee may be charged on second mortgage loans, as defined in section 408.231, under the same provisions as is allowed under section 408.036.**]**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Ellinger offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1400, Page 1, Line 6, by inserting before the word "**loan**" the word "**consumer**"; and

Further amend said page, Line 9, by inserting before the word "**loans**" the word "**consumer**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Ellinger moved that **House Amendment No. 1 to House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp

Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	White		

NOES: 089

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McGhee
McNary	Nance	Neth	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Smith 150	Solon	Sommer
Stream	Thomson	Wallingford	Wells	Weter
Wieland	Wright	Zerr	Mr Speaker	

PRESENT: 001

McCaherty

ABSENT WITH LEAVE: 015

Dieckhaus	Flanigan	Funderburk	Guernsey	Largent
Lasater	Meadows	Molendorp	Nolte	Pollock
Sater	Schneider	Silvey	Torpey	Wyatt

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Nance	Neth	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz

Schieber	Schoeller	Shumake	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Wells
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 024

Allen	Day	Denison	Dieckhaus	Ellington
Flanigan	Funderburk	Guernsey	Hough	Korman
Largent	Lasater	McGhee	Meadows	Molendorp
Nolte	Pollock	Sater	Schneider	Silvey
Torpey	Webb	Weter	Wyatt	

Representative Oxford moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellington
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb

NOES: 099

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Houghton	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Lauer	Leach

Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nichols	Parkinson	Phillips	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shively	Shumake	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Day	Dieckhaus	Fallert	Flanigan
Funderburk	Guernsey	Hough	Hughes	Korman
Largent	Lasater	Meadows	Molendorp	Nolte
Pollock	Silvey	Torpey	Webber	

On motion of Representative Richardson, **HCS HB 1400** was adopted.

On motion of Representative Richardson, **HCS HB 1400** was ordered perfected and printed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1051 - Fiscal Review
HB 1394 - General Laws
HB 1413 - Special Standing Committee on Disability Services
HB 1421 - Crime Prevention and Public Safety
HB 1428 - General Laws
HB 1429 - Economic Development
HB 1479 - Judiciary
HB 1486 - Ways and Means
HB 1614 - Corrections
HB 1643 - Workforce Development and Workplace Safety
HB 1682 - Special Standing Committee on Government Oversight and Accountability
HB 1716 - Judiciary
HB 1730 - Health Insurance
HB 1765 - Tourism and Natural Resources
HB 1784 - Professional Registration and Licensing
HB 1822 - Crime Prevention and Public Safety
HB 1896 - Crime Prevention and Public Safety
HB 1897 - Judiciary
HB 1911 - Transportation Funding and Public Institutions
HB 1919 - Utilities
HB 1922 - Health Insurance
HB 1935 - General Laws

HB 1936 - Insurance Policy
HB 1942 - Insurance Policy
HB 1953 - Agriculture Policy

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1515**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1700**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1593**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, the Tenth Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

WHEREAS, the Tenth Amendment defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

WHEREAS, the scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

WHEREAS, today, in 2012, the states are demonstrably treated as agents of the federal government; and

WHEREAS, many federal mandates are directly in violation of the Tenth Amendment to the Constitution of the United States; and

WHEREAS, the United States Supreme Court has ruled in *New York v. United States,* 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

WHEREAS, a number of proposals from previous administrations and some now pending from the present administration and from Congress may further violate the Constitution of the United States:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri House of Representatives, Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby claims sovereignty for the State of Missouri under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; and

BE IT FURTHER RESOLVED that this resolution shall serve as a notice and demand to the federal government, as our agent, to cease and desist, effective immediately, mandates that are beyond the scope of these constitutionally-delegated powers; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Speaker of the House and President of the Senate of each state's legislature of the United States of America, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 36**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 36

WHEREAS, the states of Missouri and Israel share a deep and abiding friendship; and

WHEREAS, Missouri's own President Harry S Truman announced on May 14, 1948, that the United States would become the first country to recognize the new Nation of Israel; and

WHEREAS, from its very founding, democracy has been the cornerstone of the State of Israel; and

WHEREAS, since its establishment, Israel has fulfilled the dreams of its founders who evidence a vigorous, open, and stable democracy; and

WHEREAS, Israel is deeply committed to maintaining its vigorous democratic society; and

WHEREAS, the State of Israel and the United States share democratic values and ideals, and fundamental strategic interests in promoting regional freedom and stability; and

WHEREAS, the ongoing commitment of Israel to the democratic ideals of freedom and pluralism has been unswerving, and is a commitment that Israel shares with the United States:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby:

(1) Express their respect and admiration for the people of Israel;

(2) Commend the people of Israel for their dedication to democratic ideals - a dedication made manifest through 64 years since the establishment of the state;

(3) Affirm the shared values and commitment to freedom and democracy which bind the United States-Israel relationship;

(4) Reaffirm the importance of projects of mutual economic benefit, which include improved trade, technology development, science, agriculture; and tourism; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Prime Minister of Israel, Benjamin Netanyahu, and the Missouri Department of Economic Development.

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 64**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1109**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1534**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1490**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tax Reform, Chairman Funderburk reporting:

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HJR 71**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tax Reform, to which was referred **HB 1356**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Urban Issues, Chairman Nasheed reporting:

Mr. Speaker: Your Committee on Urban Issues, to which was referred **HB 1273**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 85, introduced by Representatives Solon, Day, Brattin, Davis and Fisher, relating to the state lottery.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1955, introduced by Representative Richardson, relating to Missouri employers mutual insurance company.

HB 1956, introduced by Representatives White, Koenig, Berry, Brattin, Curtman, Brown (85), Elmer and Oxford, relating to tax increment financing.

HB 1957, introduced by Representatives McGeoghegan, Schad, Gatschenberger, Pace, Kratky, Carlson, Oxford, Morgan, Smith (71), Schupp, Montecillo, Atkins, Wyatt, Jones (63), Hummel, Swearingen, Walton Gray, Wallingford, Fallert, Nasheed, McCann Beatty, Leara, Lauer, Cross, Kelly (24), Entlicher, Talboy, Casey, Harris, Scharnhorst, Zerr, Aull and Spreng, relating to an emergency information database.

HB 1958, introduced by Representatives Schupp, Kirkton, McNeil, Taylor, Pierson and Carlson, relating to temporary license plates.

HB 1959, introduced by Representative Gatschenberger, relating to political subdivisions.

HB 1960, introduced by Representative Korman, relating to alternative fuel decals.

HB 1961, introduced by Representatives May, Carter, Oxford, McGeoghegan, Walton Gray, Pierson, Ellington, Ellinger, Smith (71), Spreng, Kirkton, Nichols, Taylor, Newman, McCann Beatty, McNeil, Black, Brown (50), Lampe, Still and Kratky, relating to use of zip codes for underwriting by insurance companies.

HB 1962, introduced by Representatives Parkinson, Jones (89), Tilley, Nance, Sommer, Conway (14), McCaherty, Long, Kelley (126), Scharnhorst, Zerr, Bahr, Curtman and Gatschenberger, relating to the presidential primary date.

HB 1963, introduced by Representatives Parkinson, Jones (89), Tilley, Schoeller, Nance, Sommer, Conway (14), McCaherty, Long, Kelley (126), Scharnhorst, Zerr, Bahr, Curtman and Gatschenberger, relating to primary elections.

HB 1964, introduced by Representative Schneider, relating to license taxes on certain businesses.

COMMITTEE CHANGE

March 21, 2012

Mr. Adam Crumbliss, Chief Clerk
Missouri House of Representatives
State Capitol, Room 306C
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Jason Smith from the Joint Committee on Legislative Research and appoint Representative Sue Allen.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

WITHDRAWAL OF HOUSE BILL

March 21, 2012

Adam Crumbliss, Chief Clerk
Missouri House of Representatives
Room 306C, Capitol Building
Jefferson City, MO 65101

Dear Adam:

I would like to withdraw **House Bill No. 1912**, relating to the establishment of an emergency contact database within the Department of Revenue from further consideration.

Thank you for your consideration in this matter.

Sincerely,

/s/ Eileen Grant McGeoghegan
State Representative
District 77

The following member's presence was noted: Meadows.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 22, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS
Thursday, March 22, 2012, 8:00 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
Please disregard if you are not involved in the Committee on Agri-Business.

AGRICULTURE POLICY
Tuesday, March 27, 2012, Upon Morning Adjournment House Hearing Room 6.
Public hearing will be held: HB 1793, HB 1895
Executive session may be held on any matter referred to the committee.
Possible work session on HB 1660.

DOWNSIZING STATE GOVERNMENT
Thursday, March 22, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1900, SS SCS SB 467, SS SCS SB 469

FISCAL REVIEW
Thursday, March 29, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

GENERAL LAWS
Thursday, March 22, 2012, 9:00 AM House Hearing Room 3.
Public hearing will be held: HB 1828, HB 1818
Executive session may be held on any matter referred to the committee.

RULES
Thursday, March 22, 2012, Upon Morning Adjournment House Hearing Room 7.
Public hearing will be held: HR 677
Executive session will be held: HR 677

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, March 22, 2012, Upon Morning Adjournment House Hearing Room 7.
Executive session will be held: HCS HB 1111, HCS HB 1126, HB 1172, HCS HB 1275, HCS HBs 1278 & 1152, HB 1339, HCS#2 HB 1344, HCS HB 1402, HB 1455, HCS HB 1498, HCS HB 1608, HCS HB 1640, HB 1909, HCR 25
Executive session may be held on any or all bills which have been referred to this committee.

TOURISM AND NATURAL RESOURCES
Thursday, March 22, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SS SCS SB 719, HB 1548, HB 1795
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, March 22, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1427, HB 1845
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SECOND DAY, THURSDAY, MARCH 22, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 85 - Solon

HOUSE BILLS FOR SECOND READING

HB 1955 through HB 1964

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 52 - Ruzicka

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1169 - Franz
3 HB 1296 - Davis
4 HCS HB 1361 - Pollock
5 HB 1046 - Rowland
6 HCS HB 1094 - Wieland
7 HCS HB 1272 - Kelley (126)
8 HCS HB 1395 - Korman
9 HCS HB 1475 - Cross
10 HB 1512 - Curtman
11 HCS HB 1541 - Jones (89)
12 HCS HB 1722 - Thomson
13 HCS HB 1647 - Riddle

HOUSE BILLS FOR PERFECTION - CONSENT

(3/20/2012)

1 HB 1341 - Dugger
2 HCS#2 HB 1524 - Phillips

(3/21/2012)

1 HB 1048, E.C. - Schneider
2 HB 1062 - Dieckhaus
3 HB 1063 - Conway (27)
4 HB 1170 - Franz
5 HCS HB 1171 - Franz
6 HB 1221 - Black
7 HB 1261 - Swearingen
8 HB 1264 - Fallert
9 HB 1267 - Denison
10 HB 1315 - McCaherty
11 HCS HB 1325 - Cox
12 HB 1345 - Cauthorn
13 HCS HB 1363 - Schieffer
14 HCS HB 1407 - Walton Gray
15 HB 1408 - Walton Gray
16 HB 1424 - Marshall
17 HB 1460 - Jones (117)
18 HCS#2 HB 1462 - Cauthorn
19 HCS HB 1477 - Brown (116)
20 HB 1484 - McCaherty
21 HCS HBs 1518 & 1522 - Grisamore
22 HCS HB 1527 - Elmer
23 HB 1545 - Kirkton
24 HB 1560 - Diehl
25 HCS HB 1563 - Sater
26 HB 1615 - Oxford
27 HCS HB 1623 - Ellinger
28 HB 1630 - Franz
29 HB 1636 - Fuhr
30 HB 1651 - McGeoghegan
31 HB 1652 - McGeoghegan
32 HB 1662 - Weter
33 HB 1665 - Jones (63)
34 HB 1680 - Davis
35 HB 1687 - Schieffer
36 HB 1692 - Entlicher
37 HCS HB 1717 - Kelley (126)
38 HB 1737 - Gatschenberger

39 HCS HB 1738, E.C. - Grisamore
40 HB 1744 - Kelley (126)
41 HB 1782 - Fitzwater
42 HB 1804 - Molendorp
43 HB 1807 - Marshall
44 HB 1811 - Carter
45 HB 1820 - Asbury
46 HCS HB 1827 - Richardson
47 HCS HB 1841 - Jones (117)
48 HB 1864 - Johnson
49 HB 1868 - Cauthorn
50 HCS HB 1875 - Nance
51 HB 1878 - Riddle
52 HB 1880 - Pollock

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

1 HCS HB 2001 - Silvey
2 HCS HB 2002 - Silvey
3 HCS HB 2003 - Silvey
4 HCS HB 2004 - Silvey
5 HCS HB 2005 - Silvey
6 HCS HB 2006 - Silvey
7 HCS HB 2007 - Silvey
8 HCS HB 2008 - Silvey
9 HCS HB 2009 - Silvey
10 HCS HB 2010 - Silvey
11 HCS HB 2011 - Silvey
12 HCS HB 2012 - Silvey
13 HCS HB 2013 - Silvey

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HCS HB 1300 - Franz
5 HB 1326 - Cox
6 HCS HB 1644 - Barnes
7 HB 1191 - Ruzicka
8 HCS HB 1324 - Loehner
9 HB 1051, (Fiscal Review 3/21/12) - Allen
10 HCS HB 1400 - Richardson

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1073 - Sater
2 HB 1096 - Wieland
3 HB 1165 - Diehl
4 HB 1190 - Allen
5 HB 1231 - Cauthorn
6 HB 1266 - Denison
7 HB 1337 - Stream
8 HCS HB 1373 - Asbury
9 HB 1492 - Molendorp
10 HB 1577 - Largent
11 HB 1634 - Ruzicka
12 HB 1641 - Pollock
13 HB 1668 - Denison

HOUSE CONCURRENT RESOLUTIONS

1 HCR 11 - Kelley (126)
2 HCS HCR 30 - Hampton

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-SECOND DAY, THURSDAY, MARCH 22, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are the poor in spirit: for theirs is the kingdom of heaven. (Matthew 5:3)

O God, our Creator and Sustainer, the strength of those who labor and the supporter of all who put their trust in You, in reverence we bow before You this moment. You are ever with us and we pray that we may always be aware of Your presence and keep our lives open to the guidance to Your Word.

By Your spirit may we become conscious of our own sins and shortcomings, our own limitations and liabilities. May we not mistake prejudice for principle nor conceit for confidence, but in all humility depend upon You for guidance and grace for daily living. Cleanse our hearts of selfishness, pettiness, and narrowness of mind. Create in us a new spirit - a new faith in You, a new joy in living, a new courage for life, and a new enthusiasm for good will among all our people.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alexis Marie Leara, Logan Jones, Maureen Lawless, Autumn Lawless, Shelby Nolte, Samantha Nolte, Sydney Nolte, Simone Robinson, Sam Hernandez, Hannah Robinson, Issabella Avery, Jessica Hill, Kayla Thomas, Madison Thomas, Rachel Hermasillo, Alex Turner, Amy Goldsbury, Atalie Dycus, Avyon Barnes, Brooke Thornburg, Jessica Nation, Ashlee Lawless, Emma Will, Francesca Fazzino, Gabrielle Rivera, Genevieve Holmes and Gillian Buchholz.

The Journal of the forty-first day was approved as printed.

HOUSE RESOLUTION

Representative Burlison, et al., offered House Resolution No. 1391.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1366 through House Resolution No. 1390
House Resolution No. 1392 through House Resolution No. 1419

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 85 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1955 through **HB 1964** were read the second time.

THIRD READING OF HOUSE BILLS

HB 1326, relating to the Business Premises Safety Act, was taken up by Representative Cox.

On motion of Representative Cox, **HB 1326** was read the third time and passed by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 041

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Ellington	Hubbard	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Pace	Pierson
Rizzo	Schupp	Sifton	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Brown 116	Day	Elmer	Fisher
Holsman	Leara	McGhee	Meadows	Oxford
Smith 71	Solon			

Speaker Tilley declared the bill passed.

HCS HB 1324, relating to the right to raise livestock, was taken up by Representative Loehner.

On motion of Representative Loehner, **HCS HB 1324** was read the third time and passed by the following vote:

AYES: 121

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGeoghegan	McGhee
McNary	McNeil	Molendorp	Nance	Nasheed
Neth	Nichols	Nolte	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Sommer	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 030

Anders	Atkins	Carlson	Carter	Colona
Hummel	Jones 63	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McManus
Montecillo	Morgan	Newman	Oxford	Pace
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Talboy	Walton Gray	Webb	Webber

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 011

Brown 50	Brown 116	Day	Ellinger	Fisher
Holsman	Hughes	Leara	Meadows	Solon
Zerr				

Speaker Tilley declared the bill passed.

HB 1191, relating to state parks, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 1191** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 002

Hughes	Marshall

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Brown 116	Davis	Day	Fisher
Holsman	Kander	Leara	Meadows	Solon

Speaker Tilley declared the bill passed.

HCS HB 1300, relating to motor vehicle valuations, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 1300** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 008

Ellington	Franklin	Morgan	Pace	Pollock
Smith 71	Swearingen	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Brown 116	Fisher	Holsman	Hughes
Kander	Leara	Meadows	Solon	Sommer
Zerr				

Speaker Tilley declared the bill passed.

HCS HB 1400, relating to financial transactions, was taken up by Representative Richardson.

On motion of Representative Richardson, **HCS HB 1400** was read the third time and passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Brown 116	Holsman	Kander	Leara
Meadows	Nance	Solon		

Speaker Tilley declared the bill passed.

HCS HB 1644, relating to excursion gambling boat licenses, was taken up by Representative Barnes.

On motion of Representative Barnes, **HCS HB 1644** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Carlson	Carter	Casey
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 006

Asbury	Bahr	Cauthorn	Lasater	Marshall
Molendorp				

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 50	Brown 116	Holsman	Kander	Leara

Speaker Tilley declared the bill passed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 2001 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2001** was read the third time and passed by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Holsman	Hughes	Kander	Leara
Smith 71	Sommer			

Speaker Tilley declared the bill passed.

HCS HB 2002 was taken up by Representative Silvey.

Representative Leara assumed the Chair.

On motion of Representative Silvey, **HCS HB 2002** was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Lair	Lant	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Nance	Nasheed	Nichols	Nolte	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 022

Carlson	Colona	Ellinger	Ellington	Hughes
Hummel	Kratky	Lampe	Marshall	McCreery
McDonald	McNeil	Morgan	Newman	Oxford
Pace	Schupp	Smith 71	Spreng	Still
Swearingen	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Cox	Day	Funderburk	Holsman
Largent	Lasater	Neth		

Representative Leara declared the bill passed.

HCS HB 2003 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2003** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 018

Atkins	Carlson	Ellinger	Hodges	Hughes
Hummel	Kratky	Marshall	McCreery	McDonald
McGeoghegan	Morgan	Newman	Oxford	Schupp
Smith 71	Still	Swearingen		

PRESENT: 000

ABSENT WITH LEAVE: 010

Brattin	Brown 50	Cox	Day	Funderburk
Hinson	Holsman	McGhee	Neth	Sater

Representative Leara declared the bill passed.

HCS HB 2004 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2004** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lair
Lampe	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 009

Carlson	Hughes	Kratky	Marshall	McNeil
Oxford	Schupp	Smith 71	Swearingen	

PRESENT: 000

ABSENT WITH LEAVE: 010

Brattin	Brown 50	Cox	Day	Funderburk
Hinson	Holsman	Largent	Neth	Sater

Representative Leara declared the bill passed.

HCS HB 2005 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2005** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hoskins	Houghton
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lair
Lampe	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nichols
Pace	Parkinson	Phillips	Pierson	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Kratky	Marshall	Newman	Oxford	Schieber
Swearingen				

PRESENT: 002

Quinn	Shively

ABSENT WITH LEAVE: 014

Brattin	Brown 50	Cox	Day	Funderburk
Hinson	Holsman	Hough	Hubbard	Largent
Nasheed	Neth	Nolte	Sater	

Representative Leara declared the bill passed.

HCS HB 2006 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2006** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Kratky	Marshall	McDonald	Oxford	Smith 71
Swearingen				

PRESENT: 001

Black

ABSENT WITH LEAVE: 010

Brown 50	Cierpiot	Cox	Day	Funderburk
Hinson	Holsman	Hughes	Neth	Sater

Representative Leara declared the bill passed.

HCS HB 2007 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2007** was read the third time and passed by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wyatt
Zerr	Mr Speaker			

NOES: 056

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Higdon	Hodges
Hubbard	Hummel	Jones 63	Kander	Kratky
Lampe	Lasater	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Cox	Day	Funderburk	Hinson
Holsman	Hughes	Neth	Sater	Wieland

Representative Leara declared the bill passed.

HCS HB 2008 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2008** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 003

Marshall	Oxford	Swearingen

PRESENT: 000

ABSENT WITH LEAVE: 011

Brattin	Brown 50	Cox	Day	Dieckhaus
Funderburk	Hinson	Holsman	Hughes	Neth
Sater				

Representative Leara declared the bill passed.

HCS HB 2009 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2009** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 004

Kratky	Marshall	Oxford	Swearingen

PRESENT: 001

Quinn

ABSENT WITH LEAVE: 009

Brown 50	Cox	Day	Funderburk	Hinson
Holsman	Hughes	Neth	Sater	

Representative Leara declared the bill passed.

HCS HB 2010 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2010** was read the third time and passed by the following vote:

AYES: 107

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Cookson	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Long	May	McCaherty
McDonald	McGhee	McNary	Molendorp	Montecillo
Nance	Nolte	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Taylor
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 044

Anders	Atkins	Aull	Black	Carlson
Carter	Colona	Conway 27	Ellinger	Ellington
Harris	Hodges	Hubbard	Hummel	Jones 63
Kirkton	Kratky	Lampe	Marshall	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Meadows
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Cox	Day	Funderburk	Hinson
Holsman	Hughes	Lasater	Loehner	Neth
Parkinson	Sater			

Representative Leara declared the bill passed.

HCS HB 2011 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2011** was read the third time and passed by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Higdon	Hoskins
Hough	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McGhee	McNary
Molendorp	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Wells
Weter	White	Wyatt	Zerr	Mr Speaker

NOES: 061

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Hampton	Harris	Hodges	Houghton
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Torpey	Walton Gray	Webb	Webber	Wieland
Wright				

PRESENT: 001

Nance

ABSENT WITH LEAVE: 011

Brown 50	Carter	Cox	Day	Funderburk
Hinson	Holsman	Lasater	Neth	Nolte
Sater				

Representative Leara declared the bill passed.

HCS HB 2012 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2012** was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Montecillo	Nance
Nasheed	Nichols	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 024

Colona	Ellinger	Ellington	Hubbard	Hughes
Hummel	Jones 63	Kratky	Lampe	Marshall
McCann Beatty	McCreery	McNeil	Morgan	Newman
Oxford	Pace	Sifton	Smith 71	Spreng
Swearingen	Talboy	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Carter	Cox	Day	Dugger
Franz	Funderburk	Hinson	Holsman	Hoskins
Lasater	Molendorp	Neth	Nolte	Sater
Schupp	Weter			

Representative Leara declared the bill passed.

HCS HB 2013 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2013** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Brown 116	Carter	Colona	Cox
Day	Dugger	Franz	Funderburk	Hinson
Holsman	Hoskins	Hughes	Lasater	Molendorp
Neth	Nolte	Parkinson	Sater	Schupp
Weter				

Representative Leara declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 6 - Transportation
HCR 18 - Health Care Policy
HCR 28 - Health Insurance
HCR 40 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 46 - Elementary and Secondary Education
HJR 55 - Elections
HJR 58 - Budget
HJR 67 - Ways and Means
HJR 72 - General Laws
HJR 81 - Veterans
HJR 83 - Crime Prevention and Public Safety
HJR 85 - Veterans

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1064 - General Laws
HB 1392 - Crime Prevention and Public Safety
HB 1469 - General Laws
HB 1501 - Workforce Development and Workplace Safety
HB 1585 - General Laws
HB 1759 - Transportation
HB 1858 - Judiciary
HB 1902 - Special Standing Committee on Disability Services
HB 1905 - Tourism and Natural Resources
HB 1918 - Higher Education
HB 1933 - Health Care Policy
HB 1940 - Special Standing Committee on Government Oversight and Accountability

HB 1941 - Special Standing Committee on Government Oversight and Accountability
HB 1952 - Crime Prevention and Public Safety
HB 1955 - Special Standing Committee on Government Oversight and Accountability

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 455 - Higher Education
SS SCS SB 470 - Transportation
SCS SB 563 - Higher Education
SCS SB 655 - Budget

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1860**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Corrections, Chairman Black reporting:

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 1456**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections, to which was referred **HB 1826**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1718**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 450**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 568**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1211**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1458**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **HB 1661**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1542** and **HB 1101**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Judicial Reform, Chairman Smith (150) reporting:

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **HJR 44**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 677**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 677

WHEREAS, Coaches vs. Cancer is a nationwide collaboration between the American Cancer Society and the National Association of Basketball Coaches that empowers basketball coaches, their teams, and local communities to make a difference in the fight against cancer; and

WHEREAS, St. Clair High School in St. Clair, Missouri, is hosting a basketball game for the benefit of Coaches vs. Cancer, on February 17, 2012, at St. Clair High School; and

WHEREAS, this Coaches vs. Cancer game and ceremony are being held in memoriam of Dr. Lee McKinney, a 1952 St. Clair High School graduate, a longtime Fontbonne University athletics director, and former Griffins head men's basketball coach, who died last April after a third bout with cancer; and

WHEREAS, Coach McKinney served as a role model, mentor, and father figure to many student-athletes and countless more coaches and athletics administrators, and his contributions to the Fontbonne athletics department, basketball, and cancer research will never be forgotten:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby recognize the annual Coaches vs. Cancer Basketball game held at St. Clair High School to be known as the "Lee McKinney Coaches vs. Cancer Game"; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for St. Clair High School.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1111**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1126**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1172**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1275**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1278 & 1152**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1344**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1402**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1498**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1515**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1593**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1608**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1640**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1700**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1909**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 450**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 86, introduced by Representatives Gatschenberger, Tilley, Funderburk, Jones (89), Franz, Zerr, Riddle, Black, Cookson, Elmer, Entlicher, Denison, Lasater, Shumake, Richardson, Cauthorn, Day, Bahr, Wieland, Schatz, Conway (14), McCaherty, Jones (117), Wallingford, Cox, Casey, Pierson, Ellinger, Conway (27), Taylor, Webber, Cierpiot, Hinson, Stream, Fuhr, Fraker, Koenig, Wyatt, Franklin, Molendorp, Curtman, Schad, Smith (150), Gosen, Torpey, Kelley (126), Fisher, Keeney, Brown (50), Schieffer, Lant, Long, Reiboldt, Neth, Sommer, Berry, Rowland, Houghton, White, Nance, Parkinson, Brandom, McGhee, Kelly (24), Weter, Nolte and Scharnhorst, relating to a state constitutional convention.

HJR 87, introduced by Representatives McCaherty and McNary, relating to legislative districts.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1965, introduced by Representative Elmer, relating to candidate filing dates.

HB 1966, introduced by Representatives Burlison, Jones (89), Fisher, Klippenstein, Guernsey, Jones (117), Elmer, Parkinson, Cross, Haefner and Fraker, relating to the records of regularly conducted activity as evidence law.

HB 1967, introduced by Representatives Parkinson, Conway (14), Bahr, Funderburk, Dieckhaus, Sommer, Schneider and Gatschenberger, relating to repeals of certain local sales taxes.

HB 1968, introduced by Representatives Parkinson, Jones (89), Bahr, Funderburk, Tilley, Cox, Sommer, Gatschenberger, Franklin and Fitzwater, relating to signs posting private property off-limits for concealed firearms.

HB 1969, introduced by Representatives Schneider, Cross, Nasheed, Hampton, Fraker, Redmon and McGhee, relating to sewerage and water services.

HB 1970, introduced by Representative Jones (117), relating to sunset dates for exceptions to the public records law.

HB 1971, introduced by Representatives Schneider and Bahr, relating to political subdivisions.

HB 1972, introduced by Representatives McCreery, Leara, Gosen, Newman, Kirkton, Schupp, McGeoghegan, Smith (71), Walton Gray, Morgan, Allen, Oxford and Ellinger, relating to sewer service line fees.

HB 1973, introduced by Representatives Meadows, Montecillo, Colona and Schieffer, relating to a reserve police force in St. Louis.

HB 1974, introduced by Representatives Oxford, Atkins, Jones (63), Pace, Schupp, Walton Gray and Ellington, relating to investor-owned utilities.

HB 1975, introduced by Representatives Oxford, Atkins, Jones (63), Pace, Walton Gray, Bahr and McGeoghegan, relating to financial records of professional sports teams receiving public funds.

HB 1976, introduced by Representatives Oxford, Atkins, Jones (63), Pace, Schupp, Carlson and Ellington, relating to cigarette taxes.

HB 1977, introduced by Representatives Oxford, Schupp, Pace, Atkins, Carlson and Walton Gray, relating to the reporting of cruelty to animals.

HB 1978, introduced by Representatives Oxford, Carter, Atkins, Pace, Kirkton, Spreng, Lampe, Aull, Jones (63), Colona, Hummel, Walton Gray, Schupp, Hughes, McGeoghegan, Schieffer, Carlson and Ellington, relating to caseload standards for certain state agencies.

HB 1979, introduced by Representatives Brattin, Higdon and Houghton, relating to nondriver's licenses.

HB 1980, introduced by Representative Richardson, relating to school property owned by community college districts.

HB 1981, introduced by Representatives Sommer, Franklin, Kelley (126) and Zerr, relating to the presidential primary date.

HB 1982, introduced by Representatives Parkinson and Gatschenberger, relating to tax information on sales receipts.

HB 1983, introduced by Representatives Korman, Tilley, McGhee, Cross, Brattin, Wells, Pollock, Rowland, Denison, Shumake, Cierpiot, Schad, Gatschenberger, Thomson, Weter, Long, Curtman, Houghton, Riddle, Richardson, Sommer, Jones (89), Entlicher, Johnson, Redmon, White, Wieland, Fuhr, Davis, Reiboldt, Lant, Bahr, Funderburk, Carter, Hummel, Colona, Kratky, Webb, McNeil and Black, relating to a sales tax holiday for products made in the United States.

HB 1984, introduced by Representatives Flanigan and Allen, relating to expenditures of state revenues.

HB 1985, introduced by Representative Zerr, relating to tax credits.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 557**, entitled:

An act to repeal section 301.190, RSMo, and to enact in lieu thereof one new section relating to the vehicle examination process used for the issuance of prior salvage motor vehicle titles.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 620**, entitled:

An act to repeal sections 376.010, 376.015, and 376. 307, RSMo, and to enact in lieu thereof three new sections relating to life, health, and accident insurance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 626**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to products liability.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 633**, entitled:

An act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to scrap metal operators.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 667**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 689**, entitled:

An act to repeal sections 565.182 and 570.145, RSMo, and to enact in lieu thereof two new sections relating to crimes against certain types of vulnerable persons, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 714**, entitled:

An act to repeal section 301.010, RSMo, and to enact in lieu thereof two new sections relating to the use of recreational off-highway vehicles, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 755**, entitled:

An act to amend chapter 574, RSMo, by adding thereto one new section relating to crimes involving institutions, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847**, entitled:

An act to repeal sections 143.1009 and 301.3084, RSMo, and to enact in lieu thereof eleven new sections relating to transportation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 769**, entitled:

An act to amend chapter 701, RSMo, by adding thereto one new section relating to anemometer towers, with penalty provisions.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Brown (50) and Holsman.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, March 23, 2012.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Joe Fallert, District 104, hereby state and affirm that my presence as recorded on page 636 of the Journal of the House for Tuesday, March 20, 2012 was not recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, and my absence was incorrectly recorded.

IN WITNESS THEREOF, I have hereunto subscribed my hand to this affidavit on this 22nd day of March, 2012.

/s/ Joseph Fallert, Jr.
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 22nd day of March in the year 2012.

/s/ Leticia J. Long
Notary Public

COMMITTEE MEETINGS

AGRI-BUSINESS
Monday, March 26, 2012, Upon Afternoon Adjournment South Gallery.
Executive session will be held: HCR 31
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY
Tuesday, March 27, 2012, Upon Morning Adjournment House Hearing Room 6.
Public hearing will be held: HB 1793, HB 1895
Executive session may be held on any matter referred to the committee.
Possible work session on HB 1660

CRIME PREVENTION AND PUBLIC SAFETY
Monday, March 26, 2012, 1:30 PM House Hearing Room 5.
Public hearing will be held: HB 1452, HB 1503, HB 1426
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Monday, March 26, 2012, 2:30 PM South Gallery.
Public hearing will be held: HB 1051
Executive session will be held: HB 1051
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW
Thursday, March 29, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

HEALTH CARE POLICY
Wednesday, March 28, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCR 18
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, March 27, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1922, SS SB 464
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH
Monday, March 26, 2012, Upon Morning Adjournment House Hearing Room 2.
Executive session may be held on any matter referred to the committee.
Contested fiscal note: HCS HB 1717
Only Oversight Subcommittee members required

JUDICIARY
Wednesday, March 28, 2012, 6:00 PM 1817 Hayselton Dr., Jefferson City.
Judiciary Committee dinner meeting.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, March 26, 2012, 1:00 PM House Hearing Room 7.
Public hearing will be held: HB 1413, HB 1902
Executive session may be held on any matter referred to the committee.
AMENDED

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, March 26, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1940, HB 1941, HB 1955
Executive session may be held on any matter referred to the committee.
No meal will be provided.
CANCELLED

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Monday, March 26, 2012, 1:00 PM House Hearing Room 3.
Public hearing will be held: HB 1809
Executive session will be held: HB 1305, HB 1076
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, March 27, 2012, 5:00 PM or Upon Adjournment, whichever is later.
House Hearing Room 5.
Public hearing will be held: HB 1788, HB 1836, HB 1911
Executive session may be held on any matter referred to the committee.

URBAN ISSUES
Monday, March 26, 2012, Upon Evening Adjournment House Hearing Room 5.
Public hearing will be held: HB 1556
Executive session will be held: HB 1898
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, March 27, 2012, 8:30 AM House Hearing Room 1.
Public hearing will be held: HJR 85, SCS SB 498
Executive session may be held on any matter referred to the committee.
Executive session may follow.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, March 26, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1643, HCR 33, HB 1837
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-THIRD DAY, FRIDAY, MARCH 23, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 86 and HJR 87

HOUSE BILLS FOR SECOND READING

HB 1965 through HB 1985

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 52 - Ruzicka
2 HCS HJR 47 - Dugger

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1169 - Franz
3 HB 1296 - Davis
4 HCS HB 1361 - Pollock
5 HB 1046 - Rowland
6 HCS HB 1094 - Wieland
7 HCS HB 1272 - Kelley (126)
8 HCS HB 1395 - Korman
9 HCS HB 1475 - Cross
10 HB 1512 - Curtman
11 HCS HB 1541 - Jones (89)
12 HCS HB 1722 - Thomson
13 HCS HB 1647 - Riddle
14 HCS HB 1126 - Largent
15 HB 1172 - Franz
16 HCS HB 1275 - Koenig
17 HCS HBs 1278 & 1152 - Long
18 HCS#2 HB 1344 - Nasheed
19 HCS HB 1402 - Burlison
20 HCS HB 1498 - Hough
21 HB 1593 - Jones (89)
22 HCS HB 1608 - White
23 HCS HB 1700 - Schad
24 HB 1909 - Hoskins

HOUSE BILLS FOR PERFECTION - CONSENT

(3/20/2012)

1 HB 1341 - Dugger
2 HCS#2 HB 1524 - Phillips

(3/21/2012)

1 HB 1048, E.C. - Schneider
2 HB 1062 - Dieckhaus
3 HB 1063 - Conway (27)
4 HB 1170 - Franz
5 HCS HB 1171 - Franz
6 HB 1221 - Black
7 HB 1261 - Swearingen
8 HB 1264 - Fallert
9 HB 1267 - Denison
10 HB 1315 - McCaherty
11 HCS HB 1325 - Cox
12 HB 1345 - Cauthorn
13 HCS HB 1363 - Schieffer

HCS HB 1407 - Walton Gray
HB 1408 - Walton Gray
HB 1424 - Marshall
HB 1460 - Jones (117)
HCS#2 HB 1462 - Cauthorn
HCS HB 1477 - Brown (116)
HB 1484 - McCaherty
HCS HBs 1518 & 1522 - Grisamore
HCS HB 1527 - Elmer
HB 1545 - Kirkton
HB 1560 - Diehl
HCS HB 1563 - Sater
HB 1615 - Oxford
HCS HB 1623 - Ellinger
HB 1630 - Franz
HB 1636 - Fuhr
HB 1651 - McGeoghegan
HB 1652 - McGeoghegan
HB 1662 - Weter
HB 1665 - Jones (63)
HB 1680 - Davis
HB 1687 - Schieffer
HB 1692 - Entlicher
HCS HB 1717 - Kelley (126)
HB 1737 - Gatschenberger
HCS HB 1738, E.C. - Grisamore
HB 1744 - Kelley (126)
HB 1782 - Fitzwater
HB 1804 - Molendorp
HB 1807 - Marshall
HB 1811 - Carter
HB 1820 - Asbury
HCS HB 1827 - Richardson
HCS HB 1841 - Jones (117)
HB 1864 - Johnson
HB 1868 - Cauthorn
HCS HB 1875 - Nance
HB 1878 - Riddle
HB 1880 - Pollock

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1051, (Fiscal Review 3/21/12) - Allen

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1073 - Sater
2 HB 1096 - Wieland
3 HB 1165 - Diehl
4 HB 1190 - Allen
5 HB 1231 - Cauthorn
6 HB 1266 - Denison
7 HB 1337 - Stream
8 HCS HB 1373 - Asbury
9 HB 1492 - Molendorp
10 HB 1577 - Largent
11 HB 1634 - Ruzicka
12 HB 1641 - Pollock
13 HB 1668 - Denison

SENATE BILLS FOR SECOND READING

1 SB 557
2 SB 620
3 SCS SB 626
4 SS SCS SB 633
5 SB 667
6 SS SCS SB 689
7 SCS SB 714
8 SS SCS SB 755
9 SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847
10 SS SB 769

HOUSE CONCURRENT RESOLUTIONS

1 HCR 11 - Kelley (126)
2 HCS HCR 30 - Hampton
3 HCR 25 - Allen

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-THIRD DAY, FRIDAY, MARCH 23, 2012

The House met pursuant to adjournment.

Representative Barnes in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 86 and **HJR 87** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1965 through **HB 1985** were read the second time.

SECOND READING OF SENATE BILLS

SB 557, SB 620, SCS SB 626, SS SCS SB 633, SB 667, SS SCS SB 689, SCS SB 714, SS SCS SB 755, SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847 and **SS SB 769** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1966 - General Laws

COMMITTEE REPORT

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1280**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

The following members' presence was noted: Gatschenberger, Hodges and Swearingen.

ADJOURNMENT

On motion of Representative Barnes, the House adjourned until 4:00 p.m., Monday, March 26, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS
Monday, March 26, 2012, Upon Afternoon Adjournment South Gallery.
Executive session will be held: HCR 31
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY
Tuesday, March 27, 2012, Upon Morning Adjournment House Hearing Room 6.
Public hearing will be held: HB 1793, HB 1895
Executive session may be held on any matter referred to the committee.
Possible work session on HB 1660.

CHILDREN AND FAMILIES
Wednesday, March 28, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1790
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Monday, March 26, 2012, 1:30 PM House Hearing Room 5.
Public hearing will be held: HB 1452, HB 1503, HB 1426
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, March 27, 2012, 5:00 PM House Hearing Room 3.
Public hearing will be held: HB 1493, HB 1779
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, March 27, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1648
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Monday, March 26, 2012, 2:30 PM South Gallery.
Public hearing will be held: HB 1051
Executive session will be held: HB 1051
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee.

FISCAL REVIEW
Thursday, March 29, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee.

HEALTH CARE POLICY
Wednesday, March 28, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCR 18
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, March 27, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1922, SS SB 464
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, March 27, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: SCS SB 563, SB 455, HB 1918
Executive session will be held: SB 455, HB 1855
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH
Monday, March 26, 2012, Upon Afternoon Adjournment House Hearing Room 2.
Executive session may be held on any matter referred to the committee.
Contested fiscal note: HCS HB 1717
Only Oversight Subcommittee members required.
CORRECTED

JUDICIARY
Wednesday, March 28, 2012, 6:00 PM 1817 Hayselton Dr., Jefferson City.
Judiciary Committee dinner meeting

LOCAL GOVERNMENT
Wednesday, March 28, 2012, 8:30 AM House Hearing Room 7.
Public hearing will be held: HB 1047, HB 1397
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, March 28, 2012, Upon Morning Recess or 12 PM,
whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1082, HB 1784, HB 1508
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, March 27, 2012, 8:00 AM House Hearing Room 7.
Executive session will be held: HB 1815
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, March 26, 2012, 1:00 PM House Hearing Room 7.
Public hearing will be held: HB 1413, HB 1902
Executive session may be held on any matter referred to the committee.
AMENDED

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, March 26, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1940, HB 1941, HB 1955
Executive session may be held on any matter referred to the committee.
No meal will be provided.
CANCELLED

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Monday, March 26, 2012, 1:00 PM House Hearing Room 3.
Public hearing will be held: HB 1809
Executive session will be held: HB 1305, HB 1076
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, March 27, 2012, Upon Morning Recess House Hearing Room 7.
Public hearing will be held: SS SCS SB 470, HCR 6, HB 1874
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Wednesday, March 28, 2012, Upon Afternoon Adjournment House Hearing Room 5.
Public hearing will be held: HB 1874
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, March 27, 2012, 5:00 PM or upon Adjournment, whichever is later.
House Hearing Room 5.
Public hearing will be held: HB 1788, HB 1836, HB 1911
Executive session may be held on any matter referred to the committee.

URBAN ISSUES
Monday, March 26, 2012, Upon Evening Adjournment House Hearing Room 5.
Public hearing will be held: HB 1556
Executive session will be held: HB 1898
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, March 27, 2012, 8:30 AM House Hearing Room 1.
Public hearing will be held: HJR 85, SCS SB 498
Executive session may be held on any matter referred to the committee.
Executive session may follow.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, March 26, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1643, HCR 33, HB 1837
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-FOURTH DAY, MONDAY, MARCH 26, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 52 - Ruzicka
2 HCS HJR 47 - Dugger

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1169 - Franz
3 HB 1296 - Davis
4 HCS HB 1361 - Pollock
5 HB 1046 - Rowland
6 HCS HB 1094 - Wieland
7 HCS HB 1272 - Kelley (126)
8 HCS HB 1395 - Korman
9 HCS HB 1475 - Cross
10 HB 1512 - Curtman

11 HCS HB 1541 - Jones (89)
12 HCS HB 1722 - Thomson
13 HCS HB 1647 - Riddle
14 HCS HB 1126 - Largent
15 HB 1172 - Franz
16 HCS HB 1275 - Koenig
17 HCS HBs 1278 & 1152 - Long
18 HCS#2 HB 1344 - Nasheed
19 HCS HB 1402 - Burlison
20 HCS HB 1498 - Hough
21 HB 1593 - Jones (89)
22 HCS HB 1608 - White
23 HCS HB 1700 - Schad
24 HB 1909 - Hoskins
25 HCS HB 1134 - Scharnhorst
26 HB 1403 - Schatz

HOUSE BILLS FOR PERFECTION - CONSENT

(3/20/2012)

1 HB 1341 - Dugger
2 HCS#2 HB 1524 - Phillips

(3/21/2012)

1 HB 1048, E.C. - Schneider
2 HB 1062 - Dieckhaus
3 HB 1063 - Conway (27)
4 HB 1170 - Franz
5 HCS HB 1171 - Franz
6 HB 1221 - Black
7 HB 1261 - Swearingen
8 HB 1264 - Fallert
9 HB 1267 - Denison
10 HB 1315 - McCaherty
11 HCS HB 1325 - Cox
12 HB 1345 - Cauthorn
13 HCS HB 1363 - Schieffer
14 HCS HB 1407 - Walton Gray
15 HB 1408 - Walton Gray
16 HB 1424 - Marshall
17 HB 1460 - Jones (117)
18 HCS#2 HB 1462 - Cauthorn

HCS HB 1477 - Brown (116)
HB 1484 - McCaherty
HCS HBs 1518 & 1522 - Grisamore
HCS HB 1527 - Elmer
HB 1545 - Kirkton
HB 1560 - Diehl
HCS HB 1563 - Sater
HB 1615 - Oxford
HCS HB 1623 - Ellinger
HB 1630 - Franz
HB 1636 - Fuhr
HB 1651 - McGeoghegan
HB 1652 - McGeoghegan
HB 1662 - Weter
HB 1665 - Jones (63)
HB 1680 - Davis
HB 1687 - Schieffer
HB 1692 - Entlicher
HCS HB 1717 - Kelley (126)
HB 1737 - Gatschenberger
HCS HB 1738, E.C. - Grisamore
HB 1744 - Kelley (126)
HB 1782 - Fitzwater
HB 1804 - Molendorp
HB 1807 - Marshall
HB 1811 - Carter
HB 1820 - Asbury
HCS HB 1827 - Richardson
HCS HB 1841 - Jones (117)
HB 1864 - Johnson
HB 1868 - Cauthorn
HCS HB 1875 - Nance
HB 1878 - Riddle
HB 1880 - Pollock

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1051, (Fiscal Review 3/21/12) - Allen

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1073 - Sater
2 HB 1096 - Wieland
3 HB 1165 - Diehl
4 HB 1190 - Allen
5 HB 1231 - Cauthorn
6 HB 1266 - Denison
7 HB 1337 - Stream
8 HCS HB 1373 - Asbury
9 HB 1492 - Molendorp
10 HB 1577 - Largent
11 HB 1634 - Ruzicka
12 HB 1641 - Pollock
13 HB 1668 - Denison

HOUSE CONCURRENT RESOLUTIONS

1 HCR 11 - Kelley (126)
2 HCS HCR 30 - Hampton
3 HCR 25 - Allen

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-FOURTH DAY, MONDAY, MARCH 26, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

Psalm 25, A Psalm of David. To You, O LORD, I lift up my soul. O my God, in You I trust, do not let me be ashamed; Do not let my enemies exult over me. Indeed, none of those who wait for You will be ashamed; Those who deal treacherously without cause will be ashamed. Make me know Your ways, O LORD; Teach me Your paths. Lead me in Your truth and teach me, for You are the God of my salvation; For You I wait all the day.

Remember, O LORD, Your compassion and Your loving-kindness, for Your goodness' sake, O LORD, pardon my iniquity, for it is great. Who is the man who fears the LORD? He will instruct him in the way he should choose. His soul will aide in prosperity, and his descendants will inherit the land. The secret of the LORD is for those who fear Him, and He will make them know His covenant.

My eyes are continually toward the LORD, for He will pluck my feet out of the net. Turn to me and be gracious to me, for I am lonely and afflicted. The troubles of my heart are enlarged; Bring me out of my distresses. Look upon my affliction and my trouble, and forgive all my sins. Look upon my enemies, for they are many, and they hate me with violent hatred. Guard my soul and deliver me; Do not let me be ashamed for I take refuge in You. Let integrity and uprightness preserve me, for I wait for You.

We call upon You in this prayer. Please answer and be glorified.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-second day was approved as corrected.

The Journal of the forty-third day was approved as printed.

HOUSE RESOLUTION

Representative Still offered House Resolution No. 1422.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1420 and House Resolution No. 1421
House Resolution No. 1423 through House Resolution No. 1444

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1051**, begs leave to report it has examined the same and recommends that it **Do Pass**.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 52, relating to wildlife and forestry resources, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HJR 52** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HB 1296, relating to child custody for military personnel, was taken up by Representative Davis.

Representative McCaherty assumed the Chair.

Representative Davis offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1296, Page 3, Section 452.413, Line 57, by striking the word "sowing" and inserting in lieu thereof the word "**showing**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Davis, **House Amendment No. 1** was adopted.

On motion of Representative Davis, **HB 1296, as amended,** was ordered perfected and printed.

HCS HB 1647, relating to the collection of hazardous waste fees, was taken up by Representative Riddle.

On motion of Representative Riddle, **HCS HB 1647** was adopted.

On motion of Representative Riddle, **HCS HB 1647** was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HB 1051, relating to a comparative audit of state agencies, was taken up by Representative Allen.

On motion of Representative Allen, **HB 1051** was read the third time and passed by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Nance	Neth	Nolte	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Smith 150
Solon	Sommer	Stream	Thomson	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 055

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Higdon	Hodges
Holsman	Hubbard	Hummel	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McManus	McNeil	Molendorp
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Silvey
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Funderburk	Hughes	Jones 63	Lasater
McGeoghegan	McNary	Meadows	Pollock	Webb

Representative McCaherty declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 46 - Utilities

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1162 - Small Business
HB 1163 - Small Business
HB 1844 - Financial Institutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 689 - Crime Prevention and Public Safety
SS SCS SB 699 - Crime Prevention and Public Safety

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1341** and **HCS#2 HB 1524**.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 88, introduced by Representative Riddle, relating to bingo.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1986, introduced by Representative Barnes, relating to statewide student assessments.

HB 1987, introduced by Representative Leara, relating to mental health screenings for children and use of psychotropic medications.

HB 1988, introduced by Representative Brandom, relating to the Missouri certified and licensed real estate appraisers and appraisal management company regulation act.

The following member's presence was noted: Pollock.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, March 27, 2012.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Karla May, District 57, hereby state and affirm that my vote as recorded on Page 681 of the Journal of the House for Thursday, March 22, 2012, by which House Committee Substitute for House Bill 2007 was third read and passed was incorrectly recorded as Aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted No. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 26th day of March 2012.

/s/ Karla May
State Representative

State of Missouri)
)ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 26th day of March in the year 2012.

/s/ Megan Limbach
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, March 27, 2012, Upon Morning Adjournment House Hearing Room 6.
Public hearing will be held: HB 1793, HB 1895
Executive session may be held on any matter referred to the committee.
Possible work session on HB 1660

BUDGET
Wednesday, March 28, 2012, Upon Morning Recess House Hearing Room 3.
Public hearing will be held: SCS SB 655, HJR 57, HJR 58, HJR 68

CHILDREN AND FAMILIES
Wednesday, March 28, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1790
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, March 28, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1952, HB 1822, HB 1334
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, March 27, 2012, 5:00 PM House Hearing Room 3.
Public hearing will be held: HB 1493, HB 1779
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, March 27, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1648
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, March 28, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1201, HJR 70
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, March 29, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

GENERAL LAWS
Tuesday, March 27, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1966, HB 1690, HB 1469, HB 1585, HB 1935
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, March 28, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCR 18
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, March 27, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1922, SS SB 464
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, March 27, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: SCS SB 563, SB 455, HB 1918
Executive session will be held: SB 455, HB 1855
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, March 28, 2012, 6:00 PM 1817 Hayselton Dr., Jefferson City.
Judiciary Committee dinner meeting

LOCAL GOVERNMENT
Wednesday, March 28, 2012, 8:30 AM House Hearing Room 7.
Public hearing will be held: HB 1047, HB 1397
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, March 28, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1082, HB 1784, HB 1508
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, March 27, 2012, 8:00 AM House Hearing Room 7.
Executive session will be held: HB 1815
Executive session may be held on any matter referred to the committee.

SMALL BUSINESS
Wednesday, March 28, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1306
Executive session will be held: HB 1702, HB 1674, HB 1146, HB 1065
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, March 27, 2012, Upon Morning Recess House Hearing Room 7.
Public hearing will be held: SS SCS SB 470, HCR 6, HB 1874
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Wednesday, March 28, 2012, Upon Afternoon Adjournment House Hearing Room 5.
Public hearing will be held: HB 1874
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, March 27, 2012, 5:00 PM or Upon Adjournment, whichever is later, House Hearing Room 5.
Public hearing will be held: HB 1788, HB 1836, HB 1911
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, March 27, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1919
Executive session will be held: SB 594
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, March 27, 2012, 8:30 AM House Hearing Room 1.
Public hearing will be held: HJR 85, SCS SB 498
Executive session may be held on any matter referred to the committee.
Executive session may follow.

HOUSE CALENDAR

FORTY-FIFTH DAY, TUESDAY, MARCH 27, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 88

HOUSE BILLS FOR SECOND READING

HB 1986 through HB 1988

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 47 - Dugger

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1169 - Franz
3 HCS HB 1361 - Pollock
4 HB 1046 - Rowland
5 HCS HB 1094 - Wieland
6 HCS HB 1272 - Kelley (126)
7 HCS HB 1395 - Korman
8 HCS HB 1475 - Cross
9 HB 1512 - Curtman
10 HCS HB 1541 - Jones (89)
11 HCS HB 1722 - Thomson
12 HCS HB 1126 - Largent
13 HB 1172 - Franz
14 HCS HB 1275 - Koenig
15 HCS HBs 1278 & 1152 - Long
16 HCS#2 HB 1344 - Nasheed

HCS HB 1402 - Burlison
HCS HB 1498 - Hough
HB 1593 - Jones (89)
HCS HB 1608 - White
HCS HB 1700 - Schad
HB 1909 - Hoskins
HCS HB 1134 - Scharnhorst
HB 1403 - Schatz
HCS HB 1060 - Dugger
HCS HB 1549 - Richardson

HOUSE BILLS FOR PERFECTION - CONSENT

(3/21/2012)

HB 1048, E.C. - Schneider
HB 1062 - Dieckhaus
HB 1063 - Conway (27)
HB 1170 - Franz
HCS HB 1171 - Franz
HB 1221 - Black
HB 1261 - Swearingen
HB 1264 - Fallert
HB 1267 - Denison
HB 1315 - McCaherty
HCS HB 1325 - Cox
HB 1345 - Cauthorn
HCS HB 1363 - Schieffer
HCS HB 1407 - Walton Gray
HB 1408 - Walton Gray
HB 1424 - Marshall
HB 1460 - Jones (117)
HCS#2 HB 1462 - Cauthorn
HCS HB 1477 - Brown (116)
HB 1484 - McCaherty
HCS HBs 1518 & 1522 - Grisamore
HCS HB 1527 - Elmer
HB 1545 - Kirkton
HB 1560 - Diehl
HCS HB 1563 - Sater
HB 1615 - Oxford
HCS HB 1623 - Ellinger
HB 1630 - Franz
HB 1636 - Fuhr
HB 1651 - McGeoghegan
HB 1652 - McGeoghegan

HB 1662 - Weter
HB 1665 - Jones (63)
HB 1680 - Davis
HB 1687 - Schieffer
HB 1692 - Entlicher
HCS HB 1717 - Kelley (126)
HB 1737 - Gatschenberger
HCS HB 1738, E.C. - Grisamore
HB 1744 - Kelley (126)
HB 1782 - Fitzwater
HB 1804 - Molendorp
HB 1807 - Marshall
HB 1811 - Carter
HB 1820 - Asbury
HCS HB 1827 - Richardson
HCS HB 1841 - Jones (117)
HB 1864 - Johnson
HB 1868 - Cauthorn
HCS HB 1875 - Nance
HB 1878 - Riddle
HB 1880 - Pollock

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

HB 1277 - Long
HCS HBs 1298 & 1180 - Parkinson
HB 1431 - Hoskins

HOUSE BILLS FOR THIRD READING - CONSENT

HB 1073 - Sater
HB 1096 - Wieland
HB 1165 - Diehl
HB 1190 - Allen
HB 1231 - Cauthorn
HB 1266 - Denison
HB 1337 - Stream
HCS HB 1373 - Asbury
HB 1492 - Molendorp
HB 1577 - Largent
HB 1634 - Ruzicka
HB 1641 - Pollock

13 HB 1668 - Denison
14 HB 1341 - Dugger
15 HCS#2 HB 1524 - Phillips

HOUSE CONCURRENT RESOLUTIONS

1 HCR 11 - Kelley (126)
2 HCS HCR 30 - Hampton
3 HCR 25 - Allen

SENATE BILLS FOR THIRD READING

SB 450, E.C. - Schneider

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-FIFTH DAY, TUESDAY, MARCH 27, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are they that mourn: for they shall be comforted. (Matthew 5:4)

O Eternal God of our spirits, Who is the light of the minds that know You, the life of the souls that love You, and the strength of the hearts that serve You, help us so to know You that we may come to love You, so to love You that we may be able to serve You with all our hearts.

We face tasks that are beyond our power to meet adequately; we have responsibilities that are more than we can manage acceptably; we are confronted by duties that are greater than our ability to master competently - so we pray for the sustaining power of Your presence in our lives. Even in distress and sorrow may we feel the comfort of Your Holy Spirit.

Lead, Kindly Light, amid the encircling confusion, lead on us - that with clean hearts, clear minds, and courageous spirits we may usher in the day when peace shall reign and good will rule the hearts of all. So may Your kingdom come and Your will be done on Earth.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Grace Hamby and Abigail Rainwater.

The Journal of the forty-fourth day was approved as printed.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 88 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1986 through **HB 1988** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1909, relating to an aviation jet fuel tax exemption, was taken up by Representative Hoskins.

Representative Long assumed the Chair.

On motion of Representative Hoskins, **HB 1909** was ordered perfected and printed.

HB 1512, relating to the Civil Liberties Defense Act, was taken up by Representative Curtman.

On motion of Representative Curtman, **HB 1512** was ordered perfected and printed by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Meadows	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 046

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Ellinger	Ellington	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Klippenstein	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 007

Dieckhaus	Funderburk	Hughes	Lasater	McNary
Redmon	Mr Speaker			

HCS HB 1395, relating to a land survey program, was taken up by Representative Korman.

Representative Korman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1395, Page 2, Section 59.319, Line 28, by inserting after the phrase "**30.180, RSMo.**" on said line, the following:

"**The state and the department of natural resources shall use no more than twenty percent of all moneys collected under this subsection to pay for state and department administrative cost allocation.**"; and

Further amend said bill, page, and section, Line 32, by inserting after the word "**income**" on said line the phrase "**, interest, and moneys earned**"; and

Further amend said bill, page, and section, Lines 35-36, by deleting all of said lines and inserting in lieu thereof the following:

"**of unexpected balances to the general revenue funds**;"; and

Further amend said bill, Page 5, Section 60.595, Line 14, by deleting the phrase "workshops, conferences" on said line and inserting in lieu thereof the phrase "**[**workshops**] workshop fees**, **[**conferences**] conference fees**"; and

Further amend said bill, Page 6, Section 60.620, Line 28, by deleting on said line the phrase "**and deputy director of the division**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cauthorn offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1395, Page 1, Line 3, by deleting the word "**twenty**" and inserting in lieu there of the word "**ten**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 1 to House Amendment No. 1** was adopted.

HCS HB 1395, with House Amendment No. 1, as amended, pending, was laid over.

HCS HB 1361, relating to utilities, was taken up by Representative Pollock.

HCS HB 1361 was laid over.

On motion of Representative Jones (89), the House recessed until 2:45 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

PERFECTION OF HOUSE BILLS

HCS HB 1541, relating to the conscience right of medical workers, was taken up by Representative Jones (89).

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1541, Page 2, Section 191.1150, Line 30, by inserting after the word "**and**" the words "**non-therapeutic benefit**"; and

Further amend said bill, Page 3, Section 191.1159, Line 2, and Section 191.1162, Line 2, by deleting the phrase "**health care professional**" and inserting in lieu thereof the phrase "**medical professional**"; and

Further amend said bill, Section 191.1168, Page 4, Line 2, by inserting immediately after the section number "**1.140**" the following:

"**, except sections 191.1159 and 191.1162, which shall not be severable from those sections**"; and

Further amend said bill, section and page, Line 3, by inserting immediately after the section number "**191.1168**" the following:

"**, except section 191.1159 and 191.1162,**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

On motion of Representative Jones (89), **HCS HB 1541, as amended**, was adopted.

On motion of Representative Jones (89), **HCS HB 1541, as amended**, was ordered perfected and printed.

HCS HB 1395, with House Amendment No. 1, as amended, pending, relating to a land survey program, was again taken up by Representative Korman.

On motion of Representative Korman, **House Amendment No. 1, as amended**, was adopted.

Representative Ruzicka offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1395, Page 1, In the Title, Lines 2 and 3, by deleting the words, "the land survey program" and inserting in lieu thereof the words, "the department of natural resources"; and

Further amend said bill, Page 6, Section 60.620, Line 34, by inserting after all of said line the following:

"640.100. 1. The safe drinking water commission created in section 640.105 shall promulgate rules necessary for the implementation, administration and enforcement of sections 640.100 to 640.140 and the federal Safe Drinking Water Act as amended.

2. No standard, rule or regulation or any amendment or repeal thereof shall be adopted except after a public hearing to be held by the commission after at least thirty days' prior notice in the manner prescribed by the rulemaking provisions of chapter 536 and an opportunity given to the public to be heard; the commission may solicit the views, in writing, of persons who may be affected by, knowledgeable about, or interested in proposed rules and regulations, or standards. Any person heard or registered at the hearing, or making written request for notice, shall be given written notice of the action of the commission with respect to the subject thereof. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated to administer and enforce sections 640.100 to 640.140 shall become effective only if the agency has fully complied with all of the requirements of chapter 536, including but not limited to section 536.028, if applicable, after June 9, 1998. All rulemaking authority delegated prior to June 9, 1998, is of no force and effect and repealed as of June 9, 1998, however, nothing in this section shall be interpreted to repeal or affect the validity of any rule adopted or promulgated prior to June 9, 1998. If the provisions of section 536.028 apply, the provisions of this section are nonseverable and if any of the powers vested with the general assembly pursuant to section 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in this chapter or chapter 644 shall affect the validity of any rule adopted and promulgated prior to June 9, 1998.

3. The commission shall promulgate rules and regulations for the certification of public water system operators, backflow prevention assembly testers and laboratories conducting tests pursuant to sections 640.100 to 640.140. Any person seeking to be a certified backflow prevention assembly tester shall satisfactorily complete standard, nationally recognized written and performance examinations designed to ensure that the person is competent to determine if the assembly is functioning within its design specifications. Any such state certification shall satisfy any need for local certification as a backflow prevention assembly tester. However, political subdivisions may set additional testing standards for individuals who are seeking to be certified as backflow prevention assembly testers. Notwithstanding any other provision of law to the contrary, agencies of the state or its political subdivisions shall only require carbonated beverage dispensers to conform to the backflow protection requirements established in the National Sanitation Foundation standard eighteen, and the dispensers shall be so listed by an independent testing laboratory. The commission shall promulgate rules and regulations for collection of samples and analysis of water furnished by municipalities, corporations, companies, state establishments, federal establishments or individuals to the public. The department of natural resources or the department of health and senior services shall, at the request of any supplier, make any analyses or tests required pursuant to the terms of section 192.320 and sections 640.100 to 640.140. The department shall collect fees to cover the reasonable cost of laboratory services, both within the department of natural resources and the department of health and senior services, laboratory certification and program administration as required by sections 640.100 to 640.140. The laboratory services and program administration fees pursuant to this subsection shall not exceed two hundred dollars for a supplier supplying less than four thousand one hundred service connections, three hundred dollars for supplying less than seven thousand six hundred service connections, five hundred dollars for supplying seven thousand six hundred or more service connections, and five hundred dollars for testing surface water. Such fees shall be deposited in the safe drinking water fund as specified in section 640.110. The analysis of all drinking water required by section 192.320 and sections 640.100 to 640.140 shall be made by the department of natural resources laboratories, department of health and senior services laboratories or laboratories certified by the department of natural resources.

4. The department of natural resources shall establish and maintain an inventory of public water supplies and conduct sanitary surveys of public water systems. Such records shall be available for public inspection during regular business hours.

5. (1) For the purpose of complying with federal requirements for maintaining the primacy of state enforcement of the federal Safe Drinking Water Act, the department is hereby directed to request appropriations from

the general revenue fund and all other appropriate sources to fund the activities of the public drinking water program and in addition to the fees authorized pursuant to subsection 3 of this section, an annual fee for each customer service connection with a public water system is hereby authorized to be imposed upon all customers of public water systems in this state. The fees collected shall not exceed the amounts specified in this subsection and the commission may set the fees, by rule, in a lower amount by proportionally reducing all fees charged pursuant to this subsection from the specified maximum amounts. Reductions shall be roughly proportional but in each case shall be divisible by twelve. Each customer of a public water system shall pay an annual fee for each customer service connection.

(2) The annual fee per customer service connection for unmetered customers and customers with meters not greater than one inch in size shall be based upon the number of service connections in the water system serving that customer, and shall not exceed:

1 to 1,000 connections	$ 3.24
1,001 to 4,000 connections	3.00
4,001 to 7,000 connections	2.76
7,001 to 10,000 connections	2.40
10,001 to 20,000 connections	2.16
20,001 to 35,000 connections	1.92
35,001 to 50,000 connections	1.56
50,001 to 100,000 connections	1.32
More than 100,000 connections	1.08.

(3) The annual user fee for customers having meters greater than one inch but less than or equal to two inches in size shall not exceed seven dollars and forty-four cents; for customers with meters greater than two inches but less than or equal to four inches in size shall not exceed forty-one dollars and sixteen cents; and for customers with meters greater than four inches in size shall not exceed eighty-two dollars and forty-four cents.

(4) Customers served by multiple connections shall pay an annual user fee based on the above rates for each connection, except that no single facility served by multiple connections shall pay a total of more than five hundred dollars per year.

6. Fees imposed pursuant to subsection 5 of this section shall become effective on August 28, 2006, and shall be collected by the public water system serving the customer beginning September 1, 2006, and continuing until such time that the safe drinking water commission, at its discretion, specifies a lower amount under subdivision (1) of subsection 5 of this section. The commission shall promulgate rules and regulations on the procedures for billing, collection and delinquent payment. Fees collected by a public water system pursuant to subsection 5 of this section are state fees. The annual fee shall be enumerated separately from all other charges, and shall be collected in monthly, quarterly or annual increments. Such fees shall be transferred to the director of the department of revenue at frequencies not less than quarterly. Two percent of the revenue arising from the fees shall be retained by the public water system for the purpose of reimbursing its expenses for billing and collection of such fees.

7. Imposition and collection of the fees authorized in subsection 5 of this section shall be suspended on the first day of a calendar quarter if, during the preceding calendar quarter, the federally delegated authority granted to the safe drinking water program within the department of natural resources to administer the Safe Drinking Water Act, 42 U.S.C. 300g-2, is withdrawn. The fee shall not be reinstated until the first day of the calendar quarter following the quarter during which such delegated authority is reinstated.

8. Fees imposed pursuant to subsection 5 of this section shall expire on September 1, **[**2012**]** **2017**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 2** was adopted.

On motion of Representative Korman, **HCS HB 1395, as amended**, was adopted.

On motion of Representative Korman, **HCS HB 1395, as amended**, was ordered perfected and printed.

HCS HB 1275, relating to local ballot proposals, was taken up by Representative Koenig.

Speaker Pro Tem Schoeller assumed the Chair.

HCS HB 1275 was laid over.

On motion of Representative Riddle, the House recessed until 7:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Smith (150).

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1445 through House Resolution No. 1499

HOUSE CONCURRENT RESOLUTION

Representative Lampe, et al., offered House Concurrent Resolution No. 51.

PERFECTION OF HOUSE BILLS

HCS HB 1700, relating to sexual offender registration, was taken up by Representative Schad.

Representative Marshall offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1700, Page 9, Section 589.401, Lines 35-37, by deleting all of said lines and inserting in lieu thereof, the following:

"**4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:**

(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for five years immediately preceding the filing of the petition; or

(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for three years immediately preceding the filing of the petition.

(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fuhr offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1700, Page 1, Line 8, by deleting the phrase "**five years**" on said line and inserting in lieu thereof the phrase "**one year**"; and

Further amend said amendment and page, Line 10, by deleting the phrase "**three years**" on said line and inserting in lieu thereof the phrase "**one year**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Marshall, **House Amendment No. 1, as amended**, was adopted.

On motion of Representative Schad, **HCS HB 1700, as amended**, was adopted.

On motion of Representative Schad, **HCS HB 1700, as amended**, was ordered perfected and printed.

HCS HB 1094, relating to electronic payments to state entities, was taken up by Representative Wieland.

Representative Wieland offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1094, Page 1, Section 37.007, Line 3, by deleting the word "**a**" on said line and inserting in lieu thereof the word "**any**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wieland, **House Amendment No. 1** was adopted.

Representative Talboy offered **House Amendment No. 2**.

Representative Funderburk raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Smith (150) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Wieland, **HCS HB 1094, as amended**, was adopted.

On motion of Representative Wieland, **HCS HB 1094, as amended**, was ordered perfected and printed.

HCS HB 1402, relating to road use, was taken up by Representative Burlison.

Representative Burlison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1402, Page 10, Section 390.061, Line 51, by deleting all of said line and inserting in lieu thereof the following:

"**6. The state highways and transportation commission is authorized to enter into**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 1** was adopted.

On motion of Representative Burlison, **HCS HB 1402, as amended**, was adopted.

On motion of Representative Burlison, **HCS HB 1402, as amended**, was ordered perfected and printed.

HCS#2 HB 1344, relating to closure of certain criminal records, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HCS#2 HB 1344** was adopted.

On motion of Representative Nasheed, **HCS#2 HB 1344** was ordered perfected and printed.

HCS HBs 1278 & 1152, relating to tax credits, was taken up by Representative Long.

On motion of Representative Long, **HCS HBs 1278 & 1152** was adopted.

On motion of Representative Long, **HCS HBs 1278 & 1152** was ordered perfected and printed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson

Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schupp
Shively	Shumake	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	White	Wieland	Wright
Wyatt	Zerr			

NOES: 009

Carlson	Fuhr	Hughes	Klippenstein	May
McCreery	Morgan	Newman	Sifton	

PRESENT: 003

Ellinger	Smith 71	Walton Gray

ABSENT WITH LEAVE: 014

Colona	Day	Dugger	Franklin	Kander
Largent	McNary	Sater	Schieffer	Schoeller
Silvey	Wells	Weter	Mr Speaker	

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 52 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1654 - Ways and Means
HB 1934 - Ways and Means
HB 1950 - Health Insurance

RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

SCS SB 655 - Higher Education

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Guernsey reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 31

WHEREAS, the United States Corps of Engineers' five-year study of the Upper Mississippi River Basin, which is everything north of Cairo, Illinois, failed to produce a plan for flood control acceptable to all stakeholders; and

WHEREAS, the Mississippi River Commission did recommend Plan H to the United States Congress; and

WHEREAS, the Corps of Engineers has not recommended this plan to the United States Congress, citing the expense of the construction of 500-year levees along these rivers, estimated to be $6 billion, does not meet current cost-benefit guidelines for federal funding; and

WHEREAS, the Corps of Engineers additionally determined a need for better data based upon new hydrology and flow studies and the need to study tributaries of the Mississippi River; and

WHEREAS, the Corps of Engineers indicated that ramifications of the additional 500-year levees and their potential to cause additional flooding would need to be determined, and affected populations and communities informed and advised of the potential impact; and

WHEREAS, the affected counties include the Missouri counties of Lincoln, Pike, and St. Charles; and

WHEREAS, Plan H designates only about half of the levees in the Missouri counties of Lincoln, Pike, and St. Charles be raised, while to the north a higher percentage of 500-year levees are recommended for both sides of the river; and

WHEREAS, the stakeholders in the Missouri counties of Lincoln, Pike, and St. Charles desire the protections provided by the 500-year levees; and

WHEREAS, the proposed Plan H, if implemented, denies the benefits of 500-year levees to those making a living along the Mississippi River, negatively impacting agriculture, transportation, businesses, industries, tourism, hunting, fishing, boating, infrastructure, and residences; and

WHEREAS, over 6,500 citizens have signed petitions opposing the proposed Plan H; and

WHEREAS, the Upper Mississippi River Basin should receive funding comparable to funding for the Southern Mississippi River Basin from Cairo, Illinois, to New Orleans, Louisiana:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress to support a comprehensive plan for the Upper Mississippi River Basin that enhances system-wide flood control without creating adverse impacts on existing levees, levee districts, rural communities, and metropolitan areas. The plan should be based on analysis that quantifies the impacts of enhanced flood control measures and acknowledges the importance of keeping agricultural land in production. The proposed Plan H making the Missouri counties of Lincoln, Pike, and St. Charles the lowest points on the Mississippi River levee system is totally unacceptable and we ask the Missouri Congressional delegation to oppose this plan; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1869**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SB 455**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1758**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1210**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1803**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HCR 42**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 42

WHEREAS, Missouri needs a foundational, centralized, guiding document that clarifies the state's interpretation of existing laws and practices relating to educating children who are deaf and hard of hearing; and

WHEREAS, Missouri needs to clarify standard educational principles for educators and administrators, and to provide ongoing direction to policymakers so that children who are deaf and hard of hearing will not be left behind in our educational system; and

WHEREAS, deaf and hard of hearing children have the same right and potential to become as independent and self-actualizing as their hearing peers:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby endorse the "Deaf and Hard of Hearing Children's Bill of Rights" as follows:

(1) Children who are deaf or hard of hearing are entitled to appropriate screening and assessment of hearing capabilities, communication, and language needs at the earliest possible age and to the continuation of screening services throughout the educational experience;

(2) Children who are deaf or hard of hearing are entitled to early intervention to provide for acquisition of solid language bases developed at the earliest possible age;

(3) Children who are deaf or hard of hearing are entitled to their parents' or guardians' full and informed participation in their educational planning;

(4) Children who are deaf or hard of hearing benefit from interaction with adult role models who are deaf or hard of hearing;

(5) Children who are deaf or hard of hearing benefit from interacting with their deaf, hard of hearing, and hearing peers;

(6) Children who are deaf or hard of hearing are entitled to qualified teachers, interpreters, and resource personnel who communicate effectively with each child in that child's preferred mode of communication;

(7) Children who are deaf or hard of hearing are entitled to placement best suited to each child's individual needs, including but not limited to social, emotional, and cultural needs, with consideration for the child's age, degree of hearing loss, academic level, mode of communication, style of learning, motivational level, and amount of family support;

(8) Children who are deaf or hard of hearing are entitled to individual considerations for free, appropriate education across a full spectrum of educational programs;

(9) Children who are deaf or hard of hearing are entitled to full support services provided by qualified professionals in their educational settings;

(10) Children who are deaf or hard of hearing are entitled to full access to all programs in their educational settings;

(11) Children who are deaf or hard of hearing are entitled to have the public fully informed concerning medical, cultural, and linguistic issues of deafness and hearing loss;

(12) Children who are deaf or hard of hearing benefit by having deaf and hard of hearing adults involved in determining the extent, content, and purpose of programs that affect their education; and

(13) Children who are deaf or hard of hearing are entitled to free and unrestricted communication with others who communicate in their same language mode. The child's preferred mode of communication should be respected in order to attain the highest education possible for that individual in an appropriate environment; and

BE IT FURTHER RESOLVED that notwithstanding any of the above principles, nothing in this resolution shall require:

(1) Individual school districts to ensure the availability of a specific number of deaf or hard of hearing peers; or

(2) Parents to abrogate their statutory rights to educational choice; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1794**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **HB 1854**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Renewable Energy, Chairman Holsman reporting:

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 1076** and **HB 1302**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 1305**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

LETTER OF OBJECTION

March 27, 2012

The Honorable Adam Crumbliss
Chief Clerk, Missouri House of Representatives
State Capitol, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Whereas, on March 20, 2012, **House Bill No. 1717** was duly placed on the House Consent Calendar for Perfection, and

Whereas, the rules of the House require all bills placed upon the House Consent Calendar for Perfection to be noncontroversial in nature, and

Whereas, the rules of the House require all bills placed upon the House Consent Calendar for Perfection to not reduce net revenue of the state, and

Whereas, the rules of the House provide that five members of the House, with at least two from each political party may file written objection with the Chief Clerk, thereby removing such bill from the House Consent Calendar for Perfection and requiring it be placed upon the House Bills to be Perfected and Printed Calendar,

Now, therefore, we the undersigned members of the Missouri House of Representatives, pursuant to House Rule 45(b), object to **House Bill No. 1717** placement upon the House Consent Calendar for Perfection and respectfully request its removal under the rules.

/s/ Ryan Silvey
District 38

/s/ Mary W. Still
District 25

/s/ Thomas Flanigan
District 127

/s/ Chris Kelly
District 24

/s/ Sue Allen
District 92

ADVANCEMENT OF HOUSE BILLS - CONSENT

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1048, HB 1062, HB 1063, HB 1170, HCS HB 1171, HB 1221, HB 1261, HB 1264, HB 1267, HB 1315, HCS HB 1325, HB 1345, HCS HB 1363, HCS HB 1407, HB 1408, HB 1424, HB 1460, HCS#2 HB 1462, HCS HB 1477, HB 1484, HCS HBs 1518 & 1522, HCS HB 1527, HB 1545, HB 1560, HCS HB 1563, HB 1615, HCS HB 1623, HB 1630, HB 1636, HB 1651, HB 1652, HB 1662, HB 1665, HB 1680, HB 1687, HB 1692, HB 1737, HCS HB 1738, HB 1744, HB 1782, HB 1804, HB 1807, HB 1811, HB 1820, HCS HB 1827, HCS HB 1841, HB 1864, HB 1868, HCS HB 1875, HB 1878** and **HB 1880**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 1989, introduced by Representative Riddle, relating to the designation of the state rifle.

HB 1990, introduced by Representatives Phillips, Wright, Rowland and Houghton, relating to procedures for vaccinations administered to certain children.

HB 1991, introduced by Representative Phillips, relating to liens filed by sewer districts.

HB 1992, introduced by Representatives Phillips and Rowland, relating to chemical tests for blood alcohol content.

HB 1993, introduced by Representatives Lampe, Nasheed, McNeil, Webber, Hodges, McDonald, Kirkton, Ellinger, McCann Beatty, Nichols, Pierson, Morgan, Walton Gray, Hubbard, May, Pace, Montecillo, Oxford, Atkins, Schupp, Hough, Fallert, Casey, Carter, Holsman, Brown (50), Black, Colona, Taylor, Swinger, McManus, Talboy, Silvey and Sifton, relating to the children in crisis tax credit.

HB 1994, introduced by Representative Carlson, relating to adoption.

HB 1995, introduced by Representative Bernskoetter, relating to mortgage loan originators.

HB 1996, introduced by Representatives Weter and Sater, relating to advanced practice registered nurses.

HB 1997, introduced by Representatives McNeil, Morgan, Lampe and Still, relating to unaccredited schools.

HB 1998, introduced by Representative Franz, relating to health care services and fees.

HB 1999, introduced by Representative Zerr, relating to science and innovation.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, March 28, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS
Thursday, March 29, 2012, 8:30 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Information session on proposed policies

BUDGET
Wednesday, March 28, 2012, Upon Morning Recess House Hearing Room 3.
Public hearing will be held: HJR 57, HJR 58
AMENDED

CHILDREN AND FAMILIES
Wednesday, March 28, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1790
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, March 28, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1952, HB 1822, HB 1334
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, March 29, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HJR 42, HJR 60

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, March 28, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 1201, HJR 70
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, March 29, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

HEALTH CARE POLICY
Wednesday, March 28, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCR 18
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY
Monday, April 2, 2012, 6:00 or Upon Evening Adjournment House Hearing Room 1.
Public hearing will be held: HB 1942, HB 1936
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, March 28, 2012, Upon Morning Recess South Gallery.
Executive session will be held: HB 1639
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, March 28, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1716, HB 1479, HB 1677, HB 1553
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, March 28, 2012, 6:00 PM 1817 Hayselton Dr., Jefferson City.
Judiciary Committee dinner meeting

LOCAL GOVERNMENT
Wednesday, March 28, 2012, 8:30 AM House Hearing Room 7.
Public hearing will be held: HB 1047, HB 1397
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, March 28, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1082, HB 1784, HB 1508
Executive session may be held on any matter referred to the committee.

SMALL BUSINESS
Wednesday, March 28, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1306, HB 1162, HB 1163
Executive session will be held: HB 1702, HB 1674, HB 1146, HB 1065
Executive session may be held on any matter referred to the committee.
Also hearing HB 1162 and 1163
AMENDED

TOURISM AND NATURAL RESOURCES
Thursday, March 29, 2012, 9:00 AM House Hearing Room 7.
Executive session will be held: SS SCS SB 719
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Wednesday, March 28, 2012, Upon Afternoon Adjournment House Hearing Room 5.
Public hearing will be held: HB 1874
Executive session may be held on any matter referred to the committee.
CANCELLED

WAYS AND MEANS
Thursday, March 29, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1934, HB 1654, HJR 67
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SIXTH DAY, WEDNESDAY, MARCH 28, 2012

HOUSE BILLS FOR SECOND READING

HB 1989 through HB 1999

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 47 - Dugger

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1169 - Franz
3 HCS HB 1361 - Pollock
4 HB 1046 - Rowland
5 HCS HB 1272 - Kelley (126)
6 HCS HB 1475 - Cross
7 HCS HB 1722 - Thomson
8 HCS HB 1126 - Largent
9 HB 1172 - Franz
10 HCS HB 1275 - Koenig
11 HCS HB 1498 - Hough
12 HB 1593 - Jones (89)
13 HCS HB 1608 - White
14 HCS HB 1134 - Scharnhorst
15 HB 1403 - Schatz
16 HCS HB 1060 - Dugger
17 HCS HB 1549 - Richardson
18 HCS HB 1717 - Kelley (126)
19 HCS HB 1111 - Gosen
20 HCS HB 1150 - Smith (150)

21 HCS HB 1515 - Schad
22 HCS HB 1640 - Denison
23 HB 1691 - Dugger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

1 HCS HJR 61 - Loehner
2 HJR 52, (Fiscal Review 3/27/12) - Ruzicka

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1296 - Davis
5 HCS HB 1647 - Riddle

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1073 - Sater
2 HB 1096 - Wieland
3 HB 1165 - Diehl
4 HB 1190 - Allen
5 HB 1231 - Cauthorn
6 HB 1266 - Denison
7 HB 1337 - Stream
8 HCS HB 1373 - Asbury
9 HB 1492 - Molendorp
10 HB 1577 - Largent
11 HB 1634 - Ruzicka
12 HB 1641 - Pollock
13 HB 1668 - Denison
14 HB 1341 - Dugger
15 HCS#2 HB 1524 - Phillips
16 HB 1484 - McCaherty
17 HB 1880 - Pollock
18 HB 1048, E.C. - Schneider
19 HB 1062 - Dieckhaus
20 HB 1063 - Conway (27)
21 HB 1170 - Franz
22 HCS HB 1171 - Franz
23 HB 1221 - Black
24 HB 1261 - Swearingen
25 HB 1264 - Fallert
26 HB 1267 - Denison
27 HB 1315 - McCaherty
28 HCS HB 1325 - Cox

HB 1345 - Cauthorn
HCS HB 1363 - Schieffer
HCS HB 1407 - Walton Gray
HB 1408 - Walton Gray
HB 1424 - Marshall
HB 1460 - Jones (117)
HCS#2 HB 1462 - Cauthorn
HCS HB 1477 - Brown (116)
HCS HBs 1518 & 1522 - Grisamore
HCS HB 1527 - Elmer
HB 1545 - Kirkton
HB 1560 - Diehl
HCS HB 1563 - Sater
HB 1615 - Oxford
HCS HB 1623 - Ellinger
HB 1630 - Franz
HB 1636 - Fuhr
HB 1651 - McGeoghegan
HB 1652 - McGeoghegan
HB 1662 - Weter
HB 1665 - Jones (63)
HB 1680 - Davis
HB 1687 - Schieffer
HB 1692 - Entlicher
HB 1737 - Gatschenberger
HCS HB 1738, E.C. - Grisamore
HB 1744 - Kelley (126)
HB 1782 - Fitzwater
HB 1804 - Molendorp
HB 1807 - Marshall
HB 1811 - Carter
HB 1820 - Asbury
HCS HB 1827 - Richardson
HCS HB 1841 - Jones (117)
HB 1864 - Johnson
HB 1868 - Cauthorn
HCS HB 1875 - Nance
HB 1878 - Riddle

HOUSE CONCURRENT RESOLUTIONS

HCR 11 - Kelley (126)
HCS HCR 30 - Hampton
HCR 25 - Allen

SENATE BILLS FOR THIRD READING

SB 450, E.C. - Schneider

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-SIXTH DAY, WEDNESDAY, MARCH 28, 2012

The House met pursuant to adjournment.

Representative Silvey in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are the meek: for they shall inherit the earth. (Matthew 5:5)

O God, in these anxious moments and uncertain hours, we come to You with needs and longings only You can help us meet. As we live through these lengthy legislative days, grant to us beliefs big enough, hearts honest enough and spirits strong enough to make us more than a match for the mood of this modern time.

By Your spirit help us to rise above all that is narrow, petty and selfish, and with increased devotion may we work together for the well-being of our state and for the welfare of all our citizens.

To this end guide us in our thinking, direct us in our speaking, and govern us in our living, that at the end of this day we may hear Your voice say, "Well done, good and faithful servant."

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Samantha Ellis, Emily Thurman and Addi Bussen.

The Journal of the forty-fifth day was approved as printed.

SECOND READING OF HOUSE BILLS

HB 1989 through **HB 1999** were read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1169, relating to spanking in school investigations, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 1169** was adopted.

On motion of Representative Franz, **HCS HB 1169** was ordered perfected and printed.

HB 1046, relating to declarations of candidacy, was taken up by Representative Rowland.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 103

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 056

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Hinson	McNary	Quinn

On motion of Representative Rowland, **HB 1046** was ordered perfected and printed.

HCS HB 1722, relating to proprietary schools, was taken up by Representative Thomson.

On motion of Representative Thomson, **HCS HB 1722** was adopted.

On motion of Representative Thomson, **HCS HB 1722** was ordered perfected and printed.

HCS HB 1498, relating to Sunday liquor sales, was taken up by Representative Hough.

On motion of Representative Hough, **HCS HB 1498** was adopted.

On motion of Representative Hough, **HCS HB 1498** was ordered perfected and printed.

On motion of Representative Riddle, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Silvey.

HOUSE RESOLUTION

Representatives Cox and Kelly (24) offered House Resolution No. 1501.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1500
House Resolution No. 1502 through House Resolution No. 1540

THIRD READING OF SENATE BILL

SB 450, relating to certain urban school districts, was taken up by Representative Schneider.

On motion of Representative Schneider, **SB 450** was truly agreed to and finally passed by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelly 24	Kirkton	Klippenstein	Koenig
Kratky	Lair	Lampe	Lant	Largent

Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Nichols	Oxford	Pace	Phillips	Pierson
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 029

Bernskoetter	Brown 50	Carlson	Carter	Curtman
Diehl	Flanigan	Guernsey	Higdon	Hinson
Hughes	Kelley 126	Korman	Long	McGhee
McManus	McNary	Nasheed	Newman	Nolte
Parkinson	Pollock	Richardson	Schad	Scharnhorst
Schatz	Schupp	Smith 150	Spreng	

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Richardson
Rizzo	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Sommer

Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Bernskoetter	Brandom	Carter	Cox	Diehl
Ellinger	Flanigan	Franklin	Hinson	Kelley 126
Long	McNary	Nasheed	Newman	Pollock
Reiboldt	Riddle	Rowland	Scharnhorst	Schatz
Schupp	Smith 150	Spreng	Swearingen	Zerr

PERFECTION OF HOUSE BILLS

HCS HB 1126, relating to transportation, was taken up by Representative Largent.

On motion of Representative Largent, **HCS HB 1126** was adopted.

On motion of Representative Largent, **HCS HB 1126** was ordered perfected and printed.

HB 1172, relating to residential care provider donations, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1172** was ordered perfected and printed.

HB 1593, relating to the ANGEL Investment Incentive Act, was taken up by Representative Jones (89).

Representative Zerr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1593, Page 1, Section A, Line 2, by inserting after all of said lines the following:

"135.680. 1. As used in this section, the following terms shall mean:

(1) "Adjusted purchase price", the product of:

(a) The amount paid to the issuer of a qualified equity investment for such qualified equity investment; and

(b) The following fraction:

a. The numerator shall be the dollar amount of qualified low-income community investments held by the issuer in this state as of the credit allowance date during the applicable tax year; and

b. The denominator shall be the total dollar amount of qualified low-income community investments held by the issuer in all states as of the credit allowance date during the applicable tax year;

c. For purposes of calculating the amount of qualified low-income community investments held by an issuer, an investment shall be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned to or recovered by the issuer from the original investment, exclusive of any profits realized, in another qualified low-income community investment within twelve months of the receipt of such capital. An issuer shall not be required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were

used to make the qualified low-income community investment, and the qualified low-income community investment shall be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance;

(2) "Applicable percentage", zero percent for each of the first two credit allowance dates, seven percent for the third credit allowance date, and eight percent for the next four credit allowance dates;

(3) "Credit allowance date", with respect to any qualified equity investment:

(a) The date on which such investment is initially made; and

(b) Each of the six anniversary dates of such date thereafter;

(4) "Long-term debt security", any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least seven years from the date of its issuance, with no acceleration of repayment, amortization, or prepayment features prior to its original maturity date, and with no distribution, payment, or interest features related to the profitability of the qualified community development entity or the performance of the qualified community development entity's investment portfolio. The foregoing shall in no way limit the holder's ability to accelerate payments on the debt instrument in situations where the issuer has defaulted on covenants designed to ensure compliance with this section or Section 45D of the Internal Revenue Code of 1986, as amended;

(5) "Qualified active low-income community business", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that any business that derives or projects to derive fifteen percent or more of its annual revenue from the rental or sale of real estate shall not be considered to be a qualified active low-income community business;

(6) "Qualified community development entity", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that such entity has entered into an allocation agreement with the Community Development Financial Institutions Fund of the U.S. Treasury Department with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended, which includes the state of Missouri within the service area set forth in such allocation agreement;

(7) "Qualified equity investment", any equity investment in, or long-term debt security issued by, a qualified community development entity that:

(a) Is acquired after September 4, 2007, at its original issuance solely in exchange for cash;

(b) Has at least eighty-five percent of its cash purchase price used by the issuer to make qualified low-income community investments; and

(c) Is designated by the issuer as a qualified equity investment under this subdivision and is certified by the department of economic development as not exceeding the limitation contained in subsection 2 of this section. This term shall include any qualified equity investment that does not meet the provisions of paragraph (a) of this subdivision if such investment was a qualified equity investment in the hands of a prior holder;

(8) "Qualified low-income community investment", any capital or equity investment in, or loan to, any qualified active low-income community business. With respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments made in such business, on a collective basis with all of its affiliates, that may be used from the calculation of any numerator described in subparagraph a. of paragraph (b) of subdivision (1) of this subsection shall be ten million dollars whether issued to one or several qualified community development entities;

(9) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or otherwise due under section 375.916 or chapter 147, 148, or 153;

(10) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or the tax imposed in section 375.916 or chapter 147, 148, or 153.

2. A taxpayer that makes a qualified equity investment earns a vested right to tax credits under this section. On each credit allowance date of such qualified equity investment the taxpayer, or subsequent holder of the qualified equity investment, shall be entitled to a tax credit during the taxable year including such credit allowance date. The tax credit amount shall be equal to the applicable percentage of the adjusted purchase price paid to the issuer of such qualified equity investment. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed. No tax credit claimed under this section shall be refundable or transferable. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders. Any amount of tax credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's five subsequent taxable years. The department of economic development shall limit the monetary amount of qualified equity investments permitted under this section to a level necessary to limit tax credit utilization at no more than twenty-five million dollars of tax credits in any fiscal year. Such limitation on qualified equity investments shall

be based on the anticipated utilization of credits without regard to the potential for taxpayers to carry forward tax credits to later tax years.

3. The issuer of the qualified equity investment shall certify to the department of economic development the anticipated dollar amount of such investments to be made in this state during the first twelve-month period following the initial credit allowance date. If on the second credit allowance date, the actual dollar amount of such investments is different than the amount estimated, the department of economic development shall adjust the credits arising on the second allowance date to account for such difference.

4. The department of economic development shall recapture the tax credit allowed under this section with respect to such qualified equity investment under this section if:

(1) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(2) The issuer redeems or makes principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of such qualified equity investment. Any tax credit that is subject to recapture shall be recaptured from the taxpayer that claimed the tax credit on a return.

5. The department of economic development shall promulgate rules to implement the provisions of this section, including recapture provisions on a scaled proportional basis, and to administer the allocation of tax credits issued for qualified equity investments, which shall be conducted on a first-come, first-serve basis. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after September 4, 2007, shall be invalid and void.

6. **[**For fiscal years following fiscal year 2010, qualified equity investments shall not be made under this section unless reauthorization is made pursuant to this subsection. For all fiscal years following fiscal year 2010, unless the general assembly adopts a concurrent resolution granting authority to the department of economic development to approve qualified equity investments for the Missouri new markets development program and clearly describing the amount of tax credits available for the next fiscal year, or otherwise complies with the provisions of this subsection, no qualified equity investments may be permitted to be made under this section. The amount of available tax credits contained in such a resolution shall not exceed the limitation provided under subsection 2 of this section. In any year in which the provisions of this section shall sunset pursuant to subsection 7 of this section, reauthorization shall be made by general law and not by concurrent resolution. Nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to the expiration of authority to make qualified equity investments from claiming tax credits relating to such qualified equity investment for each applicable credit allowance date.

7.**]** Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after September 4, 2007, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. However, nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to sunset of this section under the provisions of section 23.253 from claiming tax credits relating to such qualified equity investment for each credit allowance date.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 1** was adopted.

On motion of Representative Jones (89), **HB 1593, as amended,** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1073, relating to the Missouri Grain Dealer Law, was taken up by Representative Sater.

On motion of Representative Sater, **HB 1073** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Casey	Cauthorn	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McNeil
Molendorp	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Walton Gray	Webb	Webber	Weter
White	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 034

Brown 50	Brown 116	Carter	Cierpiot	Colona
Dieckhaus	Diehl	Flanigan	Franz	Gatschenberger
Hampton	Harris	Hinson	Hughes	Kander
Korman	Leara	McCreery	McGhee	McManus
McNary	Meadows	Nance	Pollock	Richardson
Schad	Schatz	Schupp	Spreng	Torpey
Wallingford	Wells	Wieland	Wright	

Representative Silvey declared the bill passed.

HB 1096, relating to county health center payments, was taken up by Representative Wieland.

On motion of Representative Wieland, **HB 1096** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 116	Burlison	Carlson	Hinson	Hughes
Lant	Leara	McManus	McNary	Oxford
Pollock	Scharnhorst	Schatz	Schupp	Still
Swearingen				

Representative Silvey declared the bill passed.

HB 1190, relating to maintaining police records, was taken up by Representative Allen.

On motion of Representative Allen, **HB 1190** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 116	Conway 14	Diehl	Fallert	Fisher
Funderburk	Hinson	Holsman	Hughes	Jones 89
Leara	McManus	McNary	Pollock	Scharnhorst
Schatz	Schupp	Walton Gray	Wright	Mr Speaker

Representative Silvey declared the bill passed.

HB 1231, relating to preference of Missouri products, was taken up by Representative Cauthorn.

On motion of Representative Cauthorn, **HB 1231** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 116	Diehl	Fisher	Hinson	Hughes
Leara	McManus	McNary	Morgan	Parkinson
Pollock	Quinn	Schatz	Schupp	Talboy
Mr Speaker				

Representative Silvey declared the bill passed.

HB 1266, relating to the official state butterfly, was taken up by Representative Denison.

HB 1266 was laid over.

HB 1337, relating to cardiopulmonary resuscitation, was taken up by Representative Stream.

On motion of Representative Stream, **HB 1337** was read the third time and passed by the following vote:

AYES: 105

Allen	Asbury	Atkins	Aull	Barnes
Brandom	Brown 50	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Cookson	Cox
Crawford	Cross	Davis	Dieckhaus	Ellington
Elmer	Fallert	Fitzwater	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nichols	Oxford	Phillips	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Weter	White	Wieland	Wright	Zerr

NOES: 032

Anders	Bahr	Berry	Black	Brattin
Brown 85	Burlison	Conway 14	Curtman	Dugger
Entlicher	Fuhr	Guernsey	Hubbard	Keeney
Koenig	Lasater	Leach	Marshall	May
McCann Beatty	McCreery	Newman	Pace	Pierson
Schieber	Still	Swearingen	Walton Gray	Webb
Webber	Wells			

PRESENT: 000

ABSENT WITH LEAVE: 026

Bernskoetter	Brown 116	Conway 27	Day	Denison
Diehl	Ellinger	Fisher	Flanigan	Franklin
Higdon	Hinson	Hughes	Jones 89	Klippenstein
McNary	Nolte	Parkinson	Redmon	Schad
Scharnhorst	Schatz	Schupp	Spreng	Wyatt
Mr Speaker				

Representative Silvey declared the bill passed.

HCS HB 1373, relating to county budgets, was taken up by Representative Asbury.

On motion of Representative Asbury, **HCS HB 1373** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schieber	Schieffer	Schneider	Schoeller
Shively	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Bernskoetter	Casey	Day	Fisher	Flanigan
Franklin	Higdon	Hinson	Hughes	Leach
Loehner	McNary	Nolte	Pollock	Redmon
Reiboldt	Scharnhorst	Schatz	Schupp	Shumake
Thomson	Wyatt	Zerr	Mr Speaker	

Representative Silvey declared the bill passed.

HB 1492, relating to the establishment of a municipal court in Cass County, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HB 1492** was read the third time and passed by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Harris
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	Wieland	Wright	Wyatt
Zerr				

NOES: 004

Ellington	Korman	Lasater	Marshall

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Day	Franklin	Grisamore	Hampton
Higdon	Hinson	Hughes	May	McNary
Nolte	Pollock	Redmon	Scharnhorst	Schatz
Schupp	White	Mr Speaker		

Representative Silvey declared the bill passed.

HB 1577, relating to students in foster care, was taken up by Representative Largent.

On motion of Representative Largent, **HB 1577** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Burlison	Carter	Curtman	Day	Diehl
Fisher	Flanigan	Hinson	Lampe	McNary
Meadows	Nolte	Redmon	Scharnhorst	Schatz
Schupp	Stream	White	Mr Speaker	

Representative Silvey declared the bill passed.

HB 1634, relating to recycling targets for newspapers, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 1634** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	Meadows	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 002

Hughes	McNeil

PRESENT: 000

ABSENT WITH LEAVE: 015

Day	Denison	Franklin	Grisamore	Hinson
Hummel	McNary	Molendorp	Nasheed	Scharnhorst
Schieffer	Schupp	Stream	Swearingen	Mr Speaker

Representative Silvey declared the bill passed.

HB 1641, relating to an American Red Cross License Plate, was taken up by Representative Pollock.

On motion of Representative Pollock, **HB 1641** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brattin	Conway 14	Day	Entlicher	Franklin
Hinson	Hughes	Jones 89	McNary	Oxford
Scharnhorst	Schupp	Stream	Mr Speaker	

Representative Silvey declared the bill passed.

HB 1668, relating to an Olympic Committee License Plate, was taken up by Representative Denison.

On motion of Representative Denison, **HB 1668** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Conway 14	Curtman	Day	Dieckhaus	Entlicher
Flanigan	Hinson	Jones 89	McNary	Sater
Scharnhorst	Schupp	Swinger	Mr Speaker	

Representative Silvey declared the bill passed.

HB 1341, relating to the Energy Efficiency Investment Act, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1341** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Atkins	Carter	Conway 14	Curtman	Day
Dieckhaus	Flanigan	Franklin	Fuhr	Hinson
Jones 63	Marshall	McGhee	McNary	Sater
Scharnhorst	Schupp	Talboy	Mr Speaker	

Representative Silvey declared the bill passed.

HCS#2 HB 1524, relating to maintenance of private roads, was taken up by Representative Phillips.

On motion of Representative Phillips, **HCS#2 HB 1524** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Dieckhaus	Diehl	Dugger
Ellinger	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Conway 14	Cookson	Day	Denison
Ellington	Elmer	Flanigan	Funderburk	Hinson
McNary	Pollock	Redmon	Scharnhorst	Schneider
Schupp	Mr Speaker			

Representative Silvey declared the bill passed.

HB 1484, relating to the Paperless Documents and Forms Act, was taken up by Representative McCaherty.

On motion of Representative McCaherty, **HB 1484** was read the third time and passed by the following vote:

AYES: 142

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Entlicher	Fallert	Fisher
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Talboy	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 002

Spreng	Swinger

PRESENT: 000

ABSENT WITH LEAVE: 019

Anders	Brown 50	Carter	Day	Ellington
Elmer	Fitzwater	Hinson	Hughes	McNary
Nolte	Quinn	Scharnhorst	Schupp	Shively
Taylor	Thomson	Zerr	Mr Speaker	

Representative Silvey declared the bill passed.

HB 1880, relating to a centennial business recognition, was taken up by Representative Pollock.

On motion of Representative Pollock, **HB 1880** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Carter	Day	Flanigan	Hinson	Kirkton
Lasater	Leach	McNary	Rizzo	Scharnhorst
Schupp	White			

Representative Silvey declared the bill passed.

HB 1048, relating to urban school districts, was taken up by Representative Schneider.

On motion of Representative Schneider, **HB 1048** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Carter	Conway 14	Day	Diehl	Guernsey
Hinson	Lasater	McNary	Scharnhorst	Schupp
Walton Gray				

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Carter	Day	Diehl	Flanigan
Fraker	Grisamore	Guernsey	Hinson	Hughes
Jones 63	Keeney	Lair	McGhee	McNary
Schad	Scharnhorst	Schupp	Swearingen	

HB 1062, relating to gifted education programs, was taken up by Representative Dieckhaus.

On motion of Representative Dieckhaus, **HB 1062** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Day	Denison	Diehl	Hinson
Hughes	McNary	Nolte	Scharnhorst	Schupp

Representative Silvey declared the bill passed.

HB 1063, relating to the official state exercise, was taken up by Representative Conway (27).

HB 1063 was laid over.

HB 1170, relating to special property tax assessments, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1170** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Diehl	Grisamore	Hinson	Loehner
McCaherty	McNary	Nance	Nasheed	Nolte
Parkinson	Sater	Scharnhorst	Schoeller	Schupp
Weter				

Representative Silvey declared the bill passed.

HCS HB 1171, relating to juvenile court jurisdiction, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 1171** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Carter	Day	Denison	Diehl	Hinson
Hughes	McNary	Molendorp	Nasheed	Nolte
Parkinson	Scharnhorst	Schoeller	Schupp	

Representative Silvey declared the bill passed.

HB 1221, relating to Chief Jerry E. Hicks Memorial Highway, was taken up by Representative Black.

On motion of Representative Black, **HB 1221** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Leara

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Carter	Day	Diehl	Franz
Hinson	Hughes	Kelly 24	May	McNary
Nasheed	Nolte	Parkinson	Scharnhorst	Schoeller
Schupp				

Representative Silvey declared the bill passed.

HB 1261, relating to a memorial bicycle bridge, was taken up by Representative Swearingen.

On motion of Representative Swearingen, **HB 1261** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Leara

PRESENT: 000

ABSENT WITH LEAVE: 016

Bernskoetter	Carter	Day	Dieckhaus	Diehl
Fuhr	Hinson	McNary	Nasheed	Nolte
Parkinson	Rowland	Scharnhorst	Schoeller	Schupp
Solon				

Representative Silvey declared the bill passed.

HB 1264, relating to motor vehicle registration, was taken up by Representative Fallert.

On motion of Representative Fallert, **HB 1264** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Pollock	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Aull	Bernskoetter	Carter	Day	Dieckhaus
Diehl	Ellinger	Guernsey	Hinson	McGhee
McNary	Nasheed	Nolte	Parkinson	Quinn
Redmon	Scharnhorst	Schoeller	Schupp	Solon

Representative Silvey declared the bill passed.

Speaker Tilley assumed the Chair.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SB 450** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1267, relating to opportunities for foster children, was taken up by Representative Denison.

On motion of Representative Denison, **HB 1267** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Bernskoetter	Brattin	Day	Dieckhaus	Diehl
Franklin	Higdon	Hinson	McNary	Nolte
Parkinson	Redmon	Richardson	Scharnhorst	Schoeller
Schupp	Smith 71	Still		

Speaker Tilley declared the bill passed.

HB 1315, relating to Coast Guard Auxiliary members, was taken up by Representative McCaherty.

On motion of Representative McCaherty, **HB 1315** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Fuhr

PRESENT: 000

ABSENT WITH LEAVE: 019

Berry	Day	Denison	Dieckhaus	Diehl
Fisher	Franklin	Higdon	Hinson	McNary
Nasheed	Parkinson	Richardson	Schad	Scharnhorst
Schoeller	Schupp	Smith 71	Talboy	

Speaker Tilley declared the bill passed.

HCS HB 1325, relating to a conveyance in Pettis County, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 1325** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Denison	Dieckhaus	Ellinger	Franklin
Higdon	Hinson	Hubbard	McNary	Nasheed
Richardson	Sater	Scharnhorst	Schoeller	Schupp
Smith 71	Thomson			

Speaker Tilley declared the bill passed.

HB 1345, relating to the publication of the official manual, was taken up by Representative Cauthorn.

On motion of Representative Cauthorn, **HB 1345** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Cauthorn	Day	Denison	Franklin	Hinson
Hubbard	McNary	Scharnhorst	Schoeller	Schupp
Spreng				

Speaker Tilley declared the bill passed.

HCS HB 1363, relating to the exhibition of livestock at fairs, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HCS HB 1363** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 003

Curtman	Kelly 24	Koenig

PRESENT: 000

ABSENT WITH LEAVE: 016

Carlson	Day	Denison	Flanigan	Franklin
Guernsey	Hinson	Hubbard	McNary	Neth
Reiboldt	Scharnhorst	Schoeller	Schupp	Spreng
Swearingen				

Speaker Tilley declared the bill passed.

HCS HB 1407, relating to a Sickle Cell Standing Committee, was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HCS HB 1407** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Webb

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 85	Cox	Day	Diehl	Flanigan
Hinson	Hughes	McNary	Morgan	Parkinson
Schad	Scharnhorst	Schatz	Schoeller	Schupp

Speaker Tilley declared the bill passed.

HB 1408, relating to Organ Donor Recognition Day, was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HB 1408** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Lasater	Webb

PRESENT: 000

ABSENT WITH LEAVE: 013

Brattin	Cox	Day	Diehl	Ellinger
Flanigan	Fraker	Hinson	McNary	Scharnhorst
Schoeller	Schupp	Stream		

Speaker Tilley declared the bill passed.

HB 1266 was again taken up by Representative Denison.

HB 1266 was laid over.

HB 1063 was again taken up by Representative Conway (27).

On motion of Representative Conway (27), **HB 1063** was read the third time and passed by the following vote:

AYES: 130

Anders	Asbury	Atkins	Aull	Bahr
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Crawford	Davis	Denison	Dieckhaus	Ellinger
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Smith 71	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 020

Allen	Barnes	Bernskoetter	Brattin	Burlison
Cox	Cross	Curtman	Dugger	Franz
Frederick	Fuhr	Jones 89	Jones 117	Leach
Loehner	Sater	Schad	Silvey	Smith 150

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 012

Day	Diehl	Elmer	Flanigan	Hinson
Hughes	McNary	Nolte	Scharnhorst	Schoeller
Schupp	Wells			

Speaker Tilley declared the bill passed.

HB 1460, relating to the Statewide Court Automation Fund, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1460** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Diehl	Elmer	Flanigan	Hinson
McNary	Nasheed	Nolte	Pollock	Scharnhorst
Schoeller	Schupp			

Speaker Tilley declared the bill passed.

HB 1424, relating to the sale of surplus Highway Patrol property, was taken up by Representative Marshall.

On motion of Representative Marshall, **HB 1424** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 001

Jones 89

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Diehl	Elmer	Flanigan	Hinson
Hughes	McNary	Nasheed	Nolte	Scharnhorst
Schoeller	Schupp			

Speaker Tilley declared the bill passed.

HCS#2 HB 1462, relating to the Qualified Biodiesel Producer Fund, was taken up by Representative Cauthorn.

On motion of Representative Cauthorn, **HCS#2 HB 1462** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Ellinger	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Cierpiot	Day	Diehl	Elmer	Flanigan
Hinson	Hughes	McNary	Meadows	Nolte
Sater	Scharnhorst	Schieffer	Schoeller	Schupp

Speaker Tilley declared the bill passed.

HCS HB 1477, relating to the Missouri Grain Dealer Law, was taken up by Representative Brown (116).

On motion of Representative Brown (116), **HCS HB 1477** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Ellinger	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Day	Denison	Diehl	Elmer	Flanigan
Hinson	Hughes	McNary	Meadows	Pollock
Scharnhorst	Schoeller	Schupp		

Speaker Tilley declared the bill passed.

HCS HBs 1518 & 1522, relating to the licensure of behavior analysts, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HBs 1518 & 1522** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Crawford	Cross
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 009

Bahr	Burlison	Cox	Curtman	Jones 89
Koenig	Leach	Marshall	Smith 150	

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Diehl	Elmer	Flanigan	Hinson
Hughes	McNary	Pollock	Scharnhorst	Schieffer
Schoeller	Schupp			

Speaker Tilley declared the bill passed.

HB 1820, relating to a conveyance in Macon County, was taken up by Representative Asbury.

On motion of Representative Asbury, **HB 1820** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Diehl	Elmer	Flanigan	Hinson
Hughes	Lair	May	McNary	Pollock
Riddle	Scharnhorst	Schoeller	Schupp	Talboy
Wallingford				

Speaker Tilley declared the bill passed.

HB 1545, relating to the designation of "PKS Day," was taken up by Representative Kirkton.

On motion of Representative Kirkton, **HB 1545** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Ellinger
Ellington	Entlicher	Fallert	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 001

Brattin

PRESENT: 001

McCaherty

ABSENT WITH LEAVE: 016

Asbury	Conway 14	Day	Dieckhaus	Diehl
Elmer	Fisher	Fitzwater	Flanigan	Hinson
Hughes	McNary	Riddle	Schoeller	Schupp
Thomson				

Speaker Tilley declared the bill passed.

HCS HB 1563, relating to legend drugs, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 1563** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Entlicher	Fallert	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Asbury	Brown 50	Day	Dieckhaus	Diehl
Elmer	Fisher	Flanigan	Hinson	Hughes
McNary	Nolte	Pollock	Schoeller	Schupp
Wright				

Speaker Tilley declared the bill passed.

HB 1615, relating to conduct at public meetings, was taken up by Representative Oxford.

On motion of Representative Oxford, **HB 1615** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Hubbard

PRESENT: 000

ABSENT WITH LEAVE: 013

Asbury	Day	Dieckhaus	Diehl	Elmer
Flanigan	Hinson	Hughes	Keeney	McNary
Riddle	Schoeller	Schupp		

Speaker Tilley declared the bill passed.

HCS HB 1623, relating to economic development tax bonds, was taken up by Representative Ellinger.

On motion of Representative Ellinger, **HCS HB 1623** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Asbury	Burlison	Day	Dieckhaus	Diehl
Elmer	Flanigan	Hinson	Hughes	McNary
Nolte	Schoeller	Schupp	Swearingen	

Speaker Tilley declared the bill passed.

HB 1630, relating to the Missouri Highways and Transportation Commission, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1630** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 002

Colona	Funderburk

PRESENT: 000

ABSENT WITH LEAVE: 014

Asbury	Day	Dieckhaus	Diehl	Elmer
Flanigan	Hinson	Lampe	Leara	McNary
Newman	Schoeller	Schupp	Swearingen	

Speaker Tilley declared the bill passed.

HB 1636, relating to municipal ordinance violations, was taken up by Representative Fuhr.

On motion of Representative Fuhr, **HB 1636** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Asbury	Day	Dieckhaus	Diehl	Elmer
Flanigan	Hinson	Leara	McNary	Schoeller
Schupp	Swearingen	White		

Speaker Tilley declared the bill passed.

HB 1651, relating to "Spinal Cord Injury Month," was taken up by Representative McGeoghegan.

On motion of Representative McGeoghegan, **HB 1651** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Dugger
Ellinger	Ellington	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Asbury	Curtman	Day	Dieckhaus	Diehl
Elmer	Flanigan	Hinson	Hughes	Jones 89
Leara	McNary	Sater	Schoeller	Schupp
Swearingen				

Speaker Tilley declared the bill passed.

HB 1652, relating to "Fibromyalgia Month," was taken up by Representative McGeoghegan.

HB 1652 was laid over.

HB 1266 was again taken up by Representative Denison.

HB 1266 was laid over.

HB 1652 was again taken up by Representative McGeoghegan.

On motion of Representative McGeoghegan, **HB 1652** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dugger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hodges	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Cierpiot	Curtman	Day	Dieckhaus
Diehl	Ellinger	Elmer	Flanigan	Frederick
Fuhr	Guernsey	Hinson	Holsman	Jones 117
McNary	Newman	Parkinson	Schoeller	Schupp
Swearingen				

Speaker Tilley declared the bill passed.

Representative Smith (150) assumed the Chair.

On motion of Representative Jones (89), the House recessed until 7:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Smith (150).

THIRD READING OF HOUSE BILLS - CONSENT

HB 1662, relating to a drinking water supply lake authority, was taken up by Representative Weter.

On motion of Representative Weter, **HB 1662** was read the third time and passed by the following vote:

AYES: 126

Anders	Atkins	Bahr	Barnes	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Cox	Crawford	Cross	Davis	Dieckhaus
Diehl	Dugger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Frederick
Fuhr	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 003

McCreery	Smith 71	Swearingen

PRESENT: 000

ABSENT WITH LEAVE: 034

Allen	Asbury	Aull	Bernskoetter	Brown 50
Burlison	Carter	Colona	Conway 27	Cookson
Curtman	Day	Denison	Ellinger	Elmer
Flanigan	Franz	Funderburk	Gatschenberger	Gosen
Hinson	Hughes	McManus	McNary	Nasheed
Nolte	Sater	Scharnhorst	Schneider	Schoeller
Schupp	Still	Wells	Zerr	

Representative Smith (150) declared the bill passed.

Representative Silvey requested a verification of the roll call on the motion to third read and finally pass **HB 1662**.

HB 1665, relating to "Lupus Awareness Month," was taken up by Representative Jones (63).

On motion of Representative Jones (63), **HB 1665** was read the third time and passed by the following vote:

AYES: 145

Anders	Atkins	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Casey	Cauthorn	Cierpiot
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Asbury	Aull	Brown 50	Burlison
Carter	Colona	Conway 14	Cookson	Day
Flanigan	Funderburk	Hinson	McNary	Nolte
Pollock	Schoeller	Schupp		

Representative Smith (150) declared the bill passed.

HB 1680, relating to the Show-Me Heroes Program, was taken up by Representative Davis.

On motion of Representative Davis, **HB 1680** was read the third time and passed by the following vote:

AYES: 147

Anders	Atkins	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Asbury	Aull	Brown 50	Burlison
Carter	Colona	Day	Flanigan	Funderburk
Hinson	McNary	Schoeller	Schupp	Zerr
Mr Speaker				

Representative Smith (150) declared the bill passed.

HB 1687, relating to the Patrick Schimmel Memorial Highway, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HB 1687** was read the third time and passed by the following vote:

AYES: 145

Anders	Atkins	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Asbury	Aull	Brown 50	Burlison
Carter	Colona	Day	Flanigan	Fuhr
Funderburk	Hinson	McNary	Scharnhorst	Schoeller
Schupp	Zerr	Mr Speaker		

Representative Smith (150) declared the bill passed.

HB 1692, relating to the oath of an election judge, was taken up by Representative Entlicher.

On motion of Representative Entlicher, **HB 1692** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Brown 50	Burlison	Carter
Colona	Cookson	Day	Funderburk	Guernsey
Hinson	Jones 117	Schoeller	Schupp	Mr Speaker

Representative Smith (150) declared the bill passed.

HB 1737, relating to the Darrell B. Roegner Memorial Highway, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 1737** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Atkins	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Barnes	Brown 50	Burlison
Carter	Colona	Day	Funderburk	Hinson
McGhee	McNary	Schoeller	Schupp	Mr Speaker

Representative Smith (150) declared the bill passed.

HCS HB 1738, relating to accessible parking, was taken up by Representative Grisamore.

HCS HB 1738 was laid over.

HB 1744, relating to pancreatic cancer awareness, was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HB 1744** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Asbury	Aull	Brown 50	Burlison	Carter
Colona	Day	Funderburk	Hinson	McNary
Schoeller	Schupp			

Representative Smith (150) declared the bill passed.

HB 1782, relating to the Norman Inman Memorial Highway, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HB 1782** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Asbury	Aull	Brown 50	Burlison	Carter
Colona	Day	Funderburk	Gatschenberger	Hinson
McGhee	McNary	Schoeller	Schupp	

Representative Smith (150) declared the bill passed.

HB 1804, relating to a convention tax in Kansas City, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HB 1804** was read the third time and passed by the following vote:

AYES: 125

Allen	Anders	Atkins	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Lichtenegger
Long	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Weter	White	Wright	Zerr	Mr Speaker

NOES: 022

Bahr	Brattin	Curtman	Franklin	Fuhr
Houghton	Hughes	Jones 63	Koenig	Lasater
Leach	Loehner	Marshall	McCaherty	Parkinson
Pollock	Quinn	Schad	Schieber	Wells
Wieland	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 016

Asbury	Aull	Brown 50	Burlison	Carter
Colona	Day	Diehl	Funderburk	Gatschenberger
Hinson	Leara	McNary	Nolte	Schoeller
Schupp				

Representative Smith (150) declared the bill passed.

HCS HB 1827, relating to a prior authorization committee, was taken up by Representative Richardson.

On motion of Representative Richardson, **HCS HB 1827** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Atkins	Bahr	Barnes
Berry	Black	Brandom	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Franz
Frederick	Fuhr	Funderburk	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 007

Bernskoetter	Brattin	Franklin	Koenig	Marshall
Sater	Schieber			

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Brown 50	Carter	Colona
Day	Diehl	Fraker	Gatschenberger	Hinson
Keeney	Leara	McNary	Schoeller	Schupp

Representative Smith (150) declared the bill passed.

HB 1807, relating to the Fred F. Guthrie, Jr. Memorial Highway, was taken up by Representative Marshall.

On motion of Representative Marshall, **HB 1807** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Brown 50	Carter	Colona
Day	Dieckhaus	Gatschenberger	Hinson	Leara
McNary	Montecillo	Schoeller	Schupp	Torpey

Representative Smith (150) declared the bill passed.

HB 1266 was again taken up by Representative Denison.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Denison	Dugger
Ellinger	Elmer	Entlicher	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 049

Anders	Atkins	Black	Carlson	Casey
Conway 27	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 002

Ellington	Spreng

ABSENT WITH LEAVE: 018

Asbury	Aull	Brown 50	Carter	Colona
Curtman	Day	Dieckhaus	Diehl	Flanigan
Gatschenberger	Hinson	Leara	Loehner	McNary
Nolte	Schoeller	Schupp		

On motion of Representative Denison, **HB 1266** was read the third time and passed by the following vote:

AYES: 127

Allen	Anders	Atkins	Barnes	Berry
Black	Brandom	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Davis
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 117	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 015

Bahr	Bernskoetter	Brattin	Cox	Curtman
Jones 89	Kander	Koenig	Neth	Pierson
Sater	Sifton	Silvey	Smith 71	Swearingen

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 020

Asbury	Aull	Brown 50	Carter	Colona
Day	Dieckhaus	Diehl	Flanigan	Gatschenberger
Hinson	Hughes	Keeney	Leara	Loehner
McNary	Nolte	Schad	Schoeller	Schupp

Representative Smith (150) declared the bill passed.

HCS HB 1841, relating to pyramid sales schemes, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HCS HB 1841** was read the third time and passed by the following vote:

AYES: 105

Allen	Bahr	Bernskoetter	Berry	Black
Brandom	Brown 116	Burlison	Casey	Cauthorn
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	McGhee	McManus	Meadows
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Silvey	Smith 71	Smith 150	Solon
Sommer	Stream	Swinger	Talboy	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 039

Anders	Atkins	Brattin	Brown 85	Carlson
Curtman	Dugger	Ellinger	Ellington	Franklin
Fuhr	Higdon	Hubbard	Kirkton	Klippenstein
Lasater	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Pollock	Sifton	Spreng	Still
Swearingen	Walton Gray	Webb	Wright	

PRESENT: 002

Kelly 24	Shumake

ABSENT WITH LEAVE: 017

Asbury	Aull	Barnes	Brown 50	Carter
Cierpiot	Colona	Day	Gatschenberger	Hinson
Long	McNary	Riddle	Schad	Schoeller
Schupp	Taylor			

Representative Smith (150) declared the bill passed.

HB 1864, relating to the Pony Express special license plate, was taken up by Representative Johnson.

On motion of Representative Johnson, **HB 1864** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Atkins	Bahr	Barnes
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Carlson	Casey	Cauthorn
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 002

Bernskoetter	Sater

PRESENT: 000

ABSENT WITH LEAVE: 016

Asbury	Aull	Brown 50	Carter	Cierpiot
Colona	Curtman	Day	Gatschenberger	Guernsey
Hinson	McNary	Riddle	Schoeller	Schupp
Mr Speaker				

Representative Smith (150) declared the bill passed.

HB 1868, relating to the Christopher S. "Kit" Bond Highway, was taken up by Representative Cauthorn.

On motion of Representative Cauthorn, **HB 1868** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGhee	McManus
McNeil	Meadows	Molendorp	Nance	Nasheed
Neth	Oxford	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 013

Ellington	May	McCreery	McGeoghegan	Montecillo
Morgan	Newman	Nichols	Pace	Smith 71
Spreng	Still	Taylor		

PRESENT: 000

ABSENT WITH LEAVE: 019

Asbury	Aull	Brown 50	Carter	Colona
Day	Gatschenberger	Hinson	Hughes	Loehner
McNary	Nolte	Sater	Schad	Scharnhorst
Schoeller	Schupp	Sifton	Mr Speaker	

Representative Smith (150) declared the bill passed.

HCS HB 1875, relating to salvage titles on certain vehicles, was taken up by Representative Nance.

On motion of Representative Nance, **HCS HB 1875** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 004

Denison	Ellington	May	Smith 71

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 017

Asbury	Aull	Brown 50	Carter	Cierpiot
Colona	Day	Flanigan	Gatschenberger	Guernsey
Hinson	McNary	Parkinson	Schad	Schoeller
Schupp	Mr Speaker			

Representative Smith (150) declared the bill passed.

HB 1878, relating to the AMVETS Memorial Highway, was taken up by Representative Riddle.

On motion of Representative Riddle, **HB 1878** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Aull	Brown 50	Carter	Cierpiot
Colona	Day	Flanigan	Gatschenberger	Guernsey
Hinson	Keeney	McNary	Rizzo	Sater
Schoeller	Schupp			

Representative Smith (150) declared the bill passed.

HCS HB 1738 was again taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 1738** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Davis	Dieckhaus	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Talboy	Taylor
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Curtman	Koenig

PRESENT: 000

ABSENT WITH LEAVE: 018

Asbury	Aull	Brown 50	Carter	Colona
Cross	Day	Denison	Ellinger	Fisher
Gatschenberger	Hinson	Keeney	McNary	Schoeller
Schupp	Swinger	Thomson		

Representative Smith (150) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Burlison	Curtman	Koenig	Marshall	McNeil
Taylor				

PRESENT: 000

ABSENT WITH LEAVE: 016

Asbury	Aull	Brown 50	Carter	Colona
Day	Denison	Gatschenberger	Hinson	Hough
Hughes	Keeney	May	McNary	Schoeller
Schupp				

HB 1560, relating to the St. Louis County Circuit Clerk, was taken up by Representative Diehl.

On motion of Representative Diehl, **HB 1560** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 003

Burlison	Hughes	May

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Brown 50	Carter	Colona
Curtman	Day	Gatschenberger	Grisamore	Hinson
Keeney	McCann Beatty	McNary	Schoeller	Schupp

Representative Smith (150) declared the bill passed.

HCS HB 1527, relating to property exempt from attachment, was taken up by Representative Elmer.

On motion of Representative Elmer, **HCS HB 1527** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Brown 50	Carter	Colona
Day	Gatschenberger	Hinson	Jones 117	McCann Beatty
McNary	Scharnhorst	Schieffer	Schoeller	Schupp

Representative Smith (150) declared the bill passed.

HB 1165, relating to qualified spousal trusts, was taken up by Representative Diehl.

On motion of Representative Diehl, **HB 1165** was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 014

Asbury	Aull	Brown 50	Carter	Colona
Day	Gatschenberger	Hinson	McNary	Schieffer
Schoeller	Schupp	Webb	Mr Speaker	

Representative Smith (150) declared the bill passed.

HB 1811, relating to anatomical gifts, was taken up by Representative Jones (63).

On motion of Representative Jones (63), **HB 1811** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Asbury	Aull	Brown 50	Carter	Colona
Day	Gatschenberger	Hinson	McNary	Schieffer
Schoeller	Schupp			

Representative Smith (150) declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1094 - Fiscal Review
HCS HB 1126 - Fiscal Review
HCS HBs 1278 & 1152 - Fiscal Review
HCS#2 HB 1344 - Fiscal Review
HB 1593 - Fiscal Review
HB 1909 - Fiscal Review
HB 1964 - Special Standing Committee on Governmental Affairs
HB 1969 - Special Standing Committee on Governmental Affairs
HB 1971 - Special Standing Committee on Governmental Affairs
HB 1999 - Economic Development

COMMITTEE REPORTS

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1476**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1723** and **HB 1130**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HB 1639**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1397**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

HJR 89, introduced by Representative Schoeller, relating to elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2000, introduced by Representatives Webb, Cookson, Burlison and Funderburk, relating to licensure of hearing instrument specialists.

HB 2026, introduced by Representatives Leach and Dugger, relating to voter registration deadlines.

HB 2027, introduced by Representative Leach, relating to school board elections.

HB 2028, introduced by Representatives Leach and Montecillo, relating to research projects funded by the spinal cord injury fund.

HB 2029, introduced by Representatives Curtman, Koenig and Bahr, relating to motor vehicle sales by dealers.

HB 2030, introduced by Representatives Curtman, Brattin, Davis, White and Bahr, relating to the open carry of firearms.

HB 2031, introduced by Representatives Flanigan and Allen, relating to presidential primaries.

HB 2032, introduced by Representative Neth, relating to transient guest taxes in certain cities.

HB 2033, introduced by Representatives Jones (117), Webber, Kelly (24), Elmer, Korman and Richardson, relating to enhanced enterprise zones.

HB 2034, introduced by Representatives Jones (117), Webber and Kelly (24), relating to blighted areas.

HB 2035, introduced by Representative Swearingen, relating to protective headgear for operation of motorcycles or motortricycles.

HB 2036, introduced by Representatives Barnes, Burlison, Riddle, Funderburk, Lichtenegger, Leach, Wells, Scharnhorst, Pollock, Denison, Schad, Bernskoetter, Schieber, Hough, Hoskins, Smith (150), Cookson, Nance, Sommer, Crawford, Brattin, Davis, White, Schoeller, Bahr, Parkinson, Korman, Brown (116), Leara, Richardson, Day, Dieckhaus, Jones (89), Fraker, Houghton, Tilley, Franklin, Jones (117) and Lampe, relating to voluntary associations of schools.

HB 2037, introduced by Representative Kratky, relating to the transitional school district.

HB 2038, introduced by Representatives Wallingford and Colona, relating to Jonathan's Law.

HB 2039, introduced by Representatives Torpey, Dieckhaus, Jones (63), Cierpiot, Scharnhorst, Tilley, Stream, Lair, Jones (89) and Neth, relating to a reading-intensive charter school pilot program.

HB 2040, introduced by Representative Johnson, relating to protective headgear for operation of motorcycles and motortricycles.

HB 2041, introduced by Representative Johnson, relating to broadband enhancement.

HB 2042, introduced by Representative Stream, relating to grandparent visitation.

HB 2043, introduced by Representatives Neth, Talboy, Swearingen, Torpey and Dieckhaus, relating to school accreditation.

HB 2044, introduced by Representatives Holsman, Rizzo, McManus, Torpey, Swearingen, McCann Beatty, Morgan, Anders, Zerr, Berry, Silvey, Talboy, Cierpiot, Solon, McDonald, Ellington, Lauer and Hughes, relating to the incentives regionalization act.

HB 2045, introduced by Representatives Shively, Quinn and Loehner, relating to regulation of cervids.

COMMITTEE APPOINTMENT

March 28, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol Building, Room 306
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby appoint Representative Bill Reiboldt to the Committee on Corrections.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Steven Tilley
Speaker

WITHDRAWAL OF HOUSE BILL

FROM: Melissa Leach

SENT: Wednesday, March 28, 2012, 8:45 PM

TO: Adam Crumbliss; Joan Branson

SUBJECT: Withdrawal of **House Bill No. 2026**

Adam and Joan,

I request the withdrawal of **House Bill No. 2026** relating to voter registration deadline as it pertains to caucus events.

Thanks,

Representative Melissa Leach
District 137

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, March 29, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS
Thursday, March 29, 2012, 8:30 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Information session on proposed policies

BUDGET
Wednesday, April 4, 2012, Upon Morning Recess House Hearing Room 3.
Public hearing will be held: HJR 68, HB 2019, HJR 57, HJR 58
Executive session will be held: HB 2019, HJR 57, HJR 58
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, March 29, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HJR 42, HJR 60

FISCAL REVIEW
Thursday, March 29, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

INSURANCE POLICY
Monday, April 2, 2012, 6:00 PM or Upon Evening Adjournment House Hearing Room 1.
Public hearing will be held: HB 1942, HB 1936
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, March 29, 2012, Upon Morning Adjournment House Hearing Room 6.
Executive session will be held: HCR 7, HCR 31, HCR 36, HCR 42, HJR 49, HJR 71, HB 1066, HB 1109, HCS HB 1110, HCS HB 1256, HCS HB 1211, HB 1273, HCS HB 1316, HCS HB 1364, HCS HB 1383, HB 1425, HCS HB 1444, HCS HB 1458, HB 1534, HB 1540, HB 1569, HCS HBs 1574 & 1097, HCS HB 1661, HB 1718, HCS HB 1789, HCS HB 1826, HCS HB 1860, HCS HB 1869, HCS HB 1890, HCS SB 568
Executive session may be held on any or all bills referred to this committee.

TOURISM AND NATURAL RESOURCES
Thursday, March 29, 2012, 9:00 AM House Hearing Room 7.
Executive session will be held: SS SCS SB 719
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, March 29, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1934, HB 1654, HJR 67
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-SEVENTH DAY, THURSDAY, MARCH 29, 2012

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 89

HOUSE BILLS FOR SECOND READING

1 HB 2000
2 HB 2027 through HB 2045

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 47 - Dugger

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1361 - Pollock
3 HCS HB 1272 - Kelley (126)
4 HCS HB 1475 - Cross
5 HCS HB 1275 - Koenig
6 HCS HB 1608 - White
7 HCS HB 1134 - Scharnhorst
8 HB 1403 - Schatz
9 HCS HB 1060 - Dugger
10 HCS HB 1549 - Richardson
11 HCS HB 1717 - Kelley (126)
12 HCS HB 1111 - Gosen
13 HCS HB 1150 - Smith (150)
14 HCS HB 1515 - Schad
15 HCS HB 1640 - Denison
16 HB 1691 - Dugger

HOUSE JOINT RESOLUTIONS FOR THIRD READING

1 HCS HJR 61 - Loehner
2 HJR 52, (Fiscal Review 3/27/12) - Ruzicka

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1296 - Davis
5 HCS HB 1647 - Riddle
6 HB 1909, (Fiscal Review 3/28/12) - Hoskins
7 HB 1512 - Curtman
8 HCS HB 1541 - Jones (89)
9 HCS HB 1395 - Korman
10 HCS HB 1700 - Schad
11 HCS HB 1094, (Fiscal Review 3/28/12) - Wieland
12 HCS HB 1402 - Burlison
13 HCS#2 HB 1344, (Fiscal Review 3/28/12) - Nasheed
14 HCS HBs 1278 & 1152, (Fiscal Review 3/28/12), E.C. - Long
15 HCS HB 1169 - Franz
16 HB 1046 - Rowland
17 HCS HB 1722 - Thomson
18 HCS HB 1498 - Hough
19 HCS HB 1126, (Fiscal Review 3/28/12) - Largent
20 HB 1172 - Franz
21 HB 1593, (Fiscal Review 3/28/12) - Jones (89)

HOUSE CONCURRENT RESOLUTIONS

1 HCR 11 - Kelley (126)
2 HCS HCR 30 - Hampton
3 HCR 25 - Allen

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-SEVENTH DAY, THURSDAY, MARCH 29, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are they who hunger and thirst after righteousness, for they shall be filled. (Matthew 5:6)

Eternal God, amid the maddening maze of daily duties and the fever and fret of trying times, we would dwell for a moment in the secret quiet place of the Most High and abide under the shadow of the Almighty.

In this quiet moment of prayer we make ourselves receptive to You. Help us to hear Your voice and to be obedient to the call of Your spirit. May our hunger for truth and our thirst for life find their fulfillment in Your presence. As we live through this long legislative day may we keep our hearts open to You, Who is the source of strength for the faithful soul.

To You we bring the members of this body and for them we pray. Give them clarity of insight to see what is right, confidence to do what is right, and the courage to keep on the right path now and always.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emery Davis, Morgan Green, Katie Mayes, Abby Gaunt, Evan Gorrell, Victoria Warden and Rylee Smith.

The Journal of the forty-sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1541 through House Resolution No. 1551

HOUSE CONCURRENT RESOLUTIONS

Representative Cookson, et al., offered House Concurrent Resolution No. 52.
Representative Brown (116) offered House Concurrent Resolution No. 54.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 89 was read the second time.

SECOND READING OF HOUSE BILLS

HB 2000 and **HB 2027** through **HB 2045** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 52**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1094**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1126**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 1278 & 1152**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 HB 1344**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1909**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HB 1296, relating to child custody for military personnel, was taken up by Representative Davis.

On motion of Representative Davis, **HB 1296** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Berry	Black	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Kratky	Lair

Lampe	Lant	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Bernskoetter	Brandom	Entlicher	Franklin
Funderburk	Guernsey	Hodges	Jones 63	Korman
Largent	Lasater	May	Morgan	Pierson
Schoeller	Schupp	Webber		

Speaker Tilley declared the bill passed.

HCS HB 1094, relating to electronic payment to state entities, was taken up by Representative Wieland.

On motion of Representative Wieland, **HCS HB 1094** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan

Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 001

Ellington

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Franklin	Funderburk	Hubbard	Jones 63
Korman	Lasater	Loehner	McNary	Pierson
Redmon	Schoeller	Schupp	Smith 150	Wright

Speaker Tilley declared the bill passed.

HCS HB 1647, relating to the collection of hazardous waste fees, was taken up by Representative Riddle.

On motion of Representative Riddle, **HCS HB 1647** was read the third time and passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pollock	Quinn

Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Franklin	Frederick	Funderburk	Hughes
Jones 63	Lasater	Pierson	Richardson	Scharnhorst
Schoeller	Schupp	Wright		

Speaker Tilley declared the bill passed.

HCS HB 1395, relating to the Department of Natural Resources, was taken up by Representative Korman.

On motion of Representative Korman, **HCS HB 1395** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Asbury

PRESENT: 001

Kratky

ABSENT WITH LEAVE: 012

Barnes	Carlson	Elmer	Franklin	Funderburk
Jones 63	Lasater	Pierson	Scharnhorst	Schoeller
Schupp	Silvey			

Speaker Tilley declared the bill passed.

HB 1512, relating to the Civil Liberties Defense Act, was taken up by Representative Curtman.

On motion of Representative Curtman, **HB 1512** was read the third time and passed by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 042

Anders	Atkins	Brown 50	Carlson	Carter
Ellinger	Ellington	Hodges	Holsman	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton

Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Rizzo	Schieffer	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Brown 116	Colona	Jones 63	Jones 117
Lasater	Nolte	Pierson	Scharnhorst	Schoeller
Schupp				

Speaker Tilley declared the bill passed.

Representative Brattin assumed the Chair.

HCS HB 1541, relating to the conscience rights of medical workers, was taken up by Representative Jones (89).

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Asbury	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schneider
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Kander

Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Barnes	Day	Flanigan	Franklin
Funderburk	Jones 63	Lasater	Scharnhorst	Schoeller
Schupp				

On motion of Representative Jones (89), **HCS HB 1541** was read the third time and passed by the following vote:

AYES: 113

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 041

Anders	Atkins	Brown 50	Carlson	Carter
Colona	Ellinger	Ellington	Holsman	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Day	Flanigan	Funderburk	Jones 63
Lasater	Scharnhorst	Schoeller	Schupp	

Representative Brattin declared the bill passed.

Representative Smith (150) assumed the Chair.

HCS HBs 1278 & 1152, relating to tax credits, was taken up by Representative Long.

On motion of Representative Long, **HCS HBs 1278 & 1152** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Montecillo	Nance	Nasheed	Neth	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Walton Gray	Webb	Webber	Wells	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 003

May	Morgan	Newman

PRESENT: 002

Ellington	Smith 71

ABSENT WITH LEAVE: 023

Barnes	Brown 116	Day	Diehl	Dugger
Flanigan	Fuhr	Funderburk	Jones 63	Kander
Klippenstein	Largent	Lasater	Leara	McGhee
Molendorp	Sater	Scharnhorst	Schoeller	Schupp
Spreng	Wallingford	Weter		

Representative Smith (150) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNary
Meadows	Molendorp	Montecillo	Nance	Nasheed
Neth	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

May	McCreery	McNeil	Morgan	Newman
Smith 71				

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 116	Day	Flanigan	Fuhr
Funderburk	Haefner	Jones 63	Kander	Klippenstein
Lasater	Leara	McGhee	Sater	Scharnhorst
Schneider	Schoeller	Schupp	Spreng	Swearingen
Weter				

HCS#2 HB 1344, relating to closure of certain criminal records, was taken up by Representative Nasheed.

Representative Nasheed moved that **HCS#2 HB 1344** be recommitted to the committee of origin.

Which motion was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brattin
Brown 50	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 002

Carter	Webber

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Brandom	Brown 85	Brown 116	Conway 14
Day	Dugger	Flanigan	Franklin	Funderburk
Jones 63	Kander	Lasater	Leara	McCaherty
McGhee	Parkinson	Scharnhorst	Schieffer	Schoeller
Schupp	Weter			

HCS HB 1402, relating to road use, was taken up by Representative Burlison.

On motion of Representative Burlison, **HCS HB 1402** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schieber	Schieffer	Schneider
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 116	Conway 14	Day	Dieckhaus
Flanigan	Franklin	Funderburk	Jones 63	Kander
Lasater	Leara	Loehner	Newman	Nolte
Scharnhorst	Schatz	Schoeller	Schupp	Swearingen
Weter				

Representative Smith (150) declared the bill passed.

HCS HB 1700, relating to sexual offender registration, was taken up by Representative Schad.

On motion of Representative Schad, **HCS HB 1700** was read the third time and passed by the following vote:

AYES: 126

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Ellinger
Ellington	Elmer	Fallert	Fisher	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Harris	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Hughes
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Loehner	Long	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schneider	Shively	Shumake
Silvey	Smith 150	Sommer	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 020

Dugger	Entlicher	Fitzwater	Franklin	Haefner
Hampton	Hodges	Largent	Leach	McCaherty
Montecillo	Pollock	Schieber	Schieffer	Sifton
Smith 71	Solon	Swinger	Walton Gray	Wells

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Brown 116	Day	Denison	Dieckhaus
Flanigan	Funderburk	Hubbard	Jones 63	Kander
Lasater	Leara	Lichtenegger	Nolte	Scharnhorst
Schoeller	Schupp			

Representative Smith (150) declared the bill passed.

HB 1909, relating to an aviation jet fuel tax exemption, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HB 1909** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hughes
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 002

Atkins	Oxford

PRESENT: 000

ABSENT WITH LEAVE: 020

Barnes	Brown 116	Day	Denison	Dieckhaus
Flanigan	Funderburk	Guernsey	Hubbard	Jones 63
Kander	Lasater	Leara	McCann Beatty	McNary
Nolte	Scharnhorst	Schoeller	Schupp	Torpey

Representative Smith (150) declared the bill passed.

HCS HB 1169, relating to spanking in school investigations, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 1169** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hughes	Hummel	Johnson	Jones 89	Jones 117
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schieber	Schieffer
Schneider	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Marshall

PRESENT: 001

May

ABSENT WITH LEAVE: 022

Barnes	Brown 116	Conway 14	Day	Denison
Dieckhaus	Flanigan	Funderburk	Hubbard	Jones 63
Kander	Keeney	Lasater	Leara	Nasheed
Nolte	Redmon	Scharnhorst	Schatz	Schoeller
Schupp	Torpey			

Representative Smith (150) declared the bill passed.

Representative Hoskins assumed the Chair.

HB 1046, relating to declarations of candidacy, was taken up by Representative Rowland.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Denison	Dugger
Elmer	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schneider
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 020

Barnes	Brown 50	Cross	Day	Dieckhaus
Diehl	Entlicher	Funderburk	Grisamore	Hubbard
Jones 63	Kander	Lasater	Leara	Nolte
Redmon	Scharnhorst	Schoeller	Schupp	Mr Speaker

On motion of Representative Rowland, **HB 1046** was read the third time and passed by the following vote:

AYES: 092

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Schatz	Schieber	Schneider
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Brown 50	Cross	Day	Dieckhaus
Funderburk	Grisamore	Hough	Hubbard	Jones 63
Kander	Lasater	Leara	Nolte	Quinn
Redmon	Sater	Scharnhorst	Schieffer	Schoeller
Schupp	Swinger			

Representative Hoskins declared the bill passed.

HCS HB 1722, relating to proprietary schools, was taken up by Representative Thompson.

On motion of Representative Thompson, **HCS HB 1722** was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hughes	Hummel	Johnson	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 010

Bahr	Burlison	Conway 14	Curtman	Guernsey
Jones 89	Koenig	Marshall	Parkinson	Torpey

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Brown 50	Cross	Day	Dieckhaus
Fuhr	Funderburk	Grisamore	Hubbard	Jones 63
Kander	Lasater	Leara	McGhee	Meadows
Nolte	Redmon	Sater	Scharnhorst	Schoeller
Schupp	Mr Speaker			

Representative Hoskins declared the bill passed.

HCS HB 1126, relating to transportation, was taken up by Representative Largent.

On motion of Representative Largent, **HCS HB 1126** was read the third time and passed by the following vote:

AYES: 135

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Flanigan
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schneider	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Frederick	Hughes

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 025

Allen	Barnes	Brown 50	Cross	Day
Dieckhaus	Fitzwater	Funderburk	Grisamore	Hubbard
Jones 63	Kander	Lasater	Leara	McCaherty
Meadows	Nolte	Redmon	Sater	Schad
Scharnhorst	Schieffer	Schoeller	Schupp	Talboy

Representative Hoskins declared the bill passed.

HB 1172, relating to residential care provider donations, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1172** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Ellington	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hughes
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Webber	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Brown 50	Brown 85	Cross	Day
Dieckhaus	Elmer	Funderburk	Grisamore	Hubbard
Jones 63	Kander	Lasater	Leara	Nolte
Redmon	Schad	Scharnhorst	Schoeller	Schupp
Talboy	Weter			

Representative Hoskins declared the bill passed.

HCS HB 1498, relating to Sunday liquor sales, was taken up by Representative Hough.

On motion of Representative Hough, **HCS HB 1498** was read the third time and passed by the following vote:

AYES: 097

Allen	Atkins	Aull	Bernskoetter	Berry
Brattin	Brown 85	Brown 116	Burlison	Carter
Cierpiot	Colona	Conway 14	Cox	Curtman
Denison	Diehl	Ellinger	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Gosen	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 89	Jones 117	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lauer	Lichtenegger	Loehner
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNary	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Phillips	Quinn	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schatz	Schieber	Schneider
Shively	Sifton	Silvey	Smith 71	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webb
Webber	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 044

Anders	Asbury	Bahr	Black	Brandom
Carlson	Casey	Cauthorn	Conway 27	Cookson
Crawford	Davis	Dugger	Ellington	Elmer
Entlicher	Flanigan	Fuhr	Guernsey	Haefner
Hodges	Hughes	Keeney	Lant	Leach
Marshall	McCaherty	McDonald	McGhee	McNeil
Meadows	Nasheed	Parkinson	Pierson	Pollock
Reiboldt	Sater	Schad	Schieffer	Shumake
Smith 150	Wallingford	Wells	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Brown 50	Cross	Day	Dieckhaus
Funderburk	Gatschenberger	Grisamore	Hampton	Hubbard
Jones 63	Kander	Lasater	Leara	Long
Nolte	Redmon	Scharnhorst	Schoeller	Schupp
Still	Thomson			

Representative Hoskins declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 52, relating to wildlife and forestry resources, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HJR 52** was read the third time and passed by the following vote:

AYES: 114

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McDonald	McGeoghegan
McGhee	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Nichols	Parkinson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 028

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Holsman	Hummel	Kirkton	May
McCann Beatty	McCreery	McManus	McNeil	Montecillo
Morgan	Newman	Oxford	Pace	Pierson
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 50	Cross	Day	Denison
Dieckhaus	Ellington	Funderburk	Grisamore	Hubbard
Hughes	Jones 63	Kander	Lasater	Leara
Nolte	Phillips	Redmon	Scharnhorst	Schoeller
Schupp				

Representative Hoskins declared the bill passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 38 - General Laws
HCR 39 - General Laws
HCR 47 - Economic Development
HCR 49 - Tourism and Natural Resources
HCR 50 - Children and Families

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 74 - Tax Reform
HJR 82 - Special Standing Committee on Judicial Reform
HJR 84 - Elementary and Secondary Education
HJR 86 - Elections
HJR 88 - General Laws
HJR 89 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1183 - Elections
HB 1314 - Tax Reform
HB 1352 - Local Government
HB 1418 - Workforce Development and Workplace Safety
HB 1438 - Elections
HB 1440 - Healthcare Policy
HB 1557 - Financial Institutions
HB 1605 - Financial Institutions
HB 1666 - Ways and Means
HB 1745 - Insurance Policy
HB 1755 - Insurance Policy
HB 1766 - Special Standing Committee on Governmental Affairs
HB 1824 - Small Business
HB 1838 - Corrections
HB 1914 - Judiciary
HB 1937 - Transportation
HB 1938 - Health Care Policy
HB 1944 - Ways and Means
HB 1946 - Elementary and Secondary Education
HB 1947 - Local Government
HB 1951 - Professional Registration and Licensing
HB 1954 - Ways and Means

HB 1957 - Crime Prevention and Public Safety
HB 1959 - Local Government
HB 1960 - Transportation Funding and Public Institutions
HB 1972 - Utilities
HB 1973 - Crime Prevention and Public Safety
HB 1975 - General Laws
HB 1984 - Budget
HB 1985 - Economic Development
HB 1986 - Special Standing Committee on Government Oversight and Accountability
HB 1998 - General Laws
HB 2000 - Professional Registration and Licensing
HB 2027 - Elementary and Secondary Education
HB 2028 - Children and Families

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 480 - Transportation
SCS SB 569 - Elections
SB 578 - Local Government

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was returned **HCS HB 1323**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1137**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SS SCS SB 719**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1117**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Ways and Means, Chairman Koenig reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1521**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1934** and **HB 1654**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 36**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 42**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 64**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 71**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1066**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1076 & 1302**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1109**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1110**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1211**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1256**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1273**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1358**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1358**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1364**, begs leave to report it has examined the same and recommends that it **Do Pass Not Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1383**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1444**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1455**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1458**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1534**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1540**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1574 & 1097**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1661**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1789**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1826**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1860**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1869**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1890**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 568**, begs leave to report it has examined the same and recommends that it **Do Pass**.

INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

HCR 53, introduced by Representatives Schoeller, Tilley, Smith (150), Diehl, Jones (89), Dugger and Cox, relating to submission of a revised Summary Statement to House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, to the secretary of state.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

HJR 90, introduced by Representative Aull, relating to bonded indebtedness of school districts.

HJR 91, introduced by Representative Aull, relating to volunteer bingo game operations.

HJR 92, introduced by Representative Cox, relating to elections.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2046, introduced by Representative Phillips, relating to the resale of a repaired motor vehicle.

HB 2047, introduced by Representatives Davis and Day, relating to uniform military and overseas voters.

HB 2048, introduced by Representatives Schad and Marshall, relating to prohibiting certain animals inside the state capitol building.

HB 2049, introduced by Representatives Torpey, Grisamore, Hoskins, Molendorp, Rizzo and Largent, relating to child molestation in the first degree.

HB 2050, introduced by Representatives Scharnhorst, Tilley, Jones (89), Funderburk and Dieckhaus, relating to school superintendents.

HB 2051, introduced by Representatives Cookson, Scharnhorst, Koenig, Jones (89), Bahr, Tilley, Shumake, Rowland, Denison, Wells, Schatz, Burlison, Funderburk, Diehl, Grisamore, Parkinson, Fitzwater, Lant, McGhee and Houghton, relating to public school curriculum.

HB 2052, introduced by Representative Johnson, relating to protective headgear for operation of motorcycles and motortricycles.

HB 2053, introduced by Representative Aull, relating to school annexation.

HB 2054, introduced by Representative Aull, relating to the joint committee on education.

HB 2055, introduced by Representative Aull, relating to school food services.

HB 2056, introduced by Representative Aull, relating to insurance premium rates.

HB 2057, introduced by Representative Brown (116), relating to public assistance for illegal aliens.

HB 2058, introduced by Representatives Brown (116) and Day, relating to a women veterans license plate.

HB 2059, introduced by Representative Brown (116), relating to the officers in cities of the fourth classification.

HB 2060, introduced by Representatives Davis, Frederick and White, relating to the disclosure of private information to employers.

HB 2061, introduced by Representative Swearingen, relating to the issuance of state license plates.

HB 2062, introduced by Representative Guernsey, relating to conveyance of real estate.

HB 2063, introduced by Representatives Denison, Pollock, Wells, Franz, McDonald and Phillips, relating to ignition interlock devices.

HB 2064, introduced by Representative Schneider, relating to collection agency contracts.

HB 2065, introduced by Representative Schneider, relating to merchandising practices at health spas.

HB 2066, introduced by Representatives Curtman, Gatschenberger, Davis, Koenig, Bahr and Ellington, relating to state enforcement of certain federal laws.

HB 2067, introduced by Representatives Hampton, Redmon, Fitzwater and Fraker, relating to condemnation of property for the purposes of wastewater runoff management.

HB 2068, introduced by Representatives Bahr, Scharnhorst, Jones (89), Tilley, Dieckhaus, Parkinson, Higdon, Koenig and Gatschenberger, relating to membership dues of school administrators.

HB 2069, introduced by Representative Cierpiot, relating to licensure of cosmetologists and barbers.

HB 2070, introduced by Representative Lichtenegger, relating to mechanic's liens.

HB 2071, introduced by Representative Gosen, relating to driver's license veteran designations.

HB 2072, introduced by Representative Richardson, relating to local use taxes on motor vehicles.

HB 2073, introduced by Representatives McCann Beatty, Carter, Hughes, McCreery, Pace, McNeil, Webb, Smith (71) and McGeoghegan, relating to nonjudicial foreclosure proceedings.

HB 2074, introduced by Representative McCann Beatty, relating to liens for certain charitable health care entities and practitioners.

HB 2075, introduced by Representative Johnson, relating to daylight saving time elimination.

HB 2076, introduced by Representatives Sommer, Zerr, Crawford, Riddle, Brandom, Franklin, Black, Kratky, McGeoghegan, Brown (85), Lichtenegger, Entlicher, Parkinson, Diehl, Brown (116), Jones (89), Meadows and Kelley (126), relating to preferences in governmental contracts for persons who contribute to alternatives to abortion services.

HB 2077, introduced by Representatives Lampe, Carter, Still, Webber, Webb, Nasheed, McCann Beatty, McNeil, Newman, Kirkton, Spreng, Taylor, Nichols, Pierson, McCreery, Black, Colona, Hummel, Shively, Quinn, Aull, McDonald, Kratky, McManus, Hodges, Fallert, Carlson, Smith (71), Harris, Morgan, Walton Gray, May, Anders, Swearingen, McGeoghegan, Schieffer, Oxford, Atkins, Pace, Meadows and Casey, relating to the establishment of a Missouri yellow dot program.

HB 2078, introduced by Representatives Oxford, Pace, May, Anders, Smith (71), Walton Gray, Swearingen, Carlson, Hodges, Meadows, Kratky, Webber, Quinn, Aull, Hughes, Swinger, Ellinger, Nasheed, Webb, Carter, McCann Beatty, McCreery, Newman, Spreng, Nichols, Taylor, Ellington, Harris, Morgan, Atkins, McGeoghegan, Schieffer, Conway (27), Fallert, Casey, Kirkton, Sifton, McNeil, Hummel, Colona, Brown (50), Black, Rizzo, McManus, Montecillo, Lampe, McDonald, Still, Holsman and Long, relating to child care subsidies.

HB 2079, introduced by Representatives Oxford and Ellinger, relating to the temporary governance of a school district located in a city not within a county.

HB 2080, introduced by Representative Keeney, relating to sales tax for trade-in or exchange transactions.

HB 2081, introduced by Representatives Marshall, Silvey, Schieber, Nance, Higdon, Grisamore, Phillips, Fuhr, Torpey, Berry, Lasater, Brattin, Neth, Swearingen, Kelly (24), Morgan, Anders, McManus, McCann Beatty, Solon, Rizzo, Holsman, Hummel and Ellington, relating to prohibited activities in the Kansas City police department.

HB 2082, introduced by Representatives Marshall, Koenig, Parkinson, Brattin, Schieber, Burlison, Bahr and Curtman, relating to licensure requirements for certain professions.

HB 2083, introduced by Representatives Kelley (126), Pollock, Largent, Wells, Crawford, Richardson, Entlicher, Sommer, Burlison, Long, Bahr, Hodges, Smith (150), Reiboldt, Schatz, Conway (14), Brattin, Haefner, Frederick, Rowland, Curtman and Jones (89), relating to emergency utility response permits.

HB 2084, introduced by Representative Meadows, relating to the designation of the new Mississippi River bridge.

HB 2085, introduced by Representative Sommer, relating to motorcycle licenses.

HB 2086, introduced by Representative Hodges, relating to vacancies in county elected offices.

HB 2087, introduced by Representative Hughes, relating to the labeling of food.

HB 2088, introduced by Representative Hughes, relating to labeling of genetically modified food and food products.

HB 2089, introduced by Representatives Hughes, Rizzo and Smith (71), relating to small businesses.

HB 2090, introduced by Representative Hughes, relating to the Missouri supporting families income tax holiday act.

HB 2091, introduced by Representative Hughes, relating to title loans.

HB 2092, introduced by Representative Kirkton, relating to sales tax distributions.

HB 2093, introduced by Representatives Marshall and Bahr, relating to public elections.

HB 2094, introduced by Representative Frederick, relating to supervision of physician assistants.

HB 2095, introduced by Representative Smith (150), relating to the Animal Ecological Terrorism Act.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SCR 17.**

SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 17

WHEREAS, two of this country's greatest waterways, the Mississippi River on Missouri's eastern border and the Missouri River which winds across the state, helped Missouri become a supply center for many of the westward-bound settlers of the nation's early years; and

WHEREAS, from the muddy Missouri to the swift and clear Jacks Fork, the hundreds of rivers and streams in Missouri snake across more than 110,000 miles of the state - more than four times the distance around the earth - providing endless recreational opportunities for Missourians, including boating, fishing, swimming, and bird watching along the bluffs bordering our many rivers and streams; and

WHEREAS, shipping along the navigable rivers boosted Missouri's status as an agriculture supplier, barges and steamboats used the waterways to move goods, river towns boomed, and railroads continued to fuel the growth of Missouri as a large transportation center; and

WHEREAS, the Missouri Territory, and later the State of Missouri, took the name of the Missouri River which was named for the Missouri Indians who lived along the banks; and

WHEREAS, the State of Missouri has many nicknames, with the most widely recognized being "The Show-Me State" and "The Cave State"; and

WHEREAS, roads along or near both banks of the Mississippi River along its entire length have been designated as "The Great River Road" and are marked with a special road sign which depicts a ship's wheel; and

WHEREAS, the Great Rivers Greenway District was established in November 2000 in St. Louis City, St. Louis County, and St. Charles County to eventually develop "The River Ring" as an interconnected system of greenways, parks, and trails in the St. Louis area which will enhance the quality of life for residents and visitors; and

WHEREAS, from confluence of the Big Muddy and the Mighty Mississippi at the eastern portion of the state and looking north, south, or west, the State of Missouri includes the land that Meriwether Lewis and William Clark scanned as they began their journey up the Missouri River on their Voyage of Discovery in 1804, the land that is habitat for deer, turkey, bald eagles, and other wildlife, the land that is farmland abundant with agricultural crops, and the same land that held 260 billion gallons of water during the Great Flood of 1993; and

WHEREAS, with much of Missouri's history tied to the mighty rivers that flow through it, Missouri should also be known as the "The Great Rivers State":

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby encourage the use of the slogan "The Great Rivers State" as a slogan for the State of Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for Kathleen Steele-Danner, the Director of the Division of Tourism.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SJR 40**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 13 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to laws that are retrospective in operation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SJR 48**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to apportionment commissions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 482**, entitled:

An act to repeal section 172.803, RSMo, and to enact in lieu thereof one new section relating to funding for research projects by the University of Missouri board of curators.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 489 & 637**, entitled:

An act to repeal sections 571.020 and 571.111, RSMo, and to enact in lieu thereof two new sections relating to weapons, with existing penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 504**, entitled:

An act to repeal sections 307.365 and 643.320, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle inspections, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 565**, entitled:

An act to repeal section 376.961, RSMo, and to enact in lieu thereof one new section relating to the board of directors of the Missouri health insurance pool.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 595**, entitled:

An act to repeal sections 162.961 and 162.962, RSMo, and to enact in lieu thereof four new sections relating to due process hearing panel members, with an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 599**, entitled:

An act to repeal section 160.522, RSMo, and to enact in lieu thereof one new section relating to gifted education.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 636**, entitled:

An act to repeal section 456.950, RSMo, and to enact in lieu thereof one new section relating to qualified spousal trusts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 665**, entitled:

An act to authorize the conveyance of property owned by the state to the state highways and transportation commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 671**, entitled:

An act to repeal sections 52.010, 54.033, 54.330, and 115.342, RSMo, and to enact in lieu thereof four new sections relating to certain public offices that have statutory bond requirements.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 683**, entitled:

An act to repeal sections 513.430 and 513.440, RSMo, and to enact in lieu thereof two new sections relating to property exempt from attachment or execution.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 749**, entitled:

An act to amend chapter 191, RSMo, by adding thereto one new section relating to the protection of the religious beliefs and moral convictions of certain persons and entities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 760**, entitled:

An act to repeal section 252.043, RSMo, and to enact in lieu thereof one new section relating to hunting accidents.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 781**, entitled:

An act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to appointments to emergency services boards in certain counties.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 789**, entitled:

An act to repeal sections 488.5050, 650.055, and 650.100, RSMo, and to enact in lieu thereof three new sections relating to DNA profiling, with a penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 811**, entitled:

An act to authorize the conveyance of property owned by the board of governors of Missouri State University to the city of Springfield.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 877**, entitled:

An act to amend chapter 23, RSMo, by adding thereto one new section relating to the reporting by each state department of the number of employees within each department.

In which the concurrence of the House is respectfully requested.

The following messages were received from the Senate through its Secretary of the Senate:

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **Senate Substitute for Senate Committee Substitute for Senate Bill No. 572**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Also,

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the attached is a certified copy of the Roll Call on **Senate Substitute for Senate Committee Substitute for Senate Bill No. 572**.

AYES: 024

Brown	Cunningham	Dempsey	Dixon	Engler
Goodman	Kehoe	Kraus	Lager	Lamping
Lembke	Mayer	Munzlinger	Nieves	Parson
Pearce	Purgason	Richard	Rupp	Schaaf
Schaefer	Schmitt	Stouffer	Wasson	

NOES: 009

Callahan	Chappelle-Nadal	Curls	Green	Justus
Keaveny	McKenna	Ridgeway	Wright-Jones	

PRESENT: 000

ABSENT: 001

Crowell

The following member's presence was noted: Barnes.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, March 30, 2012.

CORRECTION TO THE HOUSE JOURNAL

AFFIDAVIT

I, State Representative Walton-Gray, District 81, hereby state and affirm that my vote as recorded on Page 751 of the Journal of the House for Wednesday, March 28, 2012, by which House Bill No. 1190 was third read and passed, was incorrectly recorded as Absent with leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 29th day of March 2012.

/s/ Rochelle W. Gray
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 29th day of March in the year 2012.

/s/ Megan Limbach
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, April 3, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1953
Executive session may be held on any matter referred to the committee.
There will be a presentation on the Ag Expo Center in St. Joseph.

BUDGET
Wednesday, April 4, 2012, Upon Morning Recess House Hearing Room 3.
Public hearing will be held: HJR 68, HB 2019, HJR 57, HJR 58
Executive session will be held: HB 2019, HJR 57, HJR 58
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Monday, April 2, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1392, HB 1083
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Monday, April 2, 2012, 3:00 PM South Gallery.
Public hearing will be held: HB 1593
Executive session will be held: HB 1593
Executive session may be held on any matter referred to the committee.
Any bills assigned to the committee

HEALTH CARE POLICY
Wednesday, April 4, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCS HB 1490, HB 1938
Executive session may be held on any matter referred to the committee.
AMENDED

HEALTH INSURANCE
Tuesday, April 3, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1704
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, April 3, 2012, 8:30 AM House Hearing Room 6.
Public hearing will be held: SCS SB 655
Executive session will be held: SCS SB 655, SCS SB 562, SCS SB 563
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY
Monday, April 2, 2012, 6:00 or Upon Evening Adjournment House Hearing Room 1.
Public hearing will be held: HB 1942, HB 1936
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, April 2, 2012, 12:00 PM House Hearing Room 3.
Public hearing will be held: HB 1986, HB 1955, HB 1941, HB 1940, HB 1846
Executive session may be held on any matter referred to the committee.
No meal will be provided.

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL AFFAIRS
Monday, April 2, 2012, Upon Afternoon Adjournment House Hearing Room 3.
Public hearing will be held: HB 1971, HB 1964, HB 1969, HB 1853
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, April 2, 2012, 12:00 PM House Hearing Room 6.
Executive session will be held: HCR 33, HB 1367
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-EIGHTH DAY, FRIDAY, MARCH 30, 2012

HOUSE CONCURRENT RESOLUTIONS FOR SECOND READING

HCR 53

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 90 through HJR 92

HOUSE BILLS FOR SECOND READING

HB 2046 through HB 2095

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 47 - Dugger
2 HJR 49 - Curtman
3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1361 - Pollock
3 HCS HB 1272 - Kelley (126)
4 HCS HB 1475 - Cross
5 HCS HB 1275 - Koenig
6 HCS HB 1608 - White
7 HCS HB 1134 - Scharnhorst
8 HB 1403 - Schatz
9 HCS HB 1060 - Dugger
10 HCS HB 1549 - Richardson
11 HCS HB 1717 - Kelley (126)
12 HCS HB 1111 - Gosen

13 HCS HB 1150 - Smith (150)
14 HCS HB 1515 - Schad
15 HCS HB 1640 - Denison
16 HB 1691 - Dugger
17 HB 1066 - McGhee
18 HB 1109 - Brattin
19 HCS HB 1110 - Barnes
20 HCS HB 1256 - Diehl
21 HCS HB 1211 - Dieckhaus
22 HB 1273 - Kelley (126)
23 HCS HB 1364 - Schieffer
24 HCS HB 1383 - Cox
25 HCS HB 1444 - Smith (150)
26 HCS HB 1458 - Hinson
27 HB 1534 - Bahr
28 HB 1540 - Jones (89)
29 HCS HBs 1574 & 1097 - Meadows
30 HCS HB 1661 - Hoskins
31 HCS HB 1789 - Schad
32 HCS HB 1826 - Fitzwater
33 HCS HB 1860 - Guernsey

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1593, (Fiscal Review 3/28/12) - Jones (89)

SENATE JOINT RESOLUTIONS FOR SECOND READING

1 SS SCS SJR 40
2 SS#2 SJR 48

SENATE BILLS FOR SECOND READING

1 SB 482
2 SS SCS SBs 489 & 637
3 SB 504
4 SCS SB 565
5 SS SCS SB 595
6 SB 599

SB 636
SS SB 665
SCS SB 671
SCS SB 683
SS SB 749
SB 760
SS SB 781
SCS SB 789
SB 811
SS SB 877

HOUSE CONCURRENT RESOLUTIONS

HCR 11 - Kelley (126)
HCS HCR 30 - Hampton
HCR 25 - Allen
HCR 7 - Rowland
HCR 31 - Schieffer
HCR 36 - Asbury
HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-EIGHTH DAY, FRIDAY, MARCH 30, 2012

The House met pursuant to adjournment.

Representative Bernskoetter in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 53 was read the second time.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 90 through **HJR 92** were read the second time.

SECOND READING OF HOUSE BILLS

HB 2046 through **HB 2095** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTIONS

SS SCS SJR 40 and **SS#2 SJR 48** were read the second time.

SECOND READING OF SENATE BILLS

SB 482, SS SCS SBs 489 & 637, SB 504, SCS SB 565, SS SCS SB 595, SB 599, SB 636, SS SB 665, SCS SB 671, SCS SB 683, SS SB 749, SB 760, SS SB 781, SCS SB 789, SB 811 and **SS SB 877** were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 53 - Elections

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2096, introduced by Representative Korman, relating to alternative county highway commissions.

HB 2097, introduced by Representative Korman, relating to unemployment compensation.

HB 2098, introduced by Representative Elmer, relating to unlawful discriminatory practices.

HB 2099, introduced by Representative Elmer, relating to the whistleblower's protection act.

HB 2100, introduced by Representative Jones (117), relating to sales and use tax.

HB 2101, introduced by Representative Gatschenberger, relating to fire protection districts.

HB 2102, introduced by Representative Gatschenberger, relating to table tap dispensing systems.

HB 2103, introduced by Representatives Leach and Conway (14), relating to smoking in public places.

HB 2104, introduced by Representative Elmer, relating to the second injury fund.

HB 2105, introduced by Representative Meadows, relating to emergency vehicle access to certain gated communities.

HB 2106, introduced by Representatives Marshall, Wallingford, Allen and Flanigan, relating to the state auditor's office responsibilities, duties, and enforcement.

HB 2107, introduced by Representative Marshall, relating to blighted areas.

HB 2108, introduced by Representative Jones (117), relating to sheriff charges in civil cases.

HB 2109, introduced by Representative Schoeller, relating to voter registration.

HB 2110, introduced by Representative Nolte, relating to county special road and bridge levies.

The following members' presence was noted: Elmer, Gatschenberger, Hodges, Hughes, and Jones (117).

ADJOURNMENT

On motion of Representative Bernskoetter, the House adjourned until 4:00 p.m., Monday, April 2, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, April 3, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1953
Executive session may be held on any matter referred to the committee.
There will be a presentation on the Ag Expo Center in St. Joseph.

BUDGET
Wednesday, April 4, 2012, Upon Morning Recess House Hearing Room 3.
Public hearing will be held: HJR 68, HB 2019, HJR 57, HJR 58
Executive session will be held: HB 2019, HJR 57, HJR 58
Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES
Wednesday, April 4, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1882, HB 1102, HB 1565, HB 1877
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Monday, April 2, 2012, 1:00 PM House Hearing Room 5.
Public hearing will be held: HB 1392, HB 1083
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, April 3, 2012, 5:00 PM House Hearing Room 3.
Public hearing will be held: HCR 47, HB 1985, HB 1493
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, April 3, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: SCS SB 569, HJR 89, HCR 53
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Monday, April 2, 2012, 3:00 PM South Gallery.
Public hearing will be held: HB 1593
Executive session will be held: HB 1593
Executive session may be held on any matter referred to the committee.
Any bills assigned to the committee

HEALTH CARE POLICY
Wednesday, April 4, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCS HB 1490, HB 1938
Executive session may be held on any matter referred to the committee.
AMENDED

HEALTH INSURANCE
Tuesday, April 3, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1704
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, April 3, 2012, 8:30 AM House Hearing Room 6.
Public hearing will be held: SCS SB 655
Executive session will be held: SCS SB 655, SCS SB 562, SCS SB 563
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY
Monday, April 2, 2012, 6:00 or Upon Evening Adjournment House Hearing Room 1.
Public hearing will be held: HB 1942, HB 1936
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, April 4, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SB 578, HB 1299, HB 1129, HB 1947, HB 1959, HB 1523
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, April 2, 2012, 12:00 PM House Hearing Room 3.
Public hearing will be held: HB 1986, HB 1955, HB 1941, HB 1940, HB 1846
Executive session may be held on any matter referred to the committee.
No meal will be provided.

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL AFFAIRS
Monday, April 2, 2012, Upon Afternoon Adjournment House Hearing Room 3.
Public hearing will be held: HB 1971, HB 1964, HB 1969, HB 1853
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, April 3, 2012, Upon Morning Recess House Hearing Room 7.
Public hearing will be held: SCS SB 480, HB 1937, HB 1759
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, April 3, 2012, 5:00 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 5.
Public hearing will be held: HB 1960
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, April 2, 2012, 12:00 PM House Hearing Room 6.
Executive session will be held: HCR 33, HB 1367
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FORTY-NINTH DAY, MONDAY, APRIL 2, 2012

HOUSE BILLS FOR SECOND READING

HB 2096 through HB 2110

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 47 - Dugger
2 HJR 49 - Curtman
3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1361 - Pollock
3 HCS HB 1272 - Kelley (126)
4 HCS HB 1475 - Cross
5 HCS HB 1275 - Koenig
6 HCS HB 1608 - White
7 HCS HB 1134 - Scharnhorst
8 HB 1403 - Schatz
9 HCS HB 1060 - Dugger
10 HCS HB 1549 - Richardson
11 HCS HB 1717 - Kelley (126)
12 HCS HB 1111 - Gosen
13 HCS HB 1150 - Smith (150)
14 HCS HB 1515 - Schad
15 HCS HB 1640 - Denison
16 HB 1691 - Dugger
17 HB 1066 - McGhee
18 HB 1109 - Brattin

19 HCS HB 1110 - Barnes
20 HCS HB 1256 - Diehl
21 HCS HB 1211 - Dieckhaus
22 HB 1273 - Kelley (126)
23 HCS HB 1364 - Schieffer
24 HCS HB 1383 - Cox
25 HCS HB 1444 - Smith (150)
26 HCS HB 1458 - Hinson
27 HB 1534 - Bahr
28 HB 1540 - Jones (89)
29 HCS HBs 1574 & 1097 - Meadows
30 HCS HB 1661 - Hoskins
31 HCS HB 1789 - Schad
32 HCS HB 1826 - Fitzwater
33 HCS HB 1860 - Guernsey

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1593, (Fiscal Review 3/28/12) - Jones (89)

HOUSE CONCURRENT RESOLUTIONS

1 HCR 11 - Kelley (126)
2 HCS HCR 30 - Hampton
3 HCR 25 - Allen
4 HCR 7 - Rowland
5 HCR 31 - Schieffer
6 HCR 36 - Asbury
7 HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FORTY-NINTH DAY, MONDAY, APRIL 2, 2012

The House met pursuant to adjournment.

Representative Leara in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is good unto them that wait for Him, to the soul that seeketh Him. (Lamentations 3:25)

Almighty and Eternal God, Whose love is eternal and Whose patience never ends, in all quietness of mind and sincerity of heart we wait upon You. Fill us with Your Holy Spirit that this afternoon may be a good afternoon and this week a great week. Purify our hearts from every vain and sinful thought and prepare our spirits to live with You and to work for the welfare of our beloved state.

Strong in You, may we receive power to think good thoughts, strength to do our duty to ourselves, to others, and to You. Grant unto us the confidence to say "yes" to what is good; the courage to say "no" to what is evil and the insight to know the difference. So may Your will be done in us and in all people.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-seventh day was approved as printed.

The Journal of the forty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1552 through House Resolution No. 1591

SECOND READING OF HOUSE BILLS

HB 2096 through **HB 2110** were read the second time.

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1593**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE CONCURRENT RESOLUTIONS

HCS HCR 30, relating to river management, was taken up by Representative Hampton.

On motion of Representative Hampton, **HCS HCR 30** was adopted.

HCR 25, relating to school nurses, was taken up by Representative Allen.

On motion of Representative Allen, **HCR 25** was adopted.

HCR 11, relating to "Missouri Animal Agriculture Day," was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HCR 11** was adopted.

THIRD READING OF HOUSE BILL

HB 1593, relating to investment incentives, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HB 1593** was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Barnes	Bernskoetter	Berry
Black	Brandom	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Pace	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 012

Bahr	Brattin	Burlison	Curtman	Dugger
Keeney	Koenig	Leach	Marshall	Parkinson
Pollock	Schieber			

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 013

Asbury	Atkins	Aull	Brown 50	Diehl
Funderburk	Hodges	Hughes	Lampe	Lasater
Molendorp	Nolte	Mr Speaker		

Representative Leara declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1988 - Professional Registration and Licensing
HB 2043 - Elementary and Secondary Education
HB 2083 - Utilities

COMMITTEE REPORT

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SCS SB 498**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

The following members' presence was noted: Asbury, Atkins and Lampe.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, April 3, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, April 3, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1953
Executive session may be held on any matter referred to the committee.
There will be a presentation on the Ag Expo Center in St. Joseph.

BUDGET
Wednesday, April 4, 2012, Upon Morning Recess House Hearing Room 3.
Public hearing will be held: HJR 68, HB 2019, HJR 57, HJR 58, HB 1984
Executive session will be held: HB 2019, HJR 57, HJR 58
Executive session may be held on any matter referred to the committee.
AMENDED

CHILDREN AND FAMILIES
Wednesday, April 4, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1882, HB 1102, HB 1565, HB 1877
Executive session may be held on any matter referred to the committee.

ECONOMIC DEVELOPMENT
Tuesday, April 3, 2012, 5:00 PM House Hearing Room 3.
Public hearing will be held: HCR 47, HB 1985, HB 1493
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, April 3, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: SCS SB 569, HJR 89, HCR 53
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, April 4, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 2043
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, April 3, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1483, HB 1394, HB 1044
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, April 4, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCS HB 1490, HB 1938
Executive session may be held on any matter referred to the committee.
AMENDED

HEALTH INSURANCE
Tuesday, April 3, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1704
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, April 3, 2012, 8:30 AM House Hearing Room 6.
Public hearing will be held: SCS SB 655
Executive session will be held: SCS SB 655, SCS SB 562, SCS SB 563
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION
Tuesday, April 3, 2012, 5:00 PM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Agriculture and International Trade - Presentations from various agricultural groups

JUDICIARY
Wednesday, April 4, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1858
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, April 4, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SB 578, HB 1299, HB 1129, HB 1947, HB 1959, HB 1523
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, April 4, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1951, HB 1988, HB 2000
Executive session may be held on any matter referred to the committee.

SMALL BUSINESS
Wednesday, April 4, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1824
Executive session will be held: HB 1306, HB 1674, HB 1146, HB 1065
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, April 3, 2012, Upon Morning Recess House Hearing Room 7.
Public hearing will be held: SCS SB 480, HB 1937, HB 1759
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, April 3, 2012, 5:00 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 5.
Public hearing will be held: HB 1960
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, April 3, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HCR 46, HB 2083
Executive session will be held: SB 594
Executive session may be held on any matter referred to the committee.

VETERANS
Wednesday, April 4, 2012, 9:00 AM South Gallery.
Executive session will be held: HJR 85
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTIETH DAY, TUESDAY, APRIL 3, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 47 - Dugger
2 HJR 49 - Brattin
3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1361 - Pollock
3 HCS HB 1272 - Kelley (126)
4 HCS HB 1475 - Cross
5 HCS HB 1275 - Koenig
6 HCS HB 1608 - White
7 HCS HB 1134 - Scharnhorst
8 HB 1403 - Schatz
9 HCS HB 1060 - Dugger
10 HCS HB 1549 - Richardson
11 HCS HB 1717 - Kelley (126)
12 HCS HB 1111 - Gosen
13 HCS HB 1150 - Smith (150)
14 HCS HB 1515 - Schad
15 HCS HB 1640 - Denison
16 HB 1691 - Dugger
17 HB 1066 - McGhee
18 HB 1109 - Brattin
19 HCS HB 1110 - Barnes
20 HCS HB 1256 - Diehl
21 HCS HB 1211 - Dieckhaus
22 HB 1273 - Kelley (126)
23 HCS HB 1364 - Schieffer
24 HCS HB 1383 - Cox

HCS HB 1444 - Smith (150)
HCS HB 1458 - Hinson
HB 1534 - Bahr
HB 1540 - Jones (89)
HCS HBs 1574 & 1097 - Meadows
HCS HB 1661 - Hoskins
HCS HB 1789 - Schad
HCS HB 1826 - Fitzwater
HCS HB 1860 - Guernsey

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

HB 1277 - Long
HCS HBs 1298 & 1180 - Parkinson
HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

HCR 7 - Rowland
HCR 31 - Schieffer
HCR 36 - Asbury
HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTIETH DAY, TUESDAY, APRIL 3, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are the merciful, for they shall obtain mercy. (Matthew 5:7)

Almighty God, the creator of all things, the sustainer of all life, and the giver of every good gift - again we bow in Your presence and in spirit kneel before the Throne of Mercy. We acknowledge our selfishness, our shortcomings, and our sins. We have done that which we ought not to have done, and we have left undone that which we ought to have done. We do earnestly repent and are heartily sorry for these our misdoings.

Have mercy upon us, most merciful Father, we humbly beseech You. Forgive us, and receiving Your forgiveness, may we in turn, forgive one another; as we have received mercy may we also be merciful; as love has come to us may love also go out from us to others.

As we bow before You in prayer give to us the assurance, that with You, all good things are possible. So may we do good, speak good, live good, because in You, we are good.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Marin McMenus.

The Journal of the forty-ninth day was approved as printed.

PERFECTION OF HOUSE BILLS

HCS HB 1475, relating to tanning devices, was taken up by Representative Cross.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1475, Page 1, Section 577.665, Line 12, by inserting after all of said line the following:

"**3. Any person less than fifteen years of age shall be prohibited from using any tanning device.**

4. Any operator of a tanning facility who allows a person less than fifteen years of age to use a tanning device in violation of this section shall be assessed a fine of two hundred fifty dollars for the first violation and five hundred dollars for each subsequent violation. Every use of a tanning facility in violation of this section is a separate offense.

5. The enforcement of the provisions of this section shall be provided by existing personnel and resources of law enforcement and the department of health and senior services."; and

Further amend said section by renumbering the subsequent sub-sections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted.

HCS HB 1475, as amended, was laid over.

HB 1403, relating to workers' compensation, was taken up by Representative Schatz.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1403, Page 1, Section A, Line 4, by inserting the following after all of said line:

"287.067. 1. In this chapter the term "occupational disease" is hereby defined to mean, unless a different meaning is clearly indicated by the context, an identifiable disease arising with or without human fault out of and in the course of the employment. Ordinary diseases of life to which the general public is exposed outside of the employment shall not be compensable, except where the diseases follow as an incident of an occupational disease as defined in this section. The disease need not to have been foreseen or expected but after its contraction it must appear to have had its origin in a risk connected with the employment and to have flowed from that source as a rational consequence.

2. An injury **or death** by occupational disease is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The "prevailing factor" is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

3. An injury due to repetitive motion is recognized as an occupational disease for purposes of this chapter. An occupational disease due to repetitive motion is compensable only if the occupational exposure was the prevailing factor in causing both the resulting medical condition and disability. The "prevailing factor" is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability. Ordinary, gradual deterioration, or progressive degeneration of the body caused by aging or by the normal activities of day-to-day living shall not be compensable.

4. "Loss of hearing due to industrial noise" is recognized as an occupational disease for purposes of this chapter and is hereby defined to be a loss of hearing in one or both ears due to prolonged exposure to harmful noise in employment. "Harmful noise" means sound capable of producing occupational deafness.

5. "Radiation disability" is recognized as an occupational disease for purposes of this chapter and is hereby defined to be that disability due to radioactive properties or substances or to Roentgen rays (X-rays) or exposure to ionizing radiation caused by any process involving the use of or direct contact with radium or radioactive properties or substances or the use of or direct exposure to Roentgen rays (X-rays) or ionizing radiation.

6. Disease of the lungs or respiratory tract, hypotension, hypertension, or disease of the heart or cardiovascular system, including carcinoma, may be recognized as occupational diseases for the purposes of this chapter and are defined to be disability due to exposure to smoke, gases, carcinogens, inadequate oxygen, of paid firefighters of a paid fire department or paid police officers of a paid police department certified under chapter 590 if a direct causal relationship is established, or psychological stress of firefighters of a paid fire department if a direct causal relationship is established.

7. Any employee who is exposed to and contracts any contagious or communicable disease arising out of and in the course of his or her employment shall be eligible for benefits under this chapter as an occupational disease.

8. With regard to occupational disease due to repetitive motion, if the exposure to the repetitive motion which is found to be the cause of the injury is for a period of less than three months and the evidence demonstrates that the exposure to the repetitive motion with the immediate prior employer was the prevailing factor in causing the injury, the prior employer shall be liable for such occupational disease."; and

Further amend said bill, Section 287.120, Page 1, Lines 4-8, by deleting said lines and inserting in lieu thereof the following:

"in the course of the employee's employment**[**,**]. Any employee of such employer shall not be liable for any injury or death for which compensation is recoverable under this chapter** and **every employer and employees of such employer** shall be released from all other liability therefor whatsoever, whether to the employee or any other person**, except that an employee shall not be released from liability for injury or death if the employee engaged in an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury**. The term "accident" as used"; and

Further amend said bill, Section 287.149, Page 9, Line 10, by inserting the following after all of said line:

"287.150. 1. Where a third person is liable to the employee or to the dependents, for the injury or death, the employer shall be subrogated to the right of the employee or to the dependents against such third person, and the recovery by such employer shall not be limited to the amount payable as compensation to such employee or dependents, but such employer may recover any amount which such employee or his dependents would have been entitled to recover. Any recovery by the employer against such third person shall be apportioned between the employer and employee or his dependents using the provisions of subsections 2 and 3 of this section.

2. When a third person is liable for the death of an employee and compensation is paid or payable under this chapter, and recovery is had by a dependent under this chapter either by judgment or settlement for the wrongful death of the employee, the employer shall have a subrogation lien on any recovery and shall receive or have credit for sums paid or payable under this chapter to any of the dependents of the deceased employee to the extent of the settlement or recovery by such dependents for the wrongful death. Recovery by the employer and credit for future installments shall be computed using the provisions of subsection 3 of this section relating to comparative fault of the employee.

3. Whenever recovery against the third person is effected by the employee or his dependents, the employer shall pay from his share of the recovery a proportionate share of the expenses of the recovery, including a reasonable attorney fee. After the expenses and attorney fee have been paid, the balance of the recovery shall be apportioned between the employer and the employee or his dependents in the same ratio that the amount due the employer bears to the total amount recovered if there is no finding of comparative fault on the part of the employee, or the total damages determined by the trier of fact if there is a finding of comparative fault on the part of the employee. Notwithstanding the foregoing provision, the balance of the recovery may be divided between the employer and the employee or his dependents as they may otherwise agree. Any part of the recovery found to be due to the employer, the employee or his dependents shall be paid forthwith and any part of the recovery paid to the employee or his dependents under this section shall be treated by them as an advance payment by the employer on account of any future installments of compensation in the following manner:

(1) The total amount paid to the employee or his dependents shall be treated as an advance payment if there is no finding of comparative fault on the part of the employee; or

(2) A percentage of the amount paid to the employee or his dependents equal to the percentage of fault assessed to the third person from whom recovery is made shall be treated as an advance payment if there is a finding of comparative fault on the part of the employee.

4. In any case in which an injured employee has been paid benefits from the second injury fund as provided in subsection 3 of section 287.141, and recovery is had against the third party liable to the employee for the injury, the second injury fund shall be subrogated to the rights of the employee against said third party to the extent of the payments made to him from such fund, subject to provisions of subsections 2 and 3 of this section.

5. No construction design professional who is retained to perform professional services on a construction project or any employee of a construction design professional who is assisting or representing the construction design professional in the performance of professional services on the site of the construction project shall be liable for any injury resulting from the employer's failure to comply with safety standards on a construction project for which compensation is recoverable under the workers' compensation law, unless responsibility for safety practices is specifically assumed by contract. The immunity provided by this subsection to any construction design professional shall not apply to the negligent preparation of design plans or specifications.

6. Any provision in any contract or subcontract, where one party is an employer in the construction group of code classifications, which purports to waive subrogation rights provided under this section in anticipation of a future injury or death is hereby declared against public policy and void. Each contract of insurance for workers' compensation shall require the insurer to diligently pursue all subrogation rights of the employer and shall require the employer to fully cooperate with the insurer in pursuing such recoveries, except that the employer may enter into compromise agreements with an insurer in lieu of the insurer pursuing subrogation against another party. The amount of any subrogation recovery by an insurer shall be credited against the amount of the actual paid losses in the determination of such employer's experience modification factor within forty-five days of the collection of such amount.

7. Notwithstanding any other provision of this section, when a third person is liable to the employee or to the dependents of an employee in a case when there is a finding that an occupational disease was caused by toxic exposure and the employee or dependents are compensated under this chapter, in no case shall the employer be subrogated to the rights of an employee or to the dependents of an employee against such third person when the employer caused the occupational disease. As used in this subsection, the term "toxic exposure" is defined to mean exposure to chemicals, dusts, particulates, fumes, mists, fibers, solvents, vapors, radiation, or other substances or materials that, when ingested, consumed, inhaled, or absorbed are sufficient to cause disease, death, mutations, cancer, deformities, or reproductive abnormalities in humans."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

On motion of Representative Schatz, **HB 1403, as amended,** was ordered perfected and printed by the following vote:

AYES: 081

Allen	Bernskoetter	Berry	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Largent	Lauer	Loehner	Long
McNary	Nance	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schneider	Schoeller	Shumake	Smith 150	Stream
Swinger	Thomson	Torpey	Wells	Weter
White				

NOES: 067

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Black	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington

Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	Lichtenegger	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schupp	Shively	Sifton	Smith 71
Solon	Sommer	Spreng	Still	Swearingen
Talboy	Taylor	Wallingford	Webb	Webber
Wyatt	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 015

Diehl	Funderburk	Hughes	Klippenstein	Lasater
Leach	Leara	Meadows	Molendorp	Nolte
Silvey	Walton Gray	Wieland	Wright	Mr Speaker

HCS HB 1060, relating to elections, was taken up by Representative Dugger.

Representative Scharnhorst offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1060, Page 8, Section 115.761, Line 31, by inserting after all of said section the following:

"**162.102. 1. Beginning July 1, 2013, no school district shall retain the authority to hire or contract with a superintendent of schools, except as provided in sections 162.102 to 162.104, and sections 162.083 and 162.1100.**

2. The office of superintendent of schools shall become an elective office as of the opening date of the candidate filing period for school board elections scheduled for calendar year 2013. Any person who holds a valid contract as superintendent or who is appointed as an interim superintendent as of the opening date of the candidate filing period for school board elections scheduled for calendar year 2013 shall, unless elected to the office of the superintendent as provided in sections 162.102 to 162.104, forfeit the office as of noon on July 1, 2013.

3. In the event that no person files to become a candidate for superintendent of schools, a majority of the members of the board of education may appoint an interim superintendent who shall serve until July first after the next available election cycle that produces a candidate for superintendent.

162.103. 1. A superintendent of schools elected under sections 162.102 to 162.104 shall have the following qualifications:

(1) Be a resident of the state at the time of filing for election;

(2) Hold a valid Missouri administrator's certificate; and

(3) Have five years of school administrative experience.

2. A superintendent elected under sections 162.102 to 162.104 shall take office at noon on July first and shall serve a term of three years or until his or her successor takes office.

3. Any vacancy occurring in the office of superintendent shall be filled by a person appointed by a majority of the members of the board of education. The person appointed shall hold office until the next municipal election, when a superintendent shall be elected for the unexpired term.

162.104. The board of education of the district shall set the salary of the superintendent of schools on the following basis:

(1) In a school district that has had an average daily attendance of three hundred fifty or less for three of the last four school years, the salary for the superintendent shall not exceed one hundred ten percent of the average salary of the district's certificated staff; or

(2) In a school district that has had an average daily attendance of more than three hundred fifty for three of the last four school years, the salary for the superintendent shall not be less than sixty percent and shall not exceed one hundred twenty percent of the average salary of the district's certificated staff.

162.083. 1. The state board of education may appoint additional members to any special administrative board appointed under section 162.081.

2. The state board of education may set a final term of office for any member of a special administrative board, after which a successor member shall be elected by the voters of the district.

(1) All final terms of office for members of the special administrative board established under this section shall expire on June thirtieth.

(2) The election of a successor member shall occur on the general municipal election day immediately prior to the expiration of the final term of office.

(3) The election shall be conducted in a manner consistent with the election laws applicable to the school district.

3. Nothing in this section shall be construed as barring an otherwise qualified member of the special administrative board from standing for an elected term on the board.

4. **Notwithstanding any other provision of law,** if the state board of education appoints a successor member to replace the chair of the special administrative board, the serving members of the special administrative board shall be authorized to appoint a superintendent of schools and contract for his or her services.

5. On a date set by the state board of education, any district operating under the governance of a special administrative board shall return to local governance, and continue operation as a school district as otherwise authorized by law.

162.591. 1. The board shall organize by electing a president, vice president, and secretary from its members. **[**The board of education, as soon as practicable after its organization, shall appoint a superintendent of schools.**]**

2. On an annual basis, the board of education shall reorganize by electing a president, vice president, and secretary from its members.

3. If **[**the board determines, by vote of a majority of its members, that the superintendent of schools is unable to perform his duties as required by section 168.211 or if**]** the office of the superintendent is vacant, the board shall appoint an acting superintendent to serve during the period of the **[**disability of the superintendent or the**]** vacancy in the office thereof.

168.201. The board of education in all districts except metropolitan districts may employ **[**and contract with a superintendent for a term not to exceed three years from the time of making the contract, and may employ**]** such **[**other**]** servants and agents as it deems necessary, and prescribe their powers, duties, compensation and term of office or employment which shall not exceed three years. It shall provide and keep a corporate seal.

168.211. 1. In metropolitan districts the superintendent of schools **[**shall be appointed by the board of education for a term of one to five years, during which term his compensation shall not be reduced. The superintendent of schools**]** may appoint, with the approval of the board, a treasurer, a commissioner of school buildings and he shall serve at the pleasure of the superintendent of schools and as many associate and assistant superintendents as he deems necessary, whose compensation shall be fixed by the board. The superintendent of schools shall give bond in the sum that the board requires but not less than fifty thousand dollars. No employee or agent of the board shall be a member of the board.

2. The superintendent of schools shall have general supervision, subject to policies established by the board, of the school system, including its various departments and physical properties, courses of instruction, discipline and conduct of the schools, textbooks and studies. All appointments, promotions and transfers of teachers and all other employees, and introduction and changes of textbooks and apparatus, shall be made by the superintendent with the approval of the board. All appointments and promotions of teachers and all other employees shall be made upon the basis of merit, to be ascertained, as far as practicable, in cases of appointment, by examination, and in cases of promotion, by length and character of service. Examinations for appointment shall be conducted by the superintendent under regulations to be made by the board. He shall make such reports to the board that it directs or the rules provide.

3. The superintendent of schools shall have general supervision, subject to policies established by the board, of all school buildings, apparatus, equipment and school grounds and of their construction, installation, operation, repair, care and maintenance; the purchasing of all supplies and equipment; the operation of the school lunchrooms; the administration of examinations for the appointment and promotion of all employees of the school system; and the

preparation and administration of the annual budget for the school system. Subject to the approval of the board of education as to number and salaries, the superintendent may appoint as many employees as are necessary for the proper performance of his duties.

4. **[**The board may grant a leave of absence to the superintendent of schools, and may remove him from office by vote of a majority of its members.

5.**]** Should the superintendent hire a commissioner of school buildings, said person shall be a person qualified by reason of education, experience and general familiarity with buildings and personnel to assume the following responsibilities and duties. Subject to the control of the superintendent of schools, he shall exercise supervision over all school buildings, machinery, heating systems, equipment, school grounds and other buildings and premises of the board of education and the construction, installation, operation, repair, care and maintenance related thereto and the personnel connected therewith; the purchasing of building supplies and equipment and such other duties as may be assigned to him by board rules or regulations.

[168.191. In all counties of the first class except counties of the first class not having a charter form of government, any board of education, other than boards in urban districts, in charge of a public school system maintaining a classified high school, previously approved by the state board of education, and employing a superintendent devoting his full time to supervisory and administrative work, may employ and enter into contract with a superintendent of schools for the school district for a period of not to exceed three years. This law shall not invalidate or repeal any other law of this state relating to the employment of teachers, principals or superintendents of public schools.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

HCS HB 1060, with House Amendment No. 1, pending, was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1592 through House Resolution No. 1643

PERFECTION OF HOUSE BILLS

HCS HB 1060, with House Amendment No. 1, pending, relating to elections, was again taken up by Representative Dugger.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	White	Wieland	Wright
Wyatt	Zerr			

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 012

Diehl	Flanigan	Funderburk	Hughes	Klippenstein
Lasater	Meadows	Molendorp	Walton Gray	Wells
Weter	Mr Speaker			

Representative Scharnhorst moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Korman offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1060, Page 3, Section 115.124, Line 3, by inserting after the word "**inhabitants**" the following:

"**or any city, town, or village with three thousand or fewer inhabitants**"; and

Further amend said bill, Page 3, Section 115.124, Line 29, by inserting after all of said line the following:

"**3. In any city, town, or village with three thousand or fewer inhabitants, candidates may assume offices in nonpartisan elections as provided in subsection 1 of this section upon the approval of the voters of the city, town, or village. The governing body of such city, town, or village may submit to the voters at any election available for the city, town, or village a proposal to adopt the provisions of subsection 1 of this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the city, town, or village shall conduct nonpartisan elections as provided in subsection 1 of this section for all nonpartisan elections remaining in the year in which the proposal was adopted and for the twelve calendar years immediately following the approval of the proposal. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the proposal shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. At the end of the twelve-year period in which nonpartisan elections are conducted as provided in subsection 1 of this section, each such city, town, or village shall submit to the voters a proposal to continue conducting nonpartisan elections as provided in subsection 1 of this section.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	White	Wieland	Wright
Wyatt	Zerr			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Bernskoetter	Conway 14	Denison	Diehl	Flanigan
Funderburk	Grisamore	Hughes	Klippenstein	Lasater
Meadows	Molendorp	Nasheed	Sater	Walton Gray
Webb	Wells	Weter	Mr Speaker	

On motion of Representative Korman, **House Amendment No. 2** was adopted.

On motion of Representative Dugger, **HCS HB 1060, as amended,** was adopted.

On motion of Representative Dugger, **HCS HB 1060, as amended,** was ordered perfected and printed.

HCS HB 1361, relating to utilities, was taken up by Representative Pollock.

Representative Pollock offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1361, Page 1, Section 392.602, Line 3, by inserting after the word "**telecommunications**" on said line the phrase:

"**and broadband**"; and

Further amend said section and page, Line 16, by removing from said line the phrase "**either regulate the rates, terms, and conditions**" and inserting in lieu thereof the phrase "**regulate either the rates, terms, or conditions**"; and

Further amend said section, Page 2, Line 19, to Page 3, Line 71, Subsections 2, 3, and 4, by removing all of said subsections and lines from the bill and inserting in lieu thereof the following:

"**2. Attaching entities shall inform the pole owner on whose system any equipment is to be attached of its intent to attach and the specific location of the attachment prior to attaching any such equipment. Unless otherwise agreed, the pole owner shall respond within fifteen business days of the attaching party's notice, except in cases where the pole owner is engaged in large-scale, emergency repairs or disaster response efforts, as to whether the attachment may be made without modifications to the pole, or whether additional requirements must be met prior to allowing the attachment in order to ensure system safety, reliability, and pole integrity. All attachments shall be made in accordance with safety and reliability codes applicable to the pole owner's**

telecommunications transmission or rural electric cooperative distribution system as may be promulgated by any governmental agency or instrumentality of appropriate jurisdiction. If an attaching entity causes damages to, or improperly attaches equipment, such that it jeopardizes the safety, integrity, reliability, or creates replacement issues with respect to the telecommunications transmission or rural electric cooperative distribution system owner's pole or system, the attaching entity shall, at a minimum, pay to the pole owner the reasonable costs for any repairs or modification that are necessary to ensure the safe, reliable, and effective operation of the telecommunications transmission or rural electric cooperative distribution system and the attached equipment. In case of a conflict that cannot otherwise be addressed through necessary make ready work, repairs, or pole replacements, to be paid for by the attaching entity whose pole attachment or pole attachment request is responsible for same, the continued reliability and safety of the pole owner's telecommunications transmission or rural electric cooperative distribution system shall have priority over the attachments. If an attachment is made without proper notice to the pole owner, the parties may determine the penalty fee that shall be paid in addition to the past-due pole attachment fee for each such attachment. If the parties cannot agree on a reasonable penalty fee, the penalty for unauthorized attachments made after August 28, 2012, shall equal twenty-five percent of the pole attachment fee for a maximum period of twelve months. Notwithstanding any provision in this subsection, any existing contract provisions for pole attachment penalties shall remain in full force and effect until such contract expires.

3. The telecommunications transmission or rural electric cooperative distribution system pole owner shall be entitled to a reasonable rate for permitting attachments to its telecommunications transmission or rural electric cooperative distribution system poles. Any pole attachment fee charged by a pole owner shall be agreed to between the parties and shall be assessed on a per-pole basis. Such pole attachment fees shall not exceed the reasonable costs to the pole owner's system attributable to the attachments based on the current costs of such equipment calculated in a manner similar to the Federal Communications Commission rules for pole and conduit attachments. In addition, if the pole owner can provide competent evidence of additional cost-based inefficiencies in the maintenance of its system due solely to the presence of the attached equipment, the pole owner may increase the pole attachment fee by a corresponding reasonable amount in the event that such costs are not paid to the pole owner through the operation of some other provision of the agreement between the pole owner and the attaching party. Notwithstanding the forgoing, any existing contracts for pole attachments shall remain in full force and effect until such contracts expire. At the expiration of the term of an existing contract, the pole attachment fee in the new agreement shall not be subject to any increase greater than ten percent per year over any previously established pole attachment fee, provided however, that if the pole owner can provide competent evidence that the previously established pole attachment fee was set at fifty percent or more below the pole owner's cost, the pole attachment fee in the new agreement then shall not be subject to an increase greater than twenty percent per year over any previously established pole attachment fee. In either case, the pole attachment fee in the new agreement shall not exceed the pole owner's reasonable costs calculated in the manner specified in this subsection.

4. If the parties cannot agree on a reasonable pole attachment fee, either party may demand nonbinding mediation. If mediation is unsuccessful in producing an agreement, the pole owner shall set the pole attachment fee under the limits set forth in subsection 3 of this section. If the attaching entity believes the pole attachment fee exceeds the standards provided in this section, it may file a petition in the circuit court of any county in which the pole owner maintains an office for the conduct of its business. The circuit court shall have the right to hear evidence presented by the parties as to the use being made by the attaching entity and as to the relevant costs and determine the pole attachment fee to be paid for such attachments under the limits set forth in subsection 3 of this section."; and

Further amend said section, Page 3, Line 79, by deleting the word "**with**" on said line and inserting in lieu thereof the word:

"**within**"; and

Further amend said section, Page 3, Lines 88 and 89, by deleting the phrase "**telcommunications service providers or rural**" and inserting in lieu thereof the phrase "**telecommunications and broadband service providers and rural**"; and

Further amend said section, Page 4, Line 113, by inserting after all of said line the following:

"**8. In addition to the compensation provided for in subsection 7 of this section, a landowner may request to receive from a rural electric cooperative pole owner a one-time payment of five hundred dollars per mile prorated for the distance the attached line crosses the landowner's property with a minimum payment of one hundred dollars per parcel under the following circumstances:**

(1) the rural electric cooperative's easement or right-of-way interest was acquired prior to August 28, 2006 and does not expressly prohibit use of the rural electric cooperative's facilities for broadband or similar communications use; and

(2) the size of the rural electric cooperative's transmission line located on the landowner's property is 34.5 kilovolts or above and has broadband communications facilities that are a part thereof or attached thereto; and

(3) the parties agree, or a court of competent jurisdiction has determined, that the rural electric cooperative's then-existing easement or right-of-way interest does not permit the attachment of broadband communications facilities or the use of electric facilities on the easement or right-of-way interest for broadband communications purposes; and

(4) the landowner grants in writing an easement to the rural electric cooperative, fully binding on the landowner's successors and assigns until abandoned by the rural electric cooperative, that authorizes the use of the rural electric cooperative's electric facilities for broadband communications purposes; and

(5) the landowner makes application for payment in writing to the cooperative within one year of the effective date of this section if the broadband communications facilities were installed prior thereto, or if the broadband facilities were installed after the effective date of this section, within one year of the initial installation of the broadband communications facilities.

The payment fixed hereunder, combined with any amounts calculated under subsection 7 of this section if any, shall be presumed to be the total amount owed for the use of the electric easements or right-of-way interests for broadband communications purposes. This presumption may only be rebutted by competent evidence that the broadband communications use has caused an additional diminution in fair market value of the landowner's property or additional interference with the owner's use of the property as provided for under subsection 7 of this section."; and

Further amend said section, Page 5, Line 127, by inserting after the phrase "**August 28, 2012**" on said line the following:

"**, nor to prevent a landowner from voluntarily entering into any agreement with any other entity for use of the landowner's property provided that such agreement is subordinate to and does not conflict with the property rights and uses authorized in any easement or right-of-way interest previously granted by the landowner or by the landowner's predecessors in interest**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schad offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1361, Page 1, Line 7, by inserting after all of said line the following:

"Further amend said section and page, Line 18, by inserting immediately after the phrase '**as amended.**' on said line the following:

'**The provisions of this section, except for subsections 6 and 8, shall apply to cable television providers and others transmitting information by wire, radio, optical cable, electronic impulses, wireless technology, or other means that are not capable of providing broadband, and in the case of such providers, the law in effect prior to August 28, 2012, governing easements shall continue to apply.**'; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Pollock, **House Amendment No. 1, as amended,** was adopted.

Representative Cierpiot offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1361, Page 4, Section 392.602, Line 122, by inserting after all of said line the following:

"**9. If a rural electric cooperative undertakes pole attachments involving fiber optic cables, or any other technology that functions to provide broadband service or other high speed fiber optic cable based services, under this section and if such provider also provides broadband service to any customers within this state, then such provider shall, within a three year period from the installation of a pole attachment, be required to offer to the owner of the property upon which the pole is situated, internet broadband service at a reasonable price substantially similar to the rate charged to other customers of broadband internet service within this state. A property owner may enforce the provisions of this subsection in any court of competent jurisdiction and such court may grant injunctive relief, including, but not limited to, the removal of pole attachments from properties in which the provider is not in compliance with the requirements of this subsection.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS HB 1361, as amended, with House Amendment No. 2, pending, was laid over.

SPECIAL RECOGNITION

The 2011-2012 University of Missouri Tigers Men's Basketball Team was introduced by Speaker Pro Tem Schoeller and presented a resolution by Representative Still.

Head Coach Frank Haith addressed the House.

PERFECTION OF HOUSE BILLS

HCS HB 1361, as amended, with House Amendment No. 2, pending, was again taken up by Representative Pollock.

Representative Long offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 1361, Page 1, Line 7, by deleting the word "**three**" and inserting in lieu thereof the word "**five**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Cierpiot moved that **House Amendment No. 2, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Bahr	Bernskoetter	Berry	Black
Brattin	Brown 50	Brown 85	Carlson	Cierpiot
Colona	Conway 14	Cox	Curtman	Ellinger
Ellington	Elmer	Fitzwater	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Haefner	Higdon
Hinson	Holsman	Hoskins	Houghton	Hummel
Jones 89	Jones 117	Kander	Kirkton	Koenig
Korman	Kratky	Lampe	Leach	Leara
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGhee	McManus	McNeil
Montecillo	Morgan	Nasheed	Neth	Oxford
Richardson	Rizzo	Scharnhorst	Schatz	Schoeller
Smith 150	Still	Talboy	Torpey	Webb
White	Wieland	Zerr		

NOES: 078

Allen	Anders	Asbury	Atkins	Barnes
Brandom	Brown 116	Burlison	Carter	Casey
Cauthorn	Conway 27	Cookson	Crawford	Cross
Davis	Day	Denison	Dugger	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Grisamore	Guernsey	Hampton	Harris	Hodges
Hough	Hubbard	Johnson	Keeney	Kelley 126
Lair	Lant	Largent	Lauer	Lichtenegger
McGeoghegan	McNary	Nance	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Sater	Schad	Schieber	Schieffer
Schneider	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Sommer	Spreng
Stream	Swearingen	Swinger	Thomson	Webber
Weter	Wright	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 017

Dieckhaus	Diehl	Funderburk	Hughes	Jones 63
Kelly 24	Klippenstein	Lasater	May	Meadows
Molendorp	Newman	Taylor	Wallingford	Walton Gray
Wells	Mr Speaker			

On motion of Representative Pollock, **HCS HB 1361, as amended,** was adopted.

On motion of Representative Pollock, **HCS HB 1361, as amended,** was ordered perfected and printed.

HCS HB 1111, relating to abandoned towed vehicles, was taken up by Representative Gosen.

On motion of Representative Gosen, **HCS HB 1111** was adopted.

On motion of Representative Gosen, **HCS HB 1111** was ordered perfected and printed.

HCS HB 1150, relating to salvage motor vehicle titles, was taken up by Representative Smith (150).

Representative Asbury offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1150, Page 5, Section 301.190, Line 163, by inserting after all of said line the following:

"**301.194. 1. Notwithstanding any other provision of law, any person who purchases a motor vehicle with a certificate of destruction, junking certificate, salvage certificate, or equivalent, issued by another state, may make an application to the department of revenue for a salvage certificate of title. Prior to making application for a certificate of title on a vehicle under this section, the owner shall have the vehicle inspected by law enforcement as provided in subsection 9 of section 301.190. The application for title shall be accompanied by:**

(1) A statement explaining the circumstances by which the property came into the owner's possession; a description of the property including the year, make, model, and vehicle identification number; the current location of the property; and the retail value of the property;

(2) An inspection report of the vehicle by a law enforcement agency under subsection 9 of section 301.190; and

(3) The fee prescribed in subsection 5 of section 301.190.

2. Once the requirements of subsection 1 are satisfied, the director shall issue one of the following:

(1) An original certificate of title designated as prior salvage if the vehicle examination certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged condition or rebuilt; or

(2) A salvage certificate of title designated with the words "salvage" or junking certificate based on the condition of the property as stated in the inspection report."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Asbury, **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HCS HB 1150, as amended,** was adopted.

On motion of Representative Smith (150), **HCS HB 1150, as amended,** was ordered perfected and printed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 2100 - Transportation

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 635 - Financial Institutions
SCS SB 726 - Financial Institutions

COMMITTEE REPORTS

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HCR 53**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 53

Relating to submission of a revised Summary Statement to House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, to the secretary of state.

WHEREAS, on March 27, 2012, the Circuit Court of Cole County in *Aziz v. Mayer*, Case No. 11AC-CC00439 consolidated with No. 11AC-CC00449, found that the Summary Statement as enacted in House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, "is insufficient and unfair because...the Proposed Constitutional Amendment (1) does not contain a "Voter Protection Act" in any of its sections; (2) the words "voter protection act," "protection," or "act" do not appear anywhere therein; and (3) no indication is given to where this "Voter Protection Act" can be found"; and

WHEREAS, Section 116.155, RSMo, allows the General Assembly to formulate a summary statement for measures it refers to the people for a vote; and

WHEREAS, the Court in *Aziz* stated, "Because significant changes are required here and policy choices need to be made as to how to reallocate the words in a revised summary statement, the Court chooses to vacate the summary statement and to provide the General Assembly an opportunity to revise it"; and

WHEREAS, in accordance with the Court's statement which gives the General Assembly the opportunity to revise the Summary Statement, the General Assembly hereby submits a revised Summary Statement to House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, to read as follows:

"Shall the Missouri Constitution be amended to create standards for enacting general laws that authorize advance voting, require the use of government-issued photo identification in order to vote, and govern voting procedures based on whether an individual is voting in person or by absentee ballot?":

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby submits a revised Summary Statement to House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, in order to address the issues raised in *Aziz v. Mayer*, Case No. 11AC-CC00439 consolidated with No. 11AC-CC00449, by the Circuit Court of Cole County; and

BE IT FURTHER RESOLVED that this resolution of the General Assembly be deemed as an official submission by the General Assembly of a revised Summary Statement for House Committee Substitute No. 2 for Senate Joint Resolution No. 2, Ninety-sixth General Assembly, First Regular Session, to the Secretary of State; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Robin Carnahan, Secretary of State.

Mr. Speaker: Your Committee on Elections, to which was referred **SCS SB 569**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1274**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 6

WHEREAS, last year, the average price of gasoline rose to nearly $4.00 a gallon and is projected to remain high for the forseeable future; and

WHEREAS, numerous components make up the price of gasoline, including the cost of crude oil (45%), federal and state taxes (23%), refining costs (22%), and marketing and distribution costs (10%). These components are affected by many factors; and

WHEREAS, the three main factors that contribute to changes in the price of gasoline are changes in crude oil prices, the transparency of energy markets, and regulations that affect the price of gasoline; and

WHEREAS, there is very little government can do about crude oil prices and transparency. Crude oil prices are affected by world supply and demand, which continues to grow and most rapidly in Asia. Transparency produces highly efficient markets, but it also increases volatility. Any reduction in transparency would offset efficiency; and

WHEREAS, while states have limited authority and options available to attempt to reverse the soaring fuel prices and alleviate the growing financial burden on its citizenry, the federal government is able to ease the pressure on prices and reduce volatility by reducing its own interference in the market - most directly by the way of taxes and regulation; and

WHEREAS, federal regulations have contributed significantly to the high price, high volatility environment facing consumers today. These regulations have led to the proliferation of numerous fuel blends - known as "boutique fuels" - which in turn have increased refining and distribution costs; and

WHEREAS, in addition to addressing the boutique fuel problem, Congress and the Administration should reform other Clean Air Act regulations that have resulted in the halt of construction of new refinery capacity and offshore drilling. More production and refinery capacity is needed to ease the pressure on the production system; and

WHEREAS, federal regulations are also affecting gasoline imports because foreign suppliers are unable to keep up with the increasing complexity of federal gasoline requirements. Volatility in the Middle East also threatens our second largest supplier of oil - OPEC; and

WHEREAS, while changes in federal regulations and policies are needed as a long-term solution, the federal government is able to impact gasoline prices in the short-term as well; and

WHEREAS, in the short-term, the Environmental Protection Agency should temporarily suspend clean-fuel requirements and reduce the number of fuel specifications across the country by offering a limited menu of fuel choices that states and localities can choose from; and

WHEREAS, with crude oil costs being the single largest component in the cost of gasoline, the only real impact on crude oil prices is the threat of competition; and

WHEREAS, the leading supplier of oil to the United States market is Canada, with Mexico as the third leading supplier. There are enough oil and gas resources under the ground of those two reliable neighbors to supply the United States at current consumption levels for the next 100 years; and

WHEREAS, by lowering any remaining cross-border barriers to energy imports and by increasing the capacity of cross-border distribution systems, Congress can lower the cost to both Canada and Mexico of shipping oil to the United States, thereby inducing them to bring more supply on line; and

WHEREAS, in order to reduce our dependence on foreign oil, Congress and the Administration should find ways to facilitate the building of new refineries, and an increase in production by permitting the uncapping of existing wells and the drilling of new wells; and

WHEREAS, Congress and the Administration should strive to maintain a well-functioning gasoline market for the good of the economy, without interfering in the marketplace. Changes in federal regulation, introduction of fuel flexibility, removing impediments to importation of fuel from Canada and Mexico, increasing refinery capacity and pipeline construction, as well as greater domestic oil exploration and opening additional areas of production would begin to ease the rising cost of fuels and reduce our dependence on foreign sources of oil:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Congress and the Obama Administration to immediately seek long-term and short-term solutions to the rapidly rising fuel costs to ease the financial burden on its citizens and prevent a second recession; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President Barack Obama; Lisa P. Jackson, Administrator of the Environmental Protection Agency; the Majority and Minority Leaders of the United States Congress; and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SCS SB 470**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE CONCURRENT RESOLUTION NO. 33

Relating to the Joint Interim Committee on State Employee Wages, with an emergency clause.

WHEREAS, the Joint Interim Committee on State Employee Wages was established under HCR 32 in the Ninety-Sixth General Assembly, First Regular Session, and was charged with studying and developing strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages; and

WHEREAS, Missouri state employees are ranked 50th out of 50 states for the wages paid to state employees; and

WHEREAS, Missouri state employees provide excellent service to Missourians; and

WHEREAS, Missouri state employees have had to do more with less resources for the past several years; and

WHEREAS, Missouri state employees have not had a pay raise since 2008; and

WHEREAS, while state employee wages have remained the same since 2008, Missouri state employee insurance costs have steadily increased; and

WHEREAS, the Missouri state employees deferred compensation state match of state employee contributions made up to $35 has not been funded for several years; and

WHEREAS, new Missouri state employees who are first employed by the state after January 1, 2011, are required to contribute 4% of their pay to their retirement plan; and

WHEREAS, the State of Missouri does not have comprehensive data on state employee compensation or total compensation; and

WHEREAS, the State of Missouri does not have a long-term or strategic plan for increasing the wages of state employees; and

WHEREAS, the State of Kansas undertook a similar initiative and has many lessons learned that could benefit the State of Missouri; and

WHEREAS, the three poorest states in the nation - West Virginia, Mississippi, and Arkansas - all rank ahead of Missouri in state employee annual compensation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby re-authorize the "Joint Interim Committee on State Employee Wages" to function in the legislative interims through December 31, 2014, upon passage and approval of this resolution, for the purpose of further studying and developing of strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages; and

BE IT FURTHER RESOLVED that upon re-establishment, the Joint Interim Committee shall:

(1) Devise a focused and concise mission statement to guide actions of the Joint Interim Committee;

(2) Request the State Office of Administration to use moneys in the State Employee Wage Study Fund, created in this resolution, to invest in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures, similar to what other states have done;

(3) Request the State Office of Administration, with the advice and consent of the Joint Interim Committee, to use the data from the comprehensive study to produce a long-term strategic plan for increasing state employee wages and to present such plan to the Governor, the House Budget Committee, and the Senate Appropriations Committee by January 31, 2015;

(4) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED that the Joint Interim Committee be composed of the following members:

(1) Two majority party members and one minority party member of the House of Representatives, to be appointed by the Speaker and Minority Leader of the House;

(2) Two majority party members and one minority party member of the Senate, to be appointed by the President Pro Tem and Minority Leader of the Senate;

(3) One representative from the Governor's Office;

(4) One representative from the State Personnel Advisory Board; and

(5) Two members of the public, with one to be appointed by the Speaker of the House and one to be appointed by the President Pro Tem of the Senate; and

BE IT FURTHER RESOLVED that there is hereby created in the state treasury the "State Employee Wage Study Fund". The State Treasurer shall deposit to the credit of such fund all moneys which may be appropriated to it by the General Assembly and any gifts, contributions, grants, bequests, or other aid received from federal, private, or other sources. The general assembly may appropriate moneys into the fund to be used by the State Office of Administration for the purpose of investing in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures. Notwithstanding the provisions of section 33.080 to the contrary, moneys in the fund shall not revert to the credit of the general revenue fund at the end of the biennium; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including but not limited to soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, and the general public; and

BE IT FURTHER RESOLVED that the staff of House Appropriations, Senate Appropriations, House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Senate's Joint Contingent Expenses appropriation; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution; and

BE IT FURTHER RESOLVED that because immediate action is necessary to help attract and maintain a talented and dedicated workforce in order to best serve the needs of Missouri citizens, this resolution is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this resolution shall be in full force and effect upon its passage and approval.

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1367**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 4, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Thursday, April 5, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HB 1895
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY
Tuesday, April 10, 2012, 2:00 PM House Hearing Room 6.
Executive session will be held: HB 1254
Executive session may be held on any matter referred to the committee.

BUDGET
Wednesday, April 4, 2012, Upon Morning Recess House Hearing Room 3.
Public hearing will be held: HJR 68, HB 2019, HJR 57, HJR 58, HB 1984
Executive session will be held: HB 2019, HJR 57, HJR 58
Executive session may be held on any matter referred to the committee.
AMENDED

CHILDREN AND FAMILIES
Wednesday, April 4, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 1882, HB 1102, HB 1565, HB 1877
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, April 4, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: SS SCS SB 689, SS SCS SB 699
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, April 5, 2012, 9:00 AM House Hearing Room 4.
Executive session will be held: HJR 42, HB 1900, SS SCS SB 467, SS SCS SB 469

ELECTIONS
Wednesday, April 4, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HJR 89
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, April 4, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 2043
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, April 5, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

HEALTH CARE POLICY
Wednesday, April 4, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HCS HB 1490, HB 1938
Executive session may be held on any matter referred to the committee.
AMENDED

HEALTH INSURANCE
Thursday, April 5, 2012, 9:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Thursday, April 5, 2012, 9:30 AM North Gallery.
Executive session will be held: SCS SB 563
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, April 4, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1858, HB 1698
Executive session may be held on any matter referred to the committee.
AMENDED

LOCAL GOVERNMENT
Wednesday, April 4, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SB 578, HB 1299, HB 1129, HB 1947, HB 1959, HB 1523
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, April 4, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1951, HB 1988, HB 2000
Executive session may be held on any matter referred to the committee.

SMALL BUSINESS
Wednesday, April 4, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 1824
Executive session will be held: HB 1306, HB 1674, HB 1146, HB 1065
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Wednesday, April 4, 2012, 5 PM or Upon Afternoon Adjournment House Hearing Room 5.
Public hearing will be held: HB 1846
Executive session may be held on any matter referred to the committee.
Continuation of hearing on 4/2

TOURISM AND NATURAL RESOURCES
Thursday, April 5, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HCR 49, HB 1752
Executive session will be held: HB 1795
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Thursday, April 5, 2012, 9:45 AM South Gallery.
Executive session will be held: HB 1836
Executive session may be held on any matter referred to the committee.

VETERANS
Wednesday, April 4, 2012, 9:00 AM South Gallery.
Executive session will be held: HJR 85
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FIRST DAY, WEDNESDAY, APRIL 4, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 47 - Dugger
2 HJR 49 - Brattin
3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1272 - Kelley (126)
3 HCS HB 1475, as amended - Cross
4 HCS HB 1275 - Koenig
5 HCS HB 1608 - White
6 HCS HB 1134 - Scharnhorst
7 HCS HB 1549 - Richardson
8 HCS HB 1717 - Kelley (126)
9 HCS HB 1515 - Schad
10 HCS HB 1640 - Denison
11 HB 1691 - Dugger
12 HB 1066 - McGhee

13 HB 1109 - Brattin
14 HCS HB 1110 - Barnes
15 HCS HB 1256 - Diehl
16 HCS HB 1211 - Dieckhaus
17 HB 1273 - Kelley (126)
18 HCS HB 1364 - Schieffer
19 HCS HB 1383 - Cox
20 HCS HB 1444 - Smith (150)
21 HCS HB 1458 - Hinson
22 HB 1534 - Bahr
23 HB 1540 - Jones (89)
24 HCS HBs 1574 & 1097 - Meadows
25 HCS HB 1661 - Hoskins
26 HCS HB 1789 - Schad
27 HCS HB 1826 - Fitzwater
28 HCS HB 1860 - Guernsey

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

1 HCR 7 - Rowland
2 HCR 31 - Schieffer
3 HCR 36 - Asbury
4 HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-FIRST DAY, WEDNESDAY, APRIL 4, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are the pure in heart; for they shall see God. (Matthew 5:8)

Eternal God, from the busy traffic of daily living we pause in Your presence and wait upon You seeking strength for the day, wisdom to make wise decisions, courage to carry our responsibilities with honor, and love to motivate all our endeavors.

Should we fail in achieving some of our objectives, let not the spirit of defeat dampen our devotion; should others criticize, let not criticism get us down, but seeing the good in it may we let it lift us up; if others misunderstand, let not bitterness blight our best judgment; and if we can win, help us to be humble in victory.

In this moment of prayer we recharge our lives that we may face this day with high principles, real integrity, abounding good will, and with a pure heart that sees You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mark Schwartz, Danielle Schwartz, Jack Schwartz, Anna Schwartz, Jarrica Williams, Stephanie Trevino and Amiya Tatum.

The Journal of the fiftieth day was approved as corrected.

PERFECTION OF HOUSE BILLS

HB 1691, relating to salvage dealers, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1691** was ordered perfected and printed.

HCS HB 1134, relating to insurance coverage, was taken up by Representative Scharnhorst.

HCS HB 1134 was laid over.

HCS HB 1475, as amended, relating to tanning devices, was taken up by Representative Cross.

Representative Cross moved that **HCS HB 1475, as amended**, be recommitted to the committee on Rules as **HB 1475**.

Which motion was adopted.

HCS HB 1640, relating to motor vehicles, was taken up by Representative Denison.

Representative Swinger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1640, Page 54, Section 302.132, Line 27, by inserting after all of said line the following:

"**302.800. 1. For purposes of this section, the following terms mean:**

(1) "Department", the department of revenue;

(2) "Director", the director of the department of revenue;

(3) "Emergency responder", a municipal, county, or state law enforcement officer or firefighter, or other person who has been trained to provide emergency medical first response services;

(4) "Program participant", an individual who has completed a health information card that includes health and emergency contact information, and affixed the decal provided by the department of revenue under this section to the individual's motor vehicle.

2. There is hereby established a "Missouri Yellow Dot Program" in the department of revenue. The purpose of the program is to provide emergency responders with critical health and emergency contact information about program participants so emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate.

3. The department of revenue shall design Missouri yellow dot program materials, giving consideration to the program materials used by other states in similar programs. Program materials shall include, but shall not be limited to:

(1) A yellow decal of a size and design to be determined by the department which shall be affixed to the rear driver's side window of the program participant's vehicle;

(2) A health information card which provides space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physician's names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the director deems relevant to emergency responders in the case of emergency;

(3) A yellow envelope of a size and design to be determined by the director into which the health information card established under this subsection is to be inserted and placed into the program participant's glove compartment; and

(4) A program instruction sheet including an electronic mail address required under subsection 4 of this section.

4. The department shall establish an electronic mail mechanism through which persons may ask questions about the program and receive assistance in completing the health information card.

5. The department shall provide sufficient program materials to other state departments or agencies seeking to distribute or make program materials available to interested persons.

6. The director shall notify the state highway patrol regarding the implementation of the Missouri yellow dot program so that all emergency responders are informed about the program.

7. The department may charge an individual seeking to participate in the program a nominal fee to cover the administrative cost of the program.

8. The department shall make Missouri yellow dot program materials available for pick up by any interested person at any driver's license office and shall provide for an online means through which individuals

can request the materials required to participate in the program. Any other state department or agency may make the program materials available for distribution to, or pick up by, any interested person.

9. The department shall develop and undertake a public education campaign to inform the public about the program established in this section.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Swinger, **House Amendment No. 1** was adopted.

Representative Denison offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1640, Page 26, Section 301.140, Line 64, by deleting the word, "plate" and inserting in lieu thereof the word, "plate**s**"; and

Further amend said bill, Page 33, Section 301.216, Line 4, by inserting at the end of said line the following:

"**The power of arrest of a department investigator acting as a peace officer shall be limited to offenses involving fees, licenses, taxes or in situations of imminent danger to the investigator or another person.**"; and

Further amend said bill, Page 51, Section 301.580, Line 8, by deleting the word, "**if**" and inserting in lieu thereof the word, "**is**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara assumed the Chair.

On motion of Representative Denison, **House Amendment No. 2** was adopted.

Representative Brattin offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1640, Page 20, Section 301.032, Line 49, by inserting after all of said section and line, the following:

"301.064. 1. The annual registration fee for a land improvement contractors' commercial motor vehicle is three hundred fifty dollars. The maximum gross weight for which such a vehicle may be registered is eighty thousand pounds. Transporting for hire by such a motor vehicle is prohibited.

2. Upon application to the director of revenue accompanied by an affidavit signed by the owner or owners stating that the motor vehicle to be licensed as a land improvement contractors' commercial motor vehicle shall not be operated in any manner other than as prescribed in section 301.010, and by the amount of the registration fee prescribed **[**above**] in subsection 1 of this section**, and otherwise complying with the laws relating to the registration and licensing of motor vehicles, the owner or owners shall be issued a **[**set of**] distinctive** land improvement contractors' license **[**plates. The director of revenue shall by regulation determine the characteristic features of land improvement contractors' license plates so that they**] plate so that it** may be readily identified as such."; and

Further amend said bill, Page 21, Section 301.069, Line 40, by inserting after all of said section and line, the following:

"301.120. **1.** When the owner of a motor vehicle moves the vehicle to another state, **[**he**] the owner** shall return the license plates to the director of revenue within ninety days or upon the expiration of the period of reciprocity granted by the new state of residence; or if the owner of a motor vehicle ceases to operate the vehicle in Missouri, **[**he**] the owner** shall return the license plates to the director of revenue within ninety days.

2. For motor vehicles that require the issuance of only one license plate under section 301.130 on or after August 28, 2012, an owner whose motor vehicle has a front license plate on the effective date of this section shall surrender the front license plate to the department of revenue at the next renewal of registration for the motor vehicle."; and

Further amend said bill, Pages 21-24, Section 301.130, Lines 1-115, by removing all of said lines from the bill and inserting in lieu thereof the following:

"301.130. 1. **Beginning August 28, 2012,** the director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and **[**a set of license plates**] only one license plate**, or other evidence of registration, as provided by this section. Each **license plate or** set of license plates shall bear the name or abbreviated name of this state, the words "SHOW-ME STATE", the month and year in which the registration shall expire, and an arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue. The **plate or** plates shall also contain fully reflective material with a common color scheme and design for each type of license plate issued pursuant to this chapter. The **plate or** plates shall be clearly visible at night, and shall be aesthetically attractive. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "SHOW-ME STATE" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "SHOW-ME STATE".

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration. The director may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

3. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, or with the state highways and transportation commission as otherwise provided in this chapter, but only one license plate shall be issued for each such vehicle**, except as provided in this subsection. The applicant for registration of any property-carrying commercial motor vehicle may request and be issued two license plates for such vehicle, and if such plates are issued the director of revenue may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144**.

4. The plates issued to manufacturers and dealers shall bear the letters and numbers as prescribed by section 301.560, and the director may place upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

5. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate **[**or set of license plates**]** issued by the director of revenue or the state highways and transportation commission and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle or trailer in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. Each such plate may be encased in a transparent cover so long as the plate is plainly visible and its reflective qualities are not impaired. **[**License plates**] The license plate** shall be fastened to all motor

vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the **[**front and**]** rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up or if two plates are issued for the vehicle pursuant to subsection 3 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

6. (1) The director of revenue shall issue annually or biennially a tab **[**or set of tabs**]** as provided by law as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the set of plates. Beginning January 1, 2010, the director may prescribe any additional information recorded on the tab or tabs to ensure that the tab or tabs positively correlate with the license plate or plates issued by the department of revenue for such vehicle. Such tabs shall be produced in each license bureau office.

(2) The vehicle owner to whom a tab **[**or set of tabs**]** is issued shall affix and display such tab **[**or tabs**]** in the designated area of the license plate**[**, no more than one per plate**]**.

(3) A tab **[**or set of tabs**]** issued by the director of revenue when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as otherwise provided in this section, the director of revenue shall issue plates for a period of at least six years.

(5) For those commercial motor vehicles and trailers registered pursuant to section 301.041, the plate issued by the highways and transportation commission shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered pursuant to this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the highways and transportation commission upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the highways and transportation commission shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the highways and transportation commission and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highways and transportation commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

7. The director of revenue and the highways and transportation commission may prescribe rules and regulations for the effective administration of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

8. Notwithstanding the provisions of any other law to the contrary, owners of motor vehicles other than apportioned motor vehicles or commercial motor vehicles licensed in excess of eighteen thousand pounds gross weight may apply for special personalized license plates. Vehicles licensed for eighteen thousand pounds that display special personalized license plates shall be subject to the provisions of subsections 1 and 2 of section 301.030.

9. No later than January 1, 2009, the director of revenue shall commence the reissuance of new license plates of such design as directed by the director consistent with the terms, conditions, and provisions of this section and this chapter. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire during the period of reissuance, applicants for registration of trailers or semitrailers with license plates that expire during the period of reissuance and applicants for registration of vehicles that are to be issued new license plates during the period of reissuance shall pay the cost of the plates required by this subsection. The additional cost prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. Historic motor vehicle license plates registered pursuant to section 301.131 and specialized license plates are exempt from the provisions of this subsection. Except for new,

replacement, and transfer applications, permanent nonexpiring license plates issued to commercial motor vehicles and trailers registered under section 301.041 are exempt from the provisions of this subsection.

10. The provisions of this section regarding the issuance of only one license plate for a motor vehicle shall apply to the issuance of personalized license plates."; and

Further amend said bill, Page 33, Section 301.142, Line 215, by inserting after all of said section and line, the following:

"301.144. 1. The director of revenue shall establish and issue special personalized license plates containing letters or numbers or combinations of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Any person desiring to obtain a special personalized license plate for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight shall apply to the director of revenue on a form provided by the director and shall pay a fee of fifteen dollars in addition to the regular registration fees. The director of revenue shall issue rules and regulations setting the standards and establishing the procedure for application for and issuance of the special personalized license plates and shall provide a deadline each year for the applications. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void. No two owners shall be issued identical plates. An owner shall make a new application and pay a new fee each year such owner desires to obtain or retain special personalized license plates; however, notwithstanding the provisions of subsection 8 of section 301.130 to the contrary, the director shall allow the special personalized license plates to be replaced with new plates every three years without any additional charge, above the fee established in this section, to the renewal applicant. Any person currently in possession of an approved personalized license plate shall have first priority on that particular plate for each of the following years that timely and appropriate application is made.

2. Upon application for a personalized plate by the owner of a motor vehicle for which the owner has no registration plate available for transfer as prescribed by section 301.140, the director shall issue a temporary permit authorizing the operation of the motor vehicle until the personalized plate is issued.

3. No personalized license plates shall be issued containing any letters, numbers or combination of letters and numbers which are obscene, profane, patently offensive or contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present an unreasonable danger to the health or safety of the applicant, of other users of streets and highways, or of the public in any location where the vehicle with such a plate may be found. The director may recall any personalized license plates, including those issued prior to August 28, 1992, if the director determines that the plates are obscene, profane, patently offensive or contemptuous of a racial or ethnic group, or offensive to good taste or decency, or would present an unreasonable danger to the health or safety of the applicant, of other users of streets and highways, or of the public in any location where the vehicle with such a plate may be found. Where the director recalls such plates pursuant to the provisions of this subsection, the director shall reissue personalized license plates to the owner of the motor vehicle for which they were issued at no charge, if the new plates proposed by the owner of the motor vehicle meet the standards established pursuant to this section. The director shall not apply the provisions of this statute in a way that violates the Missouri or United States Constitutions as interpreted by the courts with controlling authority in the state of Missouri. The primary purpose of motor vehicle license plates is to identify motor vehicles. Nothing in the issuance of a personalized license plate creates a designated or limited public forum. Nothing contained in this subsection shall be interpreted to prohibit the use of license plates, which are no longer valid for registration purposes, as collector's items or for decorative purposes.

4. The director may also establish categories of special license plates from which license plates may be issued. Any such person, other than a person exempted from the additional fee pursuant to subsection 7 of this section, that desires a personalized special license plate from any such category shall pay the same additional fee and make the same kind of application as that required by subsection 1 of this section, and the director shall issue such plates in the same manner as other personalized special license plates are issued.

5. The director of revenue shall issue to residents of the state of Missouri who hold an unrevoked and unexpired official amateur radio license issued by the Federal Communications Commission, upon application and upon payment of the additional fee specified in subsection 1 of this section, except for a person exempted from the additional fee pursuant to subsection 7 of this section, personalized special license plates bearing the official amateur radio call letters

assigned by the Federal Communications Commission to the applicant with the words "AMATEUR RADIO" in place of the words "SHOW-ME STATE". The application shall be accompanied by a statement stating that the applicant has an unrevoked and unexpired amateur radio license issued by the Federal Communications Commission and the official radio call letters assigned by the Federal Communications Commission to the applicant. An owner making a new application and paying a new fee to retain an amateur radio plate may request a replacement plate with the words "AMATEUR RADIO" in place of the words "SHOW-ME STATE". If application is made to retain a plate that is three years old or older, the replacement plate shall be issued upon the payment of required fees.

6. Notwithstanding any other provision to the contrary, any business that repossesses motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard displaying the word "Repossessed", provided such business pays the license fees presently required of a manufacturer, distributor, or dealer in section 301.560. Such placard shall bear a number and shall be in such form as the director of revenue shall determine, and shall be only used for demonstrations when displayed substantially as provided for number plates on the rear of the repossessed motor vehicle or trailer.

7. Notwithstanding any provision of law to the contrary, any person who has retired from any branch of the United States armed forces or reserves, the United States Coast Guard or reserve, the United States Merchant Marines or reserve, the National Guard, or any subdivision of any such services shall be exempt from the additional fee required for personalized license plates issued pursuant to section 301.441. As used in this subsection, "retired" means having served twenty or more years in the appropriate branch of service and having received an honorable discharge.

8. The provisions of section 301.130 regarding the issuance of only one license plate for a motor vehicle shall apply to personalized license plates issued under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brattin moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Bahr offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1640, Page 34, Section 301.225, Lines 12-13, by deleting the words "**, any representative of the department,**"; and

Further amend said bill, Page 38, Section 301.425, Lines 1-2, by deleting the words "**or the director of revenue or his or her designated representative**"; and

Further amend said bill, page and section, Line 5, by deleting the words "**or the director of revenue or his or her designated representative**"; and

Further amend said bill, Page 45, Section 301.560, Line 182, by deleting the words "**or agent of the department**"; and

Further amend said bill, Page 47, Section 301.562, Lines 66-67, by deleting the words "**, or any peace officer certified under chapter 590 acting in his or her official capacity**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bahr, **House Amendment No. 4** was adopted by the following vote:

AYES: 081

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Diehl	Dugger	Elmer	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Jones 117	Keeney	Kelley 126	Koenig
Lair	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Nance	Neth	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Sater
Schad	Schieber	Schneider	Schoeller	Smith 150
Solon	Sommer	Stream	Torpey	Wallingford
Wells	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 068

Allen	Anders	Atkins	Aull	Black
Carlson	Carter	Casey	Colona	Conway 27
Cookson	Denison	Ellinger	Ellington	Entlicher
Fallert	Fisher	Harris	Hodges	Holsman
Hughes	Hummel	Johnson	Jones 63	Kander
Kelly 24	Kirkton	Kratky	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Molendorp	Montecillo	Morgan	Nasheed	Newman
Nichols	Nolte	Oxford	Pace	Pierson
Quinn	Rizzo	Rowland	Ruzicka	Scharnhorst
Schieffer	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Walton Gray
Webb	Weter	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Funderburk	Hubbard	Jones 89	Klippenstein
Korman	Lampe	Largent	McGhee	Meadows
Pollock	Riddle	Schatz	Webber	

Representative Schad offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1640, Page 54, Section 302.132, Line 27, by inserting after all of said section and line, the following:

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered upervision as provided in section 302.303. . . . . 2 points
(except any violation of municipal stop sign ordinance where no accident is involved. . . . . 1 point)

(2) Speeding
In violation of a state law. . . . . 3 points
In violation of a county or municipal ordinance.. . . . . 2 points

(3) Leaving the scene of an accident in violation of section 577.060. . . . . 12 points
In violation of any county or municipal ordinance.. . . . . 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. . . . . 4 points
In violation of a county or municipal ordinance.. . . . . 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction. . . . . 2 points

(b) For the second conviction... . . . . 4 points

(c) For the third conviction. . . . . 6 points

(6) Operating with a suspended or revoked license prior to restoration of operating privileges. . . . 12 points

(7) Obtaining a license by misrepresentation. . . . . 12 points

(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs.. . . . . 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. . . . . 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight In violation of state law. . . . . 8 points
In violation of a county or municipal ordinance or federal law or regulation.. . . . . 8 points

(11) Any felony involving the use of a motor vehicle.. . . . . 12 points

(12) Knowingly permitting unlicensed operator to operate a motor vehicle.. . . . . 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. . . . . 4 points

(14) Endangerment of a highway worker in violation of section 304.585. . . . . 4 points

(15) Aggravated endangerment of a highway worker in violation of section 304.585. . . . . 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. . . . . 4 points

(17) Endangerment of an emergency responder in violation of section 304.894. . . . . 4 points

(18) Aggravated endangerment of an emergency responder in violation of section 304.894. . 12 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection.

304.890. As used in sections 304.890 to 304.894, the following terms shall mean:

(1) "Active emergency", any incident occurring on a highway, as the term "highway" is defined in section 302.010, that requires emergency services from any emergency responder;

(2) "Active emergency zone", any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency, or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:

(a) Appropriate signs or traffic control devices posted or placed by emergency responders; or

(b) An emergency vehicle displaying active emergency lights or signals;

(3) "Emergency responder", any law enforcement officer, paid or volunteer firefighter, first responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.

304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term "moving violation" is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.

2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.

3. The driver of a motor vehicle may not overtake or pass another motor vehicle within an active emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

(1) Exceeding the posted speed limit by fifteen miles per hour or more;

(2) Passing in violation of subsection 3 of section 304.892;

(3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;

(4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;

(5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument;

(6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or

(7) Committing any of the following offenses for which points may be assessed under section 302.302:

(a) Leaving the scene of an accident in violation of section 577.060;

(b) Careless and imprudent driving in violation of subsection 4 of section 304.016;

(c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;

(d) Operating with a suspended or revoked license;

(e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content;

(f) Any felony involving the use of a motor vehicle.

2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license pursuant to section 302.302.

3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license pursuant to section 302.302.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency.

5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Rowland offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 1640, Page 6, Line 26, by inserting after all of said line the following:

"Further amend said bill, Page 3, Section 136.055, Line 47, by inserting after all of said section and line the following:

'144.010. 1. The following words, terms, and phrases when used in sections 144.010 to 144.525 have the meanings ascribed to them in this section, except when the context indicates a different meaning:

(1) "Admission" includes seats and tables, reserved or otherwise, and other similar accommodations and charges made therefor and amount paid for admission, exclusive of any admission tax imposed by the federal government or by sections 144.010 to 144.525;

(2) "Business" includes any activity engaged in by any person, or caused to be engaged in by him, with the object of gain, benefit or advantage, either direct or indirect, and the classification of which business is of such character as to be subject to the terms of sections 144.010 to 144.525. The isolated or occasional sale of tangible personal property, service, substance, or thing, by a person not engaged in such business, does not constitute engaging in business within the meaning of sections 144.010 to 144.525 unless the total amount of the gross receipts from such sales, exclusive of receipts from the sale of tangible personal property by persons which property is sold in the course of the partial or complete liquidation of a household, farm or nonbusiness enterprise, exceeds three thousand dollars in any calendar year. The provisions of this subdivision shall not be construed to make any sale of property which is exempt from sales tax or use tax on June 1, 1977, subject to that tax thereafter;

(3) "Captive wildlife", includes but is not limited to exotic partridges, gray partridge, northern bobwhite quail, ring-necked pheasant, captive waterfowl, captive white-tailed deer, captive elk, and captive furbearers held under permit issued by the Missouri department of conservation for hunting purposes. The provisions of this subdivision shall not apply to sales tax on a harvested animal;

(4) "Gross receipts", except as provided in section 144.012, means the total amount of the sale price of the sales at retail including any services other than charges incident to the extension of credit that are a part of such sales made by the businesses herein referred to, capable of being valued in money, whether received in money or otherwise; except that, the term "gross receipts" shall not include the sale price of property returned by customers when the full sale price thereof is refunded either in cash or by credit. In determining any tax due under sections 144.010 to 144.525 on the gross receipts, charges incident to the extension of credit shall be specifically exempted. For the purposes of sections 144.010 to 144.525 the total amount of the sale price above mentioned shall be deemed to be the amount received. It shall also include the lease or rental consideration where the right to continuous possession or use of any article of tangible personal property is granted under a lease or contract and such transfer of possession would be taxable if outright sale were made and, in such cases, the same shall be taxable as if outright sale were made and considered as a sale of such article, and the tax shall be computed and paid by the lessee upon the rentals paid;

(5) "Livestock", cattle, calves, sheep, swine, ratite birds, including but not limited to, ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, horses, other equine, or rabbits raised in confinement for human consumption;

(6) "Motor vehicle leasing company" shall be a company obtaining a permit from the director of revenue to operate as a motor vehicle leasing company. Not all persons renting or leasing trailers or motor vehicles need to obtain such a permit; however, no person failing to obtain such a permit may avail itself of the optional tax provisions of subsection 5 of section 144.070, as hereinafter provided;

(7) "Person" includes any individual, firm, copartnership, joint adventure, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(8) "Purchaser" means a person who purchases tangible personal property or to whom are rendered services, receipts from which are taxable under sections 144.010 to 144.525;

(9) "Research or experimentation activities" are the development of an experimental or pilot model, plant process, formula, invention or similar property, and the improvement of existing property of such type. Research or experimentation activities do not include activities such as ordinary testing or inspection of materials or products for quality control, efficiency surveys, advertising promotions or research in connection with literary, historical or similar projects;

(10) "Sale" or "sales" includes installment and credit sales, and the exchange of properties as well as the sale thereof for money, every closed transaction constituting a sale, and means any transfer, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever, of tangible personal property for valuable consideration and the rendering, furnishing or selling for a valuable consideration any of the substances, things and services herein designated and defined as taxable under the terms of sections 144.010 to 144.525;

(11) "Sale at retail" means any transfer made by any person engaged in business as defined herein of the ownership of, or title to, tangible personal property to the purchaser, for use or consumption and not for resale in any form as tangible personal property, for a valuable consideration; except that, for the purposes of sections 144.010 to

144.525 and the tax imposed thereby: (i) purchases of tangible personal property made by duly licensed physicians, dentists, optometrists and veterinarians and used in the practice of their professions shall be deemed to be purchases for use or consumption and not for resale; and (ii) the selling of computer printouts, computer output or microfilm or microfiche and computer-assisted photo compositions to a purchaser to enable the purchaser to obtain for his or her own use the desired information contained in such computer printouts, computer output on microfilm or microfiche and computer-assisted photo compositions shall be considered as the sale of a service and not as the sale of tangible personal property. Where necessary to conform to the context of sections 144.010 to 144.525 and the tax imposed thereby, the term "sale at retail" shall be construed to embrace:

(a) Sales of admission tickets, cash admissions, charges and fees to or in places of amusement, entertainment and recreation, games and athletic events;

(b) Sales of electricity, electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(c) Sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations, and the sale, rental or leasing of all equipment or services pertaining or incidental thereto;

(d) Sales of service for transmission of messages by telegraph companies;

(e) Sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist camp, tourist cabin, or other place in which rooms, meals or drinks are regularly served to the public;

(f) Sales of tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane, and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(g) Registration with the director of revenue of motor vehicles, trailers, boats and outboard motors, regardless of whether the sale took place in this state;

(12) "Seller" means a person selling or furnishing tangible personal property or rendering services, on the receipts from which a tax is imposed pursuant to section 144.020;

(13) The noun "tax" means either the tax payable by the purchaser of a commodity or service subject to tax, or the aggregate amount of taxes due from the vendor of such commodities or services during the period for which he or she is required to report his or her collections, as the context may require;

(14) "Telecommunications service", for the purpose of this chapter, the transmission of information by wire, radio, optical cable, coaxial cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include the following if such services are separately stated on the customer's bill or on records of the seller maintained in the ordinary course of business:

(a) Access to the internet, access to interactive computer services or electronic publishing services, except the amount paid for the telecommunications service used to provide such access;

(b) Answering services and one-way paging services;

(c) Private mobile radio services which are not two-way commercial mobile radio services such as wireless telephone, personal communications services or enhanced specialized mobile radio services as defined pursuant to federal law; or

(d) Cable or satellite television or music services; and

(15) "Product which is intended to be sold ultimately for final use or consumption" means tangible personal property, or any service that is subject to state or local sales or use taxes, or any tax that is substantially equivalent thereto, in this state or any other state.

2. For purposes of the taxes imposed under sections 144.010 to 144.525, and any other provisions of law pertaining to sales or use taxes which incorporate the provisions of sections 144.010 to 144.525 by reference, the term "manufactured homes" shall have the same meaning given it in section 700.010.

3. Sections 144.010 to 144.525 may be known and quoted as the "Sales Tax Law".'; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Rowland, **House Amendment No. 1 to House Amendment No. 5** was adopted by the following vote:

AYES: 082

Anders	Atkins	Aull	Barnes	Black
Brandom	Carlson	Carter	Casey	Cauthorn
Colona	Conway 27	Cookson	Denison	Diehl
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franz	Gatschenberger
Gosen	Hampton	Harris	Hodges	Holsman
Hoskins	Houghton	Hughes	Hummel	Jones 63
Jones 89	Jones 117	Keeney	Kelly 24	Kirkton
Kratky	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Redmon	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieffer	Shively	Shumake	Silvey	Spreng
Still	Stream	Swearingen	Talboy	Taylor
Thomson	Walton Gray	Webb	Wells	Weter
Wright	Zerr			

NOES: 062

Allen	Asbury	Bahr	Bernskoetter	Berry
Brattin	Brown 50	Brown 85	Burlison	Cierpiot
Conway 14	Cox	Crawford	Cross	Curtman
Davis	Elmer	Flanigan	Franklin	Frederick
Fuhr	Grisamore	Guernsey	Haefner	Higdon
Hinson	Johnson	Kander	Kelley 126	Koenig
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
May	McCaherty	McGhee	McManus	McNary
Molendorp	Nance	Parkinson	Reiboldt	Schieber
Schoeller	Schupp	Sifton	Smith 71	Smith 150
Solon	Sommer	Torpey	White	Wieland
Wyatt	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 116	Day	Dieckhaus	Funderburk	Hough
Hubbard	Klippenstein	Korman	Lampe	Long
Meadows	Nolte	Pollock	Riddle	Schatz
Schneider	Swinger	Wallingford	Webber	

Representative Franklin offered **House Amendment No. 2 to House Amendment No. 5**.

House Amendment No. 2
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for House Bill No. 1640, Page 6, Line 26, by inserting after all of said line the following:

"Further amend said bill, Page 1 through 3, Section 136.055, Lines 1 through 47, by deleting all of said section and inserting in lieu thereof the following:

'136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities **located within the community where the office will be established** that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. **Any not-for-profit entity awarded a contract under this section shall submit the most recent annual report, prior to February first of each year, to the director of the department of revenue, which shall contain from the immediately preceding year:**

(1) The net receipts of the fee office;

(2) An itemization of all expenditures and administrative fees paid including both operating expenses and charitable contributions; and

(3) A list of all charities that benefit from the fees collected pursuant to this section.

Any not-for-profit entity awarded a contract under this section shall prominently display at their business location all charitable entities that will benefit from any fees collected pursuant to this section. The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

3. All fees collected by a tax-exempt organization may be retained and used by the organization.

4. All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

5. Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

6. The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department

shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information.'; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 2 to House Amendment No. 5** was adopted.

On motion of Representative Schad, **House Amendment No. 5, as amended**, was adopted.

On motion of Representative Denison, **HCS HB 1640, as amended**, was adopted.

On motion of Representative Denison, **HCS HB 1640, as amended**, was ordered perfected and printed.

HCS HB 1272, relating to actions and damages against jails, was taken up by Representative Kelley (126).

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1272, Page 1, Section 537.082, Lines 4-6, by deleting all of said lines and inserting in lieu thereof the following:

"**therein, the standard of proof shall be gross negligence.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

HCS HB 1272, as amended, was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

HOUSE RESOLUTION

Representative Barnes, et al., offered House Resolution No. 1726.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1644 through House Resolution No. 1725
House Resolution No. 1727 through House Resolution No. 1729

HOUSE CONCURRENT RESOLUTIONS

Representative Nolte, et al., offered House Concurrent Resolution No. 55.
Representative Nasheed offered House Concurrent Resolution No. 56.

PERFECTION OF HOUSE BILLS

HCS HB 1272, as amended, relating to actions and damages against jails, was again taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HCS HB 1272, as amended**, was adopted.

On motion of Representative Kelley (126), **HCS HB 1272, as amended**, was ordered perfected and printed by the following vote:

AYES: 074

Allen	Bahr	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Jones 89	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lasater	Leara
Lichtenegger	Loehner	Long	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schoeller	Shumake
Smith 150	Sommer	Stream	Thomson	Wallingford
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 070

Anders	Asbury	Atkins	Aull	Barnes
Brown 50	Brown 85	Carlson	Casey	Colona
Conway 27	Crawford	Cross	Day	Ellinger
Ellington	Elmer	Fallert	Frederick	Fuhr
Harris	Higdon	Hodges	Holsman	Hubbard
Hughes	Johnson	Jones 63	Kander	Kirkton
Kratky	Lauer	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber	Weter	White	Wieland

PRESENT: 001

Silvey

ABSENT WITH LEAVE: 018

Carter	Flanigan	Franz	Funderburk	Hummel
Jones 117	Kelly 24	Klippenstein	Lampe	Leach
Meadows	Nasheed	Nolte	Riddle	Schatz
Schneider	Torpey	Wells		

HCS HB 1515, relating to crimes and criminal procedures, was taken up by Representative Schad.

Speaker Tilley resumed the Chair.

Representative Schad offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1515, Page 3, Section 306.130, Line 20, by inserting after all of said line the following:

"455.020. 1. Any **[**adult**]** **person** who has been subject to domestic violence by a present or former family or household member, or who has been the victim of stalking, may seek relief under sections 455.010 to 455.085 by filing a verified petition alleging such domestic violence or stalking by the respondent.

2. **[**An adult's**]** **A person's** right to relief under sections 455.010 to 455.085 shall not be affected by his leaving the residence or household to avoid domestic violence.

3. Any protection order issued pursuant to sections 455.010 to 455.085 shall be effective throughout the state in all cities and counties.

455.035. 1. Upon the filing of a verified petition pursuant to sections 455.010 to 455.085 and for good cause shown in the petition, the court may immediately issue an ex parte order of protection. An immediate and present danger of **[**abuse**]** **domestic violence** to the petitioner **or the child on whose behalf the petition is filed** shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall take effect when entered and shall remain in effect until there is valid service of process and a hearing is held on the motion. **The court shall deny the ex parte and dismiss the petition if the petitioner is not authorized to seek relief under section 455.020.**

2. Failure to serve an ex parte order of protection on the respondent shall not affect the validity or enforceability of such order. If the respondent is less than seventeen years of age, unless otherwise emancipated, service of process shall be made upon a **custodial** parent or guardian of the respondent, or upon a guardian ad litem appointed by the court**, requiring that the person appear and bring the respondent before the court at the time and place stated**.

3. If an ex parte order is entered and **[**the allegations in the petition would give rise to jurisdiction under section 211.031 because**]** the respondent is less than seventeen years of age, the court shall transfer the case to juvenile court for a hearing on a full order of protection. The court shall appoint a guardian ad litem for any such respondent not represented by a parent or guardian.

455.040. 1. Not later than fifteen days after the filing of a petition **[**pursuant to sections 455.010 to 455.085**]** **that meets the requirements of section 455.020,** a hearing shall be held unless the court deems, for good cause shown, that a continuance should be granted. At the hearing, if the petitioner has proved the allegation of abuse or stalking by a preponderance of the evidence, the court shall issue a full order of protection for a period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year. Upon motion by the petitioner, and after a hearing by the court, the full order of protection may be renewed for a period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year from the expiration date of the originally issued full order of protection. The court may, upon finding that it is in the best interest of the parties, include a provision that any full order of protection for one year shall automatically renew unless the respondent requests a hearing by thirty days prior to the expiration of the order. If for good cause a hearing cannot be held on the motion to renew or the objection to an automatic renewal of the full order of protection prior to the expiration date of the originally issued full order of protection, an ex parte order of protection may be issued until a hearing is held on the motion. When an automatic renewal is not authorized, upon

motion by the petitioner, and after a hearing by the court, the second full order of protection may be renewed for an additional period of time the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year. For purposes of this subsection, a finding by the court of a subsequent act of abuse is not required for a renewal order of protection.

2. The court shall cause a copy of the petition and notice of the date set for the hearing on such petition and any ex parte order of protection to be served upon the respondent as provided by law or by any sheriff or police officer at least three days prior to such hearing. **[**Such notice shall be served at the earliest time, and service of such notice shall take priority over service in other actions, except those of a similar emergency nature.**]** The court shall cause a copy of any full order of protection to be served upon or mailed by certified mail to the respondent at the respondent's last known address. **Notice of an ex parte or full order of protection shall be served at the earliest time and service of such notice shall take priority over service in other actions, except those of a similar emergency nature.** Failure to serve or mail a copy of the full order of protection to the respondent shall not affect the validity or enforceability of a full order of protection.

3. A copy of any order of protection granted pursuant to sections 455.010 to 455.085 shall be issued to the petitioner and to the local law enforcement agency in the jurisdiction where the petitioner resides. The clerk shall also issue a copy of any order of protection to the local law enforcement agency responsible for maintaining the Missouri uniform law enforcement system or any other comparable law enforcement system the same day the order is granted. The law enforcement agency responsible for maintaining MULES shall, for purposes of verification, within twenty-four hours from the time the order is granted, enter information contained in the order including but not limited to any orders regarding child custody or visitation and all specifics as to times and dates of custody or visitation that are provided in the order. A notice of expiration or of termination of any order of protection or any change in child custody or visitation within that order shall be issued to the local law enforcement agency and to the law enforcement agency responsible for maintaining MULES or any other comparable law enforcement system. The law enforcement agency responsible for maintaining the applicable law enforcement system shall enter such information in the system within twenty-four hours of receipt of information evidencing such expiration or termination. The information contained in an order of protection may be entered in the Missouri uniform law enforcement system or comparable law enforcement system using a direct automated data transfer from the court automated system to the law enforcement system.

4. The court shall cause a copy of any objection filed by the respondent and notice of the date set for the hearing on such objection to an automatic renewal of a full order of protection for a period of one year to be personally served upon the petitioner by personal process server as provided by law or by a sheriff or police officer at least three days prior to such hearing. Such service of process shall be served at the earliest time and shall take priority over service in other actions except those of a similar emergency nature.

455.060. 1. After notice and hearing, the court may modify an order of protection at any time, upon subsequent motion filed by the guardian ad litem, the court-appointed special advocate or by either party together with an affidavit showing a change in circumstances sufficient to warrant the modification. All full orders of protection shall be final orders and appealable and shall be for a fixed period of time as provided in section 455.040.

2. Any order for child support, custody, temporary custody, visitation or maintenance entered under sections 455.010 to 455.085 shall terminate prior to the time fixed in the order upon the issuance of a subsequent order pursuant to chapter 452 or any other Missouri statute.

3. No order entered pursuant to sections 455.010 to 455.085 shall be res judicata to any subsequent proceeding, including, but not limited to, any action brought under chapter 452**[**, RSMo 1978, as amended**]**.

4. All provisions of an order of protection shall terminate upon entry of a decree of dissolution of marriage or legal separation except as to those provisions which require the respondent to participate in a court-approved counseling program or enjoin the respondent from abusing, molesting, stalking or disturbing the peace of the petitioner and which enjoin the respondent from entering the premises of the dwelling unit of the petitioner as described in the order of protection when the petitioner continues to reside in that dwelling unit unless the respondent is awarded possession of the dwelling unit pursuant to a decree of dissolution of marriage or legal separation.

5. Any order of protection or order for child support, custody, temporary custody, visitation or maintenance entered under sections 455.010 to 455.085 shall terminate upon the order of the court granting a motion to terminate the order of protection by the petitioner. **[**The court shall set the motion to dismiss for hearing and both parties shall have an opportunity to be heard.**]** Prior to terminating any order of protection, the court may **[**examine the circumstances of the motion to dismiss and may**]** inquire of the petitioner or others **in camera** in order to **[**assist the court in determining if**] determine whether the** dismissal is voluntary.

6. The order of protection may not change the custody of children when an action for dissolution of marriage has been filed or the custody has previously been awarded by a court of competent jurisdiction.

455.085. 1. When a law enforcement officer has probable cause to believe a party has committed a violation of law amounting to abuse or assault, as defined in section 455.010, against a family or household member, the officer may arrest the offending party whether or not the violation occurred in the presence of the arresting officer. When the officer declines to make arrest pursuant to this subsection, the officer shall make a written report of the incident completely describing the offending party, giving the victim's name, time, address, reason why no arrest was made and any other pertinent information. Any law enforcement officer subsequently called to the same address within a twelve-hour period, who shall find probable cause to believe the same offender has again committed a violation as stated in this subsection against the same or any other family or household member, shall arrest the offending party for this subsequent offense. The primary report of nonarrest in the preceding twelve-hour period may be considered as evidence of the defendant's intent in the violation for which arrest occurred. The refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

2. When a law enforcement officer has probable cause to believe that a party, against whom a protective order has been entered and who has notice of such order entered, has committed an act **[**of abuse**]** in violation of such order, the officer shall arrest the offending party-respondent whether or not the violation occurred in the presence of the arresting officer. Refusal of the victim to sign an official complaint against the violator shall not prevent an arrest under this subsection.

3. When an officer makes an arrest he is not required to arrest two parties involved in an assault when both parties claim to have been assaulted. The arresting officer shall attempt to identify and shall arrest the party he believes is the primary physical aggressor. The term "primary physical aggressor" is defined as the most significant, rather than the first, aggressor. The law enforcement officer shall consider any or all of the following in determining the primary physical aggressor:

(1) The intent of the law to protect victims **[**of domestic violence**]** from continuing **[**abuse**] domestic violence**;

(2) The comparative extent of injuries inflicted or serious threats creating fear of physical injury;

(3) The history of domestic violence between the persons involved.

No law enforcement officer investigating an incident of **[**family**] domestic** violence shall threaten the arrest of all parties for the purpose of discouraging requests or law enforcement intervention by any party. Where complaints are received from two or more opposing parties, the officer shall evaluate each complaint separately to determine whether he should seek a warrant for an arrest.

4. In an arrest in which a law enforcement officer acted in good faith reliance on this section, the arresting and assisting law enforcement officers and their employing entities and superiors shall be immune from liability in any civil action alleging false arrest, false imprisonment or malicious prosecution.

5. When a person against whom an order of protection has been entered fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

6. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

7. A violation of the terms and conditions, with regard to **[**abuse**] domestic violence**, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of an ex parte order of protection of which the respondent has notice, shall be a class A misdemeanor unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of such prior pleas of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

8. A violation of the terms and conditions, with regard to **[**abuse**] domestic violence**, stalking, child custody, communication initiated by the respondent or entrance upon the premises of the petitioner's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of a full order of protection shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of prior pleas of guilty or findings of guilt shall be heard by the court out of the presence of the jury prior to

submission of the case to the jury. If the court finds the existence of such prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of the sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict. For the purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection if the law enforcement officer responding to a call of a reported incident of abuse or violation of an order of protection presented a copy of the order of protection to the respondent.

9. Good faith attempts to effect a reconciliation of a marriage shall not be deemed tampering with a witness or victim tampering under section 575.270.

10. Nothing in this section shall be interpreted as creating a private cause of action for damages to enforce the provisions set forth herein.

455.505. 1. An order of protection for a child who has been subject to domestic violence by a present or former **[**adult**]** household member or person stalking the child may be sought under sections 455.500 to 455.538 by the filing of a verified petition alleging such domestic violence by the respondent.

2. A child's right to relief under sections 455.500 to 455.538 shall not be affected by his leaving the residence or household to avoid domestic violence.

3. Any protection order issued pursuant to sections 455.500 to 455.538 shall be effective throughout the state in all cities and counties.

455.513. 1. Upon the filing of a verified petition under sections 455.500 to 455.538, for good cause shown in the petition, and upon finding that no prior order regarding custody is pending or has been made or that the respondent is less than seventeen years of age, the court may immediately issue an ex parte order of protection. An immediate and present danger of **[**abuse**]** **domestic violence** to a child shall constitute good cause for purposes of this section. An ex parte order of protection entered by the court shall be in effect until the time of the hearing. **The court shall deny the ex parte and dismiss the petition if the petitioner is not authorized to seek relief under section 455.505.**

2. Upon the entry of the ex parte order of protection, the court shall enter its order appointing a guardian ad litem or court-appointed special advocate to represent the child victim.

3. If the allegations in the petition would give rise to jurisdiction under section 211.031, the court may direct the children's division to conduct an investigation and to provide appropriate services. The division shall submit a written investigative report to the court and to the juvenile officer within thirty days of being ordered to do so. The report shall be made available to the parties and the guardian ad litem or court-appointed special advocate.

4. If **[**an ex parte order is entered and**]** the allegations in the petition would give rise to jurisdiction under section 211.031 because the respondent is less than seventeen years of age, the court **may issue an ex parte order and** shall transfer the case to juvenile court for a hearing on a full order of protection. Service of process shall be made pursuant to section 455.035.

455.523. 1. Any full order of protection granted under sections 455.500 to 455.538 shall be to protect the victim from domestic violence and may include such terms as the court reasonably deems necessary to ensure the petitioner's safety, including but not limited to:

(1) Temporarily enjoining the respondent from abusing, threatening to abuse, molesting or disturbing the peace of the victim;

(2) Temporarily enjoining the respondent from entering the family home of the victim, except as specifically authorized by the court;

(3) Temporarily enjoining the respondent from communicating with the victim in any manner or through any medium, except as specifically authorized by the court.

2. When the court has, after hearing for any full order of protection, issued an order of protection, it may, in addition:

(1) Award custody of any minor child born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interests of the child require such order be issued;

(2) Award visitation;

(3) Award child support in accordance with supreme court rule 88.01 and chapter 452;

(4) Award maintenance to petitioner when petitioner and respondent are lawfully married in accordance with chapter 452;

(5) Order respondent to make or to continue to make rent or mortgage payments on a residence occupied by the victim if the respondent is found to have a duty to support the victim or other dependent household members;

(6) Order the respondent to participate in a court-approved counseling program designed to help **[**child abusers**]** stop violent behavior or to treat substance abuse;

(7) Order the respondent to pay, to the extent that he or she is able, the costs of his or her treatment, together with the treatment costs incurred by the victim;

(8) Order the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the victim by a shelter for victims of domestic violence.

455.538. 1. When a law enforcement officer has probable cause to believe that a party, against whom a protective order for a child has been entered, has committed an act of **[**abuse**]** **domestic violence** in violation of that order, he shall have the authority to arrest the respondent whether or not the violation occurred in the presence of the arresting officer.

2. When a person, against whom an order of protection for a child has been entered, fails to surrender custody of minor children to the person to whom custody was awarded in an order of protection, the law enforcement officer shall arrest the respondent, and shall turn the minor children over to the care and custody of the party to whom such care and custody was awarded.

3. The same procedures, including those designed to protect constitutional rights, shall be applied to the respondent as those applied to any individual detained in police custody.

4. (1) Violation of the terms and conditions of an ex parte or full order of protection with regard to abuse, child custody, communication initiated by the respondent, or entrance upon the premises of the victim's dwelling unit or place of employment or school, or being within a certain distance of the petitioner or a child of the petitioner, of which the respondent has notice, shall be a class A misdemeanor, unless the respondent has previously pleaded guilty to or has been found guilty in any division of the circuit court of violating an ex parte order of protection or a full order of protection within five years of the date of the subsequent violation, in which case the subsequent violation shall be a class D felony. Evidence of a prior plea of guilty or finding of guilt shall be heard by the court out of the presence of the jury prior to submission of the case to the jury. If the court finds the existence of a prior plea of guilty or finding of guilt beyond a reasonable doubt, the court shall decide the extent or duration of sentence or other disposition and shall not instruct the jury as to the range of punishment or allow the jury to assess and declare the punishment as a part of its verdict.

(2) For purposes of this subsection, in addition to the notice provided by actual service of the order, a party is deemed to have notice of an order of protection for a child if the law enforcement officer responding to a call of a reported incident of abuse or violation of an order of protection for a child presents a copy of the order of protection to the respondent.

5. The fact that an act by a respondent is a violation of a valid order of protection for a child shall not preclude prosecution of the respondent for other crimes arising out of the incident in which the protection order is alleged to have been violated."; and

Further amend said bill, Page 4, Section 513.653, Line 18, by inserting after all of said line the following:

"527.290. 1. Public notice of such a change of name shall be given at least three times in a newspaper published in the county where such person is residing, within twenty days after the order of court is made, and if no newspaper is published in his or any adjacent county, then such notice shall be given in a newspaper published in the City of St. Louis, or at the seat of government.

2. Public notice of such name change through publication as required in subsection 1 of this section shall not be required **and any system operated by the judiciary that is designed to provide public case information electronically shall not post the name change** if the petitioner is:

(1) The victim of a crime, the underlying factual basis of which is found by the court on the record to include an act of domestic violence, as defined in section 455.010;

(2) The victim of child abuse, as defined in section 210.110; or

(3) The victim of **[**abuse**]** **domestic violence** by a family or household member, as defined in section 455.010.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member **[**or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor**]**, as defined in section 455.010 and:

(1) The person attempts to cause or recklessly causes physical injury to such family or household member; or

(2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or

(3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or

(5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1515, Section 610.205, Page 11, Lines 35 to 37, by removing all of said lines and inserting the following:

"to counsel representing a defendant. Counsel may disclose such"; and

Further amend said bill by amending the title, clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 2** was adopted.

Representative Haefner offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1515, Page 1, Section A, Line 5, by inserting after all of said section and line, the following:

"160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's

education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

(1) First degree murder under section 565.020;

(2) Second degree murder under section 565.021;

(3) Kidnapping under section 565.110;

(4) First degree assault under section 565.050;

(5) Forcible rape under section 566.030;

(6) Forcible sodomy under section 566.060;

(7) Burglary in the first degree under section 569.160;

(8) Burglary in the second degree under section 569.170;

(9) Robbery in the first degree under section 569.020;

(10) Distribution of drugs under section 195.211;

(11) Distribution of drugs to a minor under section 195.212;

(12) Arson in the first degree under section 569.040;

(13) Voluntary manslaughter under section 565.023;

(14) Involuntary manslaughter under section 565.024;

(15) Second degree assault under section 565.060;

(16) Sexual assault under section 566.040;

(17) Felonious restraint under section 565.120;

(18) Property damage in the first degree under section 569.100;

(19) The possession of a weapon under chapter 571;

(20) Child molestation in the first degree pursuant to section 566.067;

(21) Deviate sexual assault pursuant to section 566.070;

(22) Sexual misconduct involving a child pursuant to section 566.083;

(23) Sexual abuse pursuant to section 566.100;

(24) Harassment under section 565.090; or

(25) Stalking under section 565.225; committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115,

such person and the superintendent of the school district shall **[**forward**]** **report** the allegation to the children's division **[**within twenty-four hours of receiving the information**]** **as set forth in section 210.115**. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the juvenile officer of the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the juvenile officer or a law enforcement officer designated by the juvenile officer and the superintendent of schools or, if the subject of the report is the superintendent of schools, by the juvenile officer or a law enforcement officer designated by the juvenile officer and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The juvenile officer or a law enforcement officer designated by the juvenile officer and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child

abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or juvenile officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio.

210.115. 1. When any physician, medical examiner, coroner, dentist, chiropractor, optometrist, podiatrist, resident, intern, nurse, hospital or clinic personnel that are engaged in the examination, care, treatment or research of persons, and any other health practitioner, psychologist, mental health professional, social worker, day care center worker or other child-care worker, juvenile officer, probation or parole officer, jail or detention center personnel, teacher, principal or other school official, minister as provided by section 352.400, peace officer or law enforcement official, or other person with responsibility for the care of children has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, that person shall immediately report **[**or cause a report to be made**]** to the division in accordance with the provisions of sections 210.109 to 210.183. As used in this section, the term "abuse" is not limited to abuse inflicted by a person responsible for the child's care, custody and control as specified in section 210.110, but shall also include abuse inflicted by any other person.

2. **[**Whenever such person is required to report pursuant to sections 210.109 to 210.183 in an official capacity as a staff member of a medical institution, school facility, or other agency, whether public or private, the person in charge or a designated agent shall be notified immediately. The person in charge or a designated agent shall then become responsible for immediately making or causing such report to be made to the division. Nothing in this section, however, is meant to preclude any person from reporting abuse or neglect**] When two or more persons who are required to report jointly have knowledge of a known or suspected instance of child abuse or neglect, a single report may be made by a member of the team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report**.

3. **The reporting requirements under this section are individual, and no supervisor or administrator may impede or inhibit any reporting under this section. No person making a report under this section shall be subject to any sanction for making such report. However, internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established provided such internal procedures are not inconsistent with this section.**

4. Notwithstanding any other provision of sections 210.109 to 210.183, any child who does not receive specified medical treatment by reason of the legitimate practice of the religious belief of the child's parents, guardian, or others legally responsible for the child, for that reason alone, shall not be found to be an abused or neglected child, and such parents, guardian or other persons legally responsible for the child shall not be entered into the central registry. However, the division may accept reports concerning such a child and may subsequently investigate or conduct a family assessment as a result of that report. Such an exception shall not limit the administrative or judicial authority of the state to ensure that medical services are provided to the child when the child's health requires it.

[4.**] 5.** In addition to those persons and officials required to report actual or suspected abuse or neglect, any other person may report in accordance with sections 210.109 to 210.183 if such person has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect.

[5.**] 6.** Any person or official required to report pursuant to this section, including employees of the division, who has probable cause to suspect that a child who is or may be under the age of eighteen, who is eligible to receive a certificate of live birth, has died shall report that fact to the appropriate medical examiner or coroner. If, upon review of the circumstances and medical information, the medical examiner or coroner determines that the child died of natural causes while under medical care for an established natural disease, the coroner, medical examiner or physician shall notify the division of the child's death and that the child's attending physician shall be signing the death certificate. In all other cases, the medical examiner or coroner shall accept the report for investigation, shall immediately notify the division of the child's death as required in section 58.452 and shall report the findings to the child fatality review panel established pursuant to section 210.192.

[6.**]** **7.** Any person or individual required to report may also report the suspicion of abuse or neglect to any law enforcement agency or juvenile office. Such report shall not, however, take the place of reporting **[**or causing a report to be made**]** to the division.

[7.**]** **8.** If an individual required to report suspected instances of abuse or neglect pursuant to this section has reason to believe that the victim of such abuse or neglect is a resident of another state or was injured as a result of an act which occurred in another state, the person required to report such abuse or neglect may, in lieu of reporting to the Missouri division of family services, make such a report to the child protection agency of the other state with the authority to receive such reports pursuant to the laws of such other state. If such agency accepts the report, no report is required to be made, but may be made, to the **[**Missouri**]** division **[**of family services**]**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Haefner, **House Amendment No. 3** was adopted.

Representative Cox offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1515, Page 4, Section 513.653, Line 18, by inserting after all of said line the following:

"558.019. 1. This section shall not be construed to affect the powers of the governor under article IV, section 7, of the Missouri Constitution. This statute shall not affect those provisions of section 565.020, section 558.018 or section 571.015, which set minimum terms of sentences, or the provisions of section 559.115, relating to probation.

2. The provisions of subsections 2 to 5 of this section shall be applicable to all classes of felonies except those set forth in chapter 195, and those otherwise excluded in subsection 1 of this section. For the purposes of this section, "prison commitment" means and is the receipt by the department of corrections of an offender after sentencing. For purposes of this section, prior prison commitments to the department of corrections shall not include commitment to a regimented discipline program established pursuant to section 217.378. Other provisions of the law to the contrary notwithstanding, any offender who has pleaded guilty to or has been found guilty of a felony other than a dangerous felony as defined in section 556.061 and is committed to the department of corrections shall be required to serve the following minimum prison terms:

(1) If the offender has one previous prison commitment to the department of corrections for a felony offense, the minimum prison term which the offender must serve shall be forty percent of his or her sentence or until the offender attains seventy years of age, and has served at least thirty percent of the sentence imposed, whichever occurs first;

(2) If the offender has two previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the offender must serve shall be fifty percent of his or her sentence or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first;

(3) If the offender has three or more previous prison commitments to the department of corrections for felonies unrelated to the present offense, the minimum prison term which the offender must serve shall be eighty percent of his or her sentence or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

3. Other provisions of the law to the contrary notwithstanding, any offender who has pleaded guilty to or has been found guilty of a dangerous felony as defined in section 556.061 and is committed to the department of corrections shall be required to serve a minimum prison term of eighty-five percent of the sentence imposed by the court or until the offender attains seventy years of age, and has served at least forty percent of the sentence imposed, whichever occurs first.

4. For the purpose of determining the minimum prison term to be served, the following calculations shall apply:

(1) A sentence of life shall be calculated to be thirty years;

(2) Any sentence either alone or in the aggregate with other consecutive sentences for crimes committed at or near the same time which is over seventy-five years shall be calculated to be seventy-five years.

5. For purposes of this section, the term "minimum prison term" shall mean time required to be served by the offender before he or she is eligible for parole, conditional release or other early release by the department of corrections.

6. (1) A sentencing advisory commission is hereby created to consist of eleven members. One member shall be appointed by the speaker of the house. One member shall be appointed by the president pro tem of the senate. One member shall be the director of the department of corrections. Six members shall be appointed by and serve at the pleasure of the governor from among the following: the public defender commission; private citizens; a private member of the Missouri Bar; the board of probation and parole; and a prosecutor. Two members shall be appointed by the supreme court, one from a metropolitan area and one from a rural area. All members shall be appointed to a four-year term. All members of the sentencing commission appointed prior to August 28, 1994, shall continue to serve on the sentencing advisory commission at the pleasure of the governor.

(2) The commission shall study sentencing practices in the circuit courts throughout the state for the purpose of determining whether and to what extent disparities exist among the various circuit courts with respect to the length of sentences imposed and the use of probation for offenders convicted of the same or similar crimes and with similar criminal histories. The commission shall also study and examine whether and to what extent sentencing disparity among economic and social classes exists in relation to the sentence of death and if so, the reasons therefor sentences are comparable to other states, if the length of the sentence is appropriate, and the rate of rehabilitation based on sentence. It shall compile statistics, examine cases, draw conclusions, and perform other duties relevant to the research and investigation of disparities in death penalty sentencing among economic and social classes.

(3) **[**The commission shall establish a system of recommended sentences, within the statutory minimum and maximum sentences provided by law for each felony committed under the laws of this state. This system of recommended sentences shall be distributed to all sentencing courts within the state of Missouri. The recommended sentence for each crime shall take into account, but not be limited to, the following factors:

(a) The nature and severity of each offense;

(b) The record of prior offenses by the offender;

(c) The data gathered by the commission showing the duration and nature of sentences imposed for each crime; and

(d) The resources of the department of corrections and other authorities to carry out the punishments that are imposed.

(4)**]** The commission shall study alternative sentences, prison work programs, work release, home-based incarceration, probation and parole options, and any other programs and report the feasibility of these options in Missouri.

[(5) The commission shall publish and distribute its recommendations on or before July 1, 2004. The commission shall study the implementation and use of the recommendations until July 1, 2005, and return a report to the governor, the speaker of the house of representatives, and the president pro tem of the senate. Following the July 1, 2005, report, the commission shall revise the recommended sentences every two years.

(6)**] (4)** The governor shall select a chairperson who shall call meetings of the commission as required or permitted pursuant to the purpose of the sentencing commission.

[(7)**] (5)** The members of the commission shall not receive compensation for their duties on the commission, but shall be reimbursed for actual and necessary expenses incurred in the performance of these duties and for which they are not reimbursed by reason of their other paid positions.

[(8)**] (6)** The circuit and associate circuit courts of this state, the office of the state courts administrator, the department of public safety, and the department of corrections shall cooperate with the commission by providing information or access to information needed by the commission. The office of the state courts administrator will provide needed staffing resources.

7. Courts shall retain discretion to lower or exceed the sentence recommended by the commission as otherwise allowable by law, and to order restorative justice methods, when applicable.

8. If the imposition or execution of a sentence is suspended, the court may order any or all of the following restorative justice methods, or any other method that the court finds just or appropriate:

(1) Restitution to any victim or a statutorily created fund for costs incurred as a result of the offender's actions;

(2) Offender treatment programs;

(3) Mandatory community service;

(4) Work release programs in local facilities; and

(5) Community-based residential and nonresidential programs.

9. The provisions of this section shall apply only to offenses occurring on or after August 28, 2003.

10. Pursuant to subdivision (1) of subsection 8 of this section, the court may order the assessment and payment of a designated amount of restitution to a county law enforcement restitution fund established by the county commission pursuant to section 50.565. Such contribution shall not exceed three hundred dollars for any charged offense. Any

restitution moneys deposited into the county law enforcement restitution fund pursuant to this section shall only be expended pursuant to the provisions of section 50.565.

11. A judge may order payment to a restitution fund only if such fund had been created by ordinance or resolution of a county of the state of Missouri prior to sentencing. A judge shall not have any direct supervisory authority or administrative control over any fund to which the judge is ordering a defendant to make payment.

12. A defendant who fails to make a payment to a county law enforcement restitution fund may not have his or her probation revoked solely for failing to make such payment unless the judge, after evidentiary hearing, makes a finding supported by a preponderance of the evidence that the defendant either willfully refused to make the payment or that the defendant willfully, intentionally, and purposefully failed to make sufficient bona fide efforts to acquire the resources to pay.

13. Nothing in this section shall be construed to allow the sentencing advisory commission to issue recommended sentences in specific cases pending in the courts of this state."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 4** was adopted.

Representative Elmer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1515, Page 10, Section 575.080, Line 18, by inserting after all of said section and line, the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public.
As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions

shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) Operational guidelines and policies developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, the agency shall affirmatively state in writing that disclosure would impair its ability to protect the safety or health of persons, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records. This exception shall sunset on December 31, **[**2012**]** **2016**;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(d) This exception shall sunset on December 31, **[**2012**]** **2016**;

(20) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(21) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public

governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

(22) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 5** was adopted.

Representative Black offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1515, Page 4, Section 513.653, Line 18, by inserting after all of said section and line, the following:

"**544.456. 1. This section shall be known and may be cited as "Sam Pratt's Law".**

2. In any case involving abuse, neglect, or death of a child, any court with competent jurisdiction may impose as a condition of release of a defendant under section 544.455 that such defendant be prohibited from providing child care services for compensation pending final disposition of the case."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 6** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Frederick	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Parkinson	Phillips	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Jones 63
Kander	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 024

Carter	Colona	Flanigan	Franklin	Franz
Funderburk	Gatschenberger	Higdon	Holsman	Hughes
Hummel	Jones 117	Kelly 24	Klippenstein	Long
McNary	Meadows	Nasheed	Nolte	Pollock
Richardson	Schatz	Schneider	Wells	

On motion of Representative Schad, **HCS HB 1515, as amended**, was adopted.

On motion of Representative Schad, **HCS HB 1515, as amended**, was ordered perfected and printed.

HCS HB 1608, relating to unfunded and obsolete programs, was taken up by Representative White.

Representative Sater offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1608, Pages 3-4, Section 198.087, Lines 1-37, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 4, Section 198.527, Line 9, by placing an opening bracket "**[**" immediately before the phrase "the Missouri"; and

Further amend said bill, page, section, and line, by placing a closing bracket "**]**" immediately after the phrase "process, and"; and

Further amend said bill, page, and section, Lines 18-26, by deleting all of said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 1** was adopted.

On motion of Representative White, **HCS HB 1608, as amended**, was adopted.

On motion of Representative White, **HCS HB 1608, as amended**, was ordered perfected and printed.

HB 1066, relating to unemployment compensation, was taken up by Representative McGhee.

On motion of Representative McGhee, **HB 1066** was ordered perfected and printed.

HB 1109, relating to federal holidays, was taken up by Representative Brattin.

Representative Brattin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1109, Page 1, Section 9.015, Line 3, by inserting after the word "**holiday.**" on said line the following:

"**This shall not be construed to limit the ability of a state or local governmental entity, public building, public park, public school, or public setting or place from restricting the use of fireworks.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Frederick	Fuhr	Gosen	Guernsey
Haefner	Hampton	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Molendorp	Nance	Nolte	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hughes	Jones 63	Kander	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Colona	Flanigan	Franz	Funderburk	Gatschenberger
Grisamore	Higdon	Hinson	Hubbard	Hummel
Kelly 24	Klippenstein	McNary	Nasheed	Neth
Pollock	Schatz	Schneider	Wells	

On motion of Representative Brattin, **HB 1109, as amended**, was ordered perfected and printed.

HCS HB 1110, relating to veterans treatment courts, was taken up by Representative Barnes.

Representative Fuhr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1110, Page 3, Section 478.008, Line 19, by inserting after the phrase "**or modified.**" on said line, the phrase "**This subsection shall not apply to any veterans treatment court participant who has previously had the charges, petition, or penalty dismissed, reduced, or modified under the provisions of this subsection.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 1** was adopted.

On motion of Representative Barnes, **HCS HB 1110, as amended**, was adopted.

On motion of Representative Barnes, **HCS HB 1110, as amended**, was ordered perfected and printed.

HCS HB 1789, relating to student travel hardships, was taken up by Representative Schad.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Elmer	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Jones 63	Kander	Kirkton	Lampe	May
McCann Beatty	McCreery	McGeoghegan	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 024

Berry	Colona	Day	Denison	Entlicher
Franz	Funderburk	Holsman	Hughes	Hummel
Kelly 24	Klippenstein	Kratky	McDonald	McManus
McNary	Nolte	Parkinson	Pollock	Sater
Scharnhorst	Schatz	Schieffer	Wells	

On motion of Representative Schad, **HCS HB 1789** was adopted by the following vote:

AYES: 085

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kirkton	Koenig	Korman	Lair	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	Neth	Parkinson	Pollock
Reiboldt	Richardson	Riddle	Ruzicka	Schad
Scharnhorst	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 065

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Fitzwater	Flanigan	Fraker	Franklin
Grisamore	Harris	Hodges	Holsman	Hubbard
Jones 63	Kander	Kelley 126	Kratky	Lampe
Largent	Lasater	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Rizzo
Rowland	Schieber	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	Wright

PRESENT: 000

ABSENT WITH LEAVE: 013

Colona	Franz	Funderburk	Hughes	Hummel
Kelly 24	Klippenstein	McNary	Nasheed	Nolte
Sater	Schatz	Schieffer		

On motion of Representative Schad, **HCS HB 1789** was ordered perfected and printed.

HB 1273, relating to school bus advertisement, was taken up by Representative Kelley (126).

Representative Webber offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1273, Page 2, Section 171.400, Line 15, by inserting after all said line the following:

"**2. Notwithstanding any provision of this section or any other law to the contrary, no advertising shall be permitted on any new school bus purchased after January 1, 2015, unless such bus is also equipped with passenger safety belts for each student. This prohibition on advertising shall not apply to any school bus purchased prior to such date.**"; and

Further amend said bill, Page 2, Section 171.400, Line 16, by deleting "**2.**" and inserting in lieu thereof "**3.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Webber moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Hubbard	Jones 63	Jones 117	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Scharnhorst	Schupp	Shively	Sifton
Silvey	Smith 71	Spreng	Still	Talboy
Taylor	Walton Gray	Webb	Webber	Mr Speaker

NOES: 099

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schieber	Schneider	Schoeller	Smith 150	Solon

Sommer	Stream	Swearingen	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 014

Colona	Denison	Dieckhaus	Franz	Funderburk
Holsman	Hughes	Hummel	Kelly 24	Klippenstein
Nolte	Schatz	Schieffer	Shumake	

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Jones 63
Kander	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 018

Bahr	Colona	Denison	Franklin	Franz
Funderburk	Holsman	Hubbard	Hughes	Hummel
Jones 117	Kelly 24	Klippenstein	May	Nolte
Schatz	Schieffer	White		

On motion of Representative Kelley (126), **HB 1273** was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 52 - General Laws

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 80 - Veterans
HJR 87 - Elections
HJR 90 - Elementary and Secondary Education
HJR 91 - General Laws
HJR 92 - Elections

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1403 - Fiscal Review
HCS HB 1515 - Fiscal Review
HCS HB 1640 - Fiscal Review
HB 1727 - Ways and Means
HB 1883 - Crime Prevention and Public Safety
HB 1913 - Special Standing Committee on Disability Services
HB 1915 - Crime Prevention and Public Safety
HB 1961 - Insurance Policy
HB 1970 - Judiciary
HB 1983 - International Trade and Job Creation
HB 1989 - General Laws
HB 1990 - Health Care Policy
HB 1997 - Elementary and Secondary Education
HB 2029 - General Laws
HB 2030 - General Laws
HB 2033 - Economic Development
HB 2034 - Economic Development
HB 2044 - Economic Development
HB 2046 - General Laws

HB 2057 - Workforce Development and Workplace Safety
HB 2058 - Transportation
HB 2059 - Local Government
HB 2063 - Transportation
HB 2078 - Children and Families
HB 2079 - Elementary and Secondary Education
HB 2081 - Crime Prevention and Public Safety
HB 2099 - Workforce Development and Workplace Safety
HB 2109 - Elections

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SS#2 SJR 48 - Special Standing Committee on Judicial Reform

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SBs 489 & 637 - General Laws
SCS SB 591 - General Laws
SS SCS SB 592 - Workforce Development and Workplace Safety
SS SB 607 - Transportation
SS SB 781 - Local Government

COMMITTEE REPORTS

Committee on Budget, Chairman Silvey reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2019**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1592**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1709**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1710**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1779**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HJR 89**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 18

WHEREAS, there are currently more than 105,000 people waiting for an organ donation, with the largest waiting group being persons 18 to 49 years of age; and

WHEREAS, more than 7,000 people die each year due to the lack of organs, with an average of 18 people dying each day while on the waiting list for an organ donation; and

WHEREAS, approximately 30,000 people a year have begun new lives thanks to an organ transplant; and

WHEREAS, organs and tissue from a single nonliving donor can be used to benefit more than 50 people. Living donors can donate a kidney and parts of their liver, lung, pancreas, or intestine, and can be evaluated to help a friend, family member, or even donate anonymously to patients of the wait list; and

WHEREAS, raising and promoting awareness and information about the need for organ and tissue donors and encouraging people to become an organ donor and tissue donor is vitally important to increase the number of lives saved and changed for the better through organ donation; and

WHEREAS, every person must be advised of their option to donate an organ. By focusing on education and donor awareness, every person can be informed on the need for organ donors; and

WHEREAS, the following excerpt is from "To Remember Me - I Will Live Forever", written by American Poet Robert Noel Test (1926 - 1994):

"...And don't call this my deathbed. Let it be called the bed of life, and let my body be taken from it to help others lead fuller lives.

Give my sight to the man who has never seen a sunrise, a baby's face or love in the eyes of a woman.

Give my heart to a person whose own heart has caused nothing but endless days of pain.

Give my blood to the teenager who was pulled from the wreckage of his car, so that he might live to see his grandchildren play.

Give my kidneys to the one who depends on a machine to exist from week to week.

Take my bones, every muscle, every fiber and nerve in my body and find a way to make a crippled child walk. Explore every corner of my brain.

Take my cells, if necessary, and let them grow so that, someday a speechless boy will shout at the crack of a bat and a deaf girl will hear the sound of rain against her window..."; and

WHEREAS, public awareness of the great need for organ donation is the key to increasing the number of organ donors and thereby saving lives and improving the quality of life for recipients of organ donation:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby designate April 2012 as "Donate Life Month" in Missouri.

BE IT FURTHER RESOLVED that the General Assembly encourages and recommends that people of the State of Missouri observe Organ Donor Life Month through activities which will increase awareness of organ donation and the need for organ donors.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 655**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1328**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1358**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **HCR 46**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 46

WHEREAS, Ameren Missouri owns and manages the Lake of the Ozarks, Bagnell Dam, and Osage hydroelectric plant under its license from the Federal Energy Regulatory Commission (FERC); and

WHEREAS, under its license agreement, Ameren Missouri was required to develop a shoreline management plan, which was submitted to FERC in 2008; and

WHEREAS, FERC regulations require that only land needed for the dam's operation, recreation, shoreline control, and environmental protection be included in the boundary; and

WHEREAS, Lake area residents and visitors enjoy a wide range of recreational activities and opportunities on lakefront property, including a 17,441 acre playground just south of Osage Beach; and

WHEREAS, Lake of the Ozarks State Park is Missouri's largest park with over 85 miles of shoreline and two public beaches, plus boat launching areas; and

WHEREAS, with the significant role that recreational activities play in the economic well-being of the Lake region, the current lakefront access enjoyed by residents, businesses, and visitors is vital to the financial viability and growth of the Lake of the Ozarks; and

WHEREAS, on July 26, 2011, FERC issued its order modifying and approving the shoreline management plan. In its order, FERC required Ameren Missouri to file for FERC approval a detailed report to each nonconforming structure and encroachment and Ameren Missouri's proposed course of action; and

WHEREAS, FERC did not demand or otherwise require any of the nonconforming structures be removed. On August 25, 2011, Ameren Missouri requested that FERC allow them to revise the project boundary to exclude those properties that were not needed to serve the purpose of the project; and

WHEREAS, Ameren Missouri requested that for those properties located within the current project boundary, where Ameren Missouri owns property in fee, upon which a residential dwelling has been built either in whole or in part, Ameren Missouri would redraw the project boundary to exclude the property, subject to certain conditions, such as environmental assessments, one-time fees, and legal surveys; and

WHEREAS, FERC clarified its position and specifically stated that "Nothing in the SMP, the July 26 Order or in this order has any impact on property rights. Whatever rights entities have in lands within the boundaries of the Osage Project - whether conferred by deed, lease, easement, or other conveyance - have not been and will not be altered by action in these proceedings. This Commission has no jurisdiction to rule on property rights, which are matters of state law."; and

WHEREAS, FERC did not approve the request to make homeowner's pay for legal surveys or the request for the payment of a one-time fee from the homeowners; and

WHEREAS, as part of the creation of the project boundary, Union Electric Land and Development Company reserved an easement to all of the lands that became the Lake of the Ozarks. For approximately 60 years thereafter, Union Electric allowed unrestricted access with little or no permits required; and

WHEREAS, developers and property owners acted in relation to that easement without question, with the common understanding that if land adjoining the lake was purchased, access to the water came with such property; and

WHEREAS, on January 31, 2012, Ameren Missouri filed its amended shoreline management plan with FERC which included a new project boundary for approval. Ameren Missouri says the new plan will ensure that most, but not all, of the 1,600 homes along the Lake of the Ozarks shoreline are not threatened with removal; and

WHEREAS, Ameren Missouri's new shoreline management plan revises the shoreline boundary so that most of the homes are no longer encroaching onto land that is part of the Bagnell Dam hydroelectric project; and

WHEREAS, banks and real estate companies in the Lake area warned that removal of homes and other structures would damage an already fragile real estate market; and

WHEREAS, the Missouri General Assembly is sensitive to the important nature of these issues for the property owners, citizens, and businesses; and

WHEREAS, hoping to end months of anxiety and confusion, to provide certainty, and to facilitate a swift resolution between FERC, Ameren Missouri, and the affected property owners, the Missouri General Assembly urges FERC and Ameren Missouri to cooperate and coordinate the proposed shoreline management plan with local government and the affected property owners; and

WHEREAS, coordination works because most federal agencies are specifically directed by Congress to work with local governments through this process before implementing policies or plans that will impact the local community; and

WHEREAS, given the impact of these important property questions on real estate transactions within the Lake of the Ozarks region, these property issues must be resolved with the utmost diligence; and

WHEREAS, since there is sufficient time prior to FERC's deadline for submission of a revised shoreline management plan in June 2012, Ameren Missouri should work with local government and the affected property owners to ensure that under the amended shoreline management plan no property owners in the affected areas will lose their homes or businesses:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urges Ameren Missouri, the Federal Energy Regulatory Commission, and the affected property owners to cooperate in coordinating a swift resolution to the shoreline management plan project at the Lake of the Ozarks that respects the rights of property owners under Missouri law; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Ameren Missouri and the Federal Energy Regulatory Commission.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **HJR 85**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 28.**

SENATE CONCURRENT RESOLUTION NO. 28

WHEREAS, the State of Missouri first adopted the Missouri Criminal Code in 1977 to create a cohesive body of criminal law to be published in one portion of the Revised Statutes of Missouri; and

WHEREAS, the Code now lacks the cohesiveness it was created to embody after more than three decades of criminal statutes being enacted outside of the Missouri Criminal Code and non-criminal statutes being added to the Code; and

WHEREAS, the statutes enacted over the years include duplicative and conflicting criminal laws and inconsistent penalties; and

WHEREAS, some of these laws, in practice, have not had the intended effect of serving practitioners of criminal law and victims of crimes; and

WHEREAS, the Missouri Bar Association has spent four years developing recommendations for improving the Missouri Criminal Code, making the Code more cohesive and consistent, and repealing duplicative and conflicting provisions; and

WHEREAS, the recommendations of the Missouri Bar Association encompass more than 700 sections of law; and

WHEREAS, the General Assembly understands the importance and immensity of reviewing the recommendations and developing a plan to revise the Missouri Criminal Code:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the Joint Committee on the Missouri Criminal Code; and

BE IT FURTHER RESOLVED that the Committee shall be composed of two majority party members to be appointed by the President Pro Tempore of the Senate and one minority party member to be appointed by the Minority Leader of the Senate, and two majority party members to be appointed by the Speaker of the House of Representatives, and one minority party member to be appointed by the Minority Leader of the House of Representatives; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive review of the Missouri Criminal Code and the Missouri Bar Associations recommendations, examine any other issues that the Committee deems relevant, and make any recommendations for improving the cohesiveness, consistency, and effectiveness of the state's criminal laws; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research and Senate Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the actual expenses of the Joint Committee, its members, and any staff assigned to the Joint Committee incurred by the Joint Committee shall be paid by the Joint Contingency Fund; and

BE IT FURTHER RESOLVED that the Joint Committee is authorized to begin its work beginning on the adoption of this resolution and continue during the legislative interim between the Second Regular Session of the Ninety-sixth General Assembly and the First Regular Session of the Ninety-seventh General Assembly through December 31, 2012, as authorized by **State v. Atterburry**, 300 S.W. 2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by November 15, 2012, and the authority of such Committee shall terminate on November 14, 2012.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Schatz.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, April 5, 2012.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Steve Hodges, District 161, hereby state and affirm that my presence as recorded on Page 873 of the Journal of the House for Monday, April 2, 2012, was not properly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, and my absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of April 2012.

/s/ Steve Hodges
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 4th day of April in the year 2012.

/s/ Megan Limbach
Notary Public

_____

I, State Representative Donna Lichtenegger, District 157, hereby state and affirm that my vote as recorded on Page 881 of the Journal of the House for Tuesday, April 3, 2012, by which House Bill No. 1403, as amended, was ordered perfected and printed, was incorrectly recorded as No. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted Present. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did vote on this motion, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 4th day of April 2012.

/s/ Donna Lichtenegger
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 4th day of April in the year 2012.

/s/ Leticia J. Long
Notary Public

COMMITTEE MEETINGS

AGRICULTURE POLICY
Thursday, April 5, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HB 1895
Executive session may be held on any matter referred to the committee.

AGRICULTURE POLICY
Tuesday, April 10, 2012, 2:00 PM House Hearing Room 6.
Executive session will be held: HB 1254
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, April 5, 2012, 9:00 AM House Hearing Room 4.
Executive session will be held: HJR 42, HB 1900, SS SCS SB 467, SS SCS SB 469

FINANCIAL INSTITUTIONS
Wednesday, April 11, 2012, 5:00 PM House Hearing Room 6.
Public hearing will be held: HB 1844, SCS SB 635, SCS SB 726
Executive session will be held: HB 1844, SCS SB 635, SCS SB 726
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, April 5, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Thursday, April 5, 2012, 9:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Thursday, April 5, 2012, 9:30 AM North Gallery.
Executive session will be held: SCS SB 563
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, April 5, 2012, 9:40 AM House Hearing Room 6.
Executive session will be held: HCR 6, HCS HCR 33, HCR 53, HCS HB 1274, HCS HB 1305, HCS#2 HB 1323, HB 1359, HCS HB 1476, HCS HB 1490, HCS HB 1521, HCS HB 1854, HCS HB 1794, HCS HB 1865, HCS HBs 1934 & 1654, HCS HB 1367
Executive session may be held on any or all bills which have been referred to this committee.

TOURISM AND NATURAL RESOURCES
Thursday, April 5, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HCR 49, HB 1752
Executive session will be held: HB 1795
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Thursday, April 5, 2012, 9:45 AM South Gallery.
Executive session will be held: HB 1836
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SECOND DAY, THURSDAY, APRIL 5, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 47 - Dugger
2 HJR 49 - Brattin
3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HCS HB 1134 - Scharnhorst
4 HCS HB 1549 - Richardson
5 HCS HB 1717 - Kelley (126)
6 HCS HB 1256 - Diehl
7 HCS HB 1211 - Dieckhaus
8 HCS HB 1364 - Schieffer
9 HCS HB 1383 - Cox
10 HCS HB 1444 - Smith (150)
11 HCS HB 1458 - Hinson
12 HB 1534 - Bahr
13 HB 1540 - Jones (89)
14 HCS HBs 1574 & 1097 - Meadows
15 HCS HB 1661 - Hoskins
16 HCS HB 1826 - Fitzwater
17 HCS HB 1860 - Guernsey

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1403, (Fiscal Review 4/4/12), E.C. - Schatz
5 HCS HB 1060 - Dugger
6 HCS HB 1361 - Pollock
7 HCS HB 1111 - Gosen
8 HCS HB 1150 - Smith (150)
9 HB 1691 - Dugger
10 HCS HB 1640, (Fiscal Review 4/4/12) - Denison
11 HCS HB 1272 - Kelley (126)

12 HCS HB 1515, (Fiscal Review 4/4/12) - Schad
13 HCS HB 1608 - White
14 HB 1066 - McGhee
15 HB 1109 - Brattin
16 HCS HB 1110 - Barnes
17 HCS HB 1789 - Schad
18 HB 1273 - Kelley (126)

HOUSE CONCURRENT RESOLUTIONS

1 HCR 7 - Rowland
2 HCR 31 - Schieffer
3 HCR 36 - Asbury
4 HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-SECOND DAY, THURSDAY, APRIL 5, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are the peacemakers: for they shall be called children of God. (Matthew 5:9)

O God, we know that by ourselves we are not adequate for this day, nor are we ready for our responsibilities, nor are we equal to our experiences. By Your grace we can become adequate, by Your spirit we can be made ready, and by Your presence we can be equal to every experience.

As we wait upon You in prayer, reveal Yourself anew to us, and come into our hearts. Then with new peace, greater power, and with better perspective may we serve our state well this day and all days. Help us, the representatives of our people, to see clearly, to choose wisely, and to act courageously, that we may be among the true peacemakers of our time.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

Students from the Agape Boarding School, Stockton, Missouri, sang "The Star-Spangled Banner."

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jermond L. Mosley, Lauren Sullivan, Mazie Patek, Michael Higdon, Kierston Higdon and Kelsey Johnston.

The Journal of the fifty-first day was approved as printed.

HOUSE RESOLUTION

Representative Wyatt, et al., offered House Resolution No. 1773.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1730 through House Resolution No. 1772
House Resolution No. 1774 through House Resolution No. 1781

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1110 - Fiscal Review

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1110**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1403**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1515**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1640**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 1789, relating to student travel hardships, was taken up by Representative Schad.

Representative Conway (14) assumed the Chair.

On motion of Representative Schad, **HCS HB 1789** was read the third time and passed by the following vote:

AYES: 085

Allen	Bahr	Barnes	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Carter	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Flanigan	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Lair	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Nasheed	Neth	Nolte
Pollock	Richardson	Riddle	Schad	Schneider
Schoeller	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Webb
Weter	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 072

Anders	Asbury	Atkins	Aull	Brown 50
Carlson	Casey	Colona	Conway 27	Davis
Ellington	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Grisamore	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Kander
Kratky	Lampe	Largent	Lasater	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Molendorp	Montecillo	Morgan
Nance	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Reiboldt
Rizzo	Rowland	Ruzicka	Sater	Schieber
Schieffer	Schupp	Shively	Shumake	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	Wells
White	Wright			

PRESENT: 000

ABSENT WITH LEAVE: 006

Funderburk	Klippenstein	Meadows	Parkinson	Scharnhorst
Schatz				

Representative Conway (14) declared the bill passed.

HCS HB 1060, relating to elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1060** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream

Swearingen	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 035

Aull	Carlson	Carter	Colona	Ellinger
Ellington	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kirkton	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Smith 71	Spreng
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 005

Funderburk	Higdon	Klippenstein	Meadows	Schatz

Representative Conway (14) declared the bill passed.

HCS HB 1361, relating to utilities, was taken up by Representative Pollock.

Representative Silvey assumed the Chair.

On motion of Representative Pollock, **HCS HB 1361** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 116	Carlson	Carter	Casey
Cauthorn	Conway 27	Cookson	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Grisamore	Guernsey	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	May	McCann Beatty
McDonald	McGhee	McManus	McNary	McNeil
Montecillo	Morgan	Nance	Neth	Nichols
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger

Talboy	Thomson	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 033

Bahr	Brown 85	Burlison	Cierpiot	Colona
Conway 14	Cox	Ellington	Fuhr	Gosen
Haefner	Hughes	Jones 89	Kirkton	Koenig
Korman	Leara	Marshall	McCaherty	McCreery
McGeoghegan	Meadows	Molendorp	Nasheed	Newman
Nolte	Oxford	Parkinson	Scharnhorst	Schupp
Sifton	Torpey	White		

PRESENT: 000

ABSENT WITH LEAVE: 007

Brattin	Day	Dieckhaus	Funderburk	Klippenstein
Schatz	Taylor			

Representative Silvey declared the bill passed.

HCS HB 1111, relating to abandoned towed vehicles, was taken up by Representative Gosen.

On motion of Representative Gosen, **HCS HB 1111** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71

Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 001

May

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Colona	Day	Dieckhaus	Diehl
Funderburk	Higdon	Hodges	Hughes	Jones 117
Klippenstein	Richardson	Schatz	Spreng	Mr Speaker

Representative Silvey declared the bill passed.

HCS HB 1150, relating to salvage motor vehicles, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1150** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	Weter	Wieland	Wright
Wyatt	Zerr			

NOES: 001

May

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Day	Dieckhaus	Diehl	Funderburk
Higdon	Hughes	Jones 117	Klippenstein	Nolte
Richardson	Riddle	Schatz	White	Mr Speaker

Representative Silvey declared the bill passed.

HB 1691, relating to salvage dealers, was taken up by Representative Dugger.

On motion of Representative Dugger, **HB 1691** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schoeller	Schupp
Shively	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wyatt	Zerr	

NOES: 002

May Webb

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 016

Day	Dieckhaus	Diehl	Ellington	Funderburk
Hodges	Jones 117	Klippenstein	Nolte	Richardson
Schatz	Schneider	Shumake	Spreng	Wright
Mr Speaker				

Representative Silvey declared the bill passed.

HCS HB 1640, relating to motor vehicles, was taken up by Representative Denison.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Bernskoetter	Colona	Day	Dieckhaus	Diehl
Ellington	Funderburk	Klippenstein	McGhee	Richardson
Sater	Schatz	Schneider	Wells	Mr Speaker

On motion of Representative Denison, **HCS HB 1640** was read the third time and passed by the following vote:

AYES: 082

Atkins	Aull	Barnes	Black	Brandom
Brown 50	Brown 116	Carter	Casey	Cauthorn
Conway 27	Cookson	Crawford	Davis	Denison
Diehl	Dugger	Entlicher	Fallert	Fisher
Fraker	Franklin	Franz	Gatschenberger	Grisamore
Haefner	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Jones 63
Jones 117	Kelly 24	Korman	Kratky	Lair
Lampe	Lant	Lauer	Long	McGhee
McNeil	Meadows	Molendorp	Montecillo	Nasheed
Neth	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Scharnhorst
Schieffer	Shumake	Silvey	Solon	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Wallingford	Webb	Weter
Wright	Mr Speaker			

NOES: 068

Allen	Anders	Asbury	Bahr	Berry
Brattin	Brown 85	Burlison	Carlson	Cierpiot
Conway 14	Cox	Curtman	Ellinger	Flanigan
Frederick	Fuhr	Gosen	Guernsey	Hampton
Harris	Higdon	Hinson	Jones 89	Kander
Keeney	Kelley 126	Kirkton	Koenig	Largent
Lasater	Leach	Leara	Lichtenegger	Loehner
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	Morgan
Nance	Newman	Oxford	Quinn	Rizzo
Schad	Schieber	Schneider	Schoeller	Schupp
Shively	Sifton	Smith 71	Smith 150	Sommer
Torpey	Walton Gray	Webber	Wells	White
Wieland	Wyatt	Zerr		

PRESENT: 002

Ellington	Johnson

ABSENT WITH LEAVE: 011

Bernskoetter	Colona	Cross	Day	Dieckhaus
Elmer	Fitzwater	Funderburk	Klippenstein	Sater
Schatz				

Representative Silvey declared the bill passed.

Representative Hoskins assumed the Chair.

HCS HB 1515, relating to crimes and criminal procedures, was taken up by Representative Schad.

On motion of Representative Schad, **HCS HB 1515** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Meadows
Molendorp	Nance	Nasheed	Neth	Newman
Pace	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 010

Carlson	Ellinger	Ellington	Fitzwater	May
Montecillo	Morgan	Oxford	Smith 71	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 013

Colona	Day	Dieckhaus	Funderburk	Hughes
Klippenstein	McGhee	Nichols	Nolte	Pollock
Schatz	Spreng	Wells		

Representative Hoskins declared the bill passed.

HCS HB 1608, relating to unfunded and obsolete programs, was taken up by Representative White.

On motion of Representative White, **HCS HB 1608** was read the third time and passed by the following vote:

AYES: 103

Allen	Asbury	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Fisher	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Koenig	Korman	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nichols	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 044

Anders	Aull	Carlson	Casey	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Oxford	Pace	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 016

Carter	Colona	Cross	Day	Dieckhaus
Entlicher	Fitzwater	Funderburk	Higdon	Hughes
Klippenstein	Nolte	Pierson	Schatz	Webb
Mr Speaker				

Representative Hoskins declared the bill passed.

HB 1109, relating to federal holidays, was taken up by Representative Brattin.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Curtman	Davis	Denison
Diehl	Elmer	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schoeller	Shumake	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Colona	Cross	Day	Dieckhaus
Dugger	Entlicher	Funderburk	Higdon	Hughes
Klippenstein	Nolte	Pierson	Schatz	Schneider
Silvey	Webb			

On motion of Representative Brattin, **HB 1109** was read the third time and passed by the following vote:

AYES: 115

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Denison
Diehl	Ellington	Elmer	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Meadows	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 031

Anders	Atkins	Carlson	Ellinger	Holsman
Hubbard	Hummel	Jones 63	Kelly 24	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Schupp	Smith 71
Spreng	Still	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Colona	Cross	Day	Dieckhaus
Dugger	Entlicher	Flanigan	Funderburk	Gatschenberger
Hughes	Kirkton	Klippenstein	Nolte	Pierson
Schatz	Webb			

Representative Hoskins declared the bill passed.

HCS HB 1110, relating to veterans treatment courts, was taken up by Representative Barnes.

On motion of Representative Barnes, **HCS HB 1110** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Ellinger	Ellington	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Kelly 24

PRESENT: 000

ABSENT WITH LEAVE: 013

Carter	Colona	Day	Dieckhaus	Dugger
Entlicher	Funderburk	Hughes	Klippenstein	Nolte
Pierson	Schatz	Webb		

Representative Hoskins declared the bill passed.

HB 1273, relating to school bus advertisements, was taken up by Representative Kelley (126).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Elmer	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 020

Carter	Colona	Day	Dieckhaus	Diehl
Dugger	Entlicher	Funderburk	Gatschenberger	Guernsey
Hughes	Klippenstein	Nolte	Pierson	Richardson
Schatz	Schneider	Wallingford	Webb	Mr Speaker

On motion of Representative Kelley (126), **HB 1273** was read the third time and passed by the following vote:

AYES: 083

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Elmer
Fallert	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Higdon
Hoskins	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	May	McCaherty	McGhee	McNary
Molendorp	Nasheed	Neth	Parkinson	Reiboldt
Richardson	Riddle	Ruzicka	Sater	Schad
Scharnhorst	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Taylor	Torpey	Wallingford	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 065

Asbury	Bernskoetter	Carlson	Casey	Cauthorn
Conway 14	Ellinger	Ellington	Fisher	Fitzwater
Fuhr	Haefner	Hampton	Harris	Hinson
Hodges	Holsman	Hough	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lair	Lampe	Lasater	Leara	Marshall
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nance
Newman	Nichols	Oxford	Pace	Phillips
Pollock	Quinn	Redmon	Rizzo	Rowland
Schieber	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Talboy	Thomson
Walton Gray	Webber	Wells	Weter	Wright

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Colona	Day	Dieckhaus	Dugger
Entlicher	Funderburk	Guernsey	Hughes	Klippenstein
Nolte	Pierson	Schatz	Schneider	Webb

Representative Hoskins declared the bill passed.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1461 - Local Government
HB 1980 - Higher Education

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1049**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1818**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1935**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1966**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 562**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 563**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **HB 1815**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HCR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 49

WHEREAS, on February 16, 2012, the United States Environmental Protection Agency (EPA) promulgated its Mercury and Air Toxics Standards regulation for coal-fueled and oil-fueled electric generating plants; and

WHEREAS, EPA's own analyses show that the Mercury and Air Toxics Standards regulation is the single most expensive rule ever imposed by EPA on the electric power sector at a cost of $9.6 billion per year by 2016 and a total cost of $90 billion; and

WHEREAS, billions of dollars in compliance and other costs, including the construction of new power plants to replace plants forced to retire prematurely, resulting from the Mercury and Air Toxics Standards regulation will be passed on to residential, commercial, and industrial electricity consumers; and

WHEREAS, these unprecedented costs will increase the price of electricity and other types of energy at a time when families and businesses are struggling to cope with higher energy prices and job losses; and

WHEREAS, federal government data show that the average family in Missouri has already been forced to double its spending on energy over the past decade and that lower-income, fixed-income, and minority families in Missouri are harmed the most by higher energy prices; and

WHEREAS, the manufacturing sector nationwide has lost 5.5 million jobs since 2000, or 32% of its workforce, the sector's global competitiveness depends on affordable and reliable energy; and

WHEREAS, EPA has not provided an estimate of job losses that will be caused by the regulation, even though many analyses project that EPA regulations will cause higher energy prices and premature retirement of coal-fired power plants, resulting in financial hardship to consumers and further erosion of United States manufacturing jobs; and

WHEREAS, federal, state, and regional officials, public utility commissioners, regional electric reliability organizations, electricity generators, and manufacturing companies have expressed concerns that EPA regulations threaten the reliability of our nation's electric power grid; and

WHEREAS, coal-fueled power plants have already invested nearly $100 billion to meet clean air requirements and these investments have reduced emissions of major air pollutants by nearly 90% per kilowatt-hour of electricity generated; and

WHEREAS, the Missouri General Assembly supports improvements in air quality to protect the health of our citizens and the quality of our environment, and believes that such improvements can be made within a sensible time frame and at a reasonable cost; and

WHEREAS, the highest economic priority by federal, state, and local governments at the present time should be to support policies that stimulate economic growth and create jobs and to avoid policies that unnecessarily increase energy prices, hurt families, and cause job losses:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby calls on the United States Congress to adopt S.J.Res. 37, disapproving the Mercury and Air Toxics Standards regulation because of the unprecedented economic impacts of such regulation, and to ensure that EPA replaces it with a sensible regulation that achieves reductions in mercury emissions without unnecessary increases in energy prices, job losses, and threats to electric reliability; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional delegation.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HB 1795**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 33**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 53**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1274**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1323**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1359**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1367**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1476**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1490**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1490**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1521**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1794**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1854**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1865**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 566**, entitled:

An act to amend chapter 322, RSMo, by adding thereto one new section relating to vaccination of dogs and cats against rabies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 631**, entitled:

An act to repeal section 276.401, RSMo, and to enact in lieu thereof one new section relating to grain purchases.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 673**, entitled:

An act to repeal sections 302.130 and 302.132, RSMo, and to enact in lieu thereof two new sections relating to temporary motor vehicle instruction permits, with an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 692**, entitled:

An act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to procedures for decreasing county budgets.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 715**, entitled:

An act to repeal sections 40.435 and 41.050, RSMo, and to enact in lieu thereof one new section relating to the state militia.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 721**, entitled:

An act to repeal section 99.825, RSMo, and to enact in lieu thereof one new section relating to tax increment financing in certain counties.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 727**, entitled:

An act to repeal section 208.044, RSMo, and to enact in lieu thereof two new sections relating to child care subsidies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 729**, entitled:

An act to repeal sections 50.660 and 50.783, RSMo, and to enact in lieu thereof two new sections relating to county purchases.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 813**, entitled:

An act to repeal section 67.085, RSMo, and to enact in lieu thereof one new section relating to the investment of certain public funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 856**, entitled:

An act to amend chapter 287, RSMo, by adding thereto one new section relating to the Missouri Employers Mutual Insurance Company.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 911**, entitled:

An act to repeal section 407.1355, RSMo, and to enact in lieu thereof one new section relating to employee social security numbers.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Tuesday, April 10, 2012.

COMMITTEE MEETINGS

ADMINISTRATION AND ACCOUNTS
Tuesday, April 10, 2012, 3:00 PM South Gallery.
Executive session may be held on any matter referred to the committee.
Executive session - policy procedures

AGRICULTURE POLICY
Tuesday, April 10, 2012, 2:00 PM House Hearing Room 6.
Executive session will be held: HB 1254
Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES
Wednesday, April 11, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 2028, HB 2078, HCR 50
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Tuesday, April 10, 2012, Upon Afternoon Adjournment House Hearing Room 2.
Executive session will be held: SS SCS SB 469
CORRECTED

ECONOMIC DEVELOPMENT
Tuesday, April 10, 2012, Upon Afternoon Adjournment House Hearing Room 3.
Public hearing will be held: HB 2033, HB 2034
Executive session may be held on any matter referred to the committee.
Dinner to follow hearing at 120 E High Street

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, April 11, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 2027
Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS
Wednesday, April 11, 2012, 5:00 PM House Hearing Room 6.
Public hearing will be held: HB 1844, SCS SB 635, SCS SB 726
Executive session will be held: HB 1844, SCS SB 635, SCS SB 726
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, April 10, 2012, 2:00 PM House Hearing Room 1.
Public hearing will be held: SCS SB 591, SS SCS SBs 489 & 637, HCR 43, HCR 52, HB 1998
Executive session may be held on any matter referred to the committee.
AMENDED

HEALTH CARE POLICY
Wednesday, April 11, 2012, 12:00 PM House Hearing Room 6.
Executive session will be held: HB 1490
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, April 11, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SS SB 781, HB 2059, HB 1760, HB 1676, HB 1461
Executive session may be held on any matter referred to the committee.
AMENDED

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL AFFAIRS
Tuesday, April 10, 2012, Upon Afternoon Adjournment House Hearing Room 1.
Public hearing will be held: HB 1766
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Wednesday, April 11, 2012, 8:30 AM House Hearing Room 3.
Public hearing will be held: SS#2 SJR 48, HJR 82
Executive session may be held on any matter referred to the committee.
Possible executive session

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Tuesday, April 10, 2012, 5:00 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 6.
Executive session will be held: HB 1809
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, April 10, 2012, 2:00 PM House Hearing Room 7.
Public hearing will be held: SS SB 607, HB 2100, HB 2058, HB 2063
Executive session may be held on any matter referred to the committee.
AMENDED

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, April 10, 2012, 5:00 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 5.
Executive session will be held: HB 1213, HB 1788
Executive session may be held on any matter referred to the committee.
AMENDED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Tuesday, April 10, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 2099, SS SCS SB 592, HB 1240
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-THIRD DAY, TUESDAY, APRIL 10, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 47 - Dugger
2 HJR 49 - Brattin
3 HJR 71 - Elmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HCS HB 1134 - Scharnhorst
4 HCS HB 1549 - Richardson
5 HCS HB 1717 - Kelley (126)
6 HCS HB 1256 - Diehl
7 HCS HB 1211 - Dieckhaus
8 HCS HB 1364 - Schieffer
9 HCS HB 1383 - Cox
10 HCS HB 1444 - Smith (150)
11 HCS HB 1458 - Hinson
12 HB 1534 - Bahr
13 HB 1540 - Jones (89)
14 HCS HBs 1574 & 1097 - Meadows
15 HCS HB 1661 - Hoskins
16 HCS HB 1826 - Fitzwater
17 HCS HB 1860 - Guernsey

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 53 - Schoeller

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1403, E.C. - Schatz
5 HCS HB 1272 - Kelley (126)
6 HB 1066 - McGhee

SENATE BILLS FOR SECOND READING

1 SCS SB 566 - Brown
2 SCS SB 631 - Parson
3 SCS SB 673 - Brown
4 SCS SB 692 - Stouffer
5 SCS SB 715 - Kraus
6 SB 721 - Rupp
7 SS SB 727 - Schaaf
8 SCS SB 729 - Schaefer
9 SB 813 - Richard
10 SCS SB 856 - Rupp
11 SB 911 - Ridgeway

HOUSE CONCURRENT RESOLUTIONS

1 HCR 7 - Rowland
2 HCR 31 - Schieffer
3 HCR 36 - Asbury
4 HCR 42 - Rowland

HOUSE RESOLUTIONS

HR 677 - Hinson

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-THIRD DAY, TUESDAY, APRIL 10, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Marilyn Seaton, Senior Legislative Specialist.

Let us pray.

Do not judge, so that you in turn may not be judged. For you will be judged in the same way that you judge others. (Matthew 7:1-2)

O Lord, let us curb our desire to judge others. Help us to turn our judgments upon ourselves so that we may receive a favorable judgment from You. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Parker Jones and Addison Long.

The Journal of the fifty-second day was approved as printed.

HOUSE RESOLUTION

Representative Burlison, et al., offered House Resolution No. 1880.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1782 through House Resolution No. 1879

SECOND READING OF SENATE BILLS

SCS SB 566, SCS SB 631, SCS SB 673, SCS SB 692, SCS SB 715, SB 721, SS SB 727, SCS SB 729, SB 813, SCS SB 856 and **SB 911** were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTIONS

HCS HJR 47, relating to initiative and referendum petitions, was taken up by Representative Dugger.

Representative Hoskins assumed the Chair.

On motion of Representative Dugger, **HCS HJR 47** was adopted.

On motion of Representative Dugger, **HCS HJR 47** was ordered perfected and printed.

HJR 49, relating to the right to bear arms, was taken up by Representative Brattin.

On motion of Representative Brattin, **HJR 49** was ordered perfected and printed by the following vote:

AYES: 121

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nichols	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 031

Brown 50	Carlson	Carter	Colona	Ellinger
Holsman	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Funderburk	Hughes	Jones 117	Korman
Lasater	Swearingen	Talboy	Webb	Webber
Mr Speaker				

PERFECTION OF HOUSE BILL

HCS HB 1256, relating to judicial procedures, was taken up by Representative Diehl.

HCS HB 1256 was laid over.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 71, relating to a property tax exemption for active-duty military personnel, was taken up by Representative Elmer.

On motion of Representative Elmer, **HJR 71** was ordered perfected and printed.

HOUSE CONCURRENT RESOLUTIONS

HCR 7, relating to the Tenth Amendment, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCR 7** was adopted.

HCR 36, relating to economic development projects between the United States and Israel, was taken up by Representative Asbury.

On motion of Representative Asbury, **HCR 36** was adopted.

HCR 42, relating to children's hearing rights, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCR 42** was adopted.

HCR 31, relating to flood control, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HCR 31** was adopted.

HOUSE RESOLUTION

HR 677, relating to the "Lee McKinney Coaches vs. Cancer Game," was taken up by Representative Hinson.

On motion of Representative Hinson, **HR 677** was adopted.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 2068 - Elementary and Secondary Education

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 28 - Rules

COMMITTEE REPORTS

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1213**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1342**, begs leave to report it has examined the same and recommends that it **Do Pass**.

The following members' presence was noted: Jones (117), Swearingen and Webber.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 11, 2012.

COMMITTEE MEETINGS

CHILDREN AND FAMILIES
Wednesday, April 11, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 2028, HB 2078, HCR 50
Executive session may be held on any matter referred to the committee.

CORRECTIONS
Thursday, April 12, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1614, HB 1838
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, April 11, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1883, HB 1896, HB 1232
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, April 11, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: HB 2027
Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS
Wednesday, April 11, 2012, 5:00 PM House Hearing Room 6.
Public hearing will be held: HB 1844, SCS SB 635, SCS SB 726
Executive session will be held: HB 1844, SCS SB 635, SCS SB 726
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, April 12, 2012, 9:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee
CORRECTED

HEALTH CARE POLICY
Wednesday, April 11, 2012, 12:00 PM House Hearing Room 6.
Executive session will be held: HB 1490
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY
Thursday, April 12, 2012, 8:30 AM House Hearing Room 3.
Public hearing will be held: HB 1745
Executive session may be held on any matter referred to the committee.

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, April 11, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1224, HB 1983
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, April 11, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1914, HB 1970, HB 1500
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, April 11, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SS SB 781, HB 2059, HB 1760, HB 1676, HB 1461
Executive session may be held on any matter referred to the committee.
AMENDED

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, April 11, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1371
Executive session may be held on any matter referred to the committee.
Discussion will be held on the HCS for HB 1371.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Wednesday, April 11, 2012, 8:30 AM House Hearing Room 3.
Public hearing will be held: SS#2 SJR 48, HJR 82
Executive session may be held on any matter referred to the committee.
Possible executive session

TOURISM AND NATURAL RESOURCES
Thursday, April 12, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1778, HB 1863, HB 1813
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, April 12, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1944, HB 1954, HB 1727
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 11, 2012

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HCS HB 1134 - Scharnhorst
4 HCS HB 1549 - Richardson
5 HCS HB 1717 - Kelley (126)
6 HCS HB 1256 - Diehl
7 HCS HB 1211 - Dieckhaus
8 HCS HB 1364 - Schieffer
9 HCS HB 1383 - Cox
10 HCS HB 1444 - Smith (150)
11 HCS HB 1458 - Hinson
12 HB 1534 - Bahr
13 HB 1540 - Jones (89)
14 HCS HBs 1574 & 1097 - Meadows
15 HCS HB 1661 - Hoskins
16 HCS HB 1826 - Fitzwater
17 HCS HB 1860 - Guernsey
18 HB 1455 - Gatschenberger

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCR 53 - Schoeller

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1403, E.C. - Schatz
5 HCS HB 1272 - Kelley (126)
6 HB 1066 - McGhee

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 11, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Rejoice, and be exceedingly glad: for you are the salt of the earth. (Matthew 5:12, 13)

O God, Who is above us yet within us, far off yet very near - nearer than breathing and closer than hands and feet - we bow in Your presence with hearts filled with gratitude because You have been so wonderfully good to us.

We are what we are and we have what we have not because we deserve them, but because Your goodness has blessed our days, and Your spirit has led us along the way.

We thank You for these men and women, our representatives who are giving themselves in real and deep devotion to our state, who are seeking to put justice above injustice, and good will above ill will, principle above prejudice and liberty above license. May they continue to have the courage of their convictions and in these crucial days fail not us nor You.

Bless our state with Your favor and our leaders of this House with Your spirit. Together may we be channels for peace and for prosperity.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-third day was approved as printed.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Thomas Smith, Michael Smith, Madison Cunningham, McKenna Cunningham, Carter Cunningham, Maddie Baker, Brayden Baker, Kayley Suderman, Jacob Suderman and Anna Dittmer.

SPECIAL RECOGNITION

Members of the Hannibal Convention and Visitors Bureau were introduced by Representative Shumake and presented a resolution recognizing Hannibal native Molly Brown as an Outstanding Missourian.

THIRD READING OF HOUSE BILLS

HB 1403, relating to workers' compensation, was taken up by Representative Schatz.

On motion of Representative Schatz, **HB 1403** was read the third time and passed by the following vote:

AYES: 092

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leara
Loehner	Long	McCaherty	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schneider	Schoeller	Shumake	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 056

Anders	Atkins	Aull	Barnes	Black
Brown 50	Carlson	Carter	Casey	Colona
Conway 27	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Lasater	Marshall	May	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieber	Schieffer
Schupp	Shively	Sifton	Silvey	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Wieland				

PRESENT: 001

Lichtenegger

ABSENT WITH LEAVE: 014

Berry	Funderburk	Higdon	Hughes	Jones 117
Leach	McCann Beatty	McGhee	Meadows	Smith 71
Swinger	Webb	Webber	Weter	

Speaker Tilley declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 090

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leara
Loehner	Long	McGhee	McNary	Molendorp
Nance	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Zerr	Mr Speaker

NOES: 063

Anders	Atkins	Aull	Barnes	Berry
Black	Brown 50	Carlson	Carter	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	Lasater	Leach	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieber	Schieffer
Schupp	Shively	Sifton	Silvey	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Wieland	Wyatt		

PRESENT: 001

Lichtenegger

ABSENT WITH LEAVE: 009

Funderburk	Higdon	Hughes	Jones 117	Quinn
Redmon	Swinger	Webb	Webber	

HCS HB 1272, relating to actions and damages against jails, was taken up by Representative Kelley (126).

Representative Smith (150) assumed the Chair.

On motion of Representative Kelley (126), **HCS HB 1272** was read the third time and passed by the following vote:

AYES: 086

Allen	Bahr	Barnes	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Jones 89	Jones 117	Keeney	Kelley 126
Koenig	Korman	Lair	Lant	Largent
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schoeller
Shumake	Smith 150	Sommer	Stream	Thomson
Wallingford	Wells	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 067

Anders	Asbury	Atkins	Aull	Brown 50
Carlson	Carter	Colona	Conway 27	Curtman
Day	Ellinger	Ellington	Frederick	Fuhr
Harris	Higdon	Hodges	Holsman	Hubbard
Hummel	Johnson	Jones 63	Kander	Kelly 24
Kirkton	Klippenstein	Kratky	Lampe	Lauer
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieber
Schieffer	Schneider	Schupp	Shively	Sifton
Smith 71	Solon	Spreng	Still	Swearingen
Talboy	Taylor	Torpey	Walton Gray	Webber
Weter	White			

PRESENT: 001

Silvey

ABSENT WITH LEAVE: 009

Brown 116	Elmer	Funderburk	Hughes	Lasater
Rowland	Swinger	Webb	Zerr	

Representative Smith (150) declared the bill passed.

Speaker Tilley resumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1134, relating to insurance coverage, was taken up by Representative Scharnhorst.

Representative McNeil offered **House Amendment No. 1**.

Representative Cierpiot raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

HCS HB 1134 was laid over.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1881 through House Resolution No. 1984

HOUSE CONCURRENT RESOLUTION

Representative McNary, et al., offered House Concurrent Resolution No. 57.

PERFECTION OF HOUSE BILLS

HCS HB 1134, relating to insurance coverage, was again taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **HCS HB 1134** was adopted.

On motion of Representative Scharnhorst, **HCS HB 1134** was ordered perfected and printed.

HCS HB 1256, relating to judicial procedures, was taken up by Representative Diehl.

Representative Kelly (24) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1256, Page 4, Section 67.2010, Line 16, by inserting after all of said line the following:

"195.222. 1. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver,

manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

2. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

3. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than **[**two**] twenty eight** grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than **[**two**] twenty eight** grams but less than **[**six**] two hundred eighty** grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is **[**six**] two hundred eighty** grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

4. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one gram or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

5. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

6. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is twelve grams or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

7. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty kilograms of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

8. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

9. A person commits the crime of trafficking drugs in the first degree if, except as authorized by sections 195.005 to 195.425, he or she distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be sentenced to the authorized term of imprisonment for a class A felony;

(2) If the quantity involved is ninety grams or more, or if the quantity involved was thirty grams or more and the location of the offense was within two thousand feet of a school or public housing as defined in section 195.214 or section 195.218 or within a motor vehicle, or any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests, the person shall be sentenced to the authorized term of imprisonment for a class A felony which term shall be served without probation or parole.

195.223. 1. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of heroin. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

2. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than one hundred fifty grams but less than four hundred fifty grams the person shall be guilty of a class B felony;

(2) If the quantity involved is four hundred fifty grams or more the person shall be guilty of a class A felony.

3. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than **[**two**]** **twenty eight** grams of a mixture or substance described in subsection 2 of this section which contains cocaine base. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than **[**two**]** **twenty eight** grams but less than **[**six**]** **two hundred eighty** grams the person shall be guilty of a class B felony;

(2) If the quantity involved is **[**six**]** **two hundred eighty** grams or more the person shall be guilty of a class A felony.

4. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than five hundred milligrams but less than one gram the person shall be guilty of a class B felony;

(2) If the quantity involved is one gram or more the person shall be guilty of a class A felony.

5. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP). Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more the person shall be guilty of a class A felony.

6. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than four grams of phencyclidine. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than four grams but less than twelve grams the person shall be guilty of a class B felony;

(2) If the quantity involved is twelve grams or more the person shall be guilty of a class A felony.

7. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty kilograms or more of a mixture or substance containing marijuana. Violations of this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty kilograms but less than one hundred kilograms the person shall be guilty of a class B felony;

(2) If the quantity involved is one hundred kilograms or more the person shall be guilty of a class A felony.

8. A person commits the class A felony of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than five hundred marijuana plants.

9. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he possesses or has under his control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or methylphenidate. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole.

10. A person commits the crime of trafficking drugs in the second degree if, except as authorized by sections 195.005 to 195.425, he or she possesses or has under his or her control, purchases or attempts to purchase, or brings into this state more than thirty grams of any material, compound, mixture or preparation which contains any quantity of 3,4-methylenedioxymethamphetamine. Violations of this subsection or attempts to violate this subsection shall be punished as follows:

(1) If the quantity involved is more than thirty grams but less than ninety grams the person shall be guilty of a class B felony;

(2) If the quantity involved is ninety grams or more but less than four hundred fifty grams, the person shall be guilty of a class A felony;

(3) If the quantity involved is four hundred fifty grams or more, the person shall be guilty of a class A felony and the term of imprisonment shall be served without probation or parole."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 1** was adopted.

Representative Jones (117) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1256, Page 1, Section A, Line 8, by inserting after all of said section and line the following:

"32.056. The department of revenue shall not release the home address **of** or any **[**other**]** information **[**contained in the department's motor vehicle or driver registration records regarding**] that identifies any vehicle owned or leased by** any person who is a county, state or federal parole officer **[**or who is**],** a federal pretrial officer **[**or who is**],** a peace officer pursuant to section **[**590.100**] 590.010, a person vested by Article V, Section 1 of the Missouri Constitution with the judicial power of the state, a member of the federal judiciary,** or a member of **[**the parole officer's, pretrial officer's or peace officer's**] such person's** immediate family **contained in the department's motor vehicle or driver registration records,** based on a specific request for such information from any person. Any **such** person **[**who is a county, state or federal parole officer or who is a federal pretrial officer or who is a peace officer pursuant to section 590.100**]** may notify the department of **[**such**] his or her** status and the department shall protect the confidentiality of the **home address and vehicle** records on such a person and his or her immediate family as required by this section. **If such member of the judiciary's status changes and he or she and his or her immediate family do not qualify for the exemption contained in this subsection, such person shall notify the department and the department's records shall be revised.** This section shall not prohibit the department from releasing information on a motor registration list pursuant to section 32.055 or from releasing information on any officer who holds a class A, B or C commercial driver's license pursuant to the Motor Carrier Safety Improvement Act of 1999, as amended, 49 U.S.C. 31309."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 2** was adopted.

Representative Cox offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1256, Page 4, Section 210.567, Line 28, by inserting after the phrase "**embarrass any person**" on said line, the phrase "**, nor shall it contain any information that is otherwise closed, confidential, or privileged**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

Representative Leara assumed the Chair.

On motion of Representative Cox, **House Amendment No. 3** was adopted.

Representative Cauthorn offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1256, Page 26, Section 488.5320, Line 46, by inserting after all of said line the following:

"**488.5375. Upon a plea of guilty or a finding of guilt for a felony sexual offense in which computers, computer equipment, computer devices, cellular telephones, or other electronic devices were seized, the court may, in addition to imposition of any penalties provided by law, order the defendant to reimburse the state or local law enforcement agency for the costs incurred by such agency in the examination of any computer, computer equipment, computer devices, cellular telephones, or other electronic devices seized. Such costs shall include the reasonable costs of performing examinations of the seized electronic devices. Each law enforcement agency may establish a schedule of such costs; except that, the court may order the costs reduced if the court determines that the costs are excessive.**"; and

Further amend said bill, Page 31, Section 537.528, Line 31, by inserting after all of said line the following:

"542.301. 1. Property which comes into the custody of an officer or of a court as the result of any seizure and which has not been forfeited pursuant to any other provisions of law or returned to the claimant shall be disposed of as follows:

(1) Stolen property, or property acquired in any other manner declared an offense by chapters 569 and 570, but not including any of the property referred to in subdivision (2) of this subsection, shall be delivered by order of court upon claim having been made and established, to the person who is entitled to possession:

(a) The claim shall be made by written motion filed with the court with which a motion to suppress has been, or may be, filed. The claim shall be barred if not made within one year from the date of the seizure;

(b) Upon the filing of such motion, the judge shall order notice to be given to all persons interested in the property, including other claimants and the person from whose possession the property was seized, of the time, place and nature of the hearing to be held on the motion. The notice shall be given in a manner reasonably calculated to reach the attention of all interested persons. Notice may be given to unknown persons and to persons whose address is unknown by publication in a newspaper of general circulation in the county. No property shall be delivered to any claimant unless all interested persons have been given a reasonable opportunity to appear and to be heard;

(c) After a hearing, the judge shall order the property delivered to the person or persons entitled to possession, if any. The judge may direct that delivery of property required as evidence in a criminal proceeding shall be postponed until the need no longer exists;

(d) A law enforcement officer having custody of seized property may, at any time that seized property has ceased to be useful as evidence, request that the prosecuting attorney of the county in which property was seized file a motion with the court of such county for the disposition of the seized property. If the prosecuting attorney does not file such motion within sixty days of the request by the law enforcement officer having custody of the seized property, then such officer may request that the attorney general file a written motion with the circuit court of the county or judicial district in which the seizure occurred. Upon filing of the motion, the court shall issue an order directing the disposition of the property. Such disposition may, if the property is not claimed within one year from the date of the seizure or if no one establishes a right to it, and the seized property has ceased to be useful as evidence, include a public sale of the property. Pursuant to a motion properly filed and granted under this section, the proceeds of any sale, less necessary expenses of preservation and sale, shall be paid into the county treasury for the use of the county. If the property is not salable, the judge may order its destruction. Notwithstanding any other provision of law, if no claim is filed within one year of the seizure and no motion pursuant to this section is filed within six months thereafter, and the seized property has ceased to be useful as evidence, the property shall be deemed abandoned, converted to cash and shall be turned over immediately to the treasurer pursuant to section 447.543;

(e) If the property is a living animal or is perishable, the judge may, at any time, order it sold at public sale. The proceeds shall be held in lieu of the property. A written description of the property sold shall be filed with the judge making the order of sale so that the claimant may identify the property. If the proceeds are not claimed within the time limited for the claim of the property, the proceeds shall be paid into the county treasury. If the property is not salable, the judge may order its destruction.

(2) Weapons, tools, devices, **computers, computer equipment, computer software, computer hardware, cellular telephones, or other devices capable of accessing the internet,** and substances other than motor vehicles, aircraft or watercraft, used by the owner or with the owner's consent as a means for committing felonies other than the offense of possessing burglary tools in violation of section 569.180, and property, the possession of which is an offense

under the laws of this state or which has been used by the owner, or used with the owner's acquiescence or consent, as a raw material or as an instrument to manufacture **[**or**],** produce**, or distribute, or be used as a means of storage of** anything the possession of which is an offense under the laws of this state, or which any statute authorizes or directs to be seized, other than lawfully possessed weapons seized by an officer incident to an arrest, shall be forfeited to the state of Missouri.

2. The officer who has custody of the property shall inform the prosecuting attorney of the fact of seizure and of the nature of the property. The prosecuting attorney shall thereupon file a written motion with the court with which the motion to suppress has been, or may be, filed praying for an order directing the forfeiture of the property. If the prosecuting attorney of a county in which property is seized fails to file a motion with the court for the disposition of the seized property within sixty days of the request by a law enforcement officer, the officer having custody of the seized property may request the attorney general to file a written motion with the circuit court of the county or judicial district in which the seizure occurred. Upon filing of the motion, the court shall issue an order directing the disposition of the property. The signed motion shall be returned to the requesting agency. A motion may also be filed by any person claiming the right to possession of the property praying that the court declare the property not subject to forfeiture and order it delivered to the moving party.

3. Upon the filing of a motion either by the prosecuting attorney or by a claimant, the judge shall order notice to be given to all persons interested in the property, including the person out of whose possession the property was seized and any lienors, of the time, place and nature of the hearing to be held on the motion. The notice shall be given in a manner reasonably calculated to reach the attention of all interested persons. Notice may be given to unknown persons and to persons of unknown address by publication in a newspaper of general circulation in the county. Every interested person shall be given a reasonable opportunity to appear and to be heard as to the nature of the person's claim to the property and upon the issue of whether or not it is subject to forfeiture.

4. If the evidence is clear and convincing that the property in issue is in fact of a kind subject to forfeiture under this subsection, the judge shall declare it forfeited and order its destruction or sale. The judge shall direct that the destruction or sale of property needed as evidence in a criminal proceeding shall be postponed until this need no longer exists.

5. If the forfeited property can be put to a lawful use, it may be ordered sold after any alterations which are necessary to adapt it to a lawful use have been made. **In the case of computers, computer equipment, computer software, computer hardware, cellular telephones, or other devices capable of accessing the internet, or other devices used in the acquisition, possession, or distribution of child pornography or obscene material, the law enforcement agency in possession of such items may, upon court order, retain possession of such property and convert such property to the use of the law enforcement agency for use in criminal investigations.** If there is a holder of a bona fide lien against property which has been used as a means for committing an offense or which has been used as a raw material or as an instrument to manufacture or produce anything which is an offense to possess, who establishes that the use was without the lienholder's acquiescence or consent, the proceeds, less necessary expenses of preservation and sale, shall be paid to the lienholder to the amount of the lienholder's lien. The remaining amount shall be paid into the county treasury.

6. If the property is perishable the judge may order it sold at a public sale or destroyed, as may be appropriate, prior to a hearing. The proceeds of a sale, less necessary expenses of preservation and sale, shall be held in lieu of the property.

7. When a warrant has been issued to search for and seize allegedly obscene matter for forfeiture to the state, after an adversary hearing, the judge, upon return of the warrant with the matter seized, shall give notice of the fact to the prosecuting attorney of the county in which the matter was seized and the dealer, exhibitor or displayer and shall conduct further adversary proceedings to determine whether the matter is subject to forfeiture. If the evidence is clear and convincing that the matter is obscene as defined by law and it was being held or displayed for sale, exhibition, distribution or circulation to the public, the judge shall declare it to be obscene and forfeited to the state and order its destruction or other disposition; except that, no forfeiture shall be declared without the dealer, distributor or displayer being given a reasonable opportunity to appear in opposition and without the judge having thoroughly examined each item. If the material to be seized is the same as or another copy of matter that has already been determined to be obscene in a criminal proceeding against the dealer, exhibitor, displayer or such person's agent, the determination of obscenity in the criminal proceeding shall constitute clear and convincing evidence that the matter to be forfeited pursuant to this subsection is obscene. Except when the dealer, exhibitor or displayer consents to a longer period, or by such person's actions or pleadings willfully prevents the prompt resolution of the hearing, judgment shall be rendered within ten days of the return of the warrant. If the matter is not found to be obscene or is not found to have been held or displayed for sale, exhibition or distribution to the public, or a judgment is not entered within the time provided for, the matter shall be restored forthwith to the dealer, exhibitor or displayer.

8. If an appeal is taken by the dealer, exhibitor or displayer from an adverse judgment, the case should be assigned for hearing at the earliest practicable date and expedited in every way. Destruction or disposition of a matter declared forfeited shall be postponed until the judgment has become final by exhaustion of appeal, or by expiration of the time for appeal, and until the matter is no longer needed as evidence in a criminal proceeding.

9. A determination of obscenity, pursuant to this subsection, shall not be admissible in any criminal proceeding against any person or corporation for sale or possession of obscene matter; except that dealer, distributor or displayer from which the obscene matter was seized for forfeiture to the state.

10. When allegedly obscene matter or pornographic material for minors has been seized under a search warrant issued pursuant to subsection 2 of section 542.281 and the matter is no longer needed as evidence in a criminal proceeding the prosecuting attorney of the county in which the matter was seized may file a written motion with the circuit court of the county or judicial district in which the seizure occurred praying for an order directing the forfeiture of the matter. Upon filing of the motion, the court shall set a date for a hearing. Written notice of date, time, place and nature of the hearing shall be personally served upon the owner, dealer, exhibitor, displayer or such person's agent. Such notice shall be served no less than five days before the hearing.

11. If the evidence is clear and convincing that the matter is obscene as defined by law, and that the obscene material was being held or displayed for sale, exhibition, distribution or circulation to the public or that the matter is pornographic for minors and that the pornographic material was being held or displayed for sale, exhibition, distribution or circulation to minors, the judge shall declare it to be obscene or pornographic for minors and forfeited to the state and order its destruction or other disposition. A determination that the matter is obscene in a criminal proceeding as well as a determination that such obscene material was held or displayed for sale, exhibition, distribution or circulation to the public or a determination that the matter is pornographic for minors in a criminal proceeding as well as a determination that such pornographic material was held or displayed for sale, exhibition, distribution or circulation to minors shall be clear and convincing evidence that such material should be forfeited to the state; except that, no forfeiture shall be declared without the dealer, distributor or displayer being given a reasonable opportunity to appear in opposition and without a judge having thoroughly examined each item. A dealer, distributor or displayer shall have had reasonable opportunity to appear in opposition if the matter the prosecutor seeks to destroy is the same matter that formed the basis of a criminal proceeding against the dealer, distributor or displayer where the dealer, distributor or displayer has been charged and found guilty of holding or displaying for sale, exhibiting, distributing or circulating obscene material to the public or pornographic material for minors to minors. If the matter is not found to be obscene, or if obscene material is not found to have been held or displayed for sale, exhibition, distribution or circulation to the public, or if the matter is not found to be pornographic for minors or if pornographic material is not found to have been held or displayed for sale, exhibition, distribution or circulation to minors, the matter shall be restored forthwith to the dealer, exhibitor or displayer.

12. If an appeal is taken by the dealer, exhibitor or displayer from an adverse judgment, the case shall be assigned for hearing at the earliest practicable date and expedited in every way. Destruction or disposition of matter declared forfeited shall be postponed until the judgment has become final by exhaustion of appeal, or by expiration of the time for appeal, and until the matter is no longer needed as evidence in a criminal proceeding.

13. A determination of obscenity shall not be admissible in any criminal proceeding against any person or corporation for sale or possession of obscene matter.

14. An appeal by any party shall be allowed from the judgment of the court as in other civil actions.

15. All other property still in the custody of an officer or of a court as the result of any seizure and which has not been forfeited pursuant to this section or any other provision of law after three years following the seizure and which has ceased to be useful as evidence shall be deemed abandoned, converted to cash and shall be turned over immediately to the treasurer pursuant to section 447.543.

16. In fiscal year 2003, the commissioner of administration shall estimate the amount of any additional state revenue received pursuant to this section and section 447.532, shall transfer an equivalent amount of general revenue to the schools of the future fund created in section 163.005."; and

Further amend said bill, Page 36, Section 559.105, Line 28, by inserting after all of said line the following:

"566.083. 1. A person commits the crime of sexual misconduct involving a child if **[**the**]** **such** person:

(1) Knowingly exposes his or her genitals to a child less than fifteen years of age under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm to the child;

(2) Knowingly exposes his or her genitals to a child less than fifteen years of age for the purpose of arousing or gratifying the sexual desire of any person, including the child; or

(3) Knowingly coerces or induces a child less than fifteen years of age to expose the child's genitals **or breasts of a female child** for the purpose of arousing or gratifying the sexual desire of any person, including the child.

2. The provisions of this section shall apply regardless of whether the person violates **[**the**]** **this** section in person or via the Internet or other electronic means.

3. It is not an affirmative defense to prosecution for a violation of this section that the other person was a peace officer masquerading as a minor.

4. Sexual misconduct involving a child or attempted sexual misconduct involving a child is a class D felony unless the actor has previously pleaded guilty to or been found guilty of an offense pursuant to this chapter or the actor has previously pleaded guilty to or has been convicted of an offense against the laws of another state or jurisdiction which would constitute an offense under this chapter, in which case it is a class C felony.

566.151. 1. A person at least twenty-one years of age or older commits the crime of enticement of a child **in the first degree** if that person persuades, solicits, coaxes, entices, or lures whether by words, actions or through communication via the Internet or any electronic communication, any person who is less than fifteen years of age for the purpose of engaging in sexual conduct.

2. It is not an affirmative defense to a prosecution for a violation of this section that the other person was a peace officer masquerading as a minor.

3. Enticement of a child or an attempt to commit enticement of a child **in the first degree** is a felony for which the authorized term of imprisonment shall be not less than five years and not more than thirty years. No person convicted under this section shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of five calendar years."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Still offered **House Amendment No. 1 to House Amendment No. 4**.

House Amendment No. 1 to House Amendment No. 4 was withdrawn.

Representative Still offered **House Amendment No. 2 to House Amendment No. 4**.

House Amendment No. 2
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for House Bill No. 1256, Page 7, Line 16, by inserting after all the word, "years." the following:

"**566.152. 1. A person at least twenty-one years of age or older commits the crime of enticement of a child in the second degree if that person persuades, solicits, coaxes, entices, or lures whether by words, actions or through communication via the internet or any electronic communication, any person who is at least fifteen years of age but less than seventeen years of age for the purpose of engaging in sexual conduct.**

2. It is not an affirmative defense to a prosecution for a violation of this section that the other person was a peace officer masquerading as a minor.

3. Enticement of a child or an attempt to commit enticement of a child in the second degree is a class D felony."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Still moved that **House Amendment No. 2 to House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 077

Anders	Atkins	Aull	Barnes	Black
Brandom	Brattin	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Cookson	Ellinger
Ellington	Fallert	Frederick	Gosen	Hampton
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Jones 89	Kander	Kelly 24	Kirkton
Kratky	Lampe	Largent	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Riddle	Rizzo	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Sifton	Silvey	Smith 71	Smith 150	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webber
Wieland	Wyatt			

NOES: 077

Asbury	Bahr	Bernskoetter	Berry	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Grisamore
Guernsey	Haefner	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McGhee
McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Schatz	Solon	Thomson
Wallingford	Wells	Weter	White	Wright
Zerr	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Day	Funderburk	Hughes	Nolte
Pollock	Redmon	Shumake	Webb	

Representative Fuhr offered **House Amendment No. 3 to House Amendment No. 4**.

House Amendment No. 3
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for House Bill No. 1256, Page 6, Lines 28-31, by deleting all of said lines and inserting in lieu thereof the following:

"purpose of arousing or gratifying the sexual desire of any person, including the child; **[**or**]**

(3) Knowingly coerces or induces a child less than fifteen years of age to expose the child's genitals for the purpose of arousing or gratifying the sexual desire of any person, including the child**; or**

(4) Knowingly coerces or induces a child who is known by such person to be less than fifteen years of age to expose the breasts of a female child through the Internet or other electronic means for the purpose of arousing or gratifying the sexual desire of any person, including the child."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 3 to House Amendment No. 4** was adopted by the following vote:

AYES: 154

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake

Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Curtman	Day	Funderburk	Hughes
Redmon	Spreng	Webb	Mr Speaker	

On motion of Representative Cauthorn, **House Amendment No. 4, as amended,** was adopted.

Representative Cox offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1256, Page 25, Section 488.426, Line 20, by inserting after all of said line the following:

"488.2250. For all transcripts of testimony given or proceedings had in any circuit court **in cases where an appeal is taken**, the court reporter shall receive the sum of **[**two dollars**] three dollars and fifty cents** per twenty-five-line page for the original **and up to three copies** of the transcript, and the sum of **[**thirty-five cents**] fifty cents** per twenty-five-line page for each **[**carbon**] additional** copy thereof; the page to be approximately eight and one-half inches by eleven inches in size, with left-hand margin of approximately one and one-half inches and the right-hand margin of approximately one-half inch; answer to follow question on same line when feasible; such page to be designated as a legal page. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings, and the court reporter's fees for making the same shall be paid by the state upon a voucher approved by the court, and taxed against the state. In criminal cases where an appeal is taken by the defendant, and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court shall order the court reporter to furnish three **paper or electronic** transcripts in duplication of the notes of the evidence, for the original **and up to three copies of the transcript [**of which**]** the court reporter shall receive **the sum of** two dollars **and sixty cents** per legal page **[**and for the copies**] and the sum of** twenty cents per page **for each additional copy thereof**. The payment of court reporter's fees provided in this section shall be made by the state upon a voucher approved by the court. **An electronic version of all transcripts mentioned herein shall be provided. All copies shall be provided by a Court Reporter certified by the Missouri Supreme Court.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 5** was adopted.

Representative Elmer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1256, Page 27, Section 513.430, Line 37, by removing the opening and closing brackets around the word "local"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 6** was adopted.

Representative Diehl offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1256, Page 19, Section 456.8-808, Lines 89-95, by removing all of said lines and inserting in lieu thereof the following:

"**7. If a trust protector is granted a power in the trust instrument to direct, consent to, or disapprove a trustee's actual or proposed investment decision, distribution decision, or other decision of the trustee required to be performed under applicable trust law in carrying out the duties of the trustee in administering the trust, then only with respect to such power, excluding the powers identified in subsection 3 of this section, the trust protector shall have the same duties and liabilities as if serving as a trustee under the trust instrument.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 7** was adopted.

Representative McCaherty offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 1256, Page 36, Section 559.105, Line 28, by inserting after all of said line the following:

"569.100. 1. A person commits the crime of property damage in the first degree if **such person**:

(1) **[**He**]** Knowingly damages property of another to an extent exceeding seven hundred and fifty dollars; or

(2) **[**He**]** Damages property to an extent exceeding one thousand dollars for the purpose of defrauding an insurer**;**

or

(3) Knowingly damages a motor vehicle of another and the damage occurs while such person is making entry into the motor vehicle for the purpose of committing the crime of stealing therein or the damage occurs while such person is committing the crime of stealing within the motor vehicle.

2. Property damage in the first degree **committed under subdivision (1) or (2) of subsection 1 of this section** is a class D felony. **Property damage in the first degree committed under subdivision (3) of subsection 1 of this section is a class C felony unless committed as a second or subsequent violation of subdivision (3) of subsection 1 of this section in which case it is a class B felony.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McCaherty, **House Amendment No. 8** was adopted.

Representative Lant offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for House Bill No. 1256, Page 1, In the Title, Line 5, by deleting the word "thirty-two" and inserting in lieu thereof the word "thirty-three"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the word "thirty-two" and inserting in lieu thereof the word "thirty-three"; and

Further amend said bill, Page 1, Section A, Line 5, by inserting after the word "sections" the section number "21.771,"; and

Further amend said bill, Page 1, Section A, Line 8, by inserting after all of said line the following:

"**21.771. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on Child Abuse and Neglect" to be composed of seven members of the senate and seven members of the house of representatives. The senate members of the joint committee shall be appointed by the president pro tem and minority floor leader of the senate and the house members shall be appointed by the speaker and minority floor leader of the house of representatives. The appointment of each member shall continue during the member's term of office as a member of the general assembly or until a successor has been appointed to fill the member's place. No party shall be represented by more than four members from the house of representatives nor more than four members from the senate.**

A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

2. The joint committee shall:

(1) Make a continuing study and analysis of the state child abuse and neglect reporting and investigation system;

(2) Devise a plan for improving the structured decisionmaking regarding the removal of a child from a home;

(3) Determine the additional personnel and resources necessary to adequately protect the children of this state and improve their welfare and the welfare of families;

(4) Address the need for additional foster care homes and to improve the quality of care provided to abused and neglected children in the custody of the state;

(5) Determine from its study and analysis the need for changes in statutory law; and

(6) Make any other recommendation to the general assembly necessary to provide adequate protections for the children of our state.

3. The joint committee shall meet within thirty days after its creation and organize by selecting a chairperson and a vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives. The chairperson shall alternate between members of the house and senate every two years after the committee's organization.

4. The committee shall meet at least quarterly. The committee may meet at locations other than Jefferson City when the committee deems it necessary.

5. The committee shall be staffed by legislative personnel as is deemed necessary to assist the committee in the performance of its duties.

6. The members of the committee shall serve without compensation but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties.

7. It shall be the duty of the committee to compile a full report of its activities for submission to the general assembly. The report shall be submitted not later than the fifteenth of January of each year in which the general assembly convenes in regular session and shall include any recommendations which the committee may have for legislative action as well as any recommendations for administrative or procedural changes in the internal management or organization of state or local government agencies and departments. Copies of the report containing such recommendations shall be sent to the appropriate directors of state or local government agencies or departments included in the report.

8. The provisions of this section shall expire on January 15, 2018."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lant, **House Amendment No. 9** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	White
Wieland	Wyatt	Zerr		

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Curtman	Day	Franklin	Funderburk
Gosen	Higdon	Hughes	Long	McNary
Pace	Pollock	Webb	Weter	Wright
Mr Speaker				

On motion of Representative Diehl, **HCS HB 1256, as amended,** was adopted.

On motion of Representative Diehl, **HCS HB 1256, as amended,** was ordered perfected and printed.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCR 53, relating to a revised summary statement for Senate Joint Resolution No. 2, was taken up by Representative Schoeller.

On motion of Representative Schoeller, **HCR 53** was read the third time and passed by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 006

Funderburk	Hughes	McNary	Schad	Webb
Weter				

Representative Leara declared the bill passed.

PERFECTION OF HOUSE BILLS

HCS HB 1383, relating to the Missouri Accountability Portal, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1383, Page 2, Section 37.850, Lines 15-20, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Marshall offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1383, Page 2, Section 33.087, Line 28, by inserting after all of said line the following:

"**33.089. 1. Every department and division of this state that receives any grant of federal funds shall determine whether or not any or all of such funds can be used for the alternatives to abortion services program established in section 188.325 or the alternatives to abortion public awareness program established in section 188.335. Federal funds for which such determination shall be made shall include, but not be limited to: maternal and child health block grant; social services block grant; community development block grant; temporary assistance for needy families; community services block grant; head start; pregnancy assistance fund program; maternal, infant, and early childhood home visiting program; community-based child abuse prevention grants; child care and development block grant; promoting safe and stable families; abandoned infants; infant adoption awareness training; healthy start initiative; healthy marriage promotion and responsible fatherhood grants; and any successor funds.**

2. At least annually, and by a date or dates specified by the office of administration so as to assist in budgeting and planning for every fiscal year, each such department and division shall submit its determination to the office of administration on the use of such federal funds for the alternatives to abortion services program or the alternatives to abortion public awareness program. The office of administration shall compile this information and submit it to the chairman of the senate appropriations committee and the chairman of the house budget committee, and shall also make such information easily available to the public on the Missouri accountability portal established in section 37.850."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 2** was adopted.

On motion of Representative Cox, **HCS HB 1383, as amended,** was adopted.

On motion of Representative Cox, **HCS HB 1383, as amended,** was ordered perfected and printed.

HCS HB 1444, relating to confiscated animals, was taken up by Representative Smith (150).

Representative Smith (150) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1444, Page 1, Section 578.018, Line 10, by inserting immediately following the word "**hearing**" the words "**unless necessary to save life or relieve suffering**"; and

Further amend said bill, page, and section, Lines 12-13, by deleting the words "**agreed upon by the law enforcement agency, a veterinarian, and the animal owner**" and inserting in lieu thereof the words "**approved by the court**"; and

Further amend said bill, Page 2, Section 578.018, Lines 19-22, by deleting all of said lines and inserting in lieu thereof the following:

"2. **(1) The owner of any animal that has been impounded under this section shall not be responsible for the animal's care and keeping prior to a disposition hearing if the court determines that the animal was taken unlawfully**."; and

Further amend said bill, page, and section, Line 25, by inserting immediately following the word "**hearing**" the words "**and until final judgment, settlement, or dismissal or the case**"; and

Further amend said bill, page, and section, Line 26, by inserting immediately following the word "security" the words "**within 72 hours of the disposition hearing**"; and

Further amend said bill, page, and section, Line 27, by deleting the words "**after completion of such hearing**"; and

Further amend said bill, page, and section, Line 49, by inserting immediately after the word "**owner**" the words "**posted a sufficient bond and**"; and

Further amend said bill, page, section and line, by inserting immediately following the word "**conviction,**" the words "**unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence,**"; and

Further amend said bill, page, and section, Line 53, by inserting immediately following the word "**conviction**" the words "**unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence**"; and

Further amend said bill, Page 3, Section 578.018, Line 56, by inserting immediately before the word "**euthanizes**" the word "**intentionally**"; and

Further amend said bill, Page 3, Section 578.018, Line 57, by inserting immediately before the word "**sterilizes**" the word "**intentionally**"; and

Further amend said bill, page, and section, Line 61, by inserting after all of said section and line the following:

"578.030. 1. The provisions of section 43.200 notwithstanding, any member of the state highway patrol or other law enforcement officer may apply for and serve a search warrant, and shall have the power of search and seizure in order to enforce the provisions of sections 578.025 to 578.050.

2. Any member of the state highway patrol or other law enforcement officer making an arrest under section 578.025 shall lawfully take possession of all dogs or other animals **in accordance with the provisions of 578.018** and all paraphernalia, implements, or other property or things used or employed, or about to be employed, in the violation of any of the provisions of section 578.025. Such officer, after taking possession of such dogs, animals, paraphernalia, implements or other property or things, shall file with the court before whom the complaint is made against any person so arrested an affidavit stating therein the name of the person charged in such complaint, a description of the property so taken and the time and place of the taking thereof together with the name of the person from whom the same was taken and the name of the person who claims to own such property, if known, and that the affiant has reason to believe and does believe, stating the ground of such belief, that the property so taken was used or employed, or was about to be used or

employed, in such violation of section 578.025. He shall thereupon deliver the property so taken to the court, which shall, by order in writing, place the same in the custody of an officer or other proper person named and designated in such order, to be kept by him until the conviction or final discharge of such person complained against, and shall send a copy of such order without delay to the prosecuting attorney of the county. The officer or person so named and designated in such order shall immediately thereupon assume the custody of such property and shall retain the same, subject to the order of the court before which such person so complained against may be required to appear for trial. **If the property includes animals or dogs, the placement of the animals or dogs shall be in handled accordance with the provision of 578.018.** Upon the conviction of the person so charged, all property so seized shall be adjudged by the court to be forfeited and shall thereupon be destroyed or otherwise disposed of as the court may order. In the event of the acquittal or final discharge without conviction of the person so charged, such court shall, on demand, direct the delivery of such property so held in custody to the owner thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HCS HB 1444, as amended**, was adopted.

On motion of Representative Smith (150), **HCS HB 1444, as amended**, was ordered perfected and printed.

HCS HB 1549, relating to the No-call List, was taken up by Representative Richardson.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington

Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Carter	Day	Elmer	Funderburk
Guernsey	Holsman	Hughes	Sater	Schneider
Webb	Weter			

On motion of Representative Richardson, **HCS HB 1549** was adopted.

On motion of Representative Richardson, **HCS HB 1549** was ordered perfected and printed.

HCS HB 1458, relating to public safety and emergency services, was taken up by Representative Hinson.

Representative Riddle offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1458, Page 4, Section 320.202, Line 34, by inserting the following after all of said line:

"321.015. **1.** No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to**:**

(1) Members of the organized militia, of the reserve corps, public school employees and notaries public**; [**, or to**]**

(2) Fire protection districts located wholly within counties of the second, third or fourth **[**class or**]** **classification;**

(3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;

(4) Fire protection districts located within **[**first class**]** counties **of the first classification** not adjoining any other **[**first class**]** county **of the first classification; [**, nor shall this section apply to**]**

(5) Fire protection districts located within any county of the first or second **[**class**]** **classification** not having more than nine hundred thousand inhabitants which borders any three **[**first class**]** counties **of the first classification**; **[**nor shall this section apply to**]**

(6) Fire protection districts located within any **[**first class**]** county **of the first classification [**without a charter form of government**]** which adjoins both a **[**first class**]** **charter** county **[**with a charter form of government**]** with at least nine hundred thousand inhabitants, and adjoins at least four other counties.

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelly (24) offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 1458, Page 1, Line 23, by inserting after the word "counties" the following:

";

(7) Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Riddle, **House Amendment No. 1, as amended,** was adopted.

Representative Diehl offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1458, Page 6, Section 321.162, Line 17, by inserting after all of said line the following:

"**321.228. 1. As used in this section, the following terms shall mean:**

(1) "Residential construction", new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;

(2) "Residential construction regulatory system", any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board.

3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 2** was adopted.

Representative Johnson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1458, Page 8, Section 1, Line 27, by inserting the following after all of said line:

"**Section 2. Any company that installs, inspects, or services fire extinguishing equipment shall have filed with the division of fire safety within the department of public safety a security bond of twenty-five thousand dollars issued by a responsible corporate surety licensed to execute surety bonds in the state of Missouri.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 3** was adopted by the following vote:

AYES: 102

Allen	Anders	Atkins	Black	Brandom
Brown 50	Brown 116	Carlson	Casey	Cierpiot
Colona	Conway 27	Cookson	Cross	Denison
Dieckhaus	Diehl	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kelley 126	Kelly 24	Kirkton
Klippenstein	Kratky	Lair	Lampe	Lant
Largent	Lichtenegger	Long	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schieffer	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber			

NOES: 041

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brattin	Brown 85	Burlison	Cauthorn	Conway 14
Cox	Crawford	Curtman	Davis	Franklin
Franz	Frederick	Hampton	Houghton	Keeney
Koenig	Korman	Lasater	Lauer	Leach
Leara	Loehner	Marshall	McCaherty	Neth
Phillips	Pollock	Scharnhorst	Schatz	Schieber
Schoeller	Wells	White	Wieland	Wright
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 020

Aull	Carter	Day	Dugger	Fraker
Fuhr	Funderburk	Holsman	Hughes	Kander
Molendorp	Nolte	Parkinson	Sater	Schad
Schneider	Webb	Weter	Zerr	Mr Speaker

Representative Hinson offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1458, Page 7, Section 321.711, Line 16, by inserting after all of said line the following:

"577.029. A licensed physician, registered nurse, or trained **in hospital** medical technician, acting at the request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his or her good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or her."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 4** was adopted.

Representative Bernskoetter offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1458, Page 3, Section 302.291, Line 78, by inserting after all of said section and line the following:

"320.106. As used in sections 320.106 to 320.161, unless clearly indicated otherwise, the following terms mean:

(1) "American Pyrotechnics Association (APA), Standard 87-1", or subsequent standard which may amend or supersede this standard for manufacturers, importers and distributors of fireworks;

(2) "Chemical composition", all pyrotechnic and explosive composition contained in fireworks devices as defined in American Pyrotechnics Association (APA), Standard 87-1;

(3) "Consumer fireworks", explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UNO336, **[**1.4G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class C common fireworks by regulation of the United States Department of Transportation**] within 49 CFR Part 172**;

(4) "Discharge site", the area immediately surrounding the fireworks mortars used for an outdoor fireworks display;

(5) "Dispenser", a device designed for the measurement and delivery of liquids as fuel;

(6) "Display fireworks", explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two grains (130 mg) of explosive composition intended for public display. These devices are classified as fireworks, **UN0333 or UN0334 or** UNO335, **[**1.3G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class B display fireworks by regulation of the United States Department of Transportation**] within 49 CFR Part 172**;

(7) "Display site", the immediate area where a fireworks display is conducted, including the discharge site, the fallout area, and the required separation distance from mortars to spectator viewing areas, but not spectator viewing areas or vehicle parking areas;

(8) "Distributor", any person engaged in the business of selling fireworks to wholesalers, jobbers, seasonal retailers, other persons, or governmental bodies that possess the necessary permits as specified in sections 320.106 to 320.161, including any person that imports any fireworks of any kind in any manner into the state of Missouri;

(9) "Fireworks", any composition or device for producing a visible, audible, or both visible and audible effect by combustion, deflagration, or detonation and that meets the definition of consumer, proximate, or display fireworks as set forth by 49 CFR Part 171 to end, United States Department of Transportation hazardous materials regulations**[**, and American Pyrotechnics Association 87-1 standards**]**;

(10) "Fireworks season", the period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks;

(11) "Jobber", any person engaged in the business of making sales of consumer fireworks at wholesale or retail within the state of Missouri to nonlicensed buyers for use and distribution outside the state of Missouri during a calendar year from the first day of January through the thirty-first day of December;

(12) "Licensed operator", any person who supervises, manages, or directs the discharge of outdoor display fireworks, either by manual or electrical means; who has met additional requirements established by promulgated rule and has successfully completed a display fireworks training course recognized and approved by the state fire marshal;

(13) "Manufacturer", any person engaged in the making, manufacture, assembly or construction of fireworks of any kind within the state of Missouri;

(14) "NFPA", National Fire Protection Association, an international codes and standards organization;

(15) "Permanent structure", buildings and structures with permanent foundations other than tents, mobile homes, and trailers;

(16) "Permit", the written authority of the state fire marshal issued pursuant to sections 320.106 to 320.161 to sell, possess, manufacture, discharge, or distribute fireworks;

(17) "Person", any corporation, association, partnership or individual or group thereof;

(18) "Proximate fireworks", a chemical mixture used in the entertainment industry to produce visible or audible effects by combustion, deflagration, or detonation, as **[**defined by the most current edition of the American Pyrotechnics Association (APA), Standard 87-1, section 3.8, specific requirements for theatrical pyrotechnics**] classified within 49 CFR Part 172 as UN0431 or UN0432**;

(19) "Pyrotechnic operator" or "special effects operator", an individual who has responsibility for pyrotechnic safety and who controls, initiates, or otherwise creates special effects for proximate fireworks and who has met additional requirements established by promulgated rules and has successfully completed a proximate fireworks training course recognized and approved by the state fire marshal;

(20) "Sale", an exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one or more individuals;

(21) "Seasonal retailer", any person within the state of Missouri engaged in the business of making sales of consumer fireworks in Missouri only during a fireworks season as defined by subdivision (10) of this section;

(22) "Wholesaler", any person engaged in the business of making sales of consumer fireworks to any other person engaged in the business of making sales of consumer fireworks at retail within the state of Missouri.

320.131. 1. It is unlawful for any person to possess, sell or use within the state of Missouri, or ship into the state of Missouri, except as provided in section 320.126, any pyrotechnics commonly known as "fireworks" and defined as consumer fireworks in subdivision (3) of section 320.106 other than items now or hereafter classified as fireworks UNO336, 1.4G by the United States Department of Transportation that comply with the construction, chemical composition, labeling and other regulations relative to consumer fireworks regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public pursuant to such commission's regulations.

2. No wholesaler, jobber, or seasonal retailer, or any other person shall sell, offer for sale, store, display, or have in their possession any consumer fireworks that have not been approved as fireworks UNO336, 1.4G by the United States Department of Transportation.

3. No jobber, wholesaler, manufacturer, or distributor shall sell to seasonal retailer dealers, or any other person, in this state for the purpose of resale, or use, in this state, any consumer fireworks which do not have the numbers and letter "1.4G" printed within an orange, diamond-shaped label printed on or attached to the fireworks shipping carton.

4. This section does not prohibit a manufacturer, distributor or any other person **possessing the proper permits as specified by state and federal law** from storing, selling, shipping or otherwise transporting display or proximate fireworks**[**, defined as fireworks UNO335, 1.3G/UNO431, 1.4G or UNO432, 1.4S by the United States Department of Transportation, provided they possess the proper permits as specified by state and federal law**]**.

5. Matches, toy pistols, toy canes, toy guns, party poppers, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound, provided that they are so constructed that the hand cannot come into contact with the cap when in place for use, and toy pistol paper caps which contain less than twenty-five hundredths grains of explosive mixture shall be permitted for sale and use at all times and shall not be regulated by the provisions of sections 320.106 to 320.161.

320.136. Ground salutes commonly known as "cherry bombs", "M-80's", "M-100's", "M-1000's", and any other tubular salutes or any items described as prohibited chemical components or forbidden devices as listed in the American Pyrotechnics Association Standard 87-1 or which exceed the **[**federal**]** limits set for **consumer** fireworks **[**UNO336, 1.4G formerly known as class C common fireworks, display fireworks UNO335, 1.3F, and proximate fireworks UNO431, 1.4F/UNO432, 1.4S by the United States Department of Transportation**], display fireworks, or proximate fireworks** for explosive composition are expressly prohibited from shipment into, manufacture, possession, sale, or use within the state of Missouri for consumer use. Possession, sale, manufacture, or transport of this type of illegal explosive shall be punished as provided by the provisions of section 571.020."; and

Further amend said bill, Page 8, Section 1, Line 27, by inserting after all of said section and line the following:

"Section B. Because immediate action is necessary to ensure compliance with federal regulations prior to the sale of fireworks for the Independence Day holiday, Sections 320.106, 320.131, and 320.136 of Section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and Sections 320.106, 320.131, and 320.136 of Section A this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bernskoetter, **House Amendment No. 5** was adopted.

Representative Gatschenberger offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1458, Page 1, Section A, Line 3, by inserting the following after all of said line:

"**[**650.325.**]** **190.411.** There is hereby established within the department of public safety the "**[**Advisory Committee for**]** 911 Service Oversight **Board**" which is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training and education. The **[**committee for**]** 911 service oversight **board** shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state.

[650.330.**]** **190.415.** 1. The **[**committee for**]** 911 service oversight **board** shall consist of **[**sixteen**]** **seven** members, one of **[**which**]** **whom** shall be **[**chosen from**]** **the director of** the department of public safety **or the director's designee,** who shall serve as chair of the **[**committee**]** **board** and only vote in the instance of a tie vote among the other members, and the other members shall be selected as follows:

(1) **[**One member chosen to represent an association domiciled in this state whose primary interest relates to counties;

(2) One member chosen to represent the Missouri public service commission;

(3)**]** One member chosen to represent emergency medical services;

[(4)**] (2)** One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

[(5)**] (3)** One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;

[(6)**] (4)** One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

[(7)**] (5)** One member chosen to represent an association whose primary interest relates to issues pertaining to **[**police chiefs**] law enforcement officials**; **and**

[(8) One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;

(9) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;

(10) One member chosen to represent 911 service providers in counties of the second, third and fourth classification;

(11) One member chosen to represent 911 service providers in counties of the first classification, with and without charter forms of government, and cities not within a county;

(12)**] (6)** One member chosen to represent telecommunications service providers with at least one hundred thousand access lines located within Missouri**[**;

(13) One member chosen to represent telecommunications service providers with less than one hundred thousand access lines located within Missouri;

(14) One member chosen to represent a professional association of physicians who conduct with emergency care; and

(15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers**]**.

2. Each of the members of the **[**committee for**]** 911 service oversight **board** shall be appointed by the governor with the advice and consent of the senate for a term of four years**[**; except that, of those members first appointed, four members shall be appointed to serve for one year, four members shall be appointed to serve for two years, four members shall be appointed to serve for three years and four members shall be appointed to serve for four years**]**. Members of the **[**committee**] board** may serve multiple terms.

3. The **[**committee for**]** 911 service oversight **board** shall meet at least quarterly at a place and time specified by the chairperson of the **[**committee**] board** and it shall keep and maintain records of such meetings, as well as the other activities of the **[**committee**] board**. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the **[**committee**] board**.

4. The **[**committee for**]** 911 service oversight **board** shall:

(1) Organize and adopt standards governing the **[**committee's**] board's** formal and informal procedures;

(2) Provide recommendations for primary answering points and secondary answering points on statewide technical and operational standards for 911 services;

(3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;

(4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that such **[**committee**] board** shall not supersede decision-making authority of local political subdivisions in regard to 911 services;

(5) Provide assistance to the governor and the general assembly regarding 911 services;

(6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;

(7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;

(8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state; and

(9) Advise the department of public safety on establishing rules and regulations necessary to administer the provisions of sections **[**650.320 to 650.340**] 190.400 to 190.445**.

5. The department of public safety shall provide staff assistance to the **[**committee for**]** 911 service oversight **board** as necessary in order for the **[**committee**] board** to perform its duties pursuant to sections **[**650.320 to 650.340**] 190.400 to 190.445**.

6. The department of public safety is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within section **[**650.340**]** **190.445**. Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

[650.340.**]** **190.445.** 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

(1) Police telecommunicator. . . . . 16 hours;

(2) Fire telecommunicator. . . . . 16 hours;

(3) Emergency medical services telecommunicator. . . . . 16 hours;

(4) Joint communication center telecommunicator. . . . . 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section. The reporting period for the ongoing training under this subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the **[**committee**]** **board** that such person has completed training in another state which are at least as stringent as the training requirements of subsection 2 of this section.

6. The department of public safety shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or **dispatch** agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for **[**an**]** **a dispatch** agency which meets the requirements set forth in section 190.134.”; and

Further amend said bill, Section 1, Page 8, Line 27, by inserting the following after all of said line:

“**[**190.400. As used in sections 190.400 to 190.440, the following words and terms shall mean:

(1) "911", the primary emergency telephone number within the wireless system;

(2) "Board", the wireless service provider enhanced 911 advisory board;

(3) "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;

(4) "Public safety answering point", the location at which 911 calls are initially answered;

(5) "Wireless service provider", a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).**]**

[190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:

(1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;

(2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;

(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and

(4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.

2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.

3. The board shall do the following:

(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;

(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;

(3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and

(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.

4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.**]**

[190.420. 1. There is hereby established in the state treasury a fund to be known as the "Wireless Service Provider Enhanced 911 Service Fund". All fees collected pursuant to sections 190.400 to 190.440 by wireless service providers shall be remitted to the director of the department of revenue. The director shall remit such payments to the state treasurer.

2. The state treasurer shall deposit such payments into the wireless service provider enhanced 911 service fund. Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the wireless service provider enhanced 911 system.

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund.**]**

[190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.

2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to July 2, 1998, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 2, 1998, shall be invalid and void.

3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:

(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and

(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:

(a) The volume of wireless 911 calls received by each public safety answering point;

(b) The population of the public safety answering point jurisdiction;

(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and

(d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section;

(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;

(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.

4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.

5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.

6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.

7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.

8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.**]**

[190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the voters of this state. The ballot measure shall be submitted by the secretary of state for approval or rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.

2. The ballot of the submission shall contain, but is not limited to, the following language:

Shall the Missouri Office of Administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless enhanced 911 service?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.**]**

[650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) "Committee", the advisory committee for 911 service oversight established in section 650.325;

(2) "Public safety answering point", the location at which 911 calls are initially answered;

(3) "Telecommunicator", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot offered **House Amendment No. 1 to House Amendment No. 6**.

House Amendment No. 1
to
House Amendment No. 6

AMEND House Amendment No. 6 to House Committee Substitute for House Bill No. 1458, Page 2, Line 7, by inserting an opening bracket "**[**" immediately after the word "with" on said line; and

Further amend said amendment and page, Line 8, by inserting a closing bracket "**]**" immediately after the word "thousand" on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1 to House Amendment No. 6** was adopted.

Representative Hinson offered **House Amendment No. 2 to House Amendment No. 6**.

House Amendment No. 2 to House Amendment No. 6 was withdrawn.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Davis	Denison	Dieckhaus	Diehl
Dugger	Fisher	Fitzwater	Flanigan	Fraker

Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Nance
Neth	Nolte	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Thomson	Torpey	Wallingford	Wells
White	Wright	Wyatt	Zerr	

NOES: 047

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellington	Fallert
Harris	Hodges	Hubbard	Hummel	Jones 63
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 027

Aull	Brown 116	Carter	Cross	Curtman
Day	Ellinger	Elmer	Entlicher	Fuhr
Funderburk	Holsman	Hughes	Jones 117	Kander
Largent	McManus	Molendorp	Nasheed	Parkinson
Schad	Smith 71	Stream	Webb	Weter
Wieland	Mr Speaker			

On motion of Representative Gatschenberger, **House Amendment No. 6, as amended,** was adopted.

Representative Lampe offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 1458, Page 3, Section 302.291, Line 78, by inserting after all of said line the following:

"**302.800. 1. For purposes of this section, the following terms mean:**

(1) "Department", the department of revenue;

(2) "Director", the director of the department of revenue;

(3) "Emergency responder", a municipal, county, or state law enforcement officer or firefighter, or other person who has been trained to provide emergency medical first response services;

(4) "Program participant", an individual who has completed a health information card that includes health and emergency contact information, and affixed the decal provided by the department of revenue under this section to the individual's motor vehicle.

2. There is hereby established a "Missouri Yellow Dot Program" in the department of revenue. The purpose of the program is to provide emergency responders with critical health and emergency contact information about program participants so emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate.

3. The department of revenue shall design Missouri yellow dot program materials, giving consideration to the program materials used by other states in similar programs. Program materials shall include, but shall not be limited to:

(1) A yellow decal of a size and design to be determined by the department which shall be affixed to the rear driver's side window of the program participant's vehicle;

(2) A health information card which provides space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physician's names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the director deems relevant to emergency responders in the case of emergency;

(3) A yellow envelope of a size and design to be determined by the director into which the health information card established under this subsection is to be inserted and placed into the program participant's glove compartment; and

(4) A program instruction sheet including an electronic mail address required under subsection 4 of this section.

4. The department shall establish an electronic mail mechanism through which persons may ask questions about the program and receive assistance in completing the health information card.

5. The department shall provide sufficient program materials to other state departments or agencies seeking to distribute or make program materials available to interested persons.

6. The director shall notify the state highway patrol regarding the implementation of the Missouri yellow dot program so that all emergency responders are informed about the program.

7. The department may charge an individual seeking to participate in the program a nominal fee to cover the administrative cost of the program.

8. The department shall make Missouri yellow dot program materials available for pick up by any interested person at any driver's license office and shall provide for an online means through which individuals can request the materials required to participate in the program. Any other state department or agency may make the program materials available for distribution to, or pick up by, any interested person.

9. The department shall develop and undertake a public education campaign to inform the public about the program established in this section.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lampe, **House Amendment No. 7** was adopted.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Davis	Denison	Dieckhaus	Diehl	Dugger
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Thomson	Torpey
Wallingford	Wells	White	Zerr	

NOES: 050

Anders	Atkins	Black	Brown 50	Carlson
Casey	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 029

Aull	Barnes	Brown 116	Carter	Colona
Cross	Curtman	Day	Elmer	Entlicher
Fuhr	Funderburk	Holsman	Hughes	Jones 89
Jones 117	Largent	Molendorp	Pollock	Richardson
Schad	Smith 71	Stream	Webb	Weter
Wieland	Wright	Wyatt	Mr Speaker	

On motion of Representative Hinson, **HCS HB 1458, as amended,** was adopted.

On motion of Representative Hinson, **HCS HB 1458, as amended,** was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1365 - Rules

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HCS HJR 47 - Fiscal Review
HJR 49 - Fiscal Review
HJR 71 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1891 - General Laws
HB 2092 - General Laws
HB 2103 - Small Business

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1254**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HCR 47**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 47

WHEREAS, United States Secretary of Defense Leon E. Panetta recently announced that the Pentagon will seek new rounds of base closures, mission realignments, and procurement decreases as part of the federal budget cutting process; and

WHEREAS, Secretary Panetta states that, in an effort to cut $487 billion over the next decade, the number of soldiers in the United States Army will drop over the next five years from 562,000 to 490,000, and the number of marines in the United States Marine Corps will drop over the next five years from 202,000 to 182,000; and

WHEREAS, the President's FY 2013 Budget adjusts Air Force military end strength to 501,000, with net reductions of 3,900 active duty, 5,100 Air National Guard, and 900 Air Force Reserve billets, reflecting an especially severe impact on the Guard and Reserves; and

WHEREAS, the Pentagon planners intend to reduce procurement of weapons systems by more than 10% in FY2012 to $108.5 billion, down from $120.6 billion in FY2011; and

WHEREAS, Missouri is currently home to a number of major military bases and agencies, including Whiteman Air Force Base near Knob Noster and its 509th Bomb Wing, the only Air Force Unit that operates the B-2 Spirit Stealth Bomber; the United States Army Maneuver Support Center at Fort Leonard Wood and its Chemical, Biological, Nuclear and Radiological School (CBRN), Military Police, and Army Engineer Schools; the National Geospatial-Intelligence Agency (NGA) in Arnold; the Missouri National Guard's Ike Skelton Training Center (ISTS) in Jefferson City; the Theater Aviation Sustainment Maintenance Group (TASMG) in Springfield; and the 139th Airlift Wing in St. Joseph, among numerous other facilities and locations; and

WHEREAS, according to the latest available data, the Department of Defense employs approximately 26,000 civilian and active duty military personnel in Missouri at more than 11 major locations across the state, and provides additional funding for approximately 26,000 members of the Reserves and National Guard; and

WHEREAS, civilian and active duty military personnel and members of the Reserves and National Guard are paid $1.9 billion in wages and salary and contribute $3.4 billion to the gross state product; and

WHEREAS, Missouri's defense industry plays a vital role in the state's economy, employing 160,000 Missourians working to support, either directly or indirectly, over $12 billion in Department of Defense procurement contracts awarded to Missouri companies, ranking 5th among the states in total dollars; and

WHEREAS, Missouri's defense procurement contracts are heavily oriented toward research and operational systems and manufacturing companies, particularly aerospace manufacturing at the Boeing Company, Missouri's 3rd largest employer, and its supply chain; and

WHEREAS, Missouri is home to several outstanding universities, including the University of Missouri, Washington University, and St. Louis University, that conduct cutting edge defense research for the government, providing the innovation needed to keep our military the finest in the world and creating the academic environment necessary to produce critical talent for government and industry workforce; and

WHEREAS, the nation's primary concern must always be national defense and the security of the United States, including Missouri; and

WHEREAS, Missouri is heavily committed to providing for our national defense and security as an accommodating partner and a proud home to major military installations and agencies, 52,000 military personnel, and 160,000 citizens who work at companies that manufacture defense systems, provide valuable services, and perform critical research; and

WHEREAS, Missouri has a vital economic interest in maintaining its military installations and agencies, and in presenting to national leaders evidence of Missouri's capacity to provide additional, cost effective, and flexible support to defense missions during the federal government's efforts to re-establish its basing, costing, and capabilities:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the United States Department of Defense and Missouri's Congressional delegation to protect, promote, and leverage Missouri's military bases and agencies, keep the number of military personnel in the state intact, and preserve defense industry procurement so that Missouri may continue to support the defense and protection of the state and the United States and keep its economy in sound condition; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for United States Secretary of Defense Leon E. Panetta and each member of the Missouri Congressional delegation.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1526**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was returned **HB 1490**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **HB 1922**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 736**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Renewable Energy, Chairman Holsman reporting:

Mr. Speaker: Your Special Standing Committee on Renewable Energy, to which was referred **HB 1809**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 480**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 564**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SB 607**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 611**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1106**, entitled:

An act to repeal sections 52.010, 54.033, 54.330, and 115.342, RSMo, and to enact in lieu thereof four new sections relating to certain public offices that have statutory bond requirements.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1106, Page 1, Section A, Line 4 of said page, by inserting immediately after all of said line the following:

"50.332. **[**Each county officer**]** In all counties **[**except first class counties having a charter form of government**]** **of the first, second, third, and fourth classes, and in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, each county officer** may, subject to the approval of the governing body of the county, contract with the governing body of any municipality located within such county, either in whole or in part, to perform the same type of duties for such municipality as such county officer is performing for the county. Any compensation paid by a municipality for services rendered pursuant to this section shall be paid directly to the county, or county officer, or both, as provided in the provisions of the contract, and any compensation allowed any county officer under any such contract may be retained by such officer in addition to all other compensation provided by law."; and

Further amend said bill, Page 2, Section 52.010, Line 4 of said page, by inserting immediately after all of said line the following:

"52.320. 1. The collector of revenue in counties using data processing systems of record keeping, except counties of the first class having a charter form of government, in addition to other duties provided by law, shall coordinate the purification of the tax data flows from the offices of the recorder, county clerk and assessor with that of the collector of revenue in cooperation with the data processing center handling such records.

2. In all counties of the first class not having a charter form of government **and in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants** the collector of revenue may enter into a contract with a city providing for the collection of municipal taxes by the collector. Any compensation paid by a city for services rendered pursuant to this section shall be paid directly to the county, or collector, or both, as provided in the contract, and all compensation, not to exceed three thousand dollars annually from all such contracts, allowed the collector under any such contract may be retained by the collector in addition to all other compensation provided by law."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Riddle, the House adjourned until 10:00 a.m., Thursday, April 12, 2012.

COMMITTEE MEETINGS

CORRECTIONS
Thursday, April 12, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1614, HB 1838
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, April 12, 2012, 9:00 AM House Hearing Room 6.
Executive session will be held: SS SCS SB 469

FISCAL REVIEW
Thursday, April 12, 2012, 9:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee
CORRECTED

GENERAL LAWS
Thursday, April 12, 2012, 9:00 AM North Gallery.
Executive session may be held on any matter referred to the committee.
Executive session

INSURANCE POLICY
Thursday, April 12, 2012, 8:30 AM House Hearing Room 3.
Public hearing will be held: HB 1745
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH
Monday, April 16, 2012, 2:30 PM House Hearing Room 2.
Executive session may be held on any matter referred to the committee.
Oversight Subcommittee meeting
Contested Fiscal Notes: SCS HCS HB 1193, SS #2 SCS SB 710

Conference Call Numbers:
Local 573-526-5504
Toll Free 866-630-9347

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, April 19, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd Quarter Meeting

RETIREMENT
Thursday, April 12, 2012, 9:00 AM House Hearing Room 1.
Executive session will be held: HB 1543, HB 1741, HB 1857
Executive session may be held on any matter referred to the committee.

RULES
Thursday, April 12, 2012, 9:30 AM House Hearing Room 6.
HB 1475 will have a public hearing in this committee.
Any or all bills referred to this committee may be heard and/or executive action taken.
CANCELLED

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, April 12, 2012, 9:30 AM House Hearing Room 6.
Executive session will be held: HCR 18, HCR 46, HJR 85, HCS HJR 89, HCR 49, HCS HB 1117, HCS HB 1137, HCS HB 1210, HCS HB 1049, HCS HB 1280, HCS HB 1213, HCS HB 1328, HCS#2 HB 1358, HCS HB 1397, HB 1592, HCS HB 1637, HCS HB 1639, HCS HB 1709, HCS HB1710, HCS HB 1758, HB 1779, HCS HB 1803, HCS HB 1795, HCS HB 1818, HCS HB 1966, HCS HB 2019, SS SCS SB 470, SS SCS SB 719, SCS SB 563
Executive session may be held on any or all bills referred to this committee.

TOURISM AND NATURAL RESOURCES
Thursday, April 12, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HB 1778, HB 1863, HB 1813
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Thursday, April 12, 2012, Upon Morning Adjournment North Gallery.
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, April 12, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1944, HB 1954, HB 1727
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Thursday, April 12, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HB 2099
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-FIFTH DAY, THURSDAY, APRIL 12, 2012

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HCS HB 1717 - Kelley (126)
4 HCS HB 1211 - Dieckhaus
5 HCS HB 1364 - Schieffer
6 HB 1534 - Bahr
7 HB 1540 - Jones (89)

8 HCS HBs 1574 & 1097 - Meadows
9 HCS HB 1661 - Hoskins
10 HCS HB 1826 - Fitzwater
11 HCS HB 1860 - Guernsey
12 HB 1455 - Gatschenberger
13 HCS HB 1274 - Koenig
14 HCS#2 HB 1323 - Black
15 HCS HB 1342 - Smith (150)
16 HB 1359 - Smith (150)
17 HCS HB 1367 - Fitzwater
18 HCS HB 1476 - Leara
19 HCS HB 1521 - Sommer
20 HCS HB 1869 - Dugger
21 HCS HB 1890 - Molendorp

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

1 HCS HJR 61 - Loehner
2 HCS HJR 47, (Fiscal Review 4/11/12) - Dugger
3 HJR 49, (Fiscal Review 4/11/12) - Brattin
4 HJR 71, (Fiscal Review 4/11/12) - Elmer

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1066 - McGhee
5 HCS HB 1134 - Scharnhorst
6 HCS HB 1256 - Diehl
7 HCS HB 1383, E.C. - Cox
8 HCS HB 1444 - Smith (150)
9 HCS HB 1549 - Richardson
10 HCS HB 1458, E.C. - Hinson

HOUSE CONCURRENT RESOLUTIONS

HCR 6 - Rowland

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-FIFTH DAY, THURSDAY, APRIL 12, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Former Representative Betty L. Thompson.

Let us begin by saying Thank God for this day, one that you and I have never seen before, but a day that can make all of us a little bit better than the day before.

It's such a blessing to be among all of you that have the responsibilities of helping people you serve and give them the guidance of which they need – love, salvation, moral values, good examples. And always remember you feel no way tired. You've come too far from where you started.

Nobody told you that the road would be easy. But I don't believe that my God brought you this far to leave you. So in the words of Betty Thompson, I urge you all to wake up, sit up, look up, stand up, dress up and pray up, and if you don't do any of these things you should have given up. God expects us to do these things.

Lord, we say have a great day. Have a great day!

Thank you and Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1985 through House Resolution No. 2019

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HJR 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 71**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 1134, relating to insurance coverage, was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **HCS HB 1134** was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Asbury	Atkins	Aull
Barnes	Berry	Black	Brandom	Brown 50
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Flanigan	Fraker	Franz	Gatschenberger	Gosen
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Lauer
Leara	Lichtenegger	Loehner	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Phillips	Pierson
Quinn	Redmon	Richardson	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Sommer	Spreng
Still	Stream	Swearingen	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 026

Bernskoetter	Brattin	Brown 85	Burlison	Cox
Fitzwater	Fuhr	Guernsey	Hampton	Jones 89
Koenig	Lasater	Leach	Marshall	McCreery
McNary	Molendorp	Nance	Parkinson	Pollock
Riddle	Sater	Schieber	Schoeller	Smith 150
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 021

Bahr	Colona	Day	Denison	Dieckhaus
Fisher	Franklin	Frederick	Funderburk	Grisamore
Haefner	Hughes	Largent	Long	McGhee
Meadows	Nolte	Reiboldt	Swinger	Webb
Webber				

Speaker Tilley declared the bill passed.

HCS HB 1256, relating to judicial procedures, was taken up by Representative Diehl.

On motion of Representative Diehl, **HCS HB 1256** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 001

Colona

PRESENT: 001

Conway 27

ABSENT WITH LEAVE: 010

Bahr	Day	Dieckhaus	Franklin	Funderburk
Hughes	Richardson	Schupp	Webb	Webber

Speaker Tilley declared the bill passed.

HCS HB 1383, relating to the Missouri Accountability Portal, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 1383** was read the third time and passed by the following vote:

AYES: 126

Allen	Asbury	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Holsman	Hoskins	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McGhee	McManus	McNary
Meadows	Montecillo	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 023

Anders	Atkins	Carlson	Ellinger	Ellington
Kirkton	May	McCreery	McDonald	McGeoghegan
McNeil	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Schupp	Sifton	Smith 71
Spreng	Swearingen	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 014

Bahr	Carter	Day	Dieckhaus	Franklin
Funderburk	Hodges	Hough	Hughes	Lampe
Molendorp	Richardson	Webb	Webber	

Speaker Tilley declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 103

Allen	Asbury	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McGhee	McNary
Molendorp	Montecillo	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 047

Anders	Atkins	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Holsman	Hubbard	Hummel
Jones 63	Kirkton	Kratky	Lasater	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bahr	Day	Dieckhaus	Flanigan	Franklin
Fuhr	Funderburk	Hughes	Jones 117	Richardson
Scharnhorst	Webb	Webber		

HCS HB 1444, relating to confiscated animals, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1444** was read the third time and passed by the following vote:

AYES: 108

Anders	Asbury	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Curtman
Davis	Denison	Diehl	Dugger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franz
Frederick	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nichols	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Taylor	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 036

Atkins	Carlson	Carter	Colona	Conway 27
Ellinger	Ellington	Holsman	Hummel	Jones 63
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Newman	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Bahr	Brown 50	Cross	Day
Dieckhaus	Fisher	Flanigan	Franklin	Fuhr
Funderburk	Gosen	Hodges	Hughes	Nasheed
Richardson	Schneider	Wallingford	Webb	

Speaker Tilley declared the bill passed.

HCS HB 1458, relating to public safety and emergency services, was taken up by Representative Hinson.

On motion of Representative Hinson, **HCS HB 1458** was read the third time and passed by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieffer	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 010

Burlison	Curtman	Hampton	Koenig	Marshall
Pollock	Schieber	Schneider	Wells	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Bahr	Brattin	Day	Dieckhaus
Flanigan	Franklin	Funderburk	Hughes	Jones 63
Talboy	Webb			

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 013

Burlison	Carlson	Kirkton	Lasater	Marshall
McCreery	McDonald	McNeil	Newman	Schieber
Schupp	Spreng	Taylor		

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Bahr	Day	Dieckhaus	Flanigan
Franklin	Funderburk	Gosen	Hughes	Jones 63
Kelly 24	Oxford	Webb	Webber	

HCS HB 1549, relating to the No-call List, was taken up by Representative Richardson.

On motion of Representative Richardson, **HCS HB 1549** was read the third time and passed by the following vote:

AYES: 147

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Bahr	Carter	Day	Dieckhaus
Diehl	Franklin	Funderburk	Hughes	Kelly 24
Kirkton	Long	Oxford	Talboy	Webb
Webber				

Speaker Tilley declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTIONS

HCS HJR 47, relating to initiative and referendum petitions, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HJR 47** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 003

Barnes	McDonald	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 008

Bahr	Day	Ellington	Franklin	Funderburk
Hughes	Oxford	Webb		

Speaker Tilley declared the bill passed.

HJR 49, relating to the right to bear arms, was taken up by Representative Brattin.

On motion of Representative Brattin, **HJR 49** was read the third time and passed by the following vote:

AYES: 120

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGeoghegan
McGhee	McNary	Meadows	Molendorp	Nance
Neth	Nichols	Nolte	Parkinson	Phillips
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 032

Brown 50	Carlson	Carter	Colona	Ellinger
Holsman	Hummel	Jones 63	Kelly 24	Kirkton
Kratky	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 011

Bahr	Day	Dieckhaus	Franklin	Funderburk
Hughes	Kelley 126	Oxford	Pollock	Scharnhorst
Webb				

Speaker Tilley declared the bill passed.

HJR 71, relating to a property tax exemption for active-duty military personnel, was taken up by Representative Elmer.

On motion of Representative Elmer, **HJR 71** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 001

Swearingen

PRESENT: 000

ABSENT WITH LEAVE: 010

Bahr	Day	Dieckhaus	Franklin	Funderburk
Hughes	Nasheed	Schatz	Webb	Wells

Speaker Tilley declared the bill passed.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1005 - Children and Families

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 15 - Financial Institutions
HCR 35 - Tourism and Natural Resources

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1087 - Health Care Policy
HB 1189 - Professional Registration and Licensing
HB 1242 - Transportation
HB 1312 - Retirement
HB 1391 - Children and Families
HB 1437 - Crime Prevention and Public Safety
HB 1439 - Elementary and Secondary Education
HB 1507 - Elementary and Secondary Education
HB 1616 - Transportation
HB 1633 - Financial Institutions
HB 1673 - Ways and Means
HB 1685 - Economic Development
HB 1746 - Agriculture Policy
HB 1840 - Judiciary
HB 1881 - Workforce Development and Workplace Safety
HB 1910 - Health Care Policy
HB 1958 - Transportation
HB 1962 - Elections
HB 1963 - Elections
HB 1965 - Elections
HB 1976 - Ways and Means
HB 1977 - Emerging Issues in Animal Agriculture
HB 1981 - Elections
HB 1991 - Crime Prevention and Public Safety
HB 1994 - Judiciary
HB 2038 - Children and Families
HB 2045 - Elementary and Secondary Education
HB 2050 - Emerging Issues in Animal Agriculture
HB 2066 - General Laws
HB 2070 - General Laws

HB 2076 - Children and Families
HB 2082 - Professional Registration and Licensing
HB 2084 - Transportation
HB 2085 - Transportation
HB 2098 - Workforce Development and Workplace Safety
HB 2104 - Workforce Development and Workplace Safety
HB 2105 - Crime Prevention and Public Safety

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1616 - Tax Reform

REFERRAL OF SENATE JOINT RESOLUTIONS

The following Senate Joint Resolutions were referred to the Committee indicated:

SJR 37 - Special Standing Committee on Judicial Reform
SS SCS SJR 40 - Judiciary

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 482 - Higher Education
SCS SBs 484, 477 & 606 - Utilities
SS#2 SB 492 - Retirement
SB 557 - General Laws
SCS SB 565 - Health Insurance
SS SCS SB 595 - Special Standing Committee on Disability Services
SB 599 - Elementary and Secondary Education
SCS SB 631 - Agriculture Policy
SCS SB 648 - Transportation
SB 667 - Professional Registration and Licensing
SCS SB 715 - Veterans
SCS SB 729 - Local Government
SS SCS SB 755 - Crime Prevention and Public Safety
SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847 - Transportation
SB 811 - Higher Education

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1790**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1842**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 699**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1245**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1988**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute - Federal Mandate**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1741** and **HB 1543**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 2063**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 2100**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 2099**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 85**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 89**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1049**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1117**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1137**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1210**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1213**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as HB 1213**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1280**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1328**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1475**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1592**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1637**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1639**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1709**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1710**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1718**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 2 hours for debate on Perfection divided equally between both sides**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1758**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1779**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1795**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1803**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1818**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1934 & 1654**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1966**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2019**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 470**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 563**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

The following members' presence was noted: Bahr, Day and Franklin.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, April 16, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, April 17, 2012, 1:00 PM House Hearing Room 6.
Public hearing will be held: SCS SB 631
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Monday, April 16, 2012, 2:00 PM House Hearing Room 5.
Public hearing will be held: HB 1957, SS SCS SB 755
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, April 17, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1719, HJR 86, HB 1870
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, April 18, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1990, HB 1910, HB 1087
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH
Monday, April 16, 2012, 2:30 PM House Hearing Room 2.
Executive session may be held on any matter referred to the committee.
Oversight subcommittee meeting
Contested Fiscal Notes: SCS HCS HB 1193, SS #2 SCS SB 710
Conference Call Numbers:
Local 573-526-5504
Toll Free 866-630-9347

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, April 19, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting

LOCAL GOVERNMENT
Wednesday, April 18, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCS SB 729
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON DISABILITY SERVICES
Monday, April 16, 2012, 1:00 PM House Hearing Room 7.
Public hearing will be held: SS SCS SB 595
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL AFFAIRS
Monday, April 16, 2012, Upon Afternoon Adjournment House Hearing Room 4.
Executive session will be held: HB 1766
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, April 16, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: SS SCS SB 592
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SIXTH DAY, MONDAY, APRIL 16, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 85 - Solon
2 HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2019 - Silvey

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HCS HB 1717 - Kelley (126)
4 HCS HB 1211 - Dieckhaus
5 HCS HB 1364 - Schieffer
6 HB 1534 - Bahr
7 HB 1540 - Jones (89)

8 HCS HBs 1574 & 1097 - Meadows
9 HCS HB 1661 - Hoskins
10 HCS HB 1826 - Fitzwater
11 HCS HB 1860 - Guernsey
12 HB 1455 - Gatschenberger
13 HCS HB 1274 - Koenig
14 HCS#2 HB 1323 - Black
15 HCS HB 1342 - Smith (150)
16 HB 1359 - Smith (150)
17 HCS HB 1367 - Fitzwater
18 HCS HB 1476 - Leara
19 HCS HB 1521 - Sommer
20 HCS HB 1869 - Dugger
21 HCS HB 1890 - Molendorp
22 HCS HB 1117 - Brown (50)
23 HCS#2 HB 1475 - Cross
24 HB 1592 - Jones (89)
25 HCS HB 1637 - Curtman
26 HB 1718 - Scharnhorst (2 hours debate on Perfection)
27 HCS HB 1865 - Barnes
28 HCS HBs 1934 & 1654 - Torpey

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1066 - McGhee

HOUSE CONCURRENT RESOLUTIONS

1 HCR 6 - Rowland
2 HCR 46 - Franklin
3 HCR 49 - Fallert

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-SIXTH DAY, MONDAY, APRIL 16, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Major Kendall Matthews.

Lord, we come before You this afternoon with open hearts, open minds, and open spirits. I am asking You to fill this body of lawmakers with Your goodness and grace. They need Your eternal power to make wise and crystal clear decisions that will positively impact the great Show-Me State of Missouri. Please show them Your wisdom, Your power, and Your infinite love, so that they can stand up for righteousness and all that is good. The Bible says that we can do all things through Christ who strengthens us. Strengthen these lawmakers to entrust themselves to Your power to serve this state.

These are tough economic times for many people of our state, Lord. Unemployment, homelessness, hunger and feelings of uncertainty concerning our future are on everybody's mind. Help us today, O Lord, to look to You for the reassurance that the future will improve for constituents that these lawmakers serve.

Loving God, I pray that this House of Representatives will look to You during times of trouble, knowing that their decisions have the influence and impact to make positive change happen throughout this state. Faith will be the key to keep them on the right path to help make the proper decisions to effect godly change in the Show-Me State.

So Lord, please be present with these legislators this week. Bless them, their families, their constituents, and bless our state.

In the name and Spirit of Jesus Christ, our Lord, our Master, and our Redeemer. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-fifth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2020 through House Resolution No. 2141

PERFECTION OF HOUSE BILLS

HCS HB 1717, relating to withholding tax filing requirements, was taken up by Representative Kelley (126).

Representative Fisher assumed the Chair.

Representative Hoskins offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1717, Page 1, In the Title, Line 2, by deleting the word "section" and inserting in lieu thereof the following: "sections 143.173 and"; and

Further amend said bill, Page 1, In the Title, Line 2, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 143.173 and 143.221, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 143.173 and 143.221, to read as follows:

143.173. 1. As used in this section, the following terms mean:

(1) "County average wage", the average wages in each county as determined by the department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of this section;

(2) "Deduction", an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income, or federal taxable income in the case of a corporation, for the tax year in which such deduction is claimed;

(3) "Full-time employee", a position in which the employee is considered full-time by the taxpayer and is required to work an average of at least thirty-five hours per week for a fifty-two week period;

(4) "New job", the number of full-time employees employed by the small business in Missouri on the qualifying date that exceeds the number of full-time employees employed by the small business in Missouri on the same date of the immediately preceding taxable year;

(5) "Qualifying date", any date during the tax year as chosen by the small business;

(6) "Small business", any small business**, including any sole proprietorship, partnership, S-corporation, C-corporation, limited liability company, limited liability partnership, or other business entity,** consisting of fewer than fifty full or part-time employees;

(7) "Taxpayer", any small business subject to the income tax imposed in this chapter**, including any sole proprietorship, partnership, S-corporation, C-corporation, limited liability company, limited liability partnership, or other business entity**.

2. In addition to all deductions listed in this chapter, for all taxable years beginning on or after January 1, 2011, and ending on or before December 31, 2014, a taxpayer shall be allowed a deduction for each new job created by the small business in the taxable year. **Tax deductions allowed to any partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders.** The deduction amount shall be as follows:

(1) Ten thousand dollars for each new job created with an annual salary of at least the county average wage; or

(2) Twenty thousand dollars for each new job created with an annual salary of at least the county average wage if the small business offers health insurance and pays at least fifty percent of such insurance premiums.

3. The department of revenue shall establish the procedure by which the deduction provided in this section may be claimed, and may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

4. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first three years after August 28, 2011, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first three years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hoskins, **House Amendment No. 1** was adopted.

Representative Oxford offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1717, Page 1, In the Title, Line 2, by deleting the word, "withholding" and inserting in lieu thereof the word, "income"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section the following:

"143.171. 1. For all tax years beginning on or after January 1, 1994, **but ending on or before December 31, 2012,** an individual taxpayer shall be allowed a deduction for his federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. For all tax years beginning on or after September 1, 1993, **but ending on or before December 31, 2012,** a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

3. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued, he may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 037

Atkins	Carlson	Colona	Conway 27	Ellinger
Ellington	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray			

NOES: 111

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin

Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Meadows	Molendorp	Nance	Nasheed
Neth	Nichols	Parkinson	Phillips	Pollock
Quinn	Redmon	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Brown 50	Carter	Funderburk	Hough
Hughes	Kander	Kelly 24	McManus	Nolte
Reiboldt	Schad	Webb	Webber	Weter

On motion of Representative Kelley (126), **HCS HB 1717, as amended,** was adopted.

On motion of Representative Kelley (126), **HCS HB 1717, as amended,** was ordered perfected and printed.

HB 1534, relating to the federal health care reform law, was taken up by Representative Bahr.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater

Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	McCaherty	McGhee	McNary	Molendorp
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Sater
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 050

Atkins	Black	Carlson	Casey	Colona
Conway 27	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 017

Anders	Asbury	Aull	Barnes	Brown 50
Carter	Funderburk	Higdon	Hughes	Long
McManus	Nance	Nolte	Ruzicka	Schad
Scharnhorst	Webb			

On motion of Representative Bahr, **HB 1534** was ordered perfected and printed by the following vote:

AYES: 109

Allen	Asbury	Bahr	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Meadows	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon

Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 041

Atkins	Carlson	Carter	Colona	Conway 27
Ellinger	Ellington	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 001

Anders

ABSENT WITH LEAVE: 012

Aull	Barnes	Brown 50	Brown 85	Funderburk
Hughes	McManus	Nolte	Schad	Scharnhorst
Schieffer	Webb			

HCS HB 1661, relating to a tax deduction for job creation, was taken up by Representative Hoskins.

Representative Oxford offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1661, Page 1, Section A, Line 2, by inserting after all of said line the following:

"143.171. 1. For all tax years beginning on or after January 1, 1994, **but ending on or before December 31, 2012,** an individual taxpayer shall be allowed a deduction for his federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. For all tax years beginning on or after September 1, 1993, **but ending on or before December 31, 2012,** a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

3. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued, he may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 035

Atkins	Carlson	Carter	Colona	Ellinger
Ellington	Holsman	Hummel	Jones 63	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McNeil	Montecillo	Morgan	Nasheed
Newman	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

NOES: 113

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Meadows
Nance	Neth	Nichols	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Brown 50	Day	Denison	Diehl
Funderburk	Grisamore	Hughes	Kelly 24	McManus
Molendorp	Nolte	Schad	Scharnhorst	Webb

Representative McNeil offered **House Amendment No. 2**.

Representative Cierpiot raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Fisher requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 049

Anders	Atkins	Black	Carlson	Carter
Casey	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Kander	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 017

Aull	Brown 50	Colona	Day	Dieckhaus
Funderburk	Gatschenberger	Hughes	Jones 63	Kelly 24
Korman	McManus	Nolte	Schad	Scharnhorst
Webb	Wyatt			

On motion of Representative Hoskins, **HCS HB 1661** was adopted.

On motion of Representative Hoskins, **HCS HB 1661** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 1900**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **SS SCS SB 467**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 43

WHEREAS, the sport of trapshooting is one of the three major forms of competitive clay pigeon shooting and is growing in popularity throughout the United States and Missouri; and

WHEREAS, the trapshooting games were originally meant for the hunters to develop their skills, but these shooting games have obtained international recognition and are encouraged by sports associations; and

WHEREAS, trapshooting is a sport where flying clay targets are fired at with a shot gun. Trapshooting is considered to be an exciting and challenging sport with several million participants; and

WHEREAS, trapshooting has been a sport since at least 1793; and

WHEREAS, Olympic trap is one of the International Shooting Sport Federation (ISSF) shooting events, introduced to the Olympic program in 1900; and

WHEREAS, the Amateur Trapshooting Association (ATA) is the primary governing body of American trapshooting and has launched a major initiative to attract more youth shooters; and

WHEREAS, a great deal of coordination and discipline is needed for trapshooting. Trapshooting sports test a player's skill in marksmanship and improve confidence of youth, both male and female, who may not possess the physical attributes to compete in other competitive sports offered at their schools; and

WHEREAS, the goal of any program of youth trapshooting should be to provide instruction and promote firearm safety, personal responsibility, and sportsmanship among primary and secondary students; and

WHEREAS, trap shooting competitions promote tourism in the State of Missouri by bringing in participants and their families from around the country who stay in motels, eat in restaurants, and shop in retail stores, and purchase products from vendors at events; and

WHEREAS, the ATA, the Missouri Trapshooters Association, and other state shooting organizations also award scholarships to college-bound trapshooters based on citizenship, scholarship, and need. Many youth trapshooters are now attending college with the help of those scholarships; and

WHEREAS, our youth should have the opportunity and be encouraged to participate in this extracurricular activity in the same manner as other youth extracurricular activities, such as football, baseball, softball, basketball, track, or band; and

WHEREAS, the boards of education of every Missouri school district and school is encouraged to promote and include trapshooting as a high school sport:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby encourage the school boards of every school district and school in the State of Missouri, in conjunction with the Missouri Youth Sport Shooting Alliance, to voluntarily promote and include trapshooting as a high school sport for the youth of our state; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Missouri Commissioner of Education, the Missouri School Activities Association, the Missouri Trapshooters Association, the Missouri Youth Sport Shooting Alliance, and each school district and school in Missouri.

Mr. Speaker: Your Committee on General Laws, to which was referred **HCR 52**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 52

WHEREAS, in 1959, Senate Resolution No. 33 and House Resolution No. 19, recognizing the importance of the extraordinary manifestations of nature and recreational attributes of the Current and Eleven Point Riverways, requested Congress to enact legislation to preserve the natural resources and provide recreational development and other improvements for the public use; and

WHEREAS, in 1964, Congress answered Missouri's request by enacting legislation to establish the Ozark National Scenic Riverways; and

WHEREAS, the riverways within the Ozark National Scenic Riverways are, and remain, public highways of the State of Missouri, subject to concurrent jurisdiction between the State of Missouri and the United States under Missouri Senate Bill No. 362 enacted in 1971; and

WHEREAS, in 2005, the National Park Service began researching for the purpose of drafting a new general management plan for the Ozark National Scenic Riverways; and

WHEREAS, the general management plan for the Ozark National Scenic Riverways will ensure that the National Park Service managers and stakeholders share a clearly defined understanding of the resource conditions, opportunities for recreational use, and managerial methodology for access, and development designed to successfully achieve the national riverways' purpose; and

WHEREAS, in keeping with the National Parks and Recreation Act of 1978, the general management plan will serve as a guideline which will be relied upon as a basis for decisions affecting the riverways and for decisions which serve to preserve resources for the enjoyment of future generations; and

WHEREAS, every national park system unit has been asked to prepare this kind of document since 1976 when Congress passed a law to that effect. The general management plan will guide decisions related to the Ozark National Scenic Riverways for the next 15 to 20 years; and

WHEREAS, the Missouri Conservation Commission is charged with the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and all wildlife resources of the state, including hatcheries, sanctuaries, refuges, reservations and all other property owned, acquired or used for such purposes; and

WHEREAS, in September of 2009, the Missouri Department of Conservation recommended that "hunting, fishing and trapping continue to be allowed throughout the ONSR except in highly developed areas where a reasonable safety zone for public protection may be required" and supported the "No-Action Alternative" released in 2009 by the National Park Service as an appropriate balance between preservation of resource conditions and opportunities for recreational use; and

WHEREAS, the recreational resources afforded by the riverways are an economic staple to the citizens of the surrounding communities with the State of Missouri; and

WHEREAS, the State of Missouri and a majority of the citizens of Missouri agree that the citizens of Missouri and those Missouri citizens most impacted in their daily lives are in the best position to formulate policy and regulations to manage and protect Missouri's natural resources as opposed to a federal agency headquartered in Washington, D.C.:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby strongly urge the National Park Service to draft its final General Management Plan to recognize the importance the riverways provides to the State of Missouri not only for the preservation of those extraordinary manifestations of nature, but also recreational use and enjoyment; and

BE IT FURTHER RESOLVED that the Missouri General Assembly finds that the previously announced "No Action Alternative" provides the best balance to maintain the riverways' purposes; and

BE IT FURTHER RESOLVED that the Missouri General Assembly stand prepared to utilize its concurrent jurisdiction to assure this balance is properly maintained; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Jonathan B. Jarvis, Director of the National Park Service, and Bill Black, Interim Superintendent of Ozark National Scenic Riverways.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1394**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1690**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1998**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 37.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCR 16.**

SENATE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 16

WHEREAS, in the year 2011, heavy rainfall and snowmelt along the Missouri River combined with intentional releases of impounded water by the U.S. Army Corps of Engineers caused unprecedented amounts of water flow on the river, which led to breached levees and widespread flooding for the states along the river, including Missouri; and

WHEREAS, the extensive flooding destroyed many homes, farms, and businesses, severely impacting the livelihoods of thousands of Missourians, who, in addition to suffering the emotional toll of the disaster, are also suffering a heavy economic burden to repair the devastated land and infrastructure; and

WHEREAS, the U.S. Army Corps of Engineers is charged with management of the Missouri River for eight congressionally-authorized purposes, one of which is flood control; and

WHEREAS, the Army Corps of Engineers has worked extensively for numerous years to develop the Missouri River Master Manual to guide its management of the river which seeks to balance the competing interests of the eight authorized purposes; and

WHEREAS, it is evident that due to the immediate, large-scale and potentially life-threatening impacts upon public health and safety caused by flooding, the authorized purpose of flood control must have the utmost importance in any planning activities on the part of the Army Corps; and

WHEREAS, as a result of the widespread devastation caused by the flood events of 2011, an independent technical review panel was formed to evaluate the Army Corps' river management performance and, specifically, its performance with regard to its responsibility to protect public health and safety through flood control; and

WHEREAS, the independent technical review panel issued its findings and recommendations in December 2011 and concluded that while the Army Corps may have acted in accordance with the Master Manual, the Master Manual itself may not be appropriately flexible or responsive to adequately protect the public from flooding in the case of extreme weather events such as those experienced in 2011; and

WHEREAS, the panel's report further concluded that the Army Corps' Master Manual should not regard extreme weather events such as the precipitation in 2011 as rare, isolated events, but rather as part of a potential climatic pattern for which the Army Corps must be continuously prepared to address; and

WHEREAS, understanding that the prediction of future weather patterns is not an exact science, the Army Corps must allow greater flexibility in its management activities of reservoir storage and spring rise to anticipate and respond to higher than expected snow and rainfall in the river basin so as to prevent future catastrophic flooding events like that which occurred in 2011 and to position the Army Corps to be successful in accomplishing its flood control duties and protecting the public from disasters that could have been prevented:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the Commanding General of the U.S. Army Corps of Engineers to accept the recommendations of the independent technical review panel in order to improve its flood protection operations and conduct its river management activities in proper accordance with the Corps' mandated responsibility to protect life and property through flood control actions; and

BE IT FURTHER RESOLVED that the U.S. Army Corps of Engineers be urged to continually place the utmost priority on flood control in any future annual operating plans with the goal of allowing the Army Corps to be able to successfully react and respond to unpredictable weather and extreme weather events so as to prevent future flooding disasters; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commanding General of the U.S. Army Corps of Engineers and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 25.**

SENATE CONCURRENT RESOLUTION NO. 25

WHEREAS, over the course of the spring and summer of 2011, unprecedented releases of water upstream by the U.S. Army Corps of Engineers have caused extensive pressure on the river levees in the state of Missouri that protect many communities, businesses, and prime agricultural lands; and

WHEREAS, in the face of this tremendous pressure some of Missouri's levees have been intentionally and unintentionally breached, resulting in widespread flooding, which has proved devastating to many Missouri homes, farms, families, and livelihoods; and

WHEREAS, last summer, the U.S. Army Corps of Engineers intentionally breached the Birds Point levee in southeast Missouri which resulted in the flooding of 130,000 acres of mostly agricultural land; and

WHEREAS, Missouri families have suffered unprecedented losses as a result of this situation and many Missouri farmers have experienced a complete and total loss of agricultural production, resulting in decimated farm incomes and ravaged local economies; and

WHEREAS, according to a June 2011 report drafted by the Food and Agricultural Policy Research Institute of the University of Missouri, the breach of the levee and subsequent flooding of crop lands in southeast Missouri has resulted in economic losses totaling $60.6 million, a combination of forgone net returns and incurred production expenses in the affected area; and

WHEREAS, according to the University of Missouri Extension, the southeast Missouri region produced the following shares of the state's total production of specific agricultural commodities in 2010:

1) 100% of total cotton production in Missouri;
2) 99.6% of total rice production in Missouri;
3) 52.9% of total wheat production in Missouri;
4) 21.4% of total grain sorghum production in Missouri;
5) 18.1% of total soybean production in Missouri;
6) 15.4% of total corn production in Missouri; and

WHEREAS, with the agricultural production of southeast Missouri accounting for approximately one-third of the state's total economy, the catastrophic results of the flooding of agricultural land due to the intentional breach of the Birds Point levee in southeast Missouri has a significant economic impact for the entire state. This complete and total loss of agricultural production at a time when our state's economy is experiencing recession can only exacerbate the state's current economic hardships; and

WHEREAS, the flood waters have not yet receded in some parts of Missouri and continue to disrupt the lives of hard-working Missourians; and

WHEREAS, even after the flood waters recede, much work will need to be done to restore the productivity of the damaged agricultural land and repair the ruined homes and businesses; and

WHEREAS, the U.S. Army Corps of Engineers has a responsibility to the nation for flood control; and

WHEREAS, the original flood plan was authorized in 1928 in response to severe flooding of the Mississippi River in 1927. The U.S. Army Corps of Engineers is obligated to re-examine the flood plan in light of the devastating losses, both short-term and long-term, suffered in this state as a result of the unprecedented releases of water upstream and the intentional breach of the Birds Point levee by the U.S. Army Corps of Engineers during the spring and summer of 2011:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby strongly urge the U.S. Army Corps of Engineers to:

1) Re-examine the flood plan for the Mississippi River; and

2) Conduct its river operations in such a way as to avoid the devastating flooding disasters that occurred in 2011; and

3) Rebuild the damaged levees to at least their previous heights as expediently as possible; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly encourage communities, families and other stakeholders to work together to restore the prime agricultural lands that have been damaged by the recent flooding so that the productive value of these lands is not irrevocably lost; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly strongly encourage the members of the Missouri Congressional delegation to actively support policies for the management of the Mississippi River that minimize devastating flood events such as those that have been experienced by so many Missourians last summer; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Commanding General of the U.S. Army Corps of Engineers and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 628**, entitled:

An act to repeal section 488.5026, RSMo, and to enact in lieu thereof one new section relating to a surcharge in certain criminal cases.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 668**, entitled:

An act to amend chapter 52, RSMo, by adding thereto one new section relating to property tax bills of certain counties.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 742**, entitled:

An act to amend chapter 376, RSMo, by adding thereto three new sections relating to the credentialing and payment of health care practitioners by health insurers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 804**, entitled:

An act to repeal section 535.030, RSMo, and to enact in lieu thereof one new section relating to the failure to vacate leased premises in a rent and possession case, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 837**, entitled:

An act to repeal section 407.400, RSMo, and to enact in lieu thereof one new section relating to franchises.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Schad.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, April 17, 2012.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-fifth Day, Thursday, April 12, 2012, Page 1041, Line 4, by deleting "**HR 1005**" and inserting in lieu thereof "**HR 1391**".

Line 15, by deleting all of said line.

Line 37, by deleting the words, " Elementary and Secondary Education" and inserting in lieu thereof the words, "Emerging Issues in Animal Agriculture".

Line 37, by inserting immediately after said line the following:
"**HB 2048** - General Laws".

Line 38, by deleting the words, "Emerging Issues in Animal Agriculture" and inserting in lieu thereof the words, "Elementary and Secondary Education".

COMMITTEE MEETINGS

AGRICULTURE POLICY
Tuesday, April 17, 2012, 1:00 PM House Hearing Room 6.
Public hearing will be held: SCS SB 631
Executive session may be held on any matter referred to the committee.

CHILDREN AND FAMILIES
Wednesday, April 18, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 2038, HB 2076
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, April 17, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1719, HJR 86, HB 1870
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, April 18, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: SB 599, HB 2050, HB 2068
Executive session may be held on any matter referred to the committee.
Committee will recess at 10 AM and reconvene at Noon (12 PM) in Hearing Room 7.

GENERAL LAWS
Tuesday, April 17, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: SB 557, HB 2048, HB 2066
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, April 18, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1990, HB 1910, HB 1087
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, April 19, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting

JUDICIARY
Wednesday, April 18, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: SS SCS SJR 40, HB 1994, HB 1840
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, April 18, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCS SB 729
Executive session may be held on any matter referred to the committee.

RULES
Tuesday, April 17, 2012, Upon Afternoon Adjournment or 5 PM, whichever is later, House Hearing Room 6.
Public hearing will be held: SCR 28
Executive session will be held: SCR 28
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Tuesday, April 17, 2012, Upon Afternoon Adjournment or 5 PM, whichever is later, House Hearing Room 6.
Executive session will be held: HCS SCS SB 562, SS SCS SB 699, SB 736
Executive session may be held on any or all bills which have been referred to this committee.
AMENDED

RULES - PURSUANT TO RULE 25(32)(F)
Tuesday, April 17, 2012, 6:00 PM 516 S. Country Club Drive-Jimenez Room.
House Rules Committee dinner

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Tuesday, April 17, 2012, 5 PM or Upon Afternoon Adjournment, whichever comes first, House Hearing Room 7.
Public hearing will be held: SJR 37
Executive session may be held on any matter referred to the committee.
Possible executive session

TRANSPORTATION
Tuesday, April 17, 2012, Upon Morning Adjournment House Hearing Room 7.
Public hearing will be held: SCS SB 648, SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, HB 1242, HB 2085, HB 2084, HB 1958
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, April 17, 2012, 5 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 5.
Executive session will be held: HB 1213
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, April 17, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: HB 1972, HB 1768
Executive session will be held: HB 2083
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

FIFTY-SEVENTH DAY, TUESDAY, APRIL 17, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 85 - Solon
2 HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2019 - Silvey

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HCS HB 1211 - Dieckhaus
4 HCS HB 1364 - Schieffer
5 HB 1540 - Jones (89)
6 HCS HBs 1574 & 1097 - Meadows
7 HCS HB 1826 - Fitzwater
8 HCS HB 1860 - Guernsey
9 HB 1455 - Gatschenberger
10 HCS HB 1274 - Koenig
11 HCS#2 HB 1323 - Black
12 HCS HB 1342 - Smith (150)
13 HB 1359 - Smith (150)
14 HCS HB 1367 - Fitzwater
15 HCS HB 1476 - Leara
16 HCS HB 1521 - Sommer
17 HCS HB 1869 - Dugger
18 HCS HB 1890 - Molendorp
19 HCS HB 1117 - Brown (50)
20 HCS#2 HB 1475 - Cross
21 HB 1592 - Jones (89)
22 HCS HB 1637 - Curtman
23 HB 1718, (2 hours debate on Perfection) - Scharnhorst
24 HCS HB 1865 - Barnes
25 HCS HBs 1934 & 1654 - Torpey
26 HCS HB 1049 - Allen
27 HCS HB 1210 - Gatschenberger
28 HCS HB 1280 - Korman
29 HCS HB 1758 - Long
30 HCS HB 1795 - Ruzicka

31 HCS HB 1803 - Korman
32 HCS HB 1818 - Schad
33 HCS HB 1966 - Burlison

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1066 - McGhee

SENATE BILLS FOR SECOND READING

1 SB 628
2 SB 668
3 SS SB 742
4 SB 804
5 SCS SB 837

HOUSE CONCURRENT RESOLUTIONS

1 HCR 6 - Rowland
2 HCR 46 - Franklin
3 HCR 49 - Fallert

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-SEVENTH DAY, TUESDAY, APRIL 17, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Let your light so shine before men, that they may see your good works, and glorify your Father who is in heaven. (Matthew 5:16)

Eternal God of our hearts, in this sacred moment of quiet prayer, we turn our thoughts to You and open our minds to Your spirit that we may be wise in our decisions, understanding in our relationships, and faithful in our devotion to You and to our state.

Let not this period of prayer be the only time we think of You this day, but as the hours pass may we continue to be mindful of Your presence and ready to do Your will.

Bless the people of Missouri with Your continued favor. May we be great enough in spirit and good enough in heart to be the channel for peace and justice in our state and among people everywhere. To this end, help us this day, and lead us in Your way.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Morgan Yanskey, Alondra Jiminez, Austin Sooter, Luke Distler and Tabitha Imhoff.

The Journal of the fifty-sixth day was approved as printed.

Representative Day assumed the Chair.

SECOND READING OF SENATE BILLS

SB 628, SB 668, SS SB 742, SB 804 and **SCS SB 837** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1718, relating to Bryce's Law, was taken up by Representative Scharnhorst.

HB 1718 was laid over.

HCS HB 1211, relating to local courts, was taken up by Representative Dieckhaus.

Representative Schupp offered **House Amendment No. 1**.

Representative Hinson raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Day requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Dieckhaus, **HCS HB 1211** was adopted.

On motion of Representative Dieckhaus, **HCS HB 1211** was ordered perfected and printed.

HCS HB 1826, relating to videoconferencing of offenders, was taken up by Representative Fitzwater.

Representative Black offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1826, Page 2, Section 217.670, Line 27, by inserting after all of said section and line the following:

"**559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.**

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

(1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;

(2) Have been found guilty of, or plead guilty to, forcible rape under section 566.030;

(3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;

(4) Have been found guilty of, or plead guilty to, forcible sodomy under section 566.060;

(5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;

(6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;

(7) Have been found to be a predatory sexual offender under section 558.018; or

(8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 1** was adopted.

On motion of Representative Fitzwater, **HCS HB 1826, as amended**, was adopted.

On motion of Representative Fitzwater, **HCS HB 1826, as amended**, was ordered perfected and printed.

HCS HB 1274, relating to the Abortion-inducing Drugs Safety Act, was taken up by Representative Koenig.

HCS HB 1274 was laid over.

HCS HB 1860, relating to agriculture, was taken up by Representative Guernsey.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1860, Page 1, Section A, Line 4, by inserting after all of said section the following:

"178.530. **1.** The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education; however, such private school shall reimburse the department annually for the cost of oversight and maintenance of the program."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative McCreery offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1860, Page 11, Section 578.672, Line 25, by inserting after all of said line the following:

"**Section 1. 1. As used in this section, the following terms shall mean:**

(1) "Animal production facility", a commercial enterprise engaged in animal breeding, production, or processing;

(2) "Crop operation", a commercial enterprise where a crop is maintained on the property of the commercial enterprise;

(3) "Food product", any substance or product capable of use as human food;

(4) "Record", any printed, inscribed, visual, or audio information that is placed or stored on a tangible medium, and that may be accessed in a perceivable form, including but not limited to any paper or electronic format.

2. Notwithstanding any other provision of law to the contrary, no food products shall be purchased for or distributed to any departments, offices, institutions, and other agencies of the state and political subdivisions of the state, nor shall any moneys be allocated to any departments, offices, institutions, and other agencies of the state and political subdivisions of the state for the purchase or distribution of food products from any local, state, or foreign jurisdiction which prohibits or restricts by law or regulation the ability of a person lawfully on the premises of an animal production facility or crop operation to produce, possess, or distribute a record which reproduces an image or sound occurring at the animal production facility or crop operation.

3. The provisions of this section shall become effective August 28, 2013."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative McCreery moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Guernsey, **HCS HB 1860, as amended**, was adopted by the following vote:

AYES: 124

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McGeoghegan	McGhee	McNary	Meadows

Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 029

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Ellington	Holsman	Hummel	Jones 63
Kirkton	McCann Beatty	McCreery	McNeil	Montecillo
Morgan	Newman	Oxford	Pace	Pierson
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 116	Fallert	Fitzwater	Frederick	Funderburk
Hughes	McDonald	McManus	Scharnhorst	Webb

On motion of Representative Guernsey, **HCS HB 1860, as amended**, was ordered perfected and printed.

Representative Swinger assumed the Chair.

HCS HB 1342, relating to the recovery of attorney fees, was taken up by Representative Smith (150).

Representative Marshall offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1342, Page 4, Section 511.810, Lines 17 and 32, by deleting the word "**fourteen**" on said lines and inserting in lieu thereof the word "**sixty**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Ruzicka
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Colona	Conway 27	Ellinger
Ellington	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 016

Casey	Dieckhaus	Dugger	Fallert	Flanigan
Funderburk	Hughes	Jones 117	Lasater	McManus
Meadows	Rowland	Sater	Scharnhorst	Schupp
Webb				

On motion of Representative Smith (150), **HCS HB 1342, as amended**, was adopted.

On motion of Representative Smith (150), **HCS HB 1342, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Jones (89).

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2142 through House Resolution No. 2215

HOUSE CONCURRENT RESOLUTION

Representative Shumake, et al., offered House Concurrent Resolution No. 58.

PERFECTION OF HOUSE BILLS

HB 1359, relating to state contracts, was taken up by Representative Smith (150).

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1359, Page 1, Section 34.400, Line 4, by inserting after all of said section and line, the following:

"160.526. 1. In establishing the academic standards authorized by subsection 1 of section 160.514 and the statewide assessment system authorized by subsection 1 of section 160.518, the state board of education shall consider the work that has been done by other states, recognized regional and national experts, professional education discipline-based associations and other professional education associations. Further, in establishing the academic standards and statewide assessment system, the state board of education shall adopt the work that has been done by consortia of other states and, subject to appropriations, may contract with such consortia to implement the provisions of sections 160.514 and 160.518.

2. The state board of education shall, by contract enlist the assistance of such national experts, as approved by the commission established pursuant to section 160.510, to receive reports, advice and counsel on a regular basis pertaining to the validity and reliability of the statewide assessment system. The reports from such experts shall be received by the commission, which shall make a final determination concerning the reliability and validity of the statewide assessment system. Within six months prior to implementation of the statewide assessment system, the commissioner of education shall inform the president pro tempore of the senate and the speaker of the house about the procedures to implement the assessment system, including a report related to the reliability and validity of the assessment instruments, and the general assembly may, within the next sixty legislative days, veto such implementation by concurrent resolution adopted by majority vote of both the senate and the house of representatives.

3. The commissioner of education shall establish a procedure for the state board of education to regularly receive advice and counsel from professional educators at all levels in the state, district boards of education, parents, representatives from business and industry, and labor and community leaders pertaining to the implementation of sections 160.514 and 160.518. The procedure shall include, at a minimum, the appointment of ad hoc committees and shall be in addition to the advice and counsel obtained from the commission pursuant to section 160.510.

4. The state board of education shall, by contract, ensure that the results of each year's statewide student assessments in grades three through eight are statistically analyzed to determine patterns showing unexpected increases or decreases localizable to a particular attendance center. The state board shall review the results of the analysis to make a preliminary determination on whether the attendance center's results are valid, which shall include the use of a program or application that detects physical signs of test tampering. The state board shall share the results with the superintendent and school board of each affected district and shall annually at an open meeting report the results of the analysis."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted.

On motion of Representative Smith (150), **HB 1359, as amended**, was ordered perfected and printed.

HCS HB 1274, relating to the Abortion-inducing Drugs Safety Act, was again taken up by Representative Koenig.

Representative Morgan offered **House Amendment No. 1**.

Representative Zerr raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Jones (89) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Loehner assumed the Chair.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 046

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
May	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 018

Brown 116	Carter	Dieckhaus	Fallert	Franz
Funderburk	Grisamore	Hughes	Jones 89	Kander
Lampe	Lasater	McCann Beatty	McManus	Meadows
Nasheed	Silvey	Webb		

On motion of Representative Koenig, **HCS HB 1274** was adopted.

On motion of Representative Koenig, **HCS HB 1274** was ordered perfected and printed by the following vote:

AYES: 116

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 034

Atkins	Carlson	Colona	Ellinger	Ellington
Holsman	Hubbard	Hummel	Jones 63	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McCreery
McDonald	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 001

Brown 50

ABSENT WITH LEAVE: 012

Carter	Dieckhaus	Fallert	Funderburk	Grisamore
Hughes	Kander	Lasater	McManus	Meadows
Nasheed	Webb			

HCS HB 1476, relating to the Freight Forwarders Incentive Act, was taken up by Representative Leara.

Representative White offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1476, Page 1, Section 135.1500, Lines 9 and 10, by deleting all of said lines and inserting in lieu thereof the following:

"**(2) "Airport", an airport serving air passengers, air cargo, and air freight by accommodating certified scheduled air carriers;**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schad assumed the Chair.

Representative White moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Asbury	Aull	Bahr	Bernskoetter	Berry
Brattin	Brown 85	Burlison	Conway 14	Conway 27
Cox	Cross	Curtman	Elmer	Fisher
Franklin	Fuhr	Gosen	Hampton	Higdon
Hoskins	Keeney	Kelley 126	Klippenstein	Koenig
Lant	Largent	Lauer	Leach	Marshall
McCreery	McGhee	McNary	Molendorp	Nance
Parkinson	Quinn	Redmon	Reiboldt	Sater
Schieber	Schneider	Shively	Solon	Swinger
Thomson	Weter	White	Wyatt	

NOES: 098

Allen	Anders	Atkins	Barnes	Black
Brandom	Brown 50	Carlson	Casey	Cauthorn
Cierpiot	Colona	Cookson	Crawford	Davis
Day	Denison	Diehl	Dugger	Ellinger
Ellington	Entlicher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Guernsey	Haefner	Harris
Hinson	Hodges	Holsman	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Kelly 24	Kirkton	Korman	Kratky
Lair	Lampe	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Morgan	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Pollock	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schieffer	Schoeller	Schupp	Sifton	Silvey
Smith 71	Smith 150	Sommer	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webber	Wells	Wieland
Wright	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 116	Carter	Dieckhaus	Fallert	Funderburk
Gatschenberger	Grisamore	Hughes	Jones 63	Lasater
McManus	Meadows	Nolte	Schatz	Shumake
Webb				

On motion of Representative Leara, **HCS HB 1476** was adopted.

On motion of Representative Leara, **HCS HB 1476** was ordered perfected and printed.

HCS HB 1364, relating to rodeos, was taken up by Representative Schieffer.

Representative Schieffer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1364, Page 1, Section 262.750, Line 5, by inserting after the word "**events**" the following:

"**or be construed as superceding local zoning ordinances**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieffer, **House Amendment No. 1** was adopted.

On motion of Representative Schieffer, **HCS HB 1364, as amended**, was adopted.

On motion of Representative Schieffer, **HCS HB 1364, as amended**, was ordered perfected and printed.

HCS HB 1521, relating to property tax bills, was taken up by Representative Sommer.

On motion of Representative Sommer, **HCS HB 1521** was adopted.

On motion of Representative Sommer, **HCS HB 1521** was ordered perfected and printed.

Speaker Tilley resumed the Chair.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1534 - Fiscal Review
HCS HB 1661 - Fiscal Review
HCS HB 1717 - Fiscal Review

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1991 - Rural Community Development

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Concurrent Resolutions were referred to the Committee indicated:

SCR 15 - Rural Community Development
SS SCR 16 - Tourism and Natural Resources
SCS SCR 17 - Tourism and Natural Resources
SCR 24 - Transportation
SCR 25 - Tourism and Natural Resources

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SJR 26 - Elections

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 485 - Judiciary
SB 504 - Transportation
SCS SB 566 - Emerging Issues in Animal Agriculture
SB 620 - Insurance Policy
SCS SB 626 - General Laws
SB 628 - Judiciary
SS SCS SB 633 - General Laws
SB 636 - Judiciary
SS SB 665 - Transportation
SB 668 - General Laws
SCS SB 671 - Elections
SCS SB 673 - Transportation
SCS SB 683 - Financial Institutions
SB 690 - Crime Prevention and Public Safety
SCS SB 692 - Local Government
SB 701 - Transportation
SCS SB 711 - Children and Families
SCS SB 714 - Transportation
SB 721 - General Laws
SCS SB 722 - General Laws
SS SB 727 - Children and Families
SB 760 - Tourism and Natural Resources
SS SB 769 - Transportation Funding and Public Institutions
SCS SB 789 - Judiciary
SB 804 - Judiciary
SB 813 - Financial Institutions
SCS SB 837 - Small Business
SCS SB 856 - Special Standing Committee on Government Oversight and Accountability
SS SB 877 - Budget
SB 911 - Workforce Development and Workplace Safety

COMMITTEE REPORTS

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SS SCS SB 592**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Governmental Affairs, Chairman Schneider reporting:

Mr. Speaker: Your Special Standing Committee on Governmental Affairs, to which was referred **HB 1971**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Vice Chairman Jones (117) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 562**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 699**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 736**, begs leave to report it has examined the same and recommends that it **Do Pass**.

The following member's presence was noted: Fallert.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 18, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Thursday, April 19, 2012, 9:00 AM House Hearing Room 7.
Executive session will be held: SCS SB 631
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, April 25, 2012, 8:00 AM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
Review of DSS, DMH, & DHSS operations and policies

CHILDREN AND FAMILIES
Wednesday, April 18, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: HB 2038, HB 2076
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, April 18, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1067
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, April 19, 2012, 9:00 AM House Hearing Room 4.
Executive session will be held: HJR 60

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, April 18, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: SB 599, HB 2050, HB 2068
Executive session may be held on any matter referred to the committee.
Committee will recess at 10 AM and reconvene at Noon (12 PM) in Hearing Room 7.

FINANCIAL INSTITUTIONS
Wednesday, April 18, 2012, Immediately Upon Afternoon Adjournment House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Executive session only–any bills that have been previously heard in Committee

FISCAL REVIEW
Thursday, April 19, 2012, 9:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

HEALTH CARE POLICY
Wednesday, April 18, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1990, HB 1910, HB 1087
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY
Thursday, April 19, 2012, 8:30 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
The Committee will meet in executive session.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, April 19, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting
AMENDED

JUDICIARY
Wednesday, April 18, 2012, 12:00 PM House Hearing Room 1.
Public hearing will be held: SS SCS SJR 40, HB 1994, HB 1840
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, April 18, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCS SB 729
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, April 18, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: SB 667, HB 1678
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Wednesday, April 18, 2012, 5 PM or Upon Afternoon Adjournment House Hearing Room 5.
Executive session will be held: HB 1846
Executive session may be held on any matter referred to the committee.
No meal will be provided.

HOUSE CALENDAR

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 18, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HJR 85 - Solon
2 HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 2019 - Silvey

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HB 1540 - Jones (89)
4 HCS HBs 1574 & 1097 - Meadows
5 HB 1455 - Gatschenberger
6 HCS#2 HB 1323 - Black
7 HCS HB 1367 - Fitzwater
8 HCS HB 1869 - Dugger
9 HCS HB 1890 - Molendorp

10 HCS HB 1117 - Brown (50)
11 HCS#2 HB 1475 - Cross
12 HB 1592 - Jones (89)
13 HCS HB 1637 - Curtman
14 HB 1718 - Scharnhorst (2 hours debate on Perfection)
15 HCS HB 1865 - Barnes
16 HCS HBs 1934 & 1654 - Torpey
17 HCS HB 1049 - Allen
18 HCS HB 1210 - Gatschenberger
19 HCS HB 1280 - Korman
20 HCS HB 1758 - Long
21 HCS HB 1795 - Ruzicka
22 HCS HB 1803 - Korman
23 HCS HB 1818 - Schad
24 HCS HB 1966 - Burlison
25 HCS HB 1137 - Lauer
26 HCS HB 1328 - Cox
27 HB 1779 - Flanigan
28 HCS HB 1794 - Grisamore
29 HCS HB 1854 - Grisamore

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1066 - McGhee
5 HCS HB 1717, (Fiscal Review 4/17/12) - Kelley (126)
6 HB 1534, (Fiscal Review 4/17/12) - Bahr
7 HCS HB 1661, (Fiscal Review 4/17/12) - Hoskins

HOUSE CONCURRENT RESOLUTIONS

1 HCR 6 - Rowland
2 HCR 46 - Franklin
3 HCR 49 - Fallert
4 HCR 18 - Walton Gray

SENATE BILLS FOR THIRD READING

1 HCS SB 568 - Franz
2 SB 736 - Gatschenberger

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 18, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

This is my commandment, that ye love one another, even as I have loved you. (John 15:12)

O Thou, Who is the source of every noble impulse and the goal of every worthy aspiration, we bow in Your presence, praying that humbly and sincerely we receive Your spirit anew into our all-too-human hearts. Grant that in the midst of troubled times and demanding duties we may be sustained by Your presence, supported by Your grace, and strengthened by Your spirit.

Lead us into the fellowship of those who, in an upper room heard Your voice speaking to them and, responding, found in You new life, new light, and new love.

Inspire us with the assurance that You are with us, and may our faith in You give us confidence to face this day with courage and to live through these days with good will. May we be forgiven as we forgive and may we love as we ought to love. In us and in all people may Your name be glorified.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

Darrius Roberts, St. Louis, Missouri, sang "The Star-Spangled Banner."

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Taylen Riley, Caitlyn Riley, Grace Gill, Abby Swenson, Alex Gronowski, Ajay Dundoo, Payton Lindeman, Hannah Stark, Kayla Pauley, Aidan Wirrick, Matthew Van Eyck, Mark Van Eyck and Luke Van Eyck.

The Journal of the fifty-seventh day was approved as printed.

PERFECTION OF HOUSE BILL

HCS HBs 1934 & 1654, relating to animal shelter fees, was taken up by Representative Torpey.

HCS HBs 1934 & 1654 was laid over.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 85, relating to electronic pull-tab cards, was taken up by Representative Solon.

Representative Weter assumed the Chair.

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Joint Resolution No. 85, Page 2, Section 39(b), Line 19, by inserting after the word, "**cards,**" the words, "**after payment of prizes and administrative expenses,**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 1** was adopted.

On motion of Representative Solon, **HJR 85, as amended,** was ordered perfected and printed.

Representative Lampe assumed the Chair.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 2019 was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2019** was adopted.

On motion of Representative Silvey, **HCS HB 2019** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HCS HB 1367, relating to state employee performance reviews, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HCS HB 1367** was adopted.

On motion of Representative Fitzwater, **HCS HB 1367** was ordered perfected and printed.

Speaker Tilley assumed the Chair.

HCS HB 1890, relating to health insurance coverage, was taken up by Representative Molendorp.

Representative Franz assumed the Chair.

Representative Koenig offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1890, Page 3, Section 376.1226, Line 15, by inserting after all of said section, the following:

"**376.1760. 1. Any physician who prescribes or administers any drug for the purpose of inducing an abortion shall, in addition to complying with the medical malpractice requirements of section 188.043, obtain and maintain in force a tail or occurrence-based insurance policy of at least one million dollars per occurrence and three million dollars in the aggregate per year for personal injury to or death of a child born alive after an attempted abortion. Such policy shall be maintained in force or be in effect until such child reaches his or her twenty-first birthday, or later, under section 516.105.**

2. Any physician who knowingly violates the provisions of subsection 1 of this section is guilty of a class D felony.

3. The defense of medical emergency under subsection 2 of section 188.075 shall be available to any physician alleged to have violated the provisions of subsection 1 of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (63) raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Franz requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

On motion of Representative Koenig, **House Amendment No. 1** was adopted by the following vote:

AYES: 105

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGeoghegan	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schoeller	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 040

Atkins	Aull	Brown 50	Carlson	Carter
Colona	Ellinger	Ellington	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 116	Curtman	Dieckhaus	Franklin	Funderburk
Hough	Jones 117	McManus	Meadows	Nasheed
Nolte	Reiboldt	Scharnhorst	Schneider	Shively
Shumake	Smith 71	Webb		

Representative Molendorp offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1890, Page 3, Section 376.1226, Lines 7-10, by deleting all of said lines and inserting in lieu thereof the following:

"**(1) "Covered services", dental services reimbursable by a health carrier or health benefit plan or third party administrator under an applicable dental plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, copayments, coinsurance, waiting periods, annual or lifetime maximums, alternative benefit payments, or frequency limitations;**"; and

Further amend said bill, section and page, Line 15, by inserting after all of said line the following:

"**3. A health carrier or health benefit plan or third party administrator shall not provide merely de minimis reimbursement or coverage in an effort to avoid the requirements of this section.**

Section 1. The board of trustees of the Missouri consolidated health care plan shall conduct an actuarial analysis and report to the general assembly, on or before December 31, 2012, of the feasibility of including the health plan sponsored by the department of transportation into the Missouri consolidated health care plan. The health plan sponsored by the department of transportation shall provide the Missouri consolidated health care plan actuary the data and funding necessary to perform the actuarial analysis."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schoeller	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 116	Conway 14	Curtman	Dieckhaus	Franklin
Funderburk	Houghton	Jones 117	McCaherty	McManus
Meadows	Nasheed	Reiboldt	Sater	Schneider
Shumake	Silvey	Smith 71	Webb	Wright
Wyatt				

On motion of Representative Molendorp, **HCS HB 1890, as amended,** was adopted.

On motion of Representative Molendorp, **HCS HB 1890, as amended,** was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 1:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Aull.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2216 through House Resolution No. 2290

PERFECTION OF HOUSE BILLS

HCS HB 1637, relating to the Missouri Sound Money Act of 2012, was taken up by Representative Curtman.

Representative Curtman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1637, Page 2, Section 408.010, Line 22, by deleting the word, "**monetary**" and inserting in lieu thereof the words, "**gold or silver**"; and

Further amend said bill, page, section, Lines 31-34, by deleting all of said lines; and

Further amend said bill, section, Page 3, Line 44, by deleting the words, "**director of the division of finance**" and inserting in lieu thereof the words, "**secretary of state**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Curtman, **House Amendment No. 1** was adopted.

Representative Oxford offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1637, Page 1, Section 143.111, Line 10, by inserting after all of said section, the following:

"143.171. 1. For all tax years beginning on or after January 1, 1994, **but ending on or before December 31, 2012,** an individual taxpayer shall be allowed a deduction for his federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. For all tax years beginning on or after September 1, 1993, **but ending on or before December 31, 2012,** a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by Section 31 (tax withheld on wages), Section 27 (tax of foreign country and United States possessions), and Section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

3. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued, he may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Wallingford offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1637, Page 1, In the Title, Line 3, by deleting the words, "legal tender" and inserting in lieu thereof the word, "taxation"; and

Further amend said bill, Page 1, Section 143.111, Line 10, by inserting after all of said line the following:

"**143.1026. 1. This section shall be known and may be cited as "Sahara's Law".**

2. For all taxable years beginning on or after January 1, 2012, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that one dollar or any amount in excess of one dollar on a single return, and two dollars or any amount in excess of two dollars on a combined return, of the refund due be credited to the pediatric cancer research trust fund. If any individual or corporation that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, that amount the individual or corporation wishes to contribute. Such amounts shall be clearly designated for the fund.

3. There is hereby created in the state treasury the "Pediatric Cancer Research Trust Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. All moneys credited to the trust fund shall be considered nonstate funds under section 15, article IV, Constitution of Missouri. The treasurer shall distribute all moneys deposited in the fund at times the treasurer deems appropriate to CureSearch for children's cancer.

4. The director of revenue shall deposit at least monthly all contributions designated by individuals under this section to the state treasurer for deposit to the fund. The director of revenue shall deposit at least monthly all contributions designated by the corporations under this section, less an amount sufficient to cover the costs of collection and handling by the department of revenue, to the state treasury for deposit to the fund. A contribution designated under this section shall only be deposited in the fund after all other claims against the refund from which such contribution is to be made have been satisfied.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Koenig offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 1637, Page 2, Line 17, by inserting the following:

'Further amend said bill, Page 2, Section 408.010, Line 9, by deleting the words, "**, except for contractual obligations**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Koenig, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Wallingford, **House Amendment No. 3, as amended,** was adopted.

On motion of Representative Curtman, **HCS HB 1637, as amended,** was adopted.

On motion of Representative Curtman, **HCS HB 1637, as amended,** was ordered perfected and printed.

Speaker Tilley resumed the Chair.

HCS#2 HB 1323, relating to unlicensed child care providers, was taken up by Representative Black.

Representative Denison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for House Bill No. 1323, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"544.455. 1. Any person charged with a bailable offense, at his or her appearance before an associate circuit judge or judge may be ordered released pending trial, appeal, or other stage of the proceedings against him on his personal recognizance, unless the associate circuit judge or judge determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the associate circuit judge or judge may either in lieu of or in addition to the above methods of release, impose any or any combination of the following conditions of release which will reasonably assure the appearance of the person for trial:

(1) Place the person in the custody of a designated person or organization agreeing to supervise him;

(2) Place restriction on the travel, association, or place of abode of the person during the period of release;

(3) Require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof **by a defendant or a third party; however, under article I, section 20 of the Missouri Constitution, the court shall accept in lieu of a cash only bond a guarantee from any surety who is in compliance with general laws regulating such profession**;

(4) Require the person to report regularly to some officer of the court, or peace officer, in such manner as the associate circuit judge or judge directs;

(5) **[**Require the execution of a bond in a given sum and the deposit in the registry of the court of ten percent, or such lesser percent as the judge directs, of the sum in cash or negotiable bonds of the United States or of the state of Missouri or any political subdivision thereof;

(6)**]** Place the person on house arrest with electronic monitoring, except that all costs associated with the electronic monitoring shall be charged to the person on house arrest. If the judge finds the person unable to afford the costs associated with electronic monitoring, then the judge shall not order that the person be placed on house arrest with electronic monitoring;

[(7)**] (6)** Impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

2. In determining which conditions of release will reasonably assure appearance, the associate circuit judge or judge shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or flight to avoid prosecution or failure to appear at court proceedings.

3. An associate circuit judge or judge authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

4. A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the condition reviewed by the associate circuit judge or judge who imposed them. The motion shall be determined promptly.

5. An associate circuit judge or judge ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release; except that, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection 4 **of this section** shall apply.

6. Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

7. Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

8. Persons charged with violations of municipal ordinances may be released by a municipal judge or other judge who hears and determines municipal ordinance violation cases of the municipality involved under the same conditions and in the same manner as provided in this section for release by an associate circuit judge.

9. A circuit court may adopt a local rule authorizing the pretrial release on electronic monitoring pursuant to subdivision (6) of subsection 1 of this section in lieu of incarceration of individuals charged with offenses specifically identified therein."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute No. 2 for House Bill No. 1323, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

"**452.374. 1. If criminal charges alleging an act of rape are brought against the putative father of a child conceived as the result of that act of rape, the court shall issue an automatic stay of any paternity proceeding involving both the child and the alleged putative father. The stay shall not be lifted until there is a final disposition of such criminal charges.**

2. In any future custody proceeding, any denial of visitation under this section shall not be used against the mother of the child when considering the factor contained in subdivision 4 of subsection 2 of section 452.375."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Schupp offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute No. 2 for House Bill No. 1323, Page 1, Section A, Line 2, by inserting after all of said line the following:

"210.211. 1. It shall be unlawful for any person to establish, maintain or operate a child-care facility for children, or to advertise or hold himself or herself out as being able to perform any of the services as defined in section 210.201, without having in effect a written license granted by the department of health and senior services; except that nothing in sections 210.203 to 210.245 shall apply to:

(1) Any person who is caring for four or fewer children. For purposes of this subdivision, children who are related by blood, marriage or adoption to such person within the third degree shall not be considered in the total number of children being cared for;

(2) Any person who has been duly appointed by a court of competent jurisdiction the guardian of the person of the child or children, or the person who has legal custody of the child or children;

(3) Any person who receives free of charge, and not as a business, for periods not exceeding ninety consecutive days, as bona fide, occasional and personal guests the child or children of personal friends of such person, and who receives custody of no other unrelated child or children;

(4) Any graded boarding school, summer camp, hospital, sanitarium or home which is conducted in good faith primarily to provide education, recreation, medical treatment, or nursing or convalescent care for children;

(5) Any child-care facility maintained or operated under the exclusive control of a religious organization. When a nonreligious organization, having as its principal purpose the provision of child-care services, enters into an arrangement with a religious organization for the maintenance or operation of a child-care facility, the facility is not under the exclusive control of the religious organization;

(6) Any residential facility or day program licensed by the department of mental health pursuant to sections 630.705 to 630.760 which provides care, treatment and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, mental retardation or developmental disability, as defined in section 630.005; and

(7) Any nursery school.

2. Notwithstanding the provisions of subsection 1 of this section, no child-care facility shall be exempt from licensure if such facility receives any state or federal funds for providing care for children, except for federal funds for those programs which meet the requirements for participation in the Child and Adult Care Food Program pursuant to 42 U.S.C. 1766. Grants to parents for child care pursuant to sections 210.201 to 210.257 shall not be construed to be funds received by a person or facility listed in subdivisions (1) and (5) of subsection 1 of this section.

3. Any child-care facility exempt from licensure shall disclose the licensure exempt status of the facility to the parents or guardians of children for which the facility provides care.

210.245. 1. Any person who violates any provision of sections 210.201 to 210.245, or who for such person or for any other person makes materially false statements in order to obtain a license or the renewal thereof pursuant to sections 210.201 to 210.245, **[**shall be**] is** guilty of an infraction for the first offense and shall be assessed a fine not to exceed two hundred dollars and **[**shall be**] is** guilty of a class A misdemeanor **and shall be assessed a fine of two hundred dollars per day, not to exceed a total of ten thousand dollars** for subsequent offenses. In case such guilty person is a corporation, association, institution or society, the officers thereof who participate in such misdemeanor shall be subject to the penalties provided by law.

2. If the department of health and senior services proposes to deny, suspend, place on probation or revoke a license, the department of health and senior services shall serve upon the applicant or licensee written notice of the proposed action to be taken. The notice shall contain a statement of the type of action proposed, the basis for it, the date the action will become effective, and a statement that the applicant or licensee shall have thirty days to request in writing

a hearing before the administrative hearing commission and that such request shall be made to the department of health and senior services. If no written request for a hearing is received by the department of health and senior services within thirty days of the delivery or mailing by certified mail of the notice to the applicant or licensee, the proposed discipline shall take effect on the thirty-first day after such delivery or mailing of the notice to the applicant or licensee. If the applicant or licensee makes a written request for a hearing, the department of health and senior services shall file a complaint with the administrative hearing commission within ninety days of receipt of the request for a hearing.

3. The department of health and senior services may issue letters of censure or warning without formal notice or hearing. Additionally, the department of health and senior services may place a licensee on probation pursuant to chapter 621.

4. The department of health and senior services may suspend any license simultaneously with the notice of the proposed action to be taken in subsection 2 of this section, if the department of health and senior services finds that there is a threat of imminent bodily harm to the children in care. The notice of suspension shall include the basis of the suspension and the appeal rights of the licensee pursuant to this section. The licensee may appeal the decision to suspend the license to the department of health and senior services. The appeal shall be filed within ten days from the delivery or mailing by certified mail of the notice of appeal. A hearing shall be conducted by the department of health and senior services within ten days from the date the appeal is filed. The suspension shall continue in effect until the conclusion of the proceedings, including review thereof, unless sooner withdrawn by the department of health and senior services, dissolved by a court of competent jurisdiction or stayed by the administrative hearing commission. Any person aggrieved by a final decision of the department made pursuant to this section shall be entitled to judicial review in accordance with chapter 536.

5. In addition to initiating proceedings pursuant to subsection 1 of this section, or in lieu thereof, the prosecuting attorney of the county where the child-care facility is located may file suit for a preliminary and permanent order overseeing or preventing the operation of a child-care facility for violating any provision of sections 210.201 to 210.245. The order shall remain in force until such a time as the court determines that the child-care facility is in substantial compliance. If the prosecuting attorney refuses to act or fails to act after receipt of notice from the department of health and senior services, the department of health and senior services may request that the attorney general seek an injunction of the operation of such child-care facility.

6. In cases of imminent bodily harm to children in the care of a child-care facility, the department may file suit in the circuit court of the county in which the child-care facility is located for injunctive relief, which may include removing the children from the facility, overseeing the operation of the facility or closing the facility."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

House Substitute Amendment No. 1
for
House Amendment No. 3

AMEND House Committee Substitute No. 2 for House Bill No. 1323, Page 1, Section A, Line 2, by inserting after all of said line the following:

"210.211. 1. It shall be unlawful for any person to establish, maintain or operate a child-care facility for children, or to advertise or hold himself or herself out as being able to perform any of the services as defined in section 210.201, without having in effect a written license granted by the department of health and senior services; except that nothing in sections 210.203 to 210.245 shall apply to:

(1) Any person who is caring for four or fewer children. For purposes of this subdivision, children who are related by blood, marriage or adoption to such person within the third degree shall not be considered in the total number of children being cared for;

(2) Any person who has been duly appointed by a court of competent jurisdiction the guardian of the person of the child or children, or the person who has legal custody of the child or children;

(3) Any person who receives free of charge, and not as a business, for periods not exceeding ninety consecutive days, as bona fide, occasional and personal guests the child or children of personal friends of such person, and who receives custody of no other unrelated child or children;

(4) Any graded boarding school, summer camp, hospital, sanitarium or home which is conducted in good faith primarily to provide education, recreation, medical treatment, or nursing or convalescent care for children;

(5) Any child-care facility maintained or operated under the exclusive control of a religious organization. When a nonreligious organization, having as its principal purpose the provision of child-care services, enters into an arrangement with a religious organization for the maintenance or operation of a child-care facility, the facility is not under the exclusive control of the religious organization;

(6) Any residential facility or day program licensed by the department of mental health pursuant to sections 630.705 to 630.760 which provides care, treatment and habilitation exclusively to children who have a primary diagnosis of mental disorder, mental illness, mental retardation or developmental disability, as defined in section 630.005; and

(7) Any nursery school.

2. Notwithstanding the provisions of subsection 1 of this section, no child-care facility shall be exempt from licensure if such facility receives any state or federal funds for providing care for children, except for federal funds for those programs which meet the requirements for participation in the Child and Adult Care Food Program pursuant to 42 U.S.C. 1766. Grants to parents for child care pursuant to sections 210.201 to 210.257 shall not be construed to be funds received by a person or facility listed in subdivisions (1) and (5) of subsection 1 of this section.

3. No child-care facility exempt from licensure shall assert to any parent or guardian of children for which the facility provides care that the facility is licensed when such facility is in fact not licensed.

210.245. 1. Any person who violates any provision of sections 210.201 to 210.245, or who for such person or for any other person makes materially false statements in order to obtain a license or the renewal thereof pursuant to sections 210.201 to 210.245, **[**shall be**]** **is** guilty of an infraction for the first offense and shall be assessed a fine not to exceed two hundred dollars and **[**shall be**]** **is** guilty of a class A misdemeanor **and shall be assessed a fine of two hundred dollars per day, not to exceed a total of ten thousand dollars** for subsequent offenses. In case such guilty person is a corporation, association, institution or society, the officers thereof who participate in such misdemeanor shall be subject to the penalties provided by law.

2. If the department of health and senior services proposes to deny, suspend, place on probation or revoke a license, the department of health and senior services shall serve upon the applicant or licensee written notice of the proposed action to be taken. The notice shall contain a statement of the type of action proposed, the basis for it, the date the action will become effective, and a statement that the applicant or licensee shall have thirty days to request in writing a hearing before the administrative hearing commission and that such request shall be made to the department of health and senior services. If no written request for a hearing is received by the department of health and senior services within thirty days of the delivery or mailing by certified mail of the notice to the applicant or licensee, the proposed discipline shall take effect on the thirty-first day after such delivery or mailing of the notice to the applicant or licensee. If the applicant or licensee makes a written request for a hearing, the department of health and senior services shall file a complaint with the administrative hearing commission within ninety days of receipt of the request for a hearing.

3. The department of health and senior services may issue letters of censure or warning without formal notice or hearing. Additionally, the department of health and senior services may place a licensee on probation pursuant to chapter 621.

4. The department of health and senior services may suspend any license simultaneously with the notice of the proposed action to be taken in subsection 2 of this section, if the department of health and senior services finds that there is a threat of imminent bodily harm to the children in care. The notice of suspension shall include the basis of the suspension and the appeal rights of the licensee pursuant to this section. The licensee may appeal the decision to suspend the license to the department of health and senior services. The appeal shall be filed within ten days from the delivery or mailing by certified mail of the notice of appeal. A hearing shall be conducted by the department of health and senior services within ten days from the date the appeal is filed. The suspension shall continue in effect until the conclusion of the proceedings, including review thereof, unless sooner withdrawn by the department of health and senior services, dissolved by a court of competent jurisdiction or stayed by the administrative hearing commission. Any person aggrieved by a final decision of the department made pursuant to this section shall be entitled to judicial review in accordance with chapter 536.

5. In addition to initiating proceedings pursuant to subsection 1 of this section, or in lieu thereof, the prosecuting attorney of the county where the child-care facility is located may file suit for a preliminary and permanent order overseeing or preventing the operation of a child-care facility for violating any provision of sections 210.201 to 210.245. The order shall remain in force until such a time as the court determines that the child-care facility is in substantial compliance. If the prosecuting attorney refuses to act or fails to act after receipt of notice from the department of health and senior services, the department of health and senior services may request that the attorney general seek an injunction of the operation of such child-care facility.

6. In cases of imminent bodily harm to children in the care of a child-care facility, the department may file suit in the circuit court of the county in which the child-care facility is located for injunctive relief, which may include removing the children from the facility, overseeing the operation of the facility or closing the facility."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

On motion of Representative Black, **HCS#2 HB 1323, as amended,** was adopted.

On motion of Representative Black, **HCS#2 HB 1323, as amended,** was ordered perfected and printed.

Representative Nolte assumed the Chair.

HCS HBs 1934 & 1654, relating to animal shelter fees, was again taken up by Representative Torpey.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill Nos. 1934 & 1654, Page 1, Section 273.327, Line 9, by placing brackets "**[ ]**" around the phrase "two thousand"; and

Further amend said bill, page, and section, Line 17, by deleting the words "**at his or her discretion**" and inserting in lieu thereof the words "**upon promulgation of rules**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Guernsey offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 1934 & 1654, Page 1, Line 2, by deleting all of said line and inserting in lieu thereof the following:

'273.327, Line 10, by inserting after the word "year" the following:

"**, except for commercial breeders for which the license fee shall range from one hundred to one thousand dollars per year**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Cox, **House Amendment No. 1, as amended,** was adopted.

On motion of Representative Torpey, **HCS HBs 1934 & 1654, as amended**, was adopted.

On motion of Representative Torpey, **HCS HBs 1934 & 1654, as amended**, was ordered perfected and printed.

HCS HBs 1574 & 1097, relating to a driver's license veteran designation, was taken up by Representative Meadows.

On motion of Representative Meadows, **HCS HBs 1574 & 1097** was adopted.

On motion of Representative Meadows, **HCS HBs 1574 & 1097** was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 959 - Rules
HR 1773 - Rules
HR 1880 - Tourism and Natural Resources

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 48 - Agriculture Policy
HCR 54 - Children and Families
HCR 57 - Downsizing State Government

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 85 - Fiscal Review

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1359 - Fiscal Review
HCS HB 1476 - Fiscal Review
HCS HB 1637 - Fiscal Review
HCS HB 1890 - Fiscal Review
HB 1078 - Health Care Policy
HB 1089 - Economic Development
HB 1090 - Economic Development

HB 1132 - Transportation
HB 1178 - Tourism and Natural Resources
HB 1262 - Elementary and Secondary Education
HB 1279 - Workforce Development and Workplace Safety
HB 1284 - Crime Prevention and Public Safety
HB 1321 - Ways and Means
HB 1343 - Health Care Policy
HB 1346 - Professional Registration and Licensing
HB 1374 - Elementary and Secondary Education
HB 1405 - Health Care Policy
HB 1409 - Financial Institutions
HB 1410 - Corrections
HB 1411 - Crime Prevention and Public Safety
HB 1412 - Small Business
HB 1433 - Agri-Business
HB 1443 - Transportation
HB 1472 - Retirement
HB 1478 - Ways and Means
HB 1499 - Veterans
HB 1514 - Judiciary
HB 1528 - Crime Prevention and Public Safety
HB 1544 - Financial Institutions
HB 1561 - General Laws
HB 1575 - Transportation
HB 1583 - Judiciary
HB 1599 - Judiciary
HB 1601 - Tourism and Natural Resources
HB 1603 - Health Insurance
HB 1620 - Professional Registration and Licensing
HB 1645 - Judiciary
HB 1653 - Elections
HB 1657 - Economic Development
HB 1664 - Judiciary
HB 1667 - Judiciary
HB 1669 - Transportation
HB 1670 - Transportation
HB 1686 - General Laws
HB 1696 - General Laws
HB 1720 - Tourism and Natural Resources
HB 1721 - Crime Prevention and Public Safety
HB 1729 - Judiciary
HB 1732 - Elementary and Secondary Education
HB 1764 - Corrections
HB 1792 - Elementary and Secondary Education
HB 1796 - Agriculture Policy
HB 1797 - General Laws
HB 1798 - Economic Development

HB 1800 - Agri-Business
HB 1801 - Economic Development
HB 1812 - Local Government
HB 1814 - Small Business
HB 1819 - Elementary and Secondary Education
HB 1839 - Transportation
HB 1849 - Professional Registration and Licensing
HB 1850 - Special Standing Committee on Renewable Energy
HB 1851 - Crime Prevention and Public Safety
HB 1861 - International Trade and Job Creation
HB 1866 - Ways and Means
HB 1871 - International Trade and Job Creation
HB 1885 - Professional Registration and Licensing
HB 1887 - Tax Reform
HB 1889 - Transportation
HB 1893 - Elementary and Secondary Education
HB 1894 - Crime Prevention and Public Safety
HB 1899 - Transportation
HB 1901 - Elections
HB 1903 - General Laws
HB 1907 - Children and Families
HB 1916 - Crime Prevention and Public Safety
HB 1917 - Elections
HB 1920 - Elementary and Secondary Education
HB 1923 - Elementary and Secondary Education
HB 1924 - Special Standing Committee on Renewable Energy
HB 1925 - Higher Education
HB 1926 - Special Standing Committee on Renewable Energy
HB 1927 - Elementary and Secondary Education
HB 1928 - Health Care Policy
HB 1929 - Elections
HB 1930 - Elementary and Secondary Education
HB 1931 - Health Insurance
HB 1932 - Elementary and Secondary Education
HB 1945 - Local Government
HB 1968 - General Laws
HB 1993 - Children and Families
HB 1995 - Workforce Development and Workplace Safety
HB 2031 - Elections
HB 2032 - Local Government
HB 2035 - Transportation
HB 2036 - Elementary and Secondary Education
HB 2037 - Elementary and Secondary Education
HB 2039 - Elementary and Secondary Education
HB 2040 - Transportation
HB 2041 - Economic Development
HB 2042 - Children and Families

HB 2049 - Crime Prevention and Public Safety
HB 2051 - Elementary and Secondary Education
HB 2052 - Transportation
HB 2054 - Elementary and Secondary Education
HB 2055 - Elementary and Secondary Education
HB 2060 - Workforce Development and Workplace Safety
HB 2061 - Transportation
HB 2075 - General Laws
HB 2086 - Elections
HB 2087 - Agri-Business
HB 2088 - Agri-Business
HB 2090 - Ways and Means
HB 2095 - Agriculture Policy
HB 2096 - Local Government
HB 2097 - Workforce Development and Workplace Safety
HB 2101 - Local Government
HB 2106 - Downsizing State Government
HB 2107 - Judiciary
HB 2110 - Local Government

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 568 - Fiscal Review
SS SB 749 - Health Insurance

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HB 1585**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 591**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 578**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SB 594**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1358**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1397**, begs leave to report it has examined the same and recommends that it **Do Pass**.

COMMITTEE CHANGES

April 18, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Holsman from the Committee on Rules and appoint Representative Rizzo.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

_____

April 18, 2012

Mr. Adam Crumbliss
Chief Clerk
Missouri House of Representatives
State Capitol, Room 306
Jefferson City, Missouri 65101

Dear Mr. Crumbliss:

Pursuant to House Rule 22, I hereby remove Representative Rizzo from the Committee on Fiscal Review and appoint Representative Holsman.

If you have any questions regarding this communication, please contact my office.

Sincerely,

/s/ Mike Talboy
Missouri House of Representatives
District 37

The following members' presence was noted: Nasheed, Schneider, Shumake, Smith (71) and Webb.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, April 19, 2012.

COMMITTEE MEETINGS

AGRICULTURE POLICY
Thursday, April 19, 2012, 9:00 AM House Hearing Room 7.
Executive session will be held: SCS SB 631
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, April 25, 2012, 8:00 AM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
Review of DSS, DMH, & DHSS operations and policies

DOWNSIZING STATE GOVERNMENT
Thursday, April 19, 2012, 9:00 AM House Hearing Room 4.
Executive session will be held: HJR 60

FISCAL REVIEW
Thursday, April 19, 2012, 9:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

INSURANCE POLICY
Thursday, April 19, 2012, 8:30 AM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.
The committee will meet in executive session.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, April 19, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting
CANCELLED

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting
AMENDED

RULES
Thursday, April 19, 2012, 9:30 AM House Hearing Room 6.
Public hearing will be held: HR 1365
Executive session will be held: HR 1365
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, April 19, 2012, 9:30 AM House Hearing Room 6.
Executive session will be held: HCR 43, HCR 47, HCR 52, HCS HB 1245, HCS HB 1254, HCS HBs 1741 & 1543, HCS HBs 1542 & 1101, HCS HB 1754, HCS HB 1815, HCS HB 1900, HB 1842, HCS HB 1922, HCS HB 1935, HB 2063, HB 2099, HCS HB 2100, SB 564, HCS SCS SB 569, SS SB 607, SB 611, SS SCS SB 719
Executive session may be held on any or all bills which may be referred to this committee.

HOUSE CALENDAR

FIFTY-NINTH DAY, THURSDAY, APRIL 19, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HB 1540 - Jones (89)
4 HB 1455 - Gatschenberger
5 HCS HB 1869 - Dugger
6 HCS HB 1117 - Brown (50)
7 HCS#2 HB 1475 - Cross
8 HB 1592 - Jones (89)
9 HB 1718, (2 hours debate on Perfection) - Scharnhorst
10 HCS HB 1865 - Barnes
11 HCS HB 1049 - Allen
12 HCS HB 1210 - Gatschenberger
13 HCS HB 1280 - Korman
14 HCS HB 1758 - Long
15 HCS HB 1795 - Ruzicka
16 HCS HB 1803 - Korman
17 HCS HB 1818 - Schad

18 HCS HB 1966 - Burlison
19 HCS HB 1137 - Lauer
20 HCS HB 1328 - Cox
21 HB 1779 - Flanigan
22 HCS HB 1794 - Grisamore
23 HCS HB 1854 - Grisamore

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

1 HCS HJR 61 - Loehner
2 HJR 85, (Fiscal Review 4/18/12) - Solon

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 2019 - Silvey

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1066 - McGhee
5 HCS HB 1717, (Fiscal Review 4/17/12) - Kelley (126)
6 HB 1534, (Fiscal Review 4/17/12) - Bahr
7 HCS HB 1661, (Fiscal Review 4/17/12) - Hoskins
8 HCS HB 1211 - Dieckhaus
9 HCS HB 1826 - Fitzwater
10 HCS HB 1860 - Guernsey
11 HCS HB 1342 - Smith (150)
12 HB 1359, (Fiscal Review 4/18/12) - Smith (150)
13 HCS HB 1274 - Koenig
14 HCS HB 1476, (Fiscal Review 4/18/12), E.C. - Leara
15 HCS HB 1364 - Schieffer
16 HCS HB 1521 - Sommer
17 HCS HB 1367 - Fitzwater
18 HCS HB 1890, (Fiscal Review 4/18/12) - Molendorp
19 HCS HB 1637, (Fiscal Review 4/18/12) - Curtman
20 HCS#2 HB 1323 - Black
21 HCS HBs 1934 & 1654 - Torpey
22 HCS HBs 1574 & 1097 - Meadows

HOUSE CONCURRENT RESOLUTIONS

1 HCR 6 - Rowland
2 HCR 46 - Franklin
3 HCR 49 - Fallert
4 HCR 18 - Walton Gray

SENATE BILLS FOR THIRD READING

1 HCS SB 568, (Fiscal Review 4/18/12) - Franz
2 SB 736 - Gatschenberger

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

FIFTY-NINTH DAY, THURSDAY, APRIL 19, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

I am the vine, ye are the branches. He that abideth in Me, and I in Him the same bringeth forth much fruit; for without Me ye can do nothing. (John 15:5)

O Lord, Who is the source of light and life, and the fountain of peace and power, let Your spirit arise within us as we worship You this moment. Open our hearts that we may receive the good seeds of Your Word and let Your spirit ripen them into the fruits of righteousness and love.

Prosper our state in all its life and work that there may be no want anywhere and favor us with Your presence that good will may reign in the hearts of all our people.

Bless our Speaker and all these representatives of our state - may they be filled with Your spirit, the spirit of wisdom and understanding, of faith, and of love. Undergird us in our freedom that we may be forever the land of the free and the home of the brave. May You be with us and may we be with You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Raniyah Hendrix.

The Journal of the fifty-eighth day was approved as corrected.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HJR 85**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1359**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1476**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1534**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1637**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1661**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1717**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1890**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SB 568**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HB 1534, relating to the Federal Health Care Reform Law, was taken up by Representative Bahr.

Representative Oxford assumed the Chair.

On motion of Representative Bahr, **HB 1534** was read the third time and passed by the following vote:

AYES: 108

Allen	Asbury	Bahr	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Meadows
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150

Solon	Sommer	Stream	Swinger	Thomson
Torpey	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 044

Anders	Atkins	Aull	Carlson	Carter
Colona	Conway 27	Ellinger	Ellington	Hodges
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 010

Barnes	Brown 50	Funderburk	Holsman	Johnson
Jones 117	McManus	Wallingford	Webber	Wells

Representative Oxford declared the bill passed.

HCS HB 1717, relating to withholding tax filing requirements, was taken up by Representative Kelley (126).

On motion of Representative Kelley (126), **HCS HB 1717** was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Hoskins
Hough	Houghton	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swinger

Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 039

Atkins	Black	Carlson	Carter	Colona
Ellinger	Ellington	Hubbard	Hughes	Hummel
Jones 63	Kirkton	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 008

Day	Funderburk	Higdon	Holsman	Johnson
Jones 117	McManus	Webber		

Representative Oxford declared the bill passed.

Speaker Tilley resumed the Chair.

HCS HB 1661, relating to a tax deduction for job creation, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HCS HB 1661** was read the third time and passed by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hughes
Hummel	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Meadows	Montecillo	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller

Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 019

Carlson	Ellinger	Ellington	Kirkton	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Morgan	Oxford	Pace	Pierson	Schupp
Smith 71	Spreng	Still	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 016

Bernskoetter	Carter	Day	Dugger	Funderburk
Holsman	Hubbard	Johnson	Jones 117	McManus
Molendorp	Richardson	Sater	Scharnhorst	Webb
Webber				

Speaker Tilley declared the bill passed.

Representative Brown (50) assumed the Chair.

HCS HB 1211, relating to local courts, was taken up by Representative Dieckhaus.

On motion of Representative Dieckhaus, **HCS HB 1211** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland

Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 003

Ellington	Hughes	Marshall

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Day	Dugger	Funderburk	Holsman
Hubbard	Johnson	Jones 117	McCaherty	McManus
Nolte	Sater	Scharnhorst	Webb	Webber

Representative Brown (50) declared the bill passed.

Speaker Tilley resumed the Chair.

THIRD READING OF SENATE BILL

SB 736, relating to St. Francois County special road tax, was taken up by Representative Gatschenberger.

Representative Zerr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 736, Page 1, Line 3 of the Title, by deleting said line and inserting in lieu thereof the following:

"to special county taxes, with an emergency clause for certain sections."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after said line the following:

"67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:

(1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(2) "County", any county or any city not within a county;

(3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;

(5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**

(6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;

[(6)**] (7)** "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;

[(7)**] (8)** "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a

population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

[(8)**] (9)** "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district**, including any areas under concurrent jurisdiction with an agency of the United States government**. Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. **1.** The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The **[**tax**] taxes** authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the **[**proposed**]** metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. **1. For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712,** the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of . . . . ., state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall . . . . . County join such other of . . . . . (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". . . . . Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to . . . . County for local park improvements, all as authorized by the . . . . . (insert name of governing body) of . . . . . County pursuant to (insert ordinance number), on the . . . . day of . . . . (insert month), ... (insert year)?

☐ YES ☐ NO

2. For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing

expanded activities and improvements of such areas, shall ..... (insert county name) County join such other of ..... (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a ..... (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to ..... (insert county name) County for local and county park improvements as authorized by the ..... (insert governing body name) of ..... (insert county name) County under ..... (insert ordinance number), on the ..... (insert day) day of ..... (insert month), ... (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?".

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and **[**sections**]** **subsection 1 of section** 67.1715 and **in section** 67.1718.

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769**. No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754**;

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district**. Any contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712**;

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. **1.** The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the

establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization."; and

Further amend said bill, Page 2, Section 137.556, Line 19, by inserting after all of said line the following:

"Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, , 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency

act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 1** was adopted.

On motion of Representative Gatschenberger, **SB 736, as amended**, was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McNary	McNeil
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 008

Brattin	Curtman	Hughes	Koenig	Marshall
Parkinson	Schieber	Smith 71		

PRESENT: 001

Meadows

ABSENT WITH LEAVE: 017

Carter	Day	Ellington	Franklin	Funderburk
Holsman	Hubbard	Johnson	Jones 117	Largent
McManus	Molendorp	Nasheed	Sater	Scharnhorst
Webb	Webber			

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 117

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 116	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Jones 63	Jones 89	Kander	Keeney	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McNary	McNeil
Montecillo	Morgan	Nance	Neth	Nichols
Nolte	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 020

Berry	Brattin	Brown 85	Curtman	Fuhr
Kirkton	Koenig	Leach	Marshall	McCreery
Newman	Oxford	Pace	Parkinson	Pierson
Schieber	Smith 71	Spreng	Taylor	Walton Gray

PRESENT: 001

Meadows

ABSENT WITH LEAVE: 025

Brown 50	Carter	Cookson	Day	Ellinger
Ellington	Funderburk	Higdon	Holsman	Hubbard
Hughes	Johnson	Jones 117	Kelley 126	Largent
McManus	Molendorp	Nasheed	Phillips	Richardson
Sater	Scharnhorst	Still	Webb	Webber

Representative Brown (50) resumed the Chair.

HCS HB 1826, relating to offenders under department custody, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HCS HB 1826** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hummel	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McNary	McNeil	Meadows
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 001

Richardson

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Day	Dieckhaus	Funderburk	Holsman
Hubbard	Hughes	Johnson	Jones 117	Largent
Lasater	McManus	Molendorp	Scharnhorst	Still
Webb	Webber			

Representative Brown (50) declared the bill passed.

HCS HB 1860, relating to agriculture, was taken up by Representative Guernsey.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Jones 89	Keeney	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hughes	Hummel
Jones 63	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Meadows
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 028

Carter	Colona	Cookson	Curtman	Day
Franz	Fuhr	Funderburk	Gatschenberger	Holsman
Hubbard	Johnson	Jones 117	Kander	Kelley 126
Kelly 24	May	McGhee	McManus	Molendorp
Nasheed	Nolte	Sater	Schneider	Walton Gray
Webb	Webber	Mr Speaker		

On motion of Representative Guernsey, **HCS HB 1860** was read the third time and passed by the following vote:

AYES: 108

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Meadows
Nance	Neth	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 032

Anders	Atkins	Carlson	Ellinger	Ellington
Hughes	Hummel	Jones 63	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Walton Gray	White			

PRESENT: 000

ABSENT WITH LEAVE: 023

Carter	Colona	Curtman	Day	Fuhr
Funderburk	Gatschenberger	Holsman	Hubbard	Johnson
Jones 117	Kander	Kelly 24	May	McGhee
McManus	Molendorp	Nasheed	Nolte	Sater
Schneider	Webb	Webber		

Representative Brown (50) declared the bill passed.

Representative Casey assumed the Chair.

THIRD READING OF SENATE BILL

HCS SB 568, relating to motor vehicle operation, was taken up by Representative Franz.

HCS SB 568 was laid over.

THIRD READING OF HOUSE BILLS

HCS HB 1342, relating to recovery of attorney fees, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HCS HB 1342** was read the third time and passed by the following vote:

AYES: 089

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Nance	Neth	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Riddle	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Silvey	Smith 150	Sommer	Stream	Thomson
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 050

Anders	Atkins	Aull	Barnes	Black
Brown 50	Carlson	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hughes
Hummel	Jones 63	Kirkton	Kratky	Lampe
Lichtenegger	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Torpey	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 024

Carter	Colona	Day	Elmer	Fuhr
Funderburk	Holsman	Hubbard	Johnson	Jones 117
Kander	Kelly 24	May	McManus	Molendorp
Nasheed	Nolte	Pollock	Ruzicka	Sater
Schneider	Shumake	Webb	Webber	

Representative Casey declared the bill passed.

HB 1359, relating to state contracts and assessments, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **HB 1359** was read the third time and passed by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 003

Hughes	Schupp	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 022

Bernskoetter	Carter	Colona	Curtman	Day
Diehl	Funderburk	Holsman	Hubbard	Johnson
Jones 117	Kelly 24	May	McManus	Molendorp
Nasheed	Nolte	Pollock	Ruzicka	Sater
Webb	Webber			

Representative Casey declared the bill passed.

Speaker Pro Tem Schoeller assumed the Chair.

HCS HB 1476, relating to the Freight Forwarders Incentive Act, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HB 1476** was read the third time and passed by the following vote:

AYES: 097

Allen	Anders	Atkins	Aull	Black
Brandom	Brown 50	Brown 116	Carlson	Casey
Cauthorn	Cierpiot	Conway 27	Cookson	Cox
Davis	Denison	Diehl	Ellinger	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Gatschenberger
Gosen	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Hummel
Jones 63	Jones 89	Kander	Kelley 126	Korman
Kratky	Lair	Lampe	Lant	Largent
Leara	Loehner	Long	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Neth
Newman	Nichols	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Schad	Scharnhorst	Schatz	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Sommer	Spreng
Still	Stream	Swearingen	Talboy	Taylor
Torpey	Wallingford	Walton Gray	Weter	Wieland
Wright	Zerr			

NOES: 042

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brattin	Brown 85	Burlison	Conway 14	Crawford
Cross	Curtman	Dugger	Elmer	Entlicher
Franklin	Franz	Frederick	Fuhr	Guernsey
Hodges	Hughes	Keeney	Kirkton	Klippenstein
Koenig	Lasater	Lauer	Leach	Lichtenegger
Marshall	Nance	Oxford	Parkinson	Schieber
Schneider	Solon	Swinger	Thomson	Wells
White	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 024

Carter	Colona	Day	Dieckhaus	Ellington
Funderburk	Grisamore	Holsman	Hubbard	Johnson
Jones 117	Kelly 24	May	McManus	Molendorp
Nasheed	Nolte	Pace	Pollock	Ruzicka
Sater	Webb	Webber	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 089

Allen	Anders	Atkins	Black	Brandom
Brown 50	Brown 116	Carlson	Casey	Cauthorn
Cierpiot	Conway 27	Cookson	Cox	Crawford
Davis	Denison	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Gatschenberger	Gosen	Grisamore	Haefner
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Hummel	Jones 63	Jones 89	Kander
Kelley 126	Korman	Kratky	Lair	Lampe
Lant	Leara	Loehner	Long	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Phillips	Pierson	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Schad
Scharnhorst	Schatz	Schieffer	Schoeller	Shumake
Sifton	Silvey	Smith 71	Smith 150	Still
Stream	Talboy	Torpey	Wallingford	Walton Gray
Weter	Wieland	Wright	Zerr	

NOES: 049

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Brattin	Brown 85	Burlison	Conway 14
Cross	Curtman	Dugger	Franklin	Franz
Frederick	Fuhr	Guernsey	Hampton	Hodges
Hughes	Keeney	Kirkton	Klippenstein	Koenig
Lasater	Lauer	Leach	Lichtenegger	Marshall
McCreery	Nance	Neth	Oxford	Parkinson
Quinn	Schieber	Schneider	Schupp	Shively
Solon	Sommer	Spreng	Swinger	Taylor
Thomson	Wells	White	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 025

Carter	Colona	Day	Dieckhaus	Ellington
Funderburk	Holsman	Hubbard	Johnson	Jones 117
Kelly 24	Largent	May	McManus	Molendorp
Nasheed	Nolte	Pace	Pollock	Ruzicka
Sater	Swearingen	Webb	Webber	Mr Speaker

HCS HB 1364, relating to rodeos, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HCS HB 1364** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hughes	Hummel
Jones 89	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Neth	Nichols	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 011

Atkins	Carlson	Ellington	Jones 63	Kirkton
McCreery	Newman	Oxford	Schupp	Smith 71
Spreng				

PRESENT: 000

ABSENT WITH LEAVE: 023

Carter	Colona	Day	Dieckhaus	Funderburk
Gatschenberger	Holsman	Hubbard	Johnson	Jones 117
Kelly 24	May	McManus	Molendorp	Nasheed
Nolte	Pace	Sater	Silvey	Talboy
Webb	Webber	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1521, relating to property tax bills, was taken up by Representative Sommer.

On motion of Representative Sommer, **HCS HB 1521** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Casey	Cauthorn	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hummel	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Brown 116	Carter	Cierpiot	Colona	Day
Dieckhaus	Funderburk	Holsman	Hubbard	Hughes
Johnson	Jones 117	Kelly 24	May	McManus
Molendorp	Nasheed	Nolte	Pace	Sater
Scharnhorst	Webb	Webber	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1367, relating to state employee performance reviews, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HCS HB 1367** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 005

Carlson	McCreery	Schupp	Smith 71	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 023

Carter	Colona	Day	Funderburk	Grisamore
Holsman	Hubbard	Hughes	Johnson	Jones 117
Kelly 24	May	McManus	Molendorp	Nasheed
Nolte	Pace	Riddle	Sater	Scharnhorst
Webb	Webber	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1637, relating to legal tender and cancer research, was taken up by Representative Curtman.

Representative Curtman moved that **HCS HB 1637** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 081

Asbury	Bahr	Berry	Brandom	Brattin
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Cross	Curtman	Denison
Dieckhaus	Diehl	Elmer	Fisher	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McGhee	McNary
Nance	Neth	Parkinson	Phillips	Quinn
Reiboldt	Richardson	Rowland	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 042

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hughes	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pierson	Rizzo	Schieffer	Schupp
Sifton	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray			

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 039

Allen	Barnes	Bernskoetter	Brown 85	Carter
Colona	Crawford	Davis	Day	Dugger
Entlicher	Fitzwater	Flanigan	Fuhr	Funderburk
Haefner	Holsman	Houghton	Hubbard	Johnson
Jones 117	Kelly 24	Korman	May	McManus
Molendorp	Nasheed	Nolte	Pace	Pollock
Redmon	Riddle	Ruzicka	Sater	Schneider
Smith 71	Webb	Webber	Mr Speaker	

On motion of Representative Jones (89), the House recessed until 3:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2291 through House Resolution No. 2326

MOTIONS

Representative Jones (89) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 121

Allen	Anders	Asbury	Aull	Bahr
Barnes	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Conway 14	Cookson	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Jones 63	Jones 89
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McGhee	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wells	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 015

Atkins	Bernskoetter	Black	Cierpiot	Conway 27
Cox	Ellington	Harris	Hodges	Hummel
McDonald	McGeoghegan	Schupp	Shively	Swearingen

ABSENT WITH LEAVE: 027

Carter	Colona	Day	Flanigan	Funderburk
Holsman	Hubbard	Hughes	Johnson	Jones 117
Kander	Kelly 24	May	McManus	Molendorp
Pace	Pierson	Pollock	Quinn	Sater
Schieffer	Wallingford	Walton Gray	Webb	Webber
Weter	Mr Speaker			

Representative Meadows, having voted on the prevailing side, moved that the vote by which **HCS HB 1637** was defeated on Third Reading and Final Passage, be reconsidered.

Which motion was adopted by the following vote:

AYES: 098

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wells	White	Wieland
Wright	Wyatt	Zerr		

NOES: 039

Atkins	Aull	Black	Brown 50	Carlson
Casey	Conway 27	Ellinger	Fallert	Harris
Hodges	Hummel	Jones 63	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Quinn	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	

PRESENT: 000

ABSENT WITH LEAVE: 026

Carter	Colona	Day	Ellington	Flanigan
Funderburk	Holsman	Hubbard	Hughes	Johnson
Jones 117	Kander	Kelly 24	May	McManus
Molendorp	Pace	Pierson	Sater	Schieffer
Wallingford	Walton Gray	Webb	Webber	Weter
Mr Speaker				

THIRD READING OF HOUSE BILLS

HCS HB 1637, relating to legal tender and cancer research, was again taken up by Representative Curtman.

On motion of Representative Curtman, **HCS HB 1637** was read the third time and passed by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wells
White	Wieland	Wright	Wyatt	Zerr

NOES: 037

Anders	Atkins	Aull	Black	Carlson
Casey	Conway 27	Ellinger	Fallert	Harris
Hodges	Hummel	Jones 63	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Swearingen
Talboy	Taylor			

PRESENT: 001

Marshall

ABSENT WITH LEAVE: 030

Brown 50	Carter	Colona	Day	Ellington
Flanigan	Funderburk	Holsman	Hubbard	Hughes
Johnson	Jones 117	Kander	Kelly 24	May
McManus	Molendorp	Pace	Pierson	Quinn
Sater	Schieffer	Still	Swinger	Wallingford
Walton Gray	Webb	Webber	Weter	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

HCS#2 HB 1323, relating to child care, paternity and bail bonds, was taken up by Representative Black.

On motion of Representative Black, **HCS#2 HB 1323** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hummel	Jones 63	Jones 89
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wells	White	Wieland	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 028

Carter	Colona	Day	Flanigan	Funderburk
Holsman	Hubbard	Hughes	Johnson	Jones 117
Kander	Kelly 24	May	McManus	Molendorp
Pace	Phillips	Pierson	Sater	Schieffer
Smith 71	Wallingford	Walton Gray	Webb	Webber
Weter	Wright	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

HCS HBs 1574 & 1097, relating to driver's license veteran designation, was taken up by Representative Meadows.

On motion of Representative Meadows, **HCS HBs 1574 & 1097** was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hummel
Jones 63	Jones 89	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McNary	McNeil	Meadows
Montecillo	Morgan	Nance	Neth	Newman
Nolte	Oxford	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wells	White	Wieland	Wyatt	Zerr

NOES: 001

Nasheed

PRESENT: 000

ABSENT WITH LEAVE: 032

Brown 50	Carter	Colona	Day	Denison
Flanigan	Fuhr	Funderburk	Holsman	Hubbard
Hughes	Johnson	Jones 117	Kander	Kelly 24
May	McManus	Molendorp	Nichols	Pace
Pierson	Sater	Schieffer	Schneider	Smith 71
Wallingford	Walton Gray	Webb	Webber	Weter
Wright	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HBs 1934 & 1654, relating to animal shelter fees, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS HBs 1934 & 1654** was read the third time and passed by the following vote:

AYES: 098

Allen	Anders	Atkins	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Casey	Cierpiot
Conway 14	Conway 27	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Ellinger
Ellington	Elmer	Fallert	Fraker	Franklin
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Hummel	Jones 89	Keeney
Kelley 126	Kirkton	Koenig	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McNary	McNeil
Meadows	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Parkinson	Phillips
Richardson	Rizzo	Rowland	Ruzicka	Scharnhorst
Schieber	Schneider	Schupp	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wieland	Zerr		

NOES: 034

Asbury	Aull	Bahr	Brattin	Cauthorn
Cookson	Cox	Dugger	Entlicher	Fisher
Fitzwater	Franz	Fuhr	Hampton	Houghton
Klippenstein	Korman	Lant	Lasater	Lichtenegger
Loehner	Nolte	Pollock	Quinn	Redmon
Reiboldt	Schad	Schatz	Schoeller	Shively
Swinger	Wells	White	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 031

Carter	Colona	Day	Flanigan	Funderburk
Holsman	Hubbard	Hughes	Johnson	Jones 63
Jones 117	Kander	Kelly 24	May	McManus
Molendorp	Morgan	Pace	Pierson	Riddle
Sater	Schieffer	Smith 71	Spreng	Wallingford
Walton Gray	Webb	Webber	Weter	Wright
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1274, relating to the Abortion-inducing Drugs Safety Act, was taken up by Representative Koenig.

On motion of Representative Koenig, **HCS HB 1274** was read the third time and passed by the following vote:

AYES: 109

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McNary	Meadows
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wells
White	Wieland	Wyatt	Zerr	

NOES: 024

Atkins	Carlson	Ellinger	Ellington	Hummel
Kirkton	Lampe	McCann Beatty	McCreery	McDonald
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Rizzo	Schupp	Sifton
Still	Swearingen	Talboy	Taylor	

PRESENT: 000

ABSENT WITH LEAVE: 030

Carter	Colona	Day	Dugger	Flanigan
Funderburk	Holsman	Hubbard	Hughes	Johnson
Jones 63	Jones 117	Kander	Kelly 24	May
McManus	Molendorp	Pace	Pierson	Sater
Schieffer	Smith 71	Spreng	Wallingford	Walton Gray
Webb	Webber	Weter	Wright	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 2019, was taken up by Representative Silvey.

On motion of Representative Silvey, **HCS HB 2019** was read the third time and passed by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Jones 89	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swearingen	Talboy	Taylor
Thomson	Torpey	Wells	White	Wieland
Wyatt	Zerr			

NOES: 001

Swinger

PRESENT: 000

ABSENT WITH LEAVE: 030

Carter	Colona	Day	Dugger	Flanigan
Funderburk	Holsman	Hubbard	Hughes	Johnson
Jones 63	Jones 117	Kander	Kelly 24	May
McManus	Molendorp	Pace	Pierson	Sater
Schieffer	Smith 71	Spreng	Wallingford	Walton Gray
Webb	Webber	Weter	Wright	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 85, relating to electronic pull-tab cards, was taken up by Representative Solon.

On motion of Representative Solon, **HJR 85** was read the third time and passed by the following vote:

AYES: 121

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Diehl	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Hoskins	Hough
Houghton	Jones 89	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Meadows	Morgan
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wells	White	Wieland	Wyatt
Zerr				

NOES: 007

Asbury	McCreery	Montecillo	Newman	Oxford
Pollock	Still			

PRESENT: 000

ABSENT WITH LEAVE: 035

Carter	Colona	Cox	Day	Dieckhaus
Dugger	Ellinger	Flanigan	Funderburk	Higdon
Holsman	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 117	Kander	Kelly 24	May
McManus	Molendorp	Pace	Pierson	Sater
Schieffer	Smith 71	Spreng	Wallingford	Walton Gray
Webb	Webber	Weter	Wright	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

PERFECTION OF HOUSE BILL

HCS HB 1865, relating to economic development incentives, was taken up by Representative Barnes.

HCS HB 1865 was laid over.

COMMITTEE REPORTS

Committee on Agriculture Policy, Chairman Loehner reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SCS SB 631**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1357**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HJR 60**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **SS SCS SB 469**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SCS SB 635**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SCS SB 726**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Disability Services, Chairman Grisamore reporting:

Mr. Speaker: Your Special Standing Committee on Disability Services, to which was referred **SS SCS SB 595**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1365**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 47**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 52**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1245**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1254**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1542 & 1101**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1741 & 1543**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1754**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1815**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1842**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1900**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1922**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1935**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2063**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2099**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2100**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 564**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 569**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 611**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 719**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 448**, entitled:

An act to repeal sections 210.211 and 210.245, RSMo, and to enact in lieu thereof three new sections relating to child care providers, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 510**, entitled:

An act to repeal section 137.076, RSMo, and to enact in lieu thereof one new section relating to assessment of real property for tax purposes.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 576**, entitled:

An act to repeal sections 29.205, 160.400, 160.405, 160.410, 160.415, and 160.420, RSMo, and to enact in lieu thereof nine new sections relating to charter schools.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 677**, entitled:

An act to repeal sections 162.081 and 162.083, RSMo, and to enact in lieu thereof two new sections relating to school accreditation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 682**, entitled:

An act to amend chapter 334, RSMo, by adding thereto one new section relating to interventional pain management.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 739**, entitled:

An act to repeal section 454.475, RSMo, and to enact in lieu thereof one new section relating to administrative child support decisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 758**, entitled:

An act to repeal sections 210.135 and 210.145, RSMo, and to enact in lieu thereof two new sections relating to child abuse and neglect.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Johnson.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, April 23, 2012.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-eighth Day, Wednesday, April 18, 2012, Page 1101, Line 6, by inserting immediately after said line the following:

"**HB 1293** - Judiciary"; and

Line 38, by inserting immediately after said line the following:

"**HB 1695** - Transportation Funding and Public Institutions".

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, April 25, 2012, 8:00 AM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
Review of DSS, DMH, & DHSS operations and policies

BUDGET
Tuesday, April 24, 2012, Upon Morning Recess House Hearing Room 3.
Public hearing will be held: HB 1712
Review tax credits

ELECTIONS
Tuesday, April 24, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: SCS SB 671, SJR 26, HB 1901, HB 1917, HB 2031
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, April 24, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: SCS SB 626, SS SCS SB 633, SB 668, SB 721, SCS SB 722, HB 2029
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, April 24, 2012, 8:30 AM House Hearing Room 6.
Public hearing will be held: HB 1980, HB 1925
Executive session will be held: SCS SB 563
Executive session may be held on any matter referred to the committee.

INSURANCE POLICY
Monday, April 23, 2012, Upon Evening Adjournment House Hearing Room 1.
Public hearing will be held: SB 620
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting
AMENDED

LOCAL GOVERNMENT
Wednesday, April 25, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCS SB 692
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, April 24, 2012, 9:00 AM House Hearing Room 1.
Public hearing will be held: SCS SB 715
Executive session may be held on any matter referred to the committee.
NO BREAKFAST

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, April 23, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 2057
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTIETH DAY, MONDAY, APRIL 23, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HB 1540 - Jones (89)
4 HB 1455 - Gatschenberger
5 HCS HB 1869 - Dugger
6 HCS HB 1117 - Brown (50)
7 HCS#2 HB 1475 - Cross
8 HB 1592 - Jones (89)
9 HB 1718 - Scharnhorst (2 hours debate on Perfection)
10 HCS HB 1865 - Barnes

HCS HB 1049 - Allen
HCS HB 1210 - Gatschenberger
HCS HB 1280 - Korman
HCS HB 1758 - Long
HCS HB 1795 - Ruzicka
HCS HB 1803 - Korman
HCS HB 1818 - Schad
HCS HB 1966 - Burlison
HCS HB 1137 - Lauer
HCS HB 1328 - Cox
HB 1779 - Flanigan
HCS HB 1794 - Grisamore
HCS HB 1854 - Grisamore
HCS HB 1254 - Klippenstein
HCS HBs 1741 & 1543 - Leara
HCS HB 1754 - Cox
HCS HB 1815 - Pollock
HB 1842 - Lant
HCS HB 1900 - Redmon
HCS HB 1922 - Molendorp
HCS HB 1935 - Franz
HB 2063 - Denison
HB 2099 - Elmer
HCS HB 2100 - Denison

HOUSE CONCURRENT RESOLUTIONS FOR THIRD READING

HCS HCR 33, E.C. - Bernskoetter

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

HB 1277 - Long
HCS HBs 1298 & 1180 - Parkinson
HB 1431 - Hoskins
HB 1066 - McGhee
HCS HB 1890 - Molendorp

SENATE BILLS FOR SECOND READING

1 SS SCS SB 448
2 SCS SB 510
3 SS SCS SB 576
4 SS SCS SB 677
5 SS SCS SB 682
6 SB 739
7 SCS SB 758

HOUSE CONCURRENT RESOLUTIONS

1 HCR 6 - Rowland
2 HCR 46 - Franklin
3 HCR 49 - Fallert
4 HCR 18 - Walton Gray
5 HCR 43 - Franklin
6 HCR 47 - Allen
7 HCR 52 - Cookson

SENATE BILLS FOR THIRD READING

1 HCS SB 568 - Franz
2 SB 564 - Davis
3 HCS SCS SB 569 - Dugger
4 SB 611 - Stream
5 SS SCS SB 719, E.C. - Brown (116)

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTIETH DAY, MONDAY, APRIL 23, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Herb Baker, Canopy Church, Camdenton, MO.

"For I know the plans I have for you," declares the LORD, "plans to prosper you and not to harm you, plans to give you hope and a future. Then you will call on me and come and pray to me, and I will listen to you. You will seek me and find me when you seek me with all your heart." (Jeremiah 29:11-13)

Father God, You Who spoke the worlds into existence and gave life to all of creation – we acknowledge Your presence in this place. We are the finite – You are the infinite. You are the Creator – we are the created. We are Your servants – You are our God. Hear our prayer, oh Lord.

Grant now that we might have wisdom beyond our years and our experience. For the task ahead of us is too awesome to be accomplished in our own wisdom. We need the wisdom that comes from above.

As You promised to the Israelites in Babylonian captivity, through the prophet Jeremiah – we ask that Your plans for us also have hope and a prosperous future. Let us be mindful that they are Your plans and not ours. Let us not to be governed by selfish motives or personal ambition.

We are grateful for the service of these who represent our state in this house. Would You bless them again today and employ them in the work of Your plans on earth.

In Jesus' name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Michelle Pugh.

The Journal of the fifty-ninth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2327 through House Resolution No. 2354

SECOND READING OF SENATE BILLS

SS SCS SB 448, SCS SB 510, SS SCS SB 576, SS SCS SB 677, SS SCS SB 682, SB 739 and **SCS SB 758** were read the second time.

Representative Leara assumed the Chair.

THIRD READING OF HOUSE CONCURRENT RESOLUTION

HCS HCR 33, relating to state employee wages, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **HCS HCR 33** was adopted.

On motion of Representative Bernskoetter, **HCS HCR 33** was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Newman	Nichols	Pace
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 001

Kirkton

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Aull	Carter	Funderburk	Hubbard
Hughes	Keeney	May	McManus	Neth
Nolte	Oxford	Pierson	Smith 71	Sommer
Webb	Mr Speaker			

Representative Leara declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McDonald
McGeoghegan	McGhee	McNary	Meadows	Molendorp
Montecillo	Nance	Nichols	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 016

Berry	Brattin	Carlson	Kirkton	Lasater
Leach	Marshall	McCann Beatty	McCreery	McNeil
Morgan	Newman	Schieber	Schupp	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Carter	Dieckhaus	Funderburk	Hubbard
Hughes	May	McManus	Nasheed	Neth
Nolte	Oxford	Pierson	Smith 71	Mr Speaker

HOUSE CONCURRENT RESOLUTIONS

HCR 6, relating to fuel costs, was taken up by Representative Rowland.

On motion of Representative Rowland, **HCR 6** was adopted.

HCR 46, relating to Lake of the Ozarks property, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCR 46** was adopted.

HCR 49, relating to mercury emissions, was taken up by Representative Fallert.

On motion of Representative Fallert, **HCR 49** was adopted.

PERFECTION OF HOUSE BILL

HCS HB 1117, relating to the Missouri and Midwest Rail Integration and Improvement Commission, was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HCS HB 1117** was adopted.

On motion of Representative Brown (50), **HCS HB 1117** was ordered perfected and printed.

THIRD READING OF HOUSE BILL

HCS HB 1890, relating to health insurance coverage, was taken up by Representative Molendorp.

On motion of Representative Molendorp, **HCS HB 1890** was read the third time and passed by the following vote:

AYES: 113

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McGhee	McNary	Meadows
Molendorp	Nance	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst

Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 040

Atkins	Brown 50	Carlson	Carter	Colona
Ellinger	Ellington	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Lampe	Marshall
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Day	Funderburk	Hubbard	Hughes
May	Neth	Nolte	Oxford	Mr Speaker

Representative Leara declared the bill passed.

COMMITTEE REPORTS

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **HB 1213**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **HB 1846**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, April 24, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, April 25, 2012, 8:00 AM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
Review of DSS, DMH, & DHSS operations and policies

BUDGET
Tuesday, April 24, 2012, Upon Morning Recess House Hearing Room 3.
Public hearing will be held: HB 1712
Review tax credits

CHILDREN AND FAMILIES
Wednesday, April 25, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: SS SB 727, SCS SB 711, HB 2042
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, April 26, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HCR 57, HB 2106

ECONOMIC DEVELOPMENT
Tuesday, April 24, 2012, 5:00 PM House Hearing Room 3.
Public hearing will be held: HB 1571, HB 2044, HB 1801, HB 2041
Executive session may be held on any matter referred to the committee.

ELECTIONS
Tuesday, April 24, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: SCS SB 671, SJR 26, HB 1901, HB 1917, HB 2031
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, April 25, 2012, 9:30 AM House Hearing Room 6.
Executive session will be held: SB 599
Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN ANIMAL AGRICULTURE
Tuesday, April 24, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.
Public hearing will be held: SCS SB 566
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, April 24, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: SCS SB 626, SS SCS SB 633, SB 668, SB 721, SCS SB 722, HB 2029
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, April 24, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: HB 1950, SS SB 749
Executive session may be held on any matter referred to the committee.

HIGHER EDUCATION
Tuesday, April 24, 2012, 8:30 AM House Hearing Room 6.
Public hearing will be held: HB 1980, HB 1925
Executive session will be held: SCS SB 563
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting
AMENDED

JUDICIARY
Wednesday, April 25, 2012, 12:00 PM or Upon Morning Recess, whichever is earlier, House Hearing Room 1.
Public hearing will be held: HB 1840, SCS SB 485, SB 628, SCS SB 789, SB 636
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, April 25, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCS SB 692
Executive session may be held on any matter referred to the committee.

RURAL COMMUNITY DEVELOPMENT
Tuesday, April 24, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: HB 1991
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Tuesday, April 24, 2012, Upon Morning Adjournment House Hearing Room 7.
Public hearing will be held: SB 701, SCR 24, SS SB 665, SB 504, SCS SB 673, SCS SB 714, HB 2084, HB 1889
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Wednesday, April 25, 2012, 9:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, April 24, 2012, 12:00 PM House Hearing Room 1.
Executive session may be held on any matter referred to the committee.

VETERANS
Tuesday, April 24, 2012, 9:00 AM House Hearing Room 1.
Public hearing will be held: SCS SB 715
Executive session may be held on any matter referred to the committee.
NO BREAKFAST

HOUSE CALENDAR

SIXTY-FIRST DAY, TUESDAY, APRIL 24, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HB 1540 - Jones (89)
4 HB 1455 - Gatschenberger
5 HCS HB 1869 - Dugger
6 HCS#2 HB 1475 - Cross
7 HB 1592 - Jones (89)
8 HB 1718 - Scharnhorst (2 hours debate on Perfection)
9 HCS HB 1865 - Barnes
10 HCS HB 1049 - Allen
11 HCS HB 1210 - Gatschenberger
12 HCS HB 1280 - Korman
13 HCS HB 1758 - Long
14 HCS HB 1795 - Ruzicka
15 HCS HB 1803 - Korman
16 HCS HB 1818 - Schad
17 HCS HB 1966 - Burlison
18 HCS HB 1137 - Lauer
19 HCS HB 1328 - Cox
20 HB 1779 - Flanigan
21 HCS HB 1794 - Grisamore
22 HCS HB 1854 - Grisamore
23 HCS HB 1254 - Klippenstein
24 HCS HBs 1741 & 1543 - Leara
25 HCS HB 1754 - Cox
26 HCS HB 1815 - Pollock
27 HB 1842 - Lant
28 HCS HB 1900 - Redmon
29 HCS HB 1922 - Molendorp
30 HCS HB 1935 - Franz
31 HB 2063 - Denison

32 HB 2099 - Elmer
33 HCS HB 2100 - Denison
34 HCS HB 1709 - Hough
35 HCS HB 1710 - Hough

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1066 - McGhee

HOUSE CONCURRENT RESOLUTIONS

1 HCR 18 - Walton Gray
2 HCR 43 - Franklin
3 HCR 47 - Allen
4 HCR 52 - Cookson

SENATE BILLS FOR THIRD READING

1 HCS SB 568 - Franz
2 SB 564 - Davis
3 HCS SCS SB 569 - Dugger
4 SB 611 - Stream
5 SS SCS SB 719, E.C. - Brown (116)

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 1106, as amended - Dugger

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-FIRST DAY, TUESDAY, APRIL 24, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

You are the light of the world. (Matthew 5:14)

Eternal God, Whose truth endures forever, Whose love never fails, and Whose mercy is from everlasting to everlasting, we come to You with minds aglow with Your presence and with hearts aflame with the desire to serve You, our state, and our fellow citizens.

In the quiet of this moment, help us to hear Your still small voice, which alone can change our attitude from fear to faith, from caution to courage and from darkness to light. Together may we abide in the confidence of Your sustaining strength and in the peace of Your supporting presence.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Addie Thessen.

The Journal of the sixtieth day was approved as printed.

Representative Diehl assumed the Chair.

PERFECTION OF HOUSE BILLS

HCS#2 HB 1475, relating to tanning devices, was taken up by Representative Cross.

Representative Bahr offered **House Amendment No. 1**.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison

Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 014

Bernskoetter	Funderburk	Haefner	Hughes	Jones 117
Korman	May	Richardson	Scharnhorst	Swinger
Webb	Webber	Zerr	Mr Speaker	

House Amendment No. 1 was withdrawn.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr

Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 013

Ellinger	Funderburk	Hughes	Korman	May
Nolte	Scharnhorst	Swinger	Thomson	Webb
Webber	Zerr	Mr Speaker		

On motion of Representative Cross, **HCS#2 HB 1475** was adopted by the following vote:

AYES: 088

Allen	Anders	Atkins	Aull	Barnes
Brandom	Brown 50	Brown 116	Carter	Cauthorn
Colona	Cookson	Cross	Davis	Diehl
Ellinger	Ellington	Elmer	Fisher	Flanigan
Fraker	Frederick	Gatschenberger	Gosen	Grisamore
Harris	Higdon	Hinson	Hodges	Holsman
Hough	Houghton	Hubbard	Hummel	Jones 63
Jones 117	Kelly 24	Kirkton	Kratky	Lampe
Lant	Lasater	Lauer	Leara	Long
McCaherty	McCann Beatty	McCreery	McDonald	McGhee
McManus	McNeil	Molendorp	Montecillo	Nance
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schatz
Schieffer	Schneider	Schupp	Shively	Shumake

Sifton	Silvey	Smith 71	Still	Stream
Talboy	Torpey	Wallingford	Walton Gray	Weter
White	Wieland	Wright		

NOES: 061

Asbury	Bahr	Bernskoetter	Berry	Black
Brattin	Brown 85	Burlison	Casey	Cierpiot
Conway 14	Conway 27	Cox	Crawford	Curtman
Day	Dieckhaus	Dugger	Entlicher	Fallert
Fitzwater	Franklin	Fuhr	Guernsey	Haefner
Hampton	Hoskins	Hughes	Johnson	Jones 89
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Lair	Largent	Leach	Lichtenegger	Loehner
Marshall	McGeoghegan	McNary	Meadows	Nasheed
Neth	Parkinson	Pollock	Redmon	Schad
Scharnhorst	Schieber	Schoeller	Smith 150	Solon
Sommer	Spreng	Swearingen	Taylor	Wells
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 014

Carlson	Denison	Franz	Funderburk	Korman
May	Morgan	Nolte	Swinger	Thomson
Webb	Webber	Zerr	Mr Speaker	

On motion of Representative Cross, **HCS#2 HB 1475** was ordered perfected and printed.

HCS HB 1210, relating to debt offset for unpaid medical bills, was taken up by Representative Gatschenberger.

Representative Gatschenberger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1210, Section A, Page 1, Line 2, by inserting the following after all of said line:

"143.782. As used in sections 143.782 to **[**143.788**]** **143.790**, unless the context clearly requires otherwise, the following terms shall mean and include:

(1) "Court", the supreme court, court of appeals, or any circuit court of the state;

(2) "Debt", any sum due and legally owed to any state agency which has accrued through contract, subrogation, tort, or operation of law regardless of whether there is an outstanding judgment for that sum, court costs as defined in section 488.010, fines and fees owed, or any support obligation which is being enforced by the division of family services on behalf of a person who is receiving support enforcement services pursuant to section 454.425, or any claim for unpaid health care services which is being enforced by the **[**department of health and senior services**]** **claim clearinghouse** on behalf of a **[**hospital or health care**]** provider **of ambulance services** under section 143.790;

(3) "Debtor", any individual, sole proprietorship, partnership, corporation or other legal entity owing a debt;

(4) "Department", the department of revenue of the state of Missouri;

(5) "Refund", the Missouri income tax refund which the department determines to be due any taxpayer pursuant to the provisions of this chapter. The amount of a refund shall not include any senior citizens property tax credit provided by sections 135.010 to 135.035 unless such refund is being offset for a delinquency or debt relating to individual income tax or a property tax credit; and

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri, including public community college districts and housing authorities as defined in section 99.020."; and

Further amend said bill, Section 143.790, Page 4, Line 84, by deleting the word "**and**" and inserting in lieu thereof the word "**as**"; and

Further amend said bill and section, Page 8, Line 238, by inserting after the word "**assistance**" the word "**fee**"; and

Further amend said section and page, Line 241, by deleting all of said line and inserting in lieu thereof the following:

"**collection assistance fee shall have priority over the setoff of the eligible claim. If, in addition to the collection assistance fee, any portion of the eligible claim is setoff under this section, the provider shall be:**

(1) Forever barred from resubmitting the remainder of the claim to the claim clearinghouse for setoff by the department under this section; and

(2) Forever barred from taking any other steps to collect the amount of the claim from the patient.

If, after the"; and

Further amend said section and page, Line 248, by deleting "**section.**" and inserting in lieu thereof the following:

"**section, provided however, that a provider receiving a partial claim setoff against a lottery prize payout will not be subject to the prohibitions under subdivisions (1) and (2) of subsection 12.**"; and

Further amend said bill and section, Page 9, Line 257, by inserting the following after all of said line:

"313.321. 1. The money received by the Missouri state lottery commission from the sale of Missouri lottery tickets and from all other sources shall be deposited in the "State Lottery Fund", which is hereby created in the state treasury. At least forty-five percent, in the aggregate, of the money received from the sale of Missouri lottery tickets shall be appropriated to the Missouri state lottery commission and shall be used to fund prizes to lottery players. Amounts in the state lottery fund may be appropriated to the Missouri state lottery commission for administration, advertising, promotion, and retailer compensation. The general assembly shall appropriate remaining moneys not previously allocated from the state lottery fund by transferring such moneys to the general revenue fund. The lottery commission shall make monthly transfers of moneys not previously allocated from the state lottery fund to the general revenue fund as provided by appropriation.

2. The commission may also purchase and hold title to any securities issued by the United States government or its agencies and instrumentalities thereof that mature within the term of the prize for funding multi-year payout prizes.

3. The "Missouri State Lottery Imprest Prize Fund" is hereby created. This fund is to be established by the state treasurer and funded by warrants drawn by the office of administration from the state lottery fund in amounts specified by the commission. The commission may write checks and disburse moneys from this fund for the payment of lottery prizes only and for no other purpose. All expenditures shall be made in accordance with rules and regulations established by the office of administration. Prize payments may also be made from the state lottery fund. Prize payouts made pursuant to this section shall be subject to the provisions of section 143.781; and prize payouts made pursuant to this section shall be subject to set off for delinquent child support payments as assessed by a court of competent jurisdiction or pursuant to section 454.410. Prize payouts made under this section shall be subject to set off for unpaid health care services provided by **[**hospitals and health care**] ambulance service** providers under the procedure established in section 143.790.

4. Funds of the state lottery commission not currently needed for prize money, administration costs, commissions and promotion costs shall be invested by the state treasurer in interest-bearing investments in accordance with the investment powers of the state treasurer contained in chapter 30. All interest earned by funds in the state lottery fund shall accrue to the credit of that fund.

5. No state or local sales tax shall be imposed upon the sale of lottery tickets or shares of the state lottery or on any prize awarded by the state lottery. No state income tax or local earnings tax shall be imposed upon any lottery game prizes which accumulate to an amount of less than six hundred dollars during a prize winner's tax year. The state

of Missouri shall withhold for state income tax purposes from a lottery game prize or periodic payment of six hundred dollars or more an amount equal to four percent of the prize.

6. The director of revenue is authorized to enter into agreements with the lottery commission, in conjunction with the various state agencies pursuant to sections 143.782 to 143.788, in an effort to satisfy outstanding debts to the state from the lottery winning of any person entitled to receive lottery payments which are subject to federal withholding. The director of revenue is also authorized to enter into agreements with the lottery commission in conjunction with the department of health and senior services pursuant to section 143.790 in an effort to satisfy outstanding debts owed to **[**hospitals and health care**]** **ambulance service** providers for unpaid health care services of any person entitled to receive lottery payments which are subject to federal withholding.

7. In addition to the restrictions provided in section 313.260, no person, firm, or corporation whose primary source of income is derived from the sale or rental of sexually oriented publications or sexually oriented materials or property shall be licensed as a lottery game retailer and any lottery game retailer license held by any such person, firm, or corporation shall be revoked."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 1** was adopted.

Representative Wallingford offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1210, Page 9, Section 143.790, Line 257, by inserting after all of said section, the following:

"**143.1026. 1. This section shall be known and may be cited as "Sahara's Law".**

2. For all taxable years beginning on or after January 1, 2012, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that one dollar or any amount in excess of one dollar on a single return, and two dollars or any amount in excess of two dollars on a combined return, of the refund due be credited to the pediatric cancer research trust fund. If any individual or corporation that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, that amount the individual or corporation wishes to contribute. Such amounts shall be clearly designated for the fund.

3. There is hereby created in the state treasury the "Pediatric Cancer Research Trust Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. All moneys credited to the trust fund shall be considered nonstate funds under section 15, article IV, Constitution of Missouri. The treasurer shall distribute all moneys deposited in the fund at times the treasurer deems appropriate to CureSearch for children's cancer.

4. The director of revenue shall deposit at least monthly all contributions designated by individuals under this section to the state treasurer for deposit to the fund. The director of revenue shall deposit at least monthly all contributions designated by the corporations under this section, less an amount sufficient to cover the costs of collection and handling by the department of revenue, to the state treasury for deposit to the fund. A contribution designated under this section shall only be deposited in the fund after all other claims against the refund from which such contribution is to be made have been satisfied.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wallingford, **House Amendment No. 2** was adopted.

HCS HB 1210, as amended, was laid over.

HB 1592, relating to the STAR Bonds Financing Act, was taken up by Representative Jones (89).

Representative Nolte offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1592, Page 1, Section A, Line 2, by inserting the following after all of said lines:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Solon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 1592, Page 1, Section A, Line 2, by inserting after all of said line the following:

"67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county **[**of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants**]**, the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or**, if applicable to that county, chapter 141, or, [**by judicial foreclosure proceeding,**]** at the option of the governing body**, by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 2** was adopted.

Representative Schupp offered **House Amendment No. 3**.

Representative Scharnhorst raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Jones (89), **HB 1592, as amended,** was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

Representative Diehl resumed the Chair.

HOUSE RESOLUTION

Representative Flanigan offered House Resolution No. 2509.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2355 through House Resolution No. 2508

HOUSE CONCURRENT RESOLUTIONS

HCR 43, relating to trapshooting, was taken up by Representative Franklin.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Cauthorn	Cierpiot	Conway 14	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Nance	Neth	Nolte	Parkinson	Phillips

Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hughes	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Burlison	Colona	Cookson	Day
Dieckhaus	Ellington	Funderburk	Grisamore	Hubbard
Kander	Korman	Lampe	Leach	May
McNary	Molendorp	Nasheed	Schatz	Mr Speaker

On motion of Representative Franklin, **HCR 43** was adopted.

HCR 18, relating to "Donate Life Month," was taken up by Representative Walton Gray.

On motion of Representative Walton Gray, **HCR 18** was adopted.

HCR 47, relating to Missouri military bases, was taken up by Representative Allen.

On motion of Representative Allen, **HCR 47** was adopted.

HCR 52, relating to riverways, was taken up by Representative Cookson.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton

Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Taylor	Walton Gray	Webber

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 020

Brattin	Day	Denison	Dieckhaus	Franklin
Funderburk	Haefner	Hubbard	Jones 117	Lampe
May	McNary	Molendorp	Nasheed	Sater
Scharnhorst	Stream	Talboy	Webb	Mr Speaker

On motion of Representative Cookson, **HCR 52** was adopted.

PERFECTION OF HOUSE BILLS

HCS HB 1758, relating to parent-child relationships, was taken up by Representative Long.

Representative Long offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1758, Page 1, Section 452.398, Line 6, by inserting after the phrase "**chapter 211.**" the following:

"**Nothing in this section shall be construed or intended to revive the rights of a natural parent whose rights have previously been terminated under chapter 211.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Richardson offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1758, Page 1, Section 452.398, Line 6, by inserting after the phrase "**chapter 211.**" the following:

"**Nothing in this section shall be construed or intended to revive the rights of a natural parent whose rights have previously been terminated under chapter 211.**"; and

Further amend said bill, Page 2, Section 452.398, Line 40, by deleting all of said line and inserting in lieu thereof the following:

"**(1) Is or was married to the minor child's natural parent**;"; and

Further amend said bill, Page 3, Section 452.398, Line 68, by inserting immediately after the phrase "**the court**" the following:

"**shall consider the psychological injury to the child resulting from a discontinuation of the relationship between the child and petitioner or intervenor and**"; and

Further amend said section and page, Line 71, by removing all of said line, and renumbering the remaining subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cox offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**.

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill No. 1758, Page 1, Line 19, by inserting after all of said line the following:

'Further amend said bill, Page 4, Section 452.398, Line 107, by inserting after the phrase "**section 452.375**" the following:

"**, including an obligation of support pursuant to section 452.340**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

On motion of Representative Richardson, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended,** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Nance
Nolte	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
McCann Beatty	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 018

Conway 14	Crawford	Day	Dieckhaus	Ellington
Fallert	Funderburk	Hubbard	Hughes	Lampe
May	McCreery	Molendorp	Neth	Parkinson
Sater	Scharnhorst	Mr Speaker		

On motion of Representative Long, **HCS HB 1758, as amended,** was adopted.

On motion of Representative Long, **HCS HB 1758, as amended,** was ordered perfected and printed.

HCS HB 1280, relating to a peer review process for design professionals, was taken up by Representative Korman.

On motion of Representative Korman, **HCS HB 1280** was adopted.

On motion of Representative Korman, **HCS HB 1280** was ordered perfected and printed.

THIRD READING OF SENATE BILL

HCS SB 568, relating to motor vehicle operation, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 568, Page 1, Title, Line 3, by deleting the phrase "motor vehicle operation" and inserting in lieu thereof the phrase "transportation"; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said section and line, the following:

"94.700. The following words, as used in sections 94.700 to 94.755, shall have the following meaning unless a different meaning clearly appears from the context:

(1) "City" shall mean any incorporated city, town, or village in the state of Missouri with a population of one hundred or more, but the term "city" does not include any city not within a county or any city of over four hundred thousand inhabitants wholly or partially within a first class county;

(2) "City transit authority" shall mean a commission or board created by city charter provision or by ordinance of a city, and which operates a public mass transportation system;

(3) "City utilities board" shall mean a board or commission created by city charter provision or by ordinance of a city, which controls and operates city-owned utilities including a public mass transportation system;

(4) "Director of revenue" shall mean the director of revenue of the state of Missouri;

(5) "Interstate transportation authority" shall mean any political subdivision created by compact between this state and another state, which is a body corporate and politic and a political subdivision of both contracting states, and which operates a public mass transportation system;

(6) "Interstate transportation district" shall mean that geographical area set forth and defined in the particular compact between this state and another state;

(7) "Person" shall mean an individual, corporation, partnership, or other entity;

(8) "Public mass transportation system" shall mean a transportation system or systems owned and operated by an interstate transportation authority, a municipality, a city transit authority, or a city utilities board, employing motor buses, rails or any other means of conveyance, by whatsoever type or power, operated for public use in the conveyance of persons, mainly providing local transportation service within an interstate transportation district or municipality;

(9) "Transportation purposes" shall mean financial support of a "public mass transportation system"; the construction, reconstruction, repair and maintenance of streets, roads**, sidewalks, trails, community-owned parking lots,** and bridges within a municipality; the construction, reconstruction, repair and maintenance of airports owned and operated by municipalities; the acquisition of lands and rights-of-way for streets, roads, **sidewalks, trails, community-owned parking lots,** bridges**,** and airports; and planning and feasibility studies for streets, roads, **sidewalks, trails, community-owned parking lots,** bridges, and airports. "Bridges" shall include bridges connecting a municipality with another municipality either within or without the state, with an unincorporated area of the state, or with another state or an unincorporated area thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Franz offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said section and line, the following:

"304.190. 1. No motor vehicle, unladen or with load, operating exclusively within the corporate limits of cities containing seventy-five thousand inhabitants or more or within two miles of the corporate limits of the city or within the commercial zone of the city shall exceed fifteen feet in height.

2. No motor vehicle operating exclusively within any said area shall have a greater weight than twenty-two thousand four hundred pounds on one axle.

3. The "commercial zone" of the city is defined to mean that area within the city together with the territory extending one mile beyond the corporate limits of the city and one mile additional for each fifty thousand population or portion thereof provided, however**[**,**]** **:**

(1) The commercial zone surrounding a city not within a county shall extend twenty-five miles beyond the corporate limits of any such city not located within a county and shall also extend throughout any county with a charter form of government which adjoins that city and throughout any county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants that is adjacent to such county adjoining such city; **[**further, provided, however,**]**

(2) The commercial zone of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants shall extend twelve miles beyond the corporate limits of any such city; except that this zone shall extend from the southern border of such city's limits, beginning with the western-most freeway, following said freeway south to the first intersection with a multilane undivided highway, where the zone shall extend south along said freeway to include a city of the fourth classification with more than eight thousand nine hundred but less than nine thousand inhabitants, and shall extend north from the intersection of said freeway and multilane undivided highway along the multilane undivided highway to the city limits of a city with a population of at least four hundred thousand inhabitants but not more than four hundred fifty thousand inhabitants, and shall extend east from the city limits of a special charter city with more than two hundred seventy-five but fewer than three hundred seventy-five inhabitants along state route 210 and northwest from the intersection of state route 210 and state route 10 to include the boundaries of any city of the third classification with more than ten thousand eight hundred but fewer than ten thousand nine hundred inhabitants and located in more than one county**[**; further provided, however,**]**. **The commercial zone described in this subdivision shall be extended to also include the stretch of state route 45 from its intersection with Interstate 29 extending northwest to the city limits of any village with more than forty but fewer than fifty inhabitants and located in any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat;**

(3) The commercial zone of a city of the third classification with more than nine thousand six hundred fifty but fewer than nine thousand eight hundred inhabitants shall extend south from the city limits along U.S. Highway 61 to the intersection of state route OO in a county of the third classification without a township form of government and with more than seventeen thousand eight hundred but fewer than seventeen thousand nine hundred inhabitants.

4. In no case shall the commercial zone of a city be reduced due to a loss of population. The provisions of this section shall not apply to motor vehicles operating on the interstate highways in the area beyond two miles of a corporate limit of the city unless the United States Department of Transportation increases the allowable weight limits on the interstate highway system within commercial zones. In such case, the mileage limits established in this section shall be automatically increased only in the commercial zones to conform with those authorized by the United States Department of Transportation.

[4.**]** **5.** Nothing in this section shall prevent a city, county, or municipality, by ordinance, from designating the routes over which such vehicles may be operated.

[5.**]** **6.** No motor vehicle engaged in interstate commerce, whether unladen or with load, whose operations in the state of Missouri are limited exclusively to the commercial zone of a first class home rule municipality located in a county with a population between eighty thousand and ninety-five thousand inhabitants which has a portion of its corporate limits contiguous with a portion of the boundary between the states of Missouri and Kansas, shall have a greater weight than twenty-two thousand four hundred pounds on one axle, nor shall exceed fifteen feet in height."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nance offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 568, Page 2, Line 5, by inserting after the closing bracket "**]**." the following:

"**The commercial zone shall continue east along state route 10 from the intersection of state route 10 and state route 210 to the eastern city limit of a city of the fourth classification with more than five hundred fifty but fewer than six hundred twenty-five inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a city of the third classification with more than five thousand but fewer than six thousand inhabitants as the county seat.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Swearingen offered **House Amendment No. 2 to House Amendment No. 2**.

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 568, Page 1, Lines 1-2, by deleting all of said lines and inserting in lieu thereof the following:

'AMEND House Committee Substitute for Senate Bill No. 568, Page 6, Section 304.022, Lines 8-11, by deleting all of said lines from the bill and inserting in lieu thereof the following:

"2. Upon approaching **[**a**]** **any** stationary **[**emergency**]** vehicle **[**displaying lighted red or red and blue lights**]**, the driver of every motor vehicle shall:"; and

Further amend said bill, Page 7, Section 304.022, Line 67, by inserting after all of said section and line, the following:'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Swearingen moved that **House Amendment No. 2 to House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Franz, **House Amendment No. 2, as amended,** was adopted.

Representative Smith (150) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said section and line, the following:

"301.190. 1. No certificate of registration of any motor vehicle or trailer, or number plate therefor, shall be issued by the director of revenue unless the applicant therefor shall make application for and be granted a certificate of ownership of such motor vehicle or trailer, or shall present satisfactory evidence that such certificate has been previously issued to the applicant for such motor vehicle or trailer. Application shall be made within thirty days after the applicant acquires the motor vehicle or trailer upon a blank form furnished by the director of revenue and shall contain the applicant's identification number, a full description of the motor vehicle or trailer, the vehicle identification number, and the mileage registered on the odometer at the time of transfer of ownership, as required by section 407.536, together with a statement of the applicant's source of title and of any liens or encumbrances on the motor vehicle or trailer, provided that for good cause shown the director of revenue may extend the period of time for making such application. When an owner wants to add or delete a name or names on an application for certificate of ownership of a motor vehicle or trailer that would cause it to be inconsistent with the name or names listed on the notice of lien, the owner shall provide the director with documentation evidencing the lienholder's authorization to add or delete a name or names on an application for certificate of ownership.

2. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true and shall, to the extent possible without substantially delaying processing of the application, review any odometer information pertaining to such motor vehicle that is accessible to the director of revenue. If satisfied that the applicant is the lawful owner of such motor vehicle or trailer, or otherwise entitled to have the same registered in his name, the director shall thereupon issue an appropriate certificate over his signature and sealed with the seal of his office, procured and used for such purpose. The certificate shall contain on its face a complete description, vehicle identification number, and other evidence of identification of the motor vehicle or trailer, as the director of revenue may deem necessary, together with the odometer information required to be put on the face of the certificate pursuant to section 407.536, a statement of any liens or encumbrances which the application may show to be thereon, and, if ownership of the vehicle has been transferred, the name of the state issuing the transferor's title and whether the transferor's odometer mileage statement executed pursuant to section 407.536 indicated that the true mileage is materially different from the number of miles shown on the odometer, or is unknown.

3. The director of revenue shall appropriately designate on the current and all subsequent issues of the certificate the words "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1, 1990, on all original and all subsequent issues of the certificate for motor vehicles as referenced in subsections 2 and 3 of section 301.020, the director shall print on the face thereof the following designation: "Annual odometer updates may be available from the department of revenue.". On any duplicate certificate, the director of revenue shall reprint on the face thereof the most recent of either:

(1) The mileage information included on the face of the immediately prior certificate and the date of purchase or issuance of the immediately prior certificate; or

(2) Any other mileage information provided to the director of revenue, and the date the director obtained or recorded that information.

4. The certificate of ownership issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection. In order to carry out the requirements of this subsection, the director of revenue may contract with a nonprofit scientific or educational institution specializing in the analysis of secure documents to determine the most effective methods of rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

5. The fee for each original certificate so issued shall be eight dollars and fifty cents, in addition to the fee for registration of such motor vehicle or trailer. If application for the certificate is not made within thirty days after the vehicle is acquired by the applicant, a delinquency penalty fee of twenty-five dollars for the first thirty days of delinquency and twenty-five dollars for each thirty days of delinquency thereafter, not to exceed a total of two hundred dollars, but such penalty may be waived by the director for a good cause shown. If the director of revenue learns that any person has failed to obtain a certificate within thirty days after acquiring a motor vehicle or trailer or has sold a vehicle without obtaining a certificate, he shall cancel the registration of all vehicles registered in the name of the person, either as sole owner or as a co-owner, and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee provided in this section, together with all fees, charges and payments which the person should have paid in connection with the certificate of ownership and registration of the vehicle. The certificate

shall be good for the life of the motor vehicle or trailer so long as the same is owned or held by the original holder of the certificate and shall not have to be renewed annually.

6. Any applicant for a certificate of ownership requesting the department of revenue to process an application for a certificate of ownership in an expeditious manner requiring special handling shall pay a fee of five dollars in addition to the regular certificate of ownership fee.

7. It is unlawful for any person to operate in this state a motor vehicle or trailer required to be registered under the provisions of the law unless a certificate of ownership has been applied for as provided in this section.

8. Before an original Missouri certificate of ownership is issued, an inspection of the vehicle and a verification of vehicle identification numbers shall be made by the Missouri state highway patrol on vehicles for which there is a current title issued by another state if a Missouri salvage certificate of title has been issued for the same vehicle but no prior inspection and verification has been made in this state, except that if such vehicle has been inspected in another state by a law enforcement officer in a manner comparable to the inspection process in this state and the vehicle identification numbers have been so verified, the applicant shall not be liable for the twenty-five dollar inspection fee if such applicant submits proof of inspection and vehicle identification number verification to the director of revenue at the time of the application. The applicant, who has such a title for a vehicle on which no prior inspection and verification have been made, shall pay a fee of twenty-five dollars for such verification and inspection, payable to the director of revenue at the time of the request for the application, which shall be deposited in the state treasury to the credit of the state highways and transportation department fund.

9. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, specially constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor vehicle, or other vehicle as required by the director of revenue shall be accompanied by a vehicle examination certificate issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The vehicle examination shall include a verification of vehicle identification numbers and a determination of the classification of the vehicle. The owner of a vehicle which requires a vehicle examination certificate shall present the vehicle for examination and obtain a completed vehicle examination certificate prior to submitting an application for a certificate of ownership to the director of revenue. **Notwithstanding any provision of the law to the contrary, an owner presenting a motor vehicle which has been issued a salvage title and which is ten years of age or older to a vehicle examination described in this subsection in order to obtain a certificate of ownership with the designation prior salvage motor vehicle, shall not be required to repair or restore the vehicle to its original appearance in order to pass or complete the vehicle examination.** The fee for the vehicle examination application shall be twenty-five dollars and shall be collected by the director of revenue at the time of the request for the application and shall be deposited in the state treasury to the credit of the state highways and transportation department fund. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and the fees required by section 307.365 and section 643.315 shall be charged to the owner.

10. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri or as required by section 301.020, it shall be accompanied by a current inspection form certified by a duly authorized official inspection station as described in chapter 307. The completed form shall certify that the manufacturer's identification number for the vehicle has been inspected, that it is correctly displayed on the vehicle and shall certify the reading shown on the odometer at the time of inspection. The inspection station shall collect the same fee as authorized in section 307.365 for making the inspection, and the fee shall be deposited in the same manner as provided in section 307.365. If the vehicle is also to be registered in Missouri, the safety inspection required in chapter 307 and the emissions inspection required under chapter 643 shall be completed and only the fees required by section 307.365 and section 643.315 shall be charged to the owner. This section shall not apply to vehicles being transferred on a manufacturer's statement of origin.

11. Motor vehicles brought into this state in a wrecked or damaged condition or after being towed as an abandoned vehicle pursuant to another state's abandoned motor vehicle procedures shall, in lieu of the inspection required by subsection 10 of this section, be inspected by the Missouri state highway patrol in accordance with subsection 9 of this section. If the inspection reveals the vehicle to be in a salvage or junk condition, the director shall so indicate on any Missouri certificate of ownership issued for such vehicle. Any salvage designation shall be carried forward on all subsequently issued certificates of title for the motor vehicle.

12. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as a reconstructed motor vehicle, motor change vehicle, specially constructed motor vehicle, or prior salvage vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the name of the issuing state and such prior designation. The absence

of any prior designation shall not relieve a transferor of the duty to exercise due diligence with regard to such certificate of ownership prior to the transfer of a certificate. If a transferor exercises any due diligence with regard to a certificate of ownership, the legal transfer of a certificate of ownership without any designation that is subsequently discovered to have or should have had a designation shall be a transfer free and clear of any liabilities of the transferor associated with the missing designation.

13. When an application is made for an original Missouri certificate of ownership for a motor vehicle previously registered or titled in a state other than Missouri, and the certificate of ownership has been appropriately designated by the issuing state as non-USA-std motor vehicle, the director of revenue shall appropriately designate on the current Missouri and all subsequent issues of the certificate of ownership the words "Non-USA-Std Motor Vehicle".

14. The director of revenue and the superintendent of the Missouri state highway patrol shall make and enforce rules for the administration of the inspections required by this section.

15. Each application for an original Missouri certificate of ownership for a vehicle which is classified as a reconstructed motor vehicle, manufactured forty or more years prior to the current model year, and which has a value of three thousand dollars or less shall be accompanied by:

(1) A proper affidavit submitted by the owner explaining how the motor vehicle or trailer was acquired and, if applicable, the reasons a valid certificate of ownership cannot be furnished;

(2) Photocopies of receipts, bills of sale establishing ownership, or titles, and the source of all major component parts used to rebuild the vehicle;

(3) A fee of one hundred fifty dollars in addition to the fees described in subsection 5 of this section. Such fee shall be deposited in the state treasury to the credit of the state highways and transportation department fund; and

(4) An inspection certificate, other than a motor vehicle examination certificate required under subsection 9 of this section, completed and issued by the Missouri state highway patrol, or other law enforcement agency as authorized by the director of revenue. The inspection performed by the highway patrol or other authorized local law enforcement agency shall include a check for stolen vehicles. The department of revenue shall issue the owner a certificate of ownership designated with the words "Reconstructed Motor Vehicle" and deliver such certificate of ownership in accordance with the provisions of this chapter. Notwithstanding subsection 9 of this section, no owner of a reconstructed motor vehicle described in this subsection shall be required to obtain a vehicle examination certificate issued by the Missouri state highway patrol.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Long offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Bill No. 568, Page 5, Line 26, by inserting after all of said line the following:

‘Further amend said bill, Page 5, Section 301.147, Line 29, by inserting after all of said line the following:

“302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and

court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record **if the individual was not operating a commercial motor vehicle or a commercial driver's license holder at the time of the offense**. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for traffic violations occurring on state highways, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

302.700. 1. Sections 302.700 to 302.780 may be cited as the "Uniform Commercial Driver's License Act".

2. When used in sections 302.700 to 302.780, the following words and phrases mean:

(1) "Alcohol", any substance containing any form of alcohol, including, but not limited to, ethanol, methanol, propanol and isopropanol;

(2) "Alcohol concentration", the number of grams of alcohol per one hundred milliliters of blood or the number of grams of alcohol per two hundred ten liters of breath or the number of grams of alcohol per sixty-seven milliliters of urine;

(3) **"CDLIS driver record", the electronic record of the individual commercial driver's status and history stored by the state of record as part of the Commercial Driver's License Information System (CDLIS) established under 49 U.S.C. Section 31309, et seq.;**

(4) "CDLIS motor vehicle record (CDLIS MVR)", a report generated from the CDLIS driver record which meets the requirements for access to CDLIS information and is provided by states to users authorized in 49 CFR Part 384, subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, et seq.;

(5) "Commercial driver's instruction permit", a permit issued pursuant to section 302.720;

[(4)**] (6)** "Commercial driver's license", a license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle;

[(5)**] (7) "Commercial driver's license downgrade", occurs when:**

(a) A driver changes the self-certification to interstate, but operates exclusively in transportation or operation excepted from 49 CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or 398.3;

(b) A driver changes the self-certification to intrastate only, if the driver qualifies under the state's physical qualification requirements for intrastate only;

(c) A driver changes the self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or

(d) The state removes the commercial driver's license privilege from the driver's license;

(8) "Commercial driver's license information system **(CDLIS)**", the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;

[(6)**] (9)** "Commercial motor vehicle", a motor vehicle designed or used to transport passengers or property:

(a) If the vehicle has a gross combination weight rating of twenty-six thousand one or more pounds inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds or more;

(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand one or more pounds or such lesser rating as determined by federal regulation;

(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or

(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801, et seq.);

[(7)**] (10)** "Controlled substance", any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes all substances listed in schedules I through V of 21 CFR part 1308, as they may be revised from time to time;

[(8)**] (11)** "Conviction", an unvacated adjudication of guilt, including pleas of guilt and nolo contendre, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative proceeding, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended or prorated, including an offense for failure to appear or pay;

[(9)**] (12)** "Director", the director of revenue or his authorized representative;

[(10)**] (13)** "Disqualification", any of the following three actions:

(a) The suspension, revocation, or cancellation of a commercial driver's license;

(b) Any withdrawal of a person's privileges to drive a commercial motor vehicle by a state**, Canada, or Mexico** as the result of a violation of federal, state, county, municipal, or local law relating to motor vehicle traffic control or violations committed through the operation of motor vehicles, other than parking, vehicle weight, or vehicle defect violations;

(c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

[(11)**] (14)** "Drive", to drive, operate or be in physical control of a commercial motor vehicle;

[(12)**] (15)** "Driver", any person who drives, operates, or is in physical control of a motor vehicle, or who is required to hold a commercial driver's license;

(16) "Driver applicant", an individual who applies to obtain, transfer, upgrade, or renew a commercial driver's license in this state;

[(13)**] (17)** "Driving under the influence of alcohol", the commission of any one or more of the following acts:

(a) Driving a commercial motor vehicle with the alcohol concentration of four one-hundredths of a percent or more as prescribed by the secretary or such other alcohol concentration as may be later determined by the secretary by regulation;

(b) Driving a commercial or noncommercial motor vehicle while intoxicated in violation of any federal or state law, or in violation of a county or municipal ordinance;

(c) Driving a commercial or noncommercial motor vehicle with excessive blood alcohol content in violation of any federal or state law, or in violation of a county or municipal ordinance;

(d) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance; or

(e) Having any state, county or municipal alcohol-related enforcement contact, as defined in subsection 3 of section 302.525; provided that any suspension or revocation pursuant to section 302.505, committed in a noncommercial motor vehicle by an individual twenty-one years of age or older shall have been committed by the person with an alcohol concentration of at least eight-hundredths of one percent or more, or in the case of an individual who is less than twenty-one years of age, shall have been committed by the person with an alcohol concentration of at least two-hundredths of one percent or more, and if committed in a commercial motor vehicle, a concentration of four-hundredths of one percent or more;

[(14)**] (18)** "Driving under the influence of a controlled substance", the commission of any one or more of the following acts in a commercial or noncommercial motor vehicle:

(a) Driving a commercial or noncommercial motor vehicle while under the influence of any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), including any substance listed in schedules I through V of 21 CFR Part 1308, as they may be revised from time to time;

(b) Driving a commercial or noncommercial motor vehicle while in a drugged condition in violation of any federal or state law or in violation of a county or municipal ordinance; or

(c) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance;

[(15)**] (19)** "Employer", any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a driver to operate such a vehicle;

(20) "Endorsement", an authorization on an individual's commercial driver's license permitting the individual to operate certain types of commercial motor vehicles;

[(16)**] (21)** "Farm vehicle", a commercial motor vehicle controlled and operated by a farmer used exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty miles of the farm, other than one which requires placarding for hazardous materials as defined in this section, or used in the operation of a common or contract motor carrier, except that a farm vehicle shall not be a commercial motor vehicle when the total combined gross weight rating does not exceed twenty-six thousand one pounds when transporting fertilizers as defined in subdivision **[**(21)**] (27)** of this subsection;

[(17)**] (22)** "Fatality", the death of a person as a result of a motor vehicle accident;

[(18)**] (23)** "Felony", any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year;

(24) "Foreign", outside the fifty states of the United States and the District of Columbia;

[(19)**] (25)** "Gross combination weight rating" or "GCWR", the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon;

[(20)**] (26)** "Gross vehicle weight rating" or "GVWR", the value specified by the manufacturer as the loaded weight of a single vehicle;

[(21)**] (27)** "Hazardous materials", any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of CFR Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel, shall not be considered hazardous materials when transported by a farm vehicle provided all other provisions of this definition are followed;

[(22)**] (28)** "Imminent hazard", the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begins to lessen the risk of that death, illness, injury, or endangerment;

[(23)**] (29)** "Issuance", the initial licensure, license transfers, license renewals, and license upgrades;

(30) "Medical examiner", a person who is licensed, certified, or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic;

(31) "Medical variance", when a driver has received one of the following that allows the driver to be issued a medical certificate:

(a) An exemption letter permitting operation of a commercial motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;

(b) A skill performance evaluation certificate permitting operation of a commercial motor vehicle under 49 CFR Part 391.49;

[(24)**] (32)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks;

[(25)**] (33)** "Noncommercial motor vehicle", a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" in this section;

[(26)**] (34)** "Out of service", a temporary prohibition against the operation of a commercial motor vehicle by a particular driver, or the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier;

[(27)**] (35)** "Out-of-service order", a declaration by **[**the Federal Highway Administration, or any**] an** authorized enforcement officer of a federal, state, **[**Commonwealth of Puerto Rico,**]** Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service **under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or comparable laws, or the North American Standard Out-of-Service Criteria**;

[(28)**] (36)** "School bus", a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary;

[(29)**] (37)** "Secretary", the Secretary of Transportation of the United States;

[(30)**] (38)** "Serious traffic violation", driving a commercial motor vehicle in such a manner that the driver receives a conviction for the following offenses or driving a noncommercial motor vehicle when the driver receives a conviction for the following offenses and the conviction results in the suspension or revocation of the driver's license or noncommercial motor vehicle driving privilege:

(a) Excessive speeding, as defined by the Secretary by regulation;

(b) Careless, reckless or imprudent driving which includes, but shall not be limited to, any violation of section 304.016, any violation of section 304.010, or any other violation of federal or state law, or any county or municipal ordinance while driving a commercial motor vehicle in a willful or wanton disregard for the safety of persons or property, or improper or erratic traffic lane changes, or following the vehicle ahead too closely, but shall not include careless and imprudent driving by excessive speed;

(c) A violation of any federal or state law or county or municipal ordinance regulating the operation of motor vehicles arising out of an accident or collision which resulted in death to any person, other than a parking violation;

(d) Driving a commercial motor vehicle without obtaining a commercial driver's license in violation of any federal or state or county or municipal ordinance;

(e) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession in violation of any federal or state or county or municipal ordinance. Any individual who provides proof to the court which has jurisdiction over the issued citation that the individual held a valid commercial driver's license on the date that the citation was issued shall not be guilty of this offense;

(f) Driving a commercial motor vehicle without the proper commercial driver's license class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported in violation of any federal or state law or county or municipal ordinance; or

(g) Any other violation of a federal or state law or county or municipal ordinance regulating the operation of motor vehicles, other than a parking violation, as prescribed by the secretary by regulation;

[(31)**] (39)** "State", a state**[**, territory or possession**]** of the United States**[**, the District of Columbia, the Commonwealth of Puerto Rico, Mexico, and any province of Canada**]**;

[(32)**] (40)** "United States", the fifty states and the District of Columbia.

302.768. 1. Any applicant for a commercial driver's license or commercial driver's instruction permit shall comply with the Federal Motor Carrier Safety Administration application requirements of 49 CFR Part 383.71 by certifying to one of the following applicable statements relating to federal and state driver qualification rules:

(1) Nonexcepted interstate: Certifies the applicant is a driver operating or expecting to operate in interstate or foreign commerce, or is otherwise subject to and meets requirements of 49 CFR Part 391 and is required to obtain a medical examiner's certificate as defined in 49 CFR Part 391.45;

(2) Excepted interstate: Certifies the applicant is a driver operating or expecting to operate entirely in interstate commerce that is not subject to Part 391 and is subject to Missouri driver qualifications and not required to obtain a medical examiner's certificate;

(3) Nonexcepted intrastate: Certifies the applicant is a driver operating only in intrastate commerce and is subject to Missouri driver qualifications;

(4) Excepted intrastate: Certifies the applicant operates or expects to operate only in intrastate commerce, and engaging only in operations excepted from all parts of the Missouri driver qualification requirements.

2. Any applicant who cannot meet certification requirements under one of the categories defined in subsection 1 of this section shall be denied issuance of a commercial driver's license or commercial driver's instruction permit.

3. An applicant certifying to operation in nonexcepted interstate or nonexcepted intrastate commerce shall provide the state with an original or copy of a current medical examiners certificate or a medical examiners certificate accompanied by a medical variance or waiver. The state shall retain the original or copy of the documentation of physical qualification for a minimum of three years beyond the date the certificate was issued.

4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce shall provide an updated medical certificate or variance documents to maintain a certified status during the term of the commercial driver's license or commercial driver's instruction permit in order to retain commercial privileges.

5. The director shall post the medical examiners certificate of information, medical variance if applicable, the applicant's self-certification and certification status to the Missouri driver record within ten calendar days and such information will become part of the CDLIS driver record.

6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce who fail to provide or maintain a current medical examiners certificate, or if the state has received notice of a medical variance or waiver expiring or being rescinded, the state shall, within ten calendar days, update the driver's medical certification status to "not certified". The state shall notify the driver of the change

in certification status and require the driver to annually comply with requirements for a commercial driver's license downgrade within sixty days of the expiration of the applicant certification.

7. The department of revenue may, by rule, establish the cost and criteria for submission of updated medical certification status information as required under this section.

8. Any person who falsifies any information in an application for or update of medical certification status information for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled for a period of one year after the director discovers such falsification.

9. The director may promulgate rules and regulations necessary to administer and enforce this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

Section B. The repeal and reenactment of section 302.700 and the enactment of section 302.768 of this act shall become effective on the date the director of the department of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768, or on May 1, 2013, whichever occurs first. If the director of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768 prior to May 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 1 to House Amendment No. 3** was adopted.

Representative Nance offered **House Amendment No. 2 to House Amendment No. 3**.

House Amendment No. 2
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for Senate Bill No. 568, Page 5, Line 26, by deleting all of said line and inserting in lieu there of the following:

"to obtain a vehicle examination certificate issued by the Missouri state highway patrol.

301.193. 1. Any person who purchases or is the owner of real property on which vehicles, as defined in section **[**301.011**]** **301.010**, vessels or watercraft, as defined in section 306.010, or outboard motors, as that term is used in section 306.530, have been abandoned, without the consent of said purchaser or owner of the real property, may apply to the department of revenue for a certificate of title. **[**Any insurer which purchases a vehicle through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make an application to the department of revenue for a salvage certificate of title pursuant to this section.**]** Prior to making application for a certificate of title on a vehicle under this section, the **[**insurer or**]** owner of the real estate shall have the vehicle inspected by law enforcement pursuant to subsection 9 of section 301.190, and shall have law enforcement perform a check in the national crime information center and any appropriate statewide law enforcement computer to determine if the vehicle has been reported stolen and the name and address of the person to whom the vehicle was last titled and any lienholders of record. The **[**insurer or**]** owner or purchaser of the real estate shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle by certified mail that the owner intends to apply for a certificate of title from the director for the abandoned vehicle. The application for title shall be accompanied by:

(1) A statement explaining the circumstances by which the property came into the **[**insurer,**]** owner or purchaser's possession; a description of the property including the year, make, model, vehicle identification number and any decal or license plate that may be affixed to the vehicle; the current location of the property; and the retail value of the property;

(2) An inspection report of the property, if it is a vehicle, by a law enforcement agency pursuant to subsection 9 of section 301.190; and

(3) A copy of the thirty-day notice and certified mail receipt mailed to any owner and any person holding a valid security interest of record.

2. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue, or initiate an inquiry with another state, if the evidence presented indicated the property described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. If the latest owner or lienholder was not notified the director shall inform the **[**insurer,**]** owner**[**,**]** or purchaser of the real estate of the latest owner and lienholder information so that notice may be given as required by subsection 1 of this section. Any owner or lienholder receiving notification may protest the issuance of title by, within the thirty-day notice period and may file a petition to recover the vehicle, naming the **[**insurer or**]** owner of the real estate and serving a copy of the petition on the director of revenue. The director shall not be a party to such petition but shall, upon receipt of the petition, suspend the processing of any further certificate of title until the rights of all parties to the vehicle are determined by the court. Once all requirements are satisfied the director shall issue one of the following:

(1) An original certificate of title if the vehicle examination certificate, as provided in section 301.190, indicates that the vehicle was not previously in a salvaged condition or rebuilt;

(2) An original certificate of title designated as prior salvage if the vehicle examination certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged condition or rebuilt;

(3) A salvage certificate of title designated with the words "salvage/abandoned property" or junking certificate based on the condition of the property as stated in the inspection report. **[**An insurer purchasing a vehicle through the claims adjustment process under this section shall only be eligible to obtain a salvage certificate of title or junking certificate.**]**

3. Any insurer which purchases a vehicle, other than a vehicle described in subsection 1 of this section, through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make application to the department of revenue for a salvage certificate of title or junking certificate. Such application may be made by the insurer or its designated salvage pool on a form provided by the department and signed under penalty of perjury. The application shall include a declaration that the insurer has made at least two written attempts to obtain the certificate of ownership, transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims payment from the insurer, evidence that letters were delivered to the vehicle owner, a statement explaining the circumstances by which the property came into the insurer's possession, a description of the property including the year, make, model, vehicle identification number, and current location of the property, and the fee prescribed in subsection 5 of section 301.190. The insurer shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle that the owner intends to apply for a certificate of title from the director for the vehicle. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue, or initiate an inquiry with another state, if the evidence presented indicated the vehicle described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. After thirty days from receipt of the application, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the insurer."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 2 to House Amendment No. 3** was adopted.

On motion of Representative Smith (150), **House Amendment No. 3, as amended,** was adopted.

Representative Loehner offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said section and line the following:

"304.158. 1. Notice as to the removal of any abandoned property pursuant to section 304.155 or 304.157 shall be made in writing within five working days to the registered owner and any lienholder of the fact of the removal, the grounds for the removal, and the place to which the property has been removed by either:

(1) The public agency authorizing the removal; or

(2) The towing company, where authorization was made by an owner or lessee of real property. If the abandoned property is stored in any storage facility, a copy of the notice shall be given to the operator of the facility. The notice provided for in this section shall include the amount of mileage, if available, shown on the abandoned property at the time of removal.

2. Any owner of any private real property causing the removal of abandoned property from that real property shall state the grounds for the removal of the abandoned property if requested by the registered owner of that abandoned property. Any towing company that lawfully removes abandoned property from private property with the written authorization of the property owner or the property owner's agent who is present at the time of removal shall not be held responsible in any situation relating to the validity of the removal. Any towing company that removes abandoned property at the direction of the landowner shall be responsible for:

(1) Any damage caused by the towing company to the property in the transit and subsequent storage of the property; and

(2) The removal of property other than the property specified by the owner of the private property from which the abandoned property was removed.

3. The owner of abandoned property removed from private property may recover for any damage to the property resulting from any act of any person causing the removal of, or removing, the abandoned property.

4. Any owner of any private property causing the removal of abandoned property parked on that property is liable to the owner of the abandoned property for double the storage or towing charges whenever there has been a failure to comply with the requirements of this section or section 304.157.

5. Any towing company which tows abandoned property for hire shall have the towing company's name, city and state clearly printed in letters at least three inches in height on the sides of the truck, wrecker or other vehicle used in the towing.

6. A towing company may impose a charge of not more than one-half of the regular towing charge for the towing of abandoned property at the request of the owner of private property or that owner's agent pursuant to this section if the owner of the abandoned property or the owner's agent returns to the abandoned property before it is removed from the private property. The regular towing charge may only be imposed after the abandoned property has been removed from the property and is in transit.

7. Persons operating or in charge of any storage facility where the abandoned property is stored pursuant to this section shall accept cash for payment of towing and storage by a registered owner or the owner's agent claiming the abandoned property. In addition, persons operating or in charge of the storage facility shall have sufficient moneys on the premises to accommodate, and make change in, a reasonable monetary transaction.

8. Except for the removal of abandoned property authorized by a law enforcement agency pursuant to section 304.157, a towing company shall not remove or commence the removal of abandoned property from private property without first obtaining written authorization from the property owner. All written authorizations shall be maintained for at least one year by the towing company. General authorization to remove or commence removal of abandoned property at the towing company's discretion shall not be delegated to a towing company or its affiliates except in the case of abandoned property unlawfully parked within fifteen feet of a fire hydrant or in a fire lane designated by a fire department or the state fire marshal.

9. Any towing company, or any affiliate of a towing company, which removes, or commences removal of, abandoned property from private property without first obtaining written authorization from the property owner or lessee, or an employee or agent thereof, who is present at the time of removal or commencement of the removal, except as permitted in subsection 8 of this section, is liable to the owner of the property for four times the amount of the towing and storage charges, in addition to any applicable criminal penalty, for a violation of this section.

10. Any county, city, town or village may enact ordinances or orders which are consistent with sections 304.155 to 304.158 and which may specify maximum reasonable towing, storage and other charges which can be imposed by towing and storage companies operating within the governmental entity's jurisdiction.

11. **For any vehicle towed at the request of law enforcement officials under section 304.157, any title loan company holding a title loan on such vehicle shall be notified of the location of the vehicle within forty-eight hours and be required to either pay the towing and storage charges for such vehicle or provide to the towing company a title release for the vehicle. If no action is taken by the title loan company within ten days of receiving notification by the towing company that the vehicle has been towed pursuant to law enforcement request, the title loan company shall be responsible for all towing costs and additional storage charges.**

12. Any person who knowingly violates any provision of sections 304.155 to 304.158 shall be guilty of a class A misdemeanor. Any violation of the provisions of this section shall constitute a violation of the provisions of section 407.020. In any proceeding brought by the attorney general for a violation of the provisions of this section, the court may, in addition to imposing the penalties provided for in this section order the revocation or suspension of the registration or license of the towing company."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wells offered **House Amendment No. 1 to House Amendment No. 4**.

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 568, Page 3, Line 10, by inserting after all of said line the following:

'Further amend said bill, Page 7, Section 304.022, Line 67, by inserting after all of said line the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			

More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will

endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in **[**subsection 9**] subsections 9 and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway **[**65**] 63**, **[**and**]** on U.S. Highway 65 from the Iowa state line to U.S. Highway 36**, and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36**.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Loehner, **House Amendment No. 4, as amended,** was adopted.

Representative Elmer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 568, Page 5, Section 301.147, Line 29, by inserting after all of said section and line the following:

"**301.4038. Any person who has received a Navy Cross awarded under Section 6242 of Title 20 of the United States Code may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Navy Cross as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as**

determined by the advisory committee established in section 301.129, with the words "NAVY CROSS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the Navy Cross. There shall be an additional fee charged for each set of Navy Cross license plates issued under this section equal to the fee charged for personalized license plates. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 568, Page 1, Line 22, by deleting all of said line and inserting in lieu thereof the following:

"**year licensed in the event of the death of the qualified person.**

301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an

application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Elmer, **House Amendment No. 5, as amended,** was adopted.

Representative Brown (116) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said line the following:

"306.532. Effective **[**January 1, 2011**]** **August 28, 2012**, the certificate of title for a new outboard motor shall designate the year **[**the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year**]** the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW" **and the "Year Manufactured" shall reflect such date as purchased from manufacturer by dealer. Any new outboard motor purchased by a dealer from the manufacturer on or after July first of any year shall be labeled with the "Year Manufactured" of the immediately following calendar year unless the manufacturer indicates a specific model or program year**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (116), **House Amendment No. 6** was adopted.

Representative Brown (116) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 568, Page 7, Section 304.022, Line 67, by inserting after all of said line the following:

"306.127. 1. Beginning January 1, 2005, every person born after January 1, 1984, or as required pursuant to section 306.128, who operates a vessel on the lakes of this state shall possess, on the vessel, a boating safety identification card issued by the Missouri state water patrol or its agent which shows that he or she has:

(1) Successfully completed a boating safety course approved by the National Association of State Boating Law Administrators and certified by the Missouri state water patrol. The boating safety course may include a course sponsored by the United States Coast Guard Auxiliary or the United States Power Squadron. The Missouri state water patrol may appoint agents to administer a boater education course or course equivalency examination and issue boater identification cards under guidelines established by the water patrol. The Missouri state water patrol shall maintain a list of approved courses; or

(2) Successfully passed an equivalency examination prepared by the Missouri state water patrol and administered by the Missouri state water patrol or its agent. The equivalency examination shall have a degree of difficulty equal to, or greater than, that of the examinations given at the conclusion of an approved boating safety course; or

(3) A valid master's, mate's, or operator's license issued by the United States Coast Guard.

2. The Missouri state water patrol or its agent shall issue a permanent boating safety identification card to each person who complies with the requirements of this section which is valid for life unless invalidated pursuant to law.

3. The Missouri state water patrol may charge a fee for such card or any replacement card that does not substantially exceed the costs of administrating this section. The Missouri state water patrol or its designated agent shall collect such fees. These funds shall be forwarded to general revenue.

4. The provisions of this section shall not apply to any person who:

(1) Is licensed by the United States Coast Guard to serve as master of a vessel;

(2) Operates a vessel only on a private lake or pond that is not classified as waters of the state;

(3) Until January 1, 2006, is a nonresident who is visiting the state for sixty days or less;

(4) Is participating in an event or regatta approved by the water patrol;

(5) Is a nonresident who has proof of a valid boating certificate or license issued by another state if the boating course is approved by the National Association of State Boating Law Administrators (NASBLA);

(6) Is exempted by rule of the water patrol;

(7) Is currently serving in any branch of the United States armed forces, reserves, or Missouri national guard, or any spouse of a person currently in such service; or

(8) Has previously successfully completed a boating safety education course approved by the National Association of State Boating Law Administrators (NASBLA).

5. The Missouri state water patrol shall inform other states of the requirements of this section.

6. No individual shall be detained or stopped strictly for the purpose of checking whether the individual possesses a boating safety identification card or a temporary boater education permit.

7. **[**Beginning January 1, 2006, any nonresident born after January 1, 1984, desiring to operate a rental vessel on the lakes of this state, may obtain a temporary boater education permit by completing and passing a written examination developed by the Missouri state water patrol, provided the person meets the minimum age requirements for operating a vessel in this state. The Missouri state water patrol is authorized to promulgate rules for developing the examination and any requirements necessary for issuance of the temporary boater education permit. The temporary boater education permit shall expire when the nonresident obtains a permanent identification card pursuant to subsection 2 of this section or thirty days after issuance, whichever occurs first. The Missouri state water patrol may charge a fee not to exceed ten dollars for such temporary permit. Upon successful completion of an examination and prior to renting a vessel, the business entity responsible for giving the examination shall collect such fee and forward all collected fees to the Missouri state water patrol on a monthly basis for deposit in the state general revenue fund. Such business entity shall incur no additional liability in accepting the responsibility for administering the examination. This subsection shall terminate on December 31, 2010.**] Any person or company that rents or sells vessels may issue a temporary boating safety identification card to a nonresident of the state to operate a rented vessel or a vessel being considered for sale, for a period of up to seven days, provided that the individual meets the minimum age requirements for operating a vessel in this state. In order to qualify for the temporary boating safety identification card, the applicant shall provide a valid driver's license establishing that the applicant is a nonresident and shall sign an affidavit that he or she has reviewed the Missouri State Highway Patrol Handbook of Missouri Boating Laws and Responsibilities. Any nonresident holding a valid temporary boating safety identification card shall be deemed in compliance with the requirements of this section. The Missouri state highway patrol shall charge a fee of nine dollars for such temporary boating safety identification card. Nonresidents shall not be eligible for more than one temporary boating safety identification card. No person or company may issue a temporary boating safety identification card to a nonresident under the provisions of this subsection unless such person or company is capable of submitting the applicant's temporary boating safety identification card information and payment in an electronic format as prescribed by the Missouri state highway patrol. The business entity issuing a temporary boating safety identification card to a nonresident under the provisions of this subsection shall transmit the applicant's temporary boating safety identification card information electronically to the Missouri state highway patrol, in a manner and format prescribed by the superintendent, using an electronic online registration process developed and provided by the Missouri state highway patrol. The electronic online process developed and provided by the Missouri state highway patrol shall allow the applicant to pay the temporary boating safety identification card fee by credit card or debit card. Notwithstanding any provision in section 306.185 to the contrary, all fees collected under the authority of this subsection shall be deposited in the water patrol division

fund. The Missouri state highway patrol shall promulgate rules for developing the temporary boating safety identification card and any requirements necessary to the issuance, processing, and payment of the temporary boating safety identification card. The Missouri state highway patrol shall, by rule, develop a boating safety checklist for each applicant seeking a temporary boating safety identification card. The provisions of this subsection shall expire on December 31, 2022.

Section B. Because of the need to ensure that out-of-state residents are knowledgeable in the safe operation of vessels, the repeal and reenactment of section 306.127 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 306.127 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (116), **House Amendment No. 7** was adopted.

Representative Burlison moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gosen	Grisamore	Guernsey	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hummel
Kander	Kelly 24	Kirkton	Kratky	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 026

Bernskoetter	Casey	Cauthorn	Day	Denison
Dieckhaus	Funderburk	Gatschenberger	Haefner	Holsman
Hubbard	Hughes	Jones 63	Jones 89	Jones 117
Lampe	Marshall	May	Molendorp	Nasheed
Sater	Scharnhorst	Swearingen	Talboy	Zerr
Mr Speaker				

On motion of Representative Franz, **HCS SB 568, as amended,** was adopted.

On motion of Representative Franz, **HCS SB 568, as amended,** was read the third time and passed by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	Meadows	Montecillo
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 018

Ellington	Fuhr	Kirkton	Marshall	McCann Beatty
McNeil	Morgan	Newman	Oxford	Pace
Pierson	Schieber	Schupp	Smith 71	Spreng
Taylor	Walton Gray	Webb		

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 015

Bernskoetter	Cauthorn	Day	Denison	Dieckhaus
Funderburk	Hubbard	Hughes	Jones 63	Jones 89
May	Molendorp	Sater	Scharnhorst	Mr Speaker

Representative Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 120

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McGeoghegan
McManus	McNary	Meadows	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 024

Anders	Berry	Carlson	Ellington	Fuhr
Kirkton	Lasater	Marshall	McCann Beatty	McCreery
McNeil	Morgan	Newman	Oxford	Pace
Pierson	Schieber	Schupp	Smith 71	Spreng
Still	Taylor	Walton Gray	Webb	

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 018

Cauthorn	Day	Denison	Dieckhaus	Elmer
Funderburk	Hubbard	Hughes	Jones 63	Jones 89
May	McGhee	Molendorp	Richardson	Sater
Scharnhorst	Wyatt	Mr Speaker		

PERFECTION OF HOUSE BILLS

HCS HBs 1741 & 1543, relating to public employee retirement benefits, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HBs 1741 & 1543** was adopted.

On motion of Representative Leara, **HCS HBs 1741 & 1543** was ordered perfected and printed.

HCS HB 1137, relating to adoption records, was taken up by Representative Lauer.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1137, Page 1, Title, Line 3, by deleting the word "records"; and

Further amend said bill, Page 2, Section 193.132, Line 47, by inserting after all of said section and line the following:

"211.444. 1. The juvenile court may, upon petition of the juvenile officer or a child-placing agency licensed under sections 210.481 to 210.536 in conjunction with a placement with such agency under subsection 6 of section 453.010, **the children's division,** or the court before which a petition for adoption has been filed pursuant to the provisions of chapter 453, terminate the rights of a parent **or approve the consent to adoption or waiver of consent to adoption by a parent, as defined in section 211.442, or of a named father** to a child**, including a child who is a ward of the court,** if the court finds that such termination **or consent to adoption or waiver of consent to adoption** is in the best interests of the child and the parent**, as defined in section 211.442,** has consented in writing to the termination of his or her parental rights **or consented or waived consent to the adoption**.

2. The written consent required by subsection 1 of this section may be executed before or after the institution of the proceedings and shall be acknowledged before a notary public. In lieu of such acknowledgment, the signature of the person giving the written consent shall be witnessed by at least two adult persons who are present at the execution whose signatures and addresses shall be plainly written thereon and who determine and certify that the consent is knowingly and freely given. The two adult witnesses shall not be the prospective parents. The notary public or witnesses shall verify the identity of the party signing the consent.

3. The written consent required by subsection 1 of this section shall be valid and effective only after the child is at least forty-eight hours old and if it complies with the other requirements of section 453.030.

453.065. As used in sections 453.065 to 453.074, the following words and terms shall have the meanings indicated:

(1) "Child", a person within the state who is under the age of eighteen or in the custody of the division of family services who is in need of medical, dental, educational, mental or other related health services and treatment, as defined in this section, or who belongs to a racial or ethnic minority, who is five years of age or older, or who is a member of a sibling group, and for whom an adoptive home is not readily available. If the physical, dental or mental condition of the child requires care after the age of eighteen, payment can be continued with the approval of the division of family services of the department of social services and subject to annual review;

(2) "Diminishing allotment", a monthly payment which periodically diminishes over a period of not longer than four years at which time it ceases;

(3) "Long term subsidy", a continuous monthly payment toward the child's care for a period of more than four years;

(4) **"Post adoption contract agreement", a written agreement approved by the court under subsection 4 of section 453.080;**

(5) "Special services", an allotment to a child who is in need of medical, dental, educational, mental health or other related health services and treatment, including treatment for physical handicap, intellectual impairment, developmental disability, mental or emotional disturbance, social maladjustment;

[(5)**] (6)** "Time limited subsidy", a monthly allotment which is continued for a limited time after legal adoption, not exceeding four years. This compensation is to aid the family in integrating the care of the new child in their home."; and

Further amend said bill, Section 453.080, Page 3, Lines 33-38, by removing all of said lines and inserting in lieu thereof the following:

"4. Before the completion of an adoption, the exchange of information among the parties shall be at the discretion of the parties. **Prospective adoptive parents and parents of a prospective adoptee may enter into a written post adoption contract agreement to allow contact after the adoption between the parents, siblings, or other relatives of the adoptee and the adoptee and the adoptive parents.** Upon completion of an adoption, further contact among the parties shall be at the discretion of the adoptive parents**, and such adoptive parents may exercise their discretion to enter into a written post adoption contract agreement with the former parents of an adoptee to allow contact between a former parent, sibling, or other relative of the adoptee and the adoptee or adoptive parents. The agreement shall be in writing, signed by the parties thereto, and be made a part of the court record. The agreement shall include:**

(1) An acknowledgment by the former parents that the adoption is irrevocable, even if the adoptive parents do not abide by the post adoption contract agreement;

(2) An acknowledgment by the adoptive parents that the agreement grants the former parents the right to seek to enforce the post adoption privileges set forth in the agreement.

The court shall enforce a written post adoption contract agreement made in accordance with this subsection unless enforcement is not in the best interest of the adoptee. The court shall not have jurisdiction to deny continuing contact between the adopted person and the birth parent, or an adoptive parent and a birth parent. Additionally, the court shall not have jurisdiction to deny an exchange of identifying information between an adoptive parent and a birth parent."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fuhr raised a point of order that **House Amendment No. 1** was not timely distributed.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117

Keeney	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Nance	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Schatz
Schieber	Schoeller	Shumake	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Zerr

NOES: 049

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 024

Anders	Brown 116	Cauthorn	Day	Dieckhaus
Funderburk	Hubbard	Hughes	Jones 63	Kelley 126
May	McNary	Meadows	Molendorp	Neth
Sater	Scharnhorst	Schneider	Silvey	Taylor
Webb	White	Wyatt	Mr Speaker	

On motion of Representative Barnes, **House Amendment No. 1** was adopted by the following vote:

AYES: 104

Anders	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Carlson	Carter	Casey
Colona	Conway 14	Conway 27	Cox	Crawford
Davis	Denison	Diehl	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hinson	Hodges
Holsman	Hough	Hummel	Johnson	Jones 89
Jones 117	Kander	Kelly 24	Koenig	Kratky
Lair	Lampe	Lant	Largent	Leara
Loehner	McCann Beatty	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Pierson	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Schad	Scharnhorst	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton

Silvey	Smith 71	Smith 150	Still	Stream
Swearingen	Swinger	Talboy	Wallingford	Walton Gray
Webber	Wells	White	Wright	

NOES: 041

Allen	Asbury	Brown 116	Burlison	Cierpiot
Cookson	Cross	Curtman	Dugger	Ellinger
Ellington	Fisher	Flanigan	Franz	Hampton
Hoskins	Houghton	Keeney	Kirkton	Klippenstein
Korman	Lasater	Lauer	Leach	Lichtenegger
Long	Marshall	McCaherty	McCreery	McGhee
Phillips	Redmon	Ruzicka	Schatz	Solon
Sommer	Thomson	Torpey	Weter	Wieland
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 018

Cauthorn	Day	Dieckhaus	Funderburk	Hubbard
Hughes	Jones 63	Kelley 126	May	McNary
Molendorp	Sater	Schneider	Spreng	Taylor
Webb	Wyatt	Mr Speaker		

On motion of Representative Lauer, **HCS HB 1137, as amended,** was adopted.

On motion of Representative Lauer, **HCS HB 1137, as amended,** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Higher Education, Chairman Thomson reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 563**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Insurance Policy, Chairman Nance reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **SB 620**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, April 25, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, April 25, 2012, 8:00 AM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.
Review of DSS, DMH, & DHSS operations and policies

CHILDREN AND FAMILIES
Wednesday, April 25, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: SS SB 727, SCS SB 711, HB 2042
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, April 25, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: SB 690, HB 1142, HB 2081
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Thursday, April 26, 2012, 9:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, April 26, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HCR 57, HB 2106
Executive session may be held on any matter referred to the committee.
AMENDED

ELECTIONS
Wednesday, April 25, 2012, 5:30 PM House Hearing Room 1.
Public hearing will be held: HB 2109
Executive session will be held: SCS SB 671
Executive session may be held on any matter referred to the committee.
Public comment will be held on the House Committee Substitute (.09C) for House Bill 2109. Copies available upon request

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, April 25, 2012, 9:30 AM House Hearing Room 6.
Executive session will be held: SB 599
Executive session may be held on any matter referred to the committee.

FINANCIAL INSTITUTIONS
Wednesday, April 25, 2012, 5:00 PM or Immediately Upon Adjournment, whichever is earlier, House Hearing Room 6.
Public hearing will be held: SCS SB 683, SB 813
Executive session will be held: SB 813
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, April 26, 2012, 9:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, April 25, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HB 1554
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting
AMENDED

JUDICIARY
Wednesday, April 25, 2012, 12:00 PM or Upon Morning Recess, whichever is earlier, House Hearing Room 1.
Public hearing will be held: HB 1840, SCS SB 485, SB 628, SCS SB 789, SB 636
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, April 25, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCS SB 692
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, April 25, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: HB 1849
Executive session may be held on any matter referred to the committee.

SMALL BUSINESS
Wednesday, April 25, 2012, 1:00 PM House Hearing Room 7.
Public hearing will be held: SCS SB 837, HB 2103, HB 1412
Executive session will be held: HB 1824, HB 1412
Executive session may be held on any matter referred to the committee.

TOURISM AND NATURAL RESOURCES
Thursday, April 26, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCR 25, SS SCR 16, SCS SCR 17, HR 1880
Executive session may be held on any matter referred to the committee.

TRANSPORTATION
Wednesday, April 25, 2012, 9:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, April 26, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1673, HB 1478, HB 1976

HOUSE CALENDAR

SIXTY-SECOND DAY, WEDNESDAY, APRIL 25, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HB 1540 - Jones (89)
4 HB 1455 - Gatschenberger
5 HCS HB 1869 - Dugger
6 HB 1718, (2 hours debate on Perfection) - Scharnhorst
7 HCS HB 1865 - Barnes
8 HCS HB 1049 - Allen
9 HCS HB 1210, as amended - Gatschenberger
10 HCS HB 1795 - Ruzicka
11 HCS HB 1803 - Korman
12 HCS HB 1818 - Schad
13 HCS HB 1966 - Burlison
14 HCS HB 1328 - Cox
15 HB 1779 - Flanigan
16 HCS HB 1794 - Grisamore
17 HCS HB 1854 - Grisamore
18 HCS HB 1254 - Klippenstein
19 HCS HB 1754 - Cox
20 HCS HB 1815 - Pollock
21 HB 1842 - Lant
22 HCS HB 1900 - Redmon
23 HCS HB 1922 - Molendorp
24 HCS HB 1935 - Franz
25 HB 2063 - Denison
26 HB 2099 - Elmer
27 HCS HB 2100 - Denison
28 HCS HB 1709 - Hough
29 HCS HB 1710 - Hough

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1066 - McGhee
5 HCS HB 1117 - Brown (50)

SENATE BILLS FOR THIRD READING

1 SB 564 - Davis
2 HCS SCS SB 569 - Dugger
3 SB 611 - Stream
4 SS SCS SB 719, E.C. - Brown (116)
5 HCS SCS SB 562, E.C. - Thomson

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 1106, as amended - Dugger

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-SECOND DAY, WEDNESDAY, APRIL 25, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Blessed are those who are persecuted for righteousness sake: for theirs is the kingdom of heaven. (Matthew 5:10)

O God of us all, Who is in heaven and in earth, we acknowledge our dependence upon You and offer to You the devotion of our hearts. We come because we need You, every hour we need You. Temptations lose their power when You are near, bitterness fades away in Your presence, resentments lose their weight, and we are given courage to stand for what we believe to be right.

Grant us Your spirit as we in quietness lift our hearts in prayer to You. If we are criticized because of the stand we take, if we are misunderstood in our decisions, may we not let the disagreements of others make us disagreeable, nor may we allow a difference of opinion to make a difference in relationships, but through it all help us to keep our faith in You and in righteousness, justice, and good will. May Your kingdom come in us and through us begin to come in all.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emma Deien, Sophie Smith, Alissa Smith, Dominic House, Kyra Ddungu, Anna Kunz and S'Mya Matthews, Paige Parker, Leo Parker, Sophie Parker, Nico King, Luca King, and Mikayla Crile.

The Journal of the sixty-first day was approved as printed.

PERFECTION OF HOUSE BILLS

HCS HB 1818, relating to property tax on time-share units, was taken up by Representative Schad.

On motion of Representative Schad, **HCS HB 1818** was adopted.

On motion of Representative Schad, **HCS HB 1818** was ordered perfected and printed.

HB 1455, relating to the Manufacturing Jobs Act, was taken up by Representative Gatschenberger.

Representative Torpey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1455, Page 8, Section 620.1910, Line 228, by inserting after all of said line the following:

"**Section 1. Notwithstanding any law to the contrary, any company that qualified for a loan, loan guarantee, or grant under section 620.495 but no longer qualifies may apply for a loan under the provisions of sections 30.750 through 30.765 if the company can demonstrate economic growth, which may include but not be limited to new jobs, increased revenues, or the acquisition of land and existing buildings, the rehabilitation of buildings or other facilities, or construction of new facilities for such company. Any company accepted for a linked deposit loan package under the provisions of this section shall be eligible for a one half point discount of the interest rate charged as provided in section 30.758. The state treasurer shall establish rules and regulations for administering the program and for determining eligibility for participation**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 1** was adopted.

Representative Korman offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 1455, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel**[**,**]** **or hydrogen** and for which a valid **alternative fuel** decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: **[**seventy-five**]** **one hundred forty** dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred **eighty-five** dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; **[**one**]** **two** hundred **[**fifty**]** **eighty** dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; **[**two**]** **four** hundred **[**fifty**]** **seventy** dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; and one thousand **eight hundred eighty** dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section.

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel, and for which a valid temporary alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of **[**eight**]** **twelve** dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such **temporary** decal and fee shall not be transferable. **[**All proceeds from such decal fees shall be deposited as specified in section 142.345.**]** Alternative fuel dealers selling such decals in

accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be **created and** supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year.

4. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

5. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

6. It shall be unlawful for any person to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal.

7. No person shall cause to be put, or put, LP gas or natural gas into the fuel supply receptacle of a motor vehicle required to have an alternative fuel decal unless the motor vehicle has a valid decal attached to it. Sales of fuel placed in the supply receptacle of a motor vehicle displaying such decal shall be recorded upon an invoice, which invoice shall include the decal number, the motor vehicle license number and the number of gallons placed in such supply receptacle.

8. Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

9. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter.

10. For all new alternative fuel or hydrogen-powered vehicles assembled in Missouri, the first year's decal fee shall be one-half of the fees as proposed in this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 2** was adopted.

Representative Solon offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Bill No. 1455, Page 2, Section 620.478, Line 24, by inserting after all of said line the following:

"620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed

and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision (19) of section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the new jobs training program under sections 178.892 to 178.896, the job retention program under sections 178.760 to 178.764, the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the new jobs training program in sections 178.892 to 178.896, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this **[**subdivision**]** **subsection**. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision (33) of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall

be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation **or quality job loss** from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development;

(d) The qualified company in the project facility will cause to be invested a minimum of **[**seventy**]** **fifty** million dollars in new investment prior to the end of **[**two**]** **five** years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement. The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, **[**2013**]** **2018**;

(5) Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:

(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;

(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;

(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;

(d) All of the qualified company's and related companies' facilities are located in this state;

(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;

(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;

(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars. Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

13. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 3** was adopted.

Representative Barnes offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Bill No. 1455, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**620.007. The department of economic development shall require start-up companies that apply for economic development incentives, where the incentive is provided up-front, to provide verification of financial information when an application for such incentives is submitted to the department. In complying with this section, the department shall define "start-up company".**

620.009. 1. The department of economic development shall share either by electronic copy of the original source or as close as a reproduction as possible all adverse information it has about a company seeking state and local economic development incentives with all local governments, local not-for-profit economic development organizations, and economic development officials competing for the company's business.

2. Local governments, local not-for-profit economic development organizations, and economic development officials working with a company seeking state or local economic development incentives shall also share with the department of economic development all adverse information received about a company.

3. In complying with the provisions of this section, all adverse information received about a company seeking state or local economic development incentives shall be subject to the provisions of section 620.014.

4. In working with local governments, local not-for-profit economic development organizations, and economic development officials on projects, the department of economic development shall designate one or more persons as the local contact for each project. The designated contacts shall be the persons through whom all information required in this section shall be provided. Such persons shall be required to sign a nondisclosure

agreement agreeing not to divulge information, including company name, acquired about an applicant for economic development incentives to the general public.

5. In complying with the provisions of this section, no person or entity shall be required to violate terms of another nondisclosure agreement related to the project, except that the department of economic development shall not enter into a nondisclosure agreement that forbids sharing of adverse information under this section.

620.019. The department of economic development shall develop a rating system to apprise local governments of the department's opinion on proposals for discretionary economic development incentives that combine local and state resources.

Section 1. The department of economic development shall include a conflict of interest policy in all new consulting contracts for trade offices located in foreign countries."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 4** was adopted.

Representative Torpey offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Bill No. 1455, Page 2, Section 620.478, Line 24, by inserting immediately after said line the following:

"620.1878. For the purposes of sections 620.1875 to 620.1890, the following terms shall mean:

(1) "Approval", a document submitted by the department to the qualified company that states the benefits that may be provided by this program;

(2) "Average wage", the new payroll divided by the number of new jobs;

(3) "Commencement of operations", the starting date for the qualified company's first new employee, which must be no later than twelve months from the date of the approval;

(4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) "Department", the Missouri department of economic development;

(6) "Director", the director of the department of economic development;

(7) "Employee", a person employed by a qualified company;

(8) "Full-time employee", an employee of the qualified company that is scheduled to work an average of at least thirty-five hours per week for a twelve-month period, and one for which the qualified company offers health insurance and pays at least fifty percent of such insurance premiums;

(9) "High-impact project", a qualified company that, within two years from commencement of operations, creates one hundred or more new jobs;

(10) "Local incentives", the present value of the dollar amount of direct benefit received by a qualified company for a project facility from one or more local political subdivisions, but shall not include loans or other funds provided to the qualified company that must be repaid by the qualified company to the political subdivision;

(11) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(12) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department,

excluding local earnings tax, and net new utility revenues, provided the local incentives include a discount or other direct incentives from utilities owned or operated by the political subdivision;

(13) **"New capital investment", shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or approval of the notice of intent;**

(14) "New investment", the purchase or leasing of new tangible assets to be placed in operation at the project facility, which will be directly related to the new jobs;

[(14)**] (15)** "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the state average wage;

[(15)**] (16)** "New payroll", the amount of taxable wages of full-time employees, excluding owners, located at the project facility that exceeds the project facility base payroll. If full-time employment at related facilities is below the related facility base employment, any decrease in payroll for full-time employees at the related facilities below that related facility base payroll shall also be subtracted to determine new payroll;

[(16)**] (17)** "Notice of intent", a form developed by the department, completed by the qualified company and submitted to the department which states the qualified company's intent to hire new jobs and request benefits under this program;

[(17)**] (18)** "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

[(18)**] (19)** "Program", the Missouri quality jobs program provided in sections 620.1875 to 620.1890;

[(19)**] (20)** "Project facility", the building used by a qualified company at which the new jobs and new investment will be located. A project facility may include separate buildings that are located within fifteen miles of each other or within the same county such that their purpose and operations are interrelated;

[(20)**] (21)** "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

[(21)**] (22)** "Project facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(22)**] (23)** "Project period", the time period that the benefits are provided to a qualified company;

(24) "Projected net fiscal benefit", the total fiscal benefit to the state less any state benefits offered to the qualified company;

[(23)**] (25)** "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, offers health insurance to all full-time employees of all facilities located in this state, and pays at least fifty percent of such insurance premiums. For the purposes of sections 620.1875 to 620.1890, the term "qualified company" shall not include:

(a) Gambling establishments (NAICS industry group 7132);

(b) Retail trade establishments (NAICS sectors 44 and 45);

(c) Food and drinking places (NAICS subsector 722);

(d) Public utilities (NAICS 221 including water and sewer services);

(e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;

(f) Any company that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy between January 1, 2009, and December 31, 2009, may be a qualified company provided that such company:

a. Certifies to the department that it plans to reorganize and not to liquidate; and

b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(g) Educational services (NAICS sector 61);

(h) Religious organizations (NAICS industry group 8131);

(i) Public administration (NAICS sector 92);

(j) Ethanol distillation or production; or

(k) Biodiesel production. Notwithstanding any provision of this section to the contrary, the headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied;

[(24)**] (26)** "Qualified renewable energy sources" shall not be construed to include ethanol distillation or production or biodiesel production; however, it shall include:

(a) Open-looped biomass;

(b) Close-looped biomass;

(c) Solar;

(d) Wind;

(e) Geothermal; and

(f) Hydropower;

[(25)**] (27)** "Related company" means:

(a) A corporation, partnership, trust, or association controlled by the qualified company;

(b) An individual, corporation, partnership, trust, or association in control of the qualified company; or

(c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust or association in control of the qualified company. As used in this subdivision, "control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

[(26)**] (28)** "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility;

[(27)**] (29)** "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at all related facilities of the qualified company or a related company located in this state;

[(28)**] (30)** "Related facility base payroll", the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent, not including the payroll of the owners of the qualified company unless the qualified company is participating in an employee stock ownership plan. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

[(29)**] (31)** "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

[(30)**] (32)** "Small and expanding business project", a qualified company that within two years of the date of the approval creates a minimum of twenty new jobs if the project facility is located in a rural area or a minimum of forty

new jobs if the project facility is not located in a rural area and creates fewer than one hundred new jobs regardless of the location of the project facility;

[(31)**] (33)** "Tax credits", tax credits issued by the department to offset the state income taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

[(32)**] (34)** "Technology business project", a qualified company that within two years of the date of the approval creates a minimum of ten new jobs involved in the operations of a company:

(a) Which is a technology company, as determined by a regulation promulgated by the department under the provisions of section 620.1884 or classified by NAICS codes;

(b) Which owns or leases a facility which produces electricity derived from qualified renewable energy sources, or produces fuel for the generation of electricity from qualified renewable energy sources, but does not include any company that has received the alcohol mixture credit, alcohol credit, or small ethanol producer credit pursuant to 26 U.S.C. Section 40 of the tax code in the previous tax year;

(c) Which researches, develops, or manufactures power system technology for: aerospace; space; defense; hybrid vehicles; or implantable or wearable medical devices; or

(d) Which is a clinical molecular diagnostic laboratory focused on detecting and monitoring infections in immunocompromised patient populations;

[(33)**] (35)** "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

620.1881. 1. The department of economic development shall respond within thirty days to a company who provides a notice of intent with either an approval or a rejection of the notice of intent. The department shall give preference to qualified companies and projects targeted at an area of the state which has recently been classified as a disaster area by the federal government. Failure to respond on behalf of the department of economic development shall result in the notice of intent being deemed an approval for the purposes of this section. A qualified company who is provided an approval for a project shall be allowed a benefit as provided in this program in the amount and duration provided in this section. A qualified company may receive additional periods for subsequent new jobs at the same facility after the full initial period if the minimum thresholds are met as set forth in sections 620.1875 to 620.1890. There is no limit on the number of periods a qualified company may participate in the program, as long as the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program or other state programs. A qualified company may elect to file a notice of intent to start a new project period concurrent with an existing project period if the minimum thresholds are achieved and the qualified company provides the department with the required reporting and is in proper compliance for this program and other state programs; however, the qualified company may not receive any further benefit under the original approval for jobs created after the date of the new notice of intent, and any jobs created before the new notice of intent may not be included as new jobs for the purpose of benefit calculation in relation to the new approval. When a qualified company has filed and received approval of a notice of intent and subsequently files another notice of intent, the department shall apply the definition of project facility under subdivision **[**(19)**] (20)** of section 620.1878 to the new notice of intent as well as all previously approved notices of intent and shall determine the application of the definitions of new job, new payroll, project facility base employment, and project facility base payroll accordingly.

2. Notwithstanding any provision of law to the contrary, any qualified company that is awarded benefits under this program may not simultaneously receive tax credits or exemptions under sections 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or sections 135.900 to 135.906 at the same project facility. The benefits available to the company under any other state programs for which the company is eligible and which utilize withholding tax from the new jobs of the company must first be credited to the other state program before the withholding retention level applicable under the Missouri quality jobs act will begin to accrue. These other state programs include, but are not limited to, the new jobs training program under sections 178.892 to 178.896, the job retention program under sections 178.760 to 178.764, the real property tax increment allocation redevelopment act, sections 99.800 to 99.865, or the Missouri downtown and rural economic stimulus act under sections 99.915 to 99.980. If any qualified company also participates in the new jobs training program in sections 178.892 to 178.896, the company shall retain no withholding tax, but the department shall issue a refundable tax credit for the full amount of benefit allowed under this **[**subdivision**] subsection**. The calendar year annual maximum amount of tax credits which may be issued to a qualifying company that also participates in the new job training program shall be increased by an amount equivalent to the withholding tax retained by that company under the new jobs training program. However, if the combined benefits of the quality jobs program and the new jobs training program exceed the projected state benefit of the project, as determined by the department of economic development through a cost-benefit analysis, the increase in the maximum tax credits shall be

limited to the amount that would not cause the combined benefits to exceed the projected state benefit. Any taxpayer who is awarded benefits under this program who knowingly hires individuals who are not allowed to work legally in the United States shall immediately forfeit such benefits and shall repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained.

3. The types of projects and the amount of benefits to be provided are:

(1) Small and expanding business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to the withholding tax as calculated under subdivision **[**(33)**] (35)** of section 620.1878 from the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 for a period of three years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds the county average wage or for a period of five years from the date the required number of new jobs were created if the average wage of the new payroll equals or exceeds one hundred twenty percent of the county average wage;

(2) Technology business projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount equal to a maximum of five percent of new payroll for a period of five years from the date the required number of jobs were created from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265 if the average wage of the new payroll equals or exceeds the county average wage. An additional one-half percent of new payroll may be added to the five percent maximum if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located, plus an additional one-half percent of new payroll may be added if the average wage of the new payroll in any year exceeds one hundred forty percent of the average wage in the county in which the project facility is located. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(3) High impact projects: in exchange for the consideration provided by the new tax revenues and other economic stimuli that will be generated by the new jobs created by the program, a qualified company may retain an amount from the withholding tax of the new jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, equal to three percent of new payroll for a period of five years from the date the required number of jobs were created if the average wage of the new payroll equals or exceeds the county average wage of the county in which the project facility is located. For high-impact projects in a facility located within two adjacent counties, the new payroll shall equal or exceed the higher county average wage of the adjacent counties. The percentage of payroll allowed under this subdivision shall be three and one-half percent of new payroll if the average wage of the new payroll in any year exceeds one hundred twenty percent of the county average wage in the county in which the project facility is located. The percentage of payroll allowed under this subdivision shall be four percent of new payroll if the average wage of the new payroll in any year exceeds one hundred forty percent of the county average wage in the county in which the project facility is located. An additional one percent of new payroll may be added to these percentages if local incentives equal between ten percent and twenty-four percent of the new direct local revenue; an additional two percent of new payroll is added to these percentages if the local incentives equal between twenty-five percent and forty-nine percent of the new direct local revenue; or an additional three percent of payroll is added to these percentages if the local incentives equal fifty percent or more of the new direct local revenue. The department shall issue a refundable tax credit for any difference between the amount of benefit allowed under this subdivision and the amount of withholding tax retained by the company, in the event the withholding tax is not sufficient to provide the entire amount of benefit due to the qualified company under this subdivision;

(4) Job retention projects: a qualified company may receive a tax credit for the retention of jobs in this state, provided the qualified company and the project meets all of the following conditions:

(a) For each of the twenty-four months preceding the year in which application for the program is made the qualified company must have maintained at least one thousand full-time employees at the employer's site in the state at which the jobs are based, and the average wage of such employees must meet or exceed the county average wage;

(b) The qualified company retained at the project facility the level of full-time employees that existed in the taxable year immediately preceding the year in which application for the program is made;

(c) The qualified company is considered to have a significant statewide effect on the economy, and has been determined to represent a substantial risk of relocation from the state by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development;

(d) The qualified company in the project facility will cause to be invested a minimum of seventy million dollars in new investment prior to the end of two years or will cause to be invested a minimum of thirty million dollars in new investment prior to the end of two years and maintain an annual payroll of at least seventy million dollars during each of the years for which a credit is claimed; and

(e) The local taxing entities shall provide local incentives of at least fifty percent of the new direct local revenues created by the project over a ten-year period. The quality jobs advisory task force may recommend to the department of economic development that appropriate penalties be applied to the company for violating the agreement. The amount of the job retention credit granted may be equal to up to fifty percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of five years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a job retention project or combination of job retention projects shall be seven hundred fifty thousand dollars per year, but the maximum amount may be increased up to one million dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887; provided, however, until such time as the initial at-large members of the quality jobs advisory task force are appointed, this determination shall be made by the director of the department of economic development. In considering such a request, the task force shall rely on economic modeling and other information supplied by the department when requesting the increased limit on behalf of the job retention project. In no event shall the total amount of all tax credits issued for the entire job retention program under this subdivision exceed three million dollars annually. Notwithstanding the above, no tax credits shall be issued for job retention projects approved by the department after August 30, 2013;

(5) Job retention projects: In lieu of the benefits provided under subdivision (4) of this subsection and in exchange for the consideration provided by the tax revenues and other economic stimuli that will be generated by the retention of jobs and new capital investment in this state, a qualified company may be eligible to receive the benefits described in this subdivision if the department determines that there is a significant probability that the qualified company would relocate to another state in the absence of the benefits authorized under this subdivision;

(a) A qualified company meeting the requirements of this subdivision may be authorized to retain an amount not to exceed one hundred percent of the withholding tax from full-time jobs that would otherwise be withheld and remitted by the qualified company under the provisions of sections 143.191 to 143.265, for a period of ten years if the average wage of the retained jobs equals or exceeds ninety percent of the county average wage. In order to receive benefits under this subdivision, a qualified company shall enter into a written agreement, with the department, containing detailed performance requirements and repayment penalties in the event of nonperformance. The amount of benefits awarded to a qualified company under this subdivision shall not exceed the projected net fiscal benefit and shall not exceed the least amount necessary to obtain the qualified company's commitment to retain the necessary number of jobs and make the required new capital investment;

(b) In order to be eligible to receive benefits under this subdivision, the qualified company shall meet each of the following conditions:

a. The qualified company shall agree to retain, for a period of ten years from the date of approval of the notice of intent, at least one hundred and twenty-five full-time employees; and

b. The qualified company shall agree to make a new capital investment at the project facility within three years from the approval of the notice of intent in an amount equal to one half the total benefits provided under this subdivision, which are offered to the qualified company by the department;

(c) In awarding benefits under this subdivision, the department shall consider the following factors:

a. The significance of the qualified company's need for program benefits;

b. The amount of projected net fiscal benefit to the state of the project and the period in which the state would realize such net fiscal benefit;

c. The overall size and quality of the proposed project, including the number of new jobs, new capital investment, proposed wages, growth potential of the qualified company, the potential multiplier effect of the project, and similar factors;

d. The financial stability and creditworthiness of the qualified company;

e. The level of economic distress in the area;

f. An evaluation of the competitiveness of alternative locations for the project facility, as applicable;

(d) Upon approval of a notice of intent to request benefits under this subdivision, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

a. The committed number of full-time employees, payroll, and new capital investment for each year during the project period;

b. Clawback provisions, as may be required by the department; and

c. Any other provisions the department may require;

(6) In no event shall the total amount of all benefits provided in subdivisions (5) and (7) of this subsection for all qualified companies under this subdivision exceed six million dollars for any fiscal year beginning on or after July 1, 2012;

(7) A qualified company meeting the requirements of subdivision (5) of this subsection may elect a one-time issuance of tax credits in an amount not to exceed eighty percent of the amount the qualified company may otherwise be eligible to retain for a period of ten years under subdivision (5) of this subsection;

(a) In addition to satisfying each of the requirements of subdivision (5) of this subsection, a qualified company requesting tax credits under this subdivision shall provide to the department, prior to approval, evidence of commitments for the financing of any applicable new capital investment. The new capital investment shall be made at the project facility within three years of the date of approval;

(b) Upon approval of a notice of intent to request tax credits under this subdivision, the department and the qualified company shall enter into a written agreement covering the applicable project period. The agreement shall specify, at a minimum:

a. The committed number of jobs, payroll, and new capital investment for each year during the project period;

b. The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed three years from the date of approval;

c. Penalties, including the recapture of tax credits awarded under this subdivision, for failure to satisfy the requirements provided under this subdivision and subdivision (5) of this subsection; and

d. Any other provisions the department may require;

(8) Prior to the award of benefits under subdivision (5) or (7) of this subsection, the director of the department shall notify the president pro tem of the senate and the speaker of the house of representatives of the amount of the proposed award, including the county and city in which the project facility is located, the number of retained jobs and the average wages for such retained jobs, the estimated amount of new capital investment, and the amount of the projected net fiscal benefit to the state from the project; provided that, nothing herein shall require the disclosure of information otherwise protected from disclosure by law;

[(5)**] (9)** Small business job retention and flood survivor relief: a qualified company may receive a tax credit under sections 620.1875 to 620.1890 for the retention of jobs and flood survivor relief in this state for each job retained over a three-year period, provided that:

(a) The qualified company did not receive any state or federal benefits, incentives, or tax relief or abatement in locating its facility in a flood plain;

(b) The qualified company and related companies have fewer than one hundred employees at the time application for the program is made;

(c) The average wage of the qualified company's and related companies' employees must meet or exceed the county average wage;

(d) All of the qualified company's and related companies' facilities are located in this state;

(e) The facilities at the primary business site in this state have been directly damaged by floodwater rising above the level of a five hundred year flood at least two years, but fewer than eight years, prior to the time application is made;

(f) The qualified company made significant efforts to protect the facilities prior to any impending danger from rising floodwaters;

(g) For each year it receives tax credits under sections 620.1875 to 620.1890, the qualified company and related companies retained, at the company's facilities in this state, at least the level of full-time, year-round employees that existed in the taxable year immediately preceding the year in which application for the program is made; and

(h) In the years it receives tax credits under sections 620.1875 to 620.1890, the company cumulatively invests at least two million dollars in capital improvements in facilities and equipment located at such facilities that are not located within a five hundred year flood plain as designated by the Federal Emergency Management Agency, and amended from time to time. The amount of the small business job retention and flood survivor relief credit granted may be equal to up to one hundred percent of the amount of withholding tax generated by the full-time jobs at the project facility for a period of three years. The calendar year annual maximum amount of tax credit that may be issued to any qualified company for a small business job retention and survivor relief project shall be two hundred fifty thousand dollars per year, but the maximum amount may be increased up to five hundred thousand dollars if such action is proposed by the department and approved by the quality jobs advisory task force established in section 620.1887. In considering such a request, the task force shall rely on economic modeling and other information supplied by the

department when requesting an increase in the limit on behalf of the small business job retention and flood survivor relief project. In no event shall the total amount of all tax credits issued for the entire small business job retention and flood survivor relief program under this subdivision exceed five hundred thousand dollars annually. Notwithstanding the provisions of this subdivision to the contrary, no tax credits shall be issued for small business job retention and flood survivor relief projects approved by the department after August 30, 2010.

4. The qualified company shall provide an annual report of the number of jobs and such other information as may be required by the department to document the basis for the benefits of this program. The department may withhold the approval of any benefits until it is satisfied that proper documentation has been provided, and shall reduce the benefits to reflect any reduction in full-time employees or new payroll. Upon approval by the department, the qualified company may begin the retention of the withholding taxes when it reaches the minimum number of new jobs and the average wage exceeds the county average wage. Tax credits, if any, may be issued upon satisfaction by the department that the qualified company has exceeded the county average wage and the minimum number of new jobs. In such annual report, if the average wage is below the county average wage, the qualified company has not maintained the employee insurance as required, or if the number of new jobs is below the minimum, the qualified company shall not receive tax credits or retain the withholding tax for the balance of the benefit period. In the case of a qualified company that initially filed a notice of intent and received an approval from the department for high-impact benefits and the minimum number of new jobs in an annual report is below the minimum for high-impact projects, the company shall not receive tax credits for the balance of the benefit period but may continue to retain the withholding taxes if it otherwise meets the requirements of a small and expanding business under this program.

5. The maximum calendar year annual tax credits issued for the entire program shall not exceed eighty million dollars**, with ten million dollars reserved to be awarded under subsection 14 of this section**. Notwithstanding any provision of law to the contrary, the maximum annual tax credits authorized under section 135.535 are hereby reduced from ten million dollars to eight million dollars, with the balance of two million dollars transferred to this program. There shall be no limit on the amount of withholding taxes that may be retained by approved companies under this program.

6. The department shall allocate the annual tax credits based on the date of the approval, reserving such tax credits based on the department's best estimate of new jobs and new payroll of the project, and the other factors in the determination of benefits of this program. However, the annual issuance of tax credits is subject to the annual verification of the actual new payroll. The allocation of tax credits for the period assigned to a project shall expire if, within two years from the date of commencement of operations, or approval if applicable, the minimum thresholds have not been achieved. The qualified company may retain authorized amounts from the withholding tax under this section once the minimum new jobs thresholds are met for the duration of the project period. No benefits shall be provided under this program until the qualified company meets the minimum new jobs thresholds. In the event the qualified company does not meet the minimum new job threshold, the qualified company may submit a new notice of intent or the department may provide a new approval for a new project of the qualified company at the project facility or other facilities.

7. For a qualified company with flow-through tax treatment to its members, partners, or shareholders, the tax credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the qualified company's tax period.

8. Tax credits may be claimed against taxes otherwise imposed by chapters 143 and 148, and may not be carried forward but shall be claimed within one year of the close of the taxable year for which they were issued, except as provided under subdivision (4) of subsection 3 of this section.

9. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

10. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance, financial institutions and professional registration that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that at issuance credits shall be first applied to the delinquency and any amount issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, financial institutions and professional registration, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify

the appropriate department and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law.

11. Except as provided under subdivision (4) of subsection 3 of this section, the director of revenue shall issue a refund to the qualified company to the extent that the amount of credits allowed in this section exceeds the amount of the qualified company's income tax.

12. An employee of a qualified company will receive full credit for the amount of tax withheld as provided in section 143.211.

13. If any provision of sections 620.1875 to 620.1890 or application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of these sections which can be given effect without the invalid provisions or application, and to this end, the provisions of sections 620.1875 to 620.1890 are hereby declared severable.

14. For each calendar year beginning on or after January 1, 2013, but ending on or before December 31, 2014, in lieu of all other benefits available under this program, the department may authorize a qualified company meeting the requirements of this subsection and subsection 3 of this section to be issued tax credits in an amount not to exceed seven percent of new payroll from the new jobs created projected over a period of five years from the date the required number of new jobs are to be created, or, if the qualified company is in a targeted industry identified by the department by rule following a strategic planning process as being critical to the state's economic security and growth, the department may authorize tax credits in an amount not to exceed nine percent of new payroll from the new jobs created, projected over a period of five years. The amount of benefits awarded to a qualified company under this section shall not exceed the projected net fiscal benefit to the state over a ten year period, as determined by the department, and may not exceed the least amount necessary to obtain the qualified company's commitment to initiate the project. In no event shall the tax credits authorized under this subsection exceed ten million dollars annually.

(1) Prior to approval, a qualified company requesting benefits under this subsection shall provide evidence of commitments for the financing of any applicable new capital investment. The new capital investment shall be made at the project facility within two years of the date of approval of the notice of intent.

(2) In awarding tax credits under this subsection, the department shall consider factors set forth in subsection 2 of this section.

(3) Upon approval of a notice of intent to receive tax credits under this subsection, the department and the qualified company shall enter into a written agreement covering the applicable project period containing detailed performance requirements and repayment penalties in event of nonperformance. The agreement shall specify, at a minimum:

(a) The committed number of new jobs, payroll, and new capital investment for each year during the project period;

(b) The date or time period during which the tax credits shall be issued, which may be immediately or over a period not to exceed two years from the date of approval of the notice of intent;

(c) Clawback provisions provided under subdivision (4) of this subsection; and

(d) Any other provisions necessary to effectuate the intent of this subsection.

(4) The following clawback provisions shall apply to any benefits awarded under this subsection:

(a) If a qualified company fails to meet any requirements of this section, including the applicable number of new jobs created or new capital investment within two years from the date of approval of its notice of intent, the qualified company shall repay the face amount of all tax credits received from the department, plus interest of nine percent per annum from the date the tax credits were issued. However, the director may, in his or her discretion, provide an extension up to two additional years or reduce such payment, if such failure is caused by documented unforeseen events that negatively affected the operations at the project facility that were not under the control of the qualified company;

(b) If, during any year of the project period, the average wage of the new payroll paid by the qualified company fails to equal or exceed the applicable percentage of the county average wage, or the qualified company fails to offer and pay fifty percent of the premium for health insurance to all of its full-time employees located in this state, the company shall refund to the state an amount equal to the face amount of all tax credits received from the department under this program, divided by the number of years in the project period. In addition to the refund, the qualified company shall pay interest of nine percent per annum from the date the tax credits were issued on the amount of the refund;

(c) If the qualified company fails to meet its payroll commitment for any year during the project period, it shall refund to the state a portion of its total benefit received under this section based on the following formula:

the total amount of tax credits received by the qualified company, divided by the number of years during the project period, and multiplied by a fraction, the numerator of which is the contractually agreed-upon amount of payroll for that year minus the actual amount of payroll made by the company during the year, and the denominator of which is the contractually agreed upon amount of payroll made for that same year. In addition to the refund, the qualified company shall pay interest of nine percent per annum from the date the tax credits were issued on the amount of the refund;

(d) If the qualified company fails to meet its payroll or new capital investment requirements for any year during the project period and the director has a reasonable belief that the qualified company will not be able to meet its performance requirements during all or any portion of the remainder of the project period, the director may require the company to repay all or a proportionate amount of the total tax credits received by the company attributable to the remaining years of the project period as well as the current year, plus interest of nine percent per annum on the amount of repayment from the date the tax credits were issued.

(5) Prior to the award of benefits under this subsection, the director of the department shall notify the president pro tem of the senate and the speaker of the house of representatives of the amount of the proposed award, including the county and city in which the project facility is located, the number of new jobs and the proposed wages for such new jobs, the estimated amount of new capital investment, and the amount of the projected net fiscal benefit to the state from the project; provided that, nothing herein shall require the disclosure of information otherwise protected from disclosure by law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 5** was adopted.

Representative Ellinger offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Bill No. 1455, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

(a) Acquisition of land;

(b) Installation of infrastructure for industrial or business parks;

(c) Improvement of water and wastewater treatment capacity;

(d) Extension of streets;

(e) Public facilities directly related to economic development and job creation; and

(f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

(a) Marketing;

(b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;

(c) Training programs to prepare workers for advanced technologies and high skill jobs;

(d) Legal and accounting expenses directly associated with the economic development planning and preparation process;

(e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of **at least** five members, **but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and are** to be appointed as follows:

(a) One **[**member**] or two members** shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Three **or five** members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One **[**member**] or two members** shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. **If there are nine members initially appointed, the sixth, seventh, eighth, and ninth members shall be designated to serve for terms of two years.** Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2011, any increase in the number of members of the board shall be designated in an order or ordinance. The sixth, seventh, eighth, and ninth members shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;
(b) Land and or buildings;
(c) Machinery and equipment;
(d) Job training investments;
(e) Direct business incentives;
(f) Marketing;
(g) Administration and legal expenses; and
(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

Representative Scharnhorst raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Ellinger, **House Amendment No. 6** was adopted.

On motion of Representative Gatschenberger, **HB 1455, as amended**, was ordered perfected and printed.

HCS HB 1869, relating to initiative and referendum petitions, was taken up by Representative Dugger.

Representative Hoskins assumed the Chair.

Representative Dugger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1869, Page 2, Section 116.090, Line 2, by inserting after the word "petition" the following:

"**with the intent to alter the outcome**"; and

Further amend said section, Page 2, Line 9, by inserting after the phrase: "both." on said line the following:

"**Nothing in this section shall prohibit a person from signing his or her name to a petition that he or she had previously signed as a sponsoring signatory under section 116.333.**"; and

Further amend said bill, Section 116.115, Page 3, Line 1, by deleting from said line the phrase "**petition to**" and inserting in lieu thereof the phrase "**sample sheet to or files an initiative petition with**"; and

Further amend said section, Page 3, Lines 3-5, by deleting said lines and inserting in lieu thereof the following:

"**secretary of state, the proposed petition shall no longer be circulated by any person, committee, or other entity. The secretary of state shall vacate the certification of the official ballot title within three days of receiving notice of withdrawl.**"; and

Further amend said bill, Section 116.153, Page 4, Line 3, by deleting from said line the phrase: "**an informational public hearing in Jefferson City to take the public testimony of those in support and in opposition to the contents of the petition**" and inserting in lieu thereof the following:

"**a public hearing in Jefferson City to take public comment concerning the proposed measure**"; and

Further amend said bill, Section 116.332, Page 4, Lines 13-18, by deleting all of said lines and inserting in lieu thereof the following:

"**2. Within two days of receipt of any such sample sheet, the secretary of state shall conspicuously post the text of the proposed measure on its website, a disclaimer stating that such text may not constitute the full and correct text as required under section 116.050, and the name of the person or organization submitting the sample sheet. The posting shall be removed within three days of either the withdraw of a petition under section 116.115 or when a petition is rejected for any reason. The secretary of state's failure to comply with this section shall be considered a violation under subsection 3 of section 610.027.**"; and

Further amend said bill, Section 116.333, Page 5, Line 8, by deleting the phrase "**section 116.332**" on said line and inserting in lieu thereof the phrase: "**sections 116.040 and 116.332**"; and

Further amend said section, Page 5, Line 9, by deleting the word "**also**" on said line; and

Further amend said bill, Section 116.334, Page 6, Line 4, by inserting after the phrase "**sample petition**" on said line the following:

"**and make such initial certification and the date of such initial certification**"; and

Further amend said section, Page 6, Lines 6 and 7, by deleting from said lines the phrase "**sample petition is made available on the secretary of state's website**" and inserting in lieu thereof the phrase:

"**petition is initially certified**"; and

Further amend said section, Page 6, Line 9, by enclosing in brackets the word "ten" on said line and inserting immediately thereafter the following:

"**twenty-three**"; and

Further amend said section, Page 6, Line 9, by inserting after the word "**such**" on said line the word:

"**initial**"; and

Further amend said section, Page 6, Line 19, by inserting after all of said line the following:

"**Section B. The provisions of this act are severable. If any provision of this act is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions are valid except to the extent that the court finds the valid provisions, standing alone, are incomplete and are incapable of being executed in accordance with the will of the people.**"; and

Further amend said bill by re-designating the lettered sections in accordance with this amendment; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dugger, **House Amendment No. 1** was adopted.

Representative Cox offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1869, Page 1, Section A, Line 4, by inserting after all of said line the following:

"116.010. As used in this chapter, unless the context otherwise indicates,

(1) "County" means any one of the several counties of this state or the city of St. Louis;

(2) "Election authority" means a county clerk or board of election commissioners, as established by section 115.015;

(3) "General election" means the first Tuesday after the first Monday in November in even-numbered years;

(4) "Official ballot title" means the summary statement**,** and **on statewide ballot measures proposed by the general assembly the** fiscal note summary prepared for all statewide ballot measures in accordance with the provisions of this chapter which shall be placed on the ballot and, when applicable, shall be the petition title for initiative or referendum petitions;

(5) "Statewide ballot measure" means a constitutional amendment submitted by initiative petition, the general assembly or a constitutional convention; a statutory measure submitted by initiative or referendum petition; the question of holding a constitutional convention; and a constitution proposed by a constitutional convention;

(6) "Voter" means a person registered to vote in accordance with section 115.151."; and

Further amend said bill, Page 4, Section 116.153, Line 5, by inserting after all of said section and line the following:

"116.160. 1. **[**If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without a fiscal note summary, which is to be referred to a vote of the people, after receipt of such resolution or bill the secretary of state shall promptly forward the resolution or bill to the state auditor.**]** If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without an official summary statement, which is to be referred to a vote of the people, within twenty days after receipt of the resolution or bill, the secretary of state shall prepare and transmit to the attorney general a summary statement of the measure as the proposed summary statement. The secretary of state may seek the advice of the legislator who introduced the constitutional amendment or bill and the speaker of the house or the president pro tem of the legislative chamber that originated the measure. The summary statement may be distinct from the legislative title of the proposed constitutional amendment or bill. The attorney general shall within ten days approve the legal content and form of the proposed statement.

2. The official summary statement shall contain no more than fifty words, excluding articles. The title shall be a true and impartial statement of the purposes of the proposed measure in language neither intentionally argumentative nor likely to create prejudice either for or against the proposed measure.

116.175. 1. **[**Except as provided in section 116.155, upon receipt from the secretary of state's office of any petition sample sheet, joint resolution or bill, the auditor shall assess the fiscal impact of the proposed measure. The state auditor may consult with the state departments, local government entities, the general assembly and others with knowledge pertinent to the cost of the proposal.**]** Proponents or opponents of any proposed measure**, state departments and local government entities** may submit to the **secretary of** state **[**auditor**]** a proposed statement of fiscal impact **[**estimating the cost of the proposal in a manner consistent with the standards of the governmental accounting standards board and section 23.140, provided that all such proposals are received by the state auditor within ten days of his or her receipt of the proposed measure from the secretary of state**]**. **Such statement of fiscal impact shall be filed within twenty days of receipt of the sample sheet by the secretary of state. For purposes of this section, "proponent" shall mean the person submitting the sample sheet with the secretary of state or a committee which has filed a statement of committee organization with the Missouri ethics commission designating it is in favor of the proposed ballot measure pursuant to section 130.021.5(10), as long as such filing has occurred prior to submission of the sample sheet with the secretary of state. For purposes of this section, "opponent" shall mean a person or committee which has filed a statement of committee organization with the Missouri ethics commission designating it is opposed to the proposed ballot measure pursuant to section 130.021.5(10). No person or committee shall submit more than one statement of fiscal impact for each initiative petition.**

2. **The secretary of state shall post statements of fiscal impact received pursuant to this section on the secretary of state's website. However, no more than one statement from one proponent shall be accepted or posted to the website by the secretary of state. [**Within twenty days of receipt of a petition sample sheet, joint resolution or bill from the secretary of state, the state auditor shall prepare a fiscal note and a fiscal note summary for the proposed measure and forward both to the attorney general.**]**

3. The **statement of** fiscal **impact [**note and fiscal note summary**]** shall state the measure's estimated cost or savings, if any, to state or local governmental entities **and to businesses in Missouri**. **[**The fiscal note summary shall contain no more than fifty words, excluding articles, which shall summarize the fiscal note in language neither argumentative nor likely to create prejudice either for or against the proposed measure.**]**

[4. The attorney general shall, within ten days of receipt of the fiscal note and the fiscal note summary, approve the legal content and form of the fiscal note summary prepared by the state auditor and shall forward notice of such approval to the state auditor.

5. If the attorney general or the circuit court of Cole County determines that the fiscal note or the fiscal note summary does not satisfy the requirements of this section, the fiscal note and the fiscal note summary shall be returned to the auditor for revision. A fiscal note or fiscal note summary that does not satisfy the requirements of this section also shall not satisfy the requirements of section 116.180.**]**"; and

Further amend said bill, Page 4, Section 116.180, Line 2, by placing an opening bracket in front of the word "and" and placing a closing bracket behind the word "measure"; and

Further amend said bill, page and section, Line 3, by placing an opening bracket in front of the phrase "in separate"; and

Further amend said bill, page and section, Line 4, by placing a closing bracket behind the phrase "statement of the measure"; and

Further amend said bill, page and section, Line 5, by placing an opening and closing bracket around the phrase "and the fiscal note"; and

Further amend said bill, page and section, Line 12, by inserting after all of said section and line the following:

"116.190. 1. Any citizen who wishes to challenge the official ballot title or the fiscal note prepared for a proposed constitutional amendment **or statutory referendum** submitted by the general assembly**[**,**]** **or the official ballot title prepared for a constitutional amendment submitted** by initiative petition, or by constitutional convention, or for a statutory initiative **[**or referendum measure**]**, may bring an action in the circuit court of Cole County. The action must be brought within ten days after the official ballot title is certified by the secretary of state in accordance with the provisions of this chapter.

2. The secretary of state shall be named as a party defendant in any action challenging the official ballot title prepared by the secretary of state. **[**When the action challenges the fiscal note or the fiscal note summary prepared by the auditor, the state auditor shall also be named as a party defendant.**]** The president pro tem of the senate, the speaker

of the house and the sponsor of the measure and the secretary of state shall be the named party defendants in any action challenging the official summary statement, fiscal note or fiscal note summary prepared pursuant to section 116.155. **"Proponents" as defined in section 116.175 have the right to intervene as party defendants in any suit filed under this section.**

3. The petition shall state the reason or reasons why the summary statement portion of the official ballot title is insufficient or unfair and shall request a different summary statement portion of the official ballot title. **[**Alternatively,**]** **Additionally, in the case of a constitutional amendment or statutory referendum submitted by the General Assembly,** the petition shall state the reasons why the fiscal note or the fiscal note summary portion of the official ballot title is insufficient or unfair and shall request a different fiscal note or fiscal note summary portion of the official ballot title.

4. The action shall be placed at the top of the civil docket. Insofar as the action challenges the summary statement portion of the official ballot title, the court shall consider the petition, hear arguments, and in its decision certify the summary statement portion of the official ballot title to the secretary of state. Insofar as the action challenges the fiscal note or the fiscal note summary portion of the official ballot title **of a constitutional amendment or statutory referendum submitted by the general assembly**, the court shall consider the petition, hear arguments, and in its decision, either certify the fiscal note or the fiscal note summary portion of the official ballot title to the secretary of state or remand the fiscal note or the fiscal note summary to the **oversight division of the committee on legislative research [**auditor**]** for preparation of a new fiscal note or fiscal note summary pursuant to the procedures set forth in section **116.155 [**116.175**]**. Any party to the suit may appeal to the supreme court within ten days after a circuit court decision. In making the legal notice to election authorities under section 116.240, and for the purposes of section 116.180, the secretary of state shall certify the language which the court certifies to him.

5. Any person bringing an action pursuant to this section shall take all necessary actions to have such action presented for dispositive resolution within 120 days of filing of such action. Such action shall be dismissed with prejudice for failure to prosecute unless the circuit court of Cole County enters an order expressly stating that the sole cause for delay was the court's unavailability. Any person whose action is dismissed for failure to prosecute pursuant to this section shall be assessed all costs of defense, including attorney fees incurred in defending such action."; and

Further amend said bill, Page 6, Section 116.334, Lines 5-6, by deleting the following phrase:

"**and refer a copy of the sample petition to the state auditor for purposes of preparing a fiscal note and fiscal note summary**"; and

Further amend said bill, Page 7, Section B, Line 5, by inserting after all of said section and line the following:

"**[**116.170. If the general assembly adopts a joint resolution proposing a constitutional amendment or a bill without a fiscal note summary, which is to be referred to a vote of the people, the state auditor shall, within thirty days of delivery to the auditor, prepare and file with the secretary of state a fiscal note and a fiscal note summary for the proposed measure in accordance with the provisions of section 116.175.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr

Gosen	Grisamore	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Lichtenegger	Loehner	Long	Marshall
McNary	Molendorp	Nance	Neth	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 019

Funderburk	Gatschenberger	Guernsey	Haefner	Hughes
Lauer	Leara	McCaherty	McGhee	Meadows
Nolte	Parkinson	Richardson	Sater	Schneider
Swinger	Talboy	Webber	Zerr	

On motion of Representative Cox, **House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Lichtenegger	Loehner	Marshall	McCaherty

McNary	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt				

NOES: 052

Atkins	Aull	Black	Brown 50	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 020

Anders	Conway 14	Funderburk	Gatschenberger	Guernsey
Lauer	Leara	Long	McGhee	Meadows
Nolte	Richardson	Sater	Swinger	Talboy
Thomson	Webber	Wright	Zerr	Mr Speaker

On motion of Representative Dugger, **HCS HB 1869, as amended**, was adopted.

On motion of Representative Dugger, **HCS HB 1869, as amended**, was ordered perfected and printed.

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2510 through House Resolution No. 2566

HOUSE CONCURRENT RESOLUTION

Representative Schatz, et al., offered House Concurrent Resolution No. 59.

PERFECTION OF HOUSE BILLS

HB 1540, relating to workers' compensation, was taken up by Representative Jones (89).

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 1540, Section 287.120, Page 1, Lines 4-8, by deleting all of said lines and inserting in lieu thereof the following:

"employee's employment**[**, and**]. Any employee of such employer shall not be liable for any injury or death for which compensation is recoverable under this chapter and every employer and employees of such employer** shall be released from all other liability whatsoever, whether to the employee or any other person**, except that an employee shall not be released from liability for injury or death if the employee engaged in an affirmative negligent act that purposefully and dangerously caused or increased the risk of injury**. The term "accident" as used in this section shall"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

On motion of Representative Jones (89), **HB 1540, as amended**, was ordered perfected and printed.

HCS HB 1865, relating to economic development incentives, was taken up by Representative Barnes.

Representative Kelly (24) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 620.008, Line 2, by deleting the words "**criminal and**" before the word "**financial**"; and

Further amend said bill, Page 3, Section 2, Lines 4 through 8, by deleting all of said lines and inserting the words "**section 536.028.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 1** was adopted.

Representative Solon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 67.095, Line 31, by inserting after all of said section, the following:

"67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by

ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county **not having a township organization [**of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants**]**, the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or**, if applicable to that county, chapter 141, or, [**by judicial foreclosure proceeding,**]** at the option of the governing body**, by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 1865, Page 2, Line 15, by deleting the words, "**not having a township organization**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McNary
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Walton Gray
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Wallingford

PRESENT: 001

McNeil

ABSENT WITH LEAVE: 022

Brown 50	Brown 116	Carter	Cookson	Day
Diehl	Funderburk	Grisamore	Holsman	Hughes
Kander	Lampe	Lauer	McDonald	McManus
Meadows	Nasheed	Sater	Silvey	Still
Talboy	Webber			

On motion of Representative Solon, **House Amendment No. 2, as amended**, was adopted.

Representative Barnes offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 620.007, Lines 1 to 6, and Section 620.008, Lines 1 to 5, by deleting all of said lines and inserting in lieu thereof the following:

"**620.007. The department of economic development shall require start-up companies that apply for economic development incentives, where the incentive is provided up-front, to provide verification of financial information when an application for such incentives is submitted to the department. In complying with this section, the department shall define "start-up company".**"; and

Further amend said bill, Page 2, Section 620.009, Line 2, by inserting at the end of said line the word "**adverse**"; and

Further amend said bill, Page 2, Section 620.009, Line 9, by deleting the word "**negative**" and inserting in lieu thereof the word "**adverse**"; and

Further amend said bill, Page 3, Section 620.009, Line 19, by inserting after all of said line the following:

"**5. In complying with the provisions of this section, no person or entity shall be required to violate terms of another nondisclosure agreement related to the project, except that the department of economic development shall not enter into a nondisclosure agreement that forbids sharing of adverse information under this section.**"; and

Further amend said bill, Page 3, Section 620.019, Line 1, by deleting the words "**five-star**" and inserting in lieu thereof the word "**rating**"; and

Further amend said bill, Page 3, Section 620.019, Line 2, by inserting after the word "**for**" the word "**discretionary**"; and

Further amend said bill, Page 3, Section 1, Lines 1 to 7, by deleting all of said lines and inserting in lieu thereof the following:

"**Section 1. The department of economic development shall include a conflict of interest policy in all new consulting contracts for trade offices located in foreign countries.**"; and

Further amend said bill, Page 3, Section 2, Lines 1 to 8, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Long offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 1865, Page 1, Lines 1 through 11, by deleting all of said lines and inserting in lieu thereof the following:

'AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 67.095, Lines 22 and 23, by deleting the words, "**with a population over three hundred thousand**"; and

Further amend said bill, Page 2, Section 620.007, Lines 1 to 6, and Section 620.008, Lines 1 to 5, by deleting all of said lines"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Long moved that **House Amendment No. 1 to House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 040

Allen	Asbury	Brown 116	Burlison	Cierpiot
Cookson	Crawford	Denison	Dugger	Elmer
Entlicher	Fisher	Fraker	Franklin	Franz
Gatschenberger	Higdon	Hinson	Hough	Kander
Kelley 126	Kirkton	Korman	Lant	Leach
Loehner	Long	McGhee	McNary	Nance
Neth	Nolte	Phillips	Pollock	Reiboldt
Ruzicka	Schoeller	Stream	Wells	Wright

NOES: 103

Anders	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Carlson	Casey	Cauthorn	Colona
Conway 14	Conway 27	Cox	Cross	Curtman
Davis	Ellinger	Ellington	Fallert	Fitzwater
Flanigan	Frederick	Fuhr	Gosen	Guernsey
Haefner	Hampton	Harris	Hodges	Hoskins
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelly 24
Klippenstein	Koenig	Kratky	Lair	Largent
Lasater	Leara	Lichtenegger	Marshall	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Parkinson	Pierson	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schupp	Shively	Shumake	Sifton	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	White	Wieland
Wyatt	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Carter	Day	Dieckhaus	Diehl
Funderburk	Grisamore	Holsman	Lampe	Lauer
McDonald	Meadows	Molendorp	Nasheed	Sater
Schieffer	Silvey	Talboy	Webber	Weter

Representative Hoskins offered **House Amendment No. 2 to House Amendment No. 3**.

House Amendment No. 2
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 1865, Page 1, Line 12 though 24, by deleting all of said lines and inserting in lieu thereof the following:

'Further amend said bill, Page 2, Section 620.009, Line 2, by inserting at the end of said line the word "**adverse, favorable and neutral**"; and

Further amend said bill, Page 2, Section 620.009, Line 9, by deleting the word "**negative**" and inserting in lieu thereof the word "**adverse, favorable and neutral**"; and

Further amend said bill, Page 3, Section 620.009, Line 19, by inserting after all of said line the following:

"**5. In complying with the provisions of this section, no person or entity shall be required to violate terms of another nondisclosure agreement related to the project, except that the department of economic development shall not enter into a nondisclosure agreement that forbids sharing of adverse, favorable and neutral information under this section.**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hoskins moved that **House Amendment No. 2 to House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Barnes, **House Amendment No. 3** was adopted.

Representative Nolte offered **House Amendment No. 4**.

House Amendment No. 4 was withdrawn.

Representative Solon offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 67.095, Lines 22 and 23, by deleting all of said lines and inserting in lieu thereof the following:

"**5. This section shall not apply to a political subdivision with a population greater than three hundred thousand according to the latest decennial census that, pursuant to either a charter or other ballot measure approved by**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Solon, **House Amendment No. 5** was adopted.

Representative Ellinger offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1865, Page 2, Section 67.095, Line 31, by inserting after all of said line the following:

"67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

(a) Acquisition of land;

(b) Installation of infrastructure for industrial or business parks;

(c) Improvement of water and wastewater treatment capacity;

(d) Extension of streets;

(e) Public facilities directly related to economic development and job creation; and

(f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

(a) Marketing;

(b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;

(c) Training programs to prepare workers for advanced technologies and high skill jobs;

(d) Legal and accounting expenses directly associated with the economic development planning and preparation process;

(e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of **at least** five members, **but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and are** to be appointed as follows:

(a) One **[**member**] or two members** shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Three **or five** members shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One **[**member**] or two members** shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. **If there are nine members initially appointed, the sixth, seventh, eighth, and ninth members shall be designated to serve for terms of two years.** Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2011, any increase in the number of members of the board shall be designated in an order or ordinance. The sixth, seventh, eighth, and ninth members shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold

public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed

to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

On motion of Representative Ellinger, **House Amendment No. 6** was adopted.

On motion of Representative Barnes, **HCS HB 1865, as amended**, was adopted by the following vote:

AYES: 101

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Ellinger
Elmer	Fallert	Fisher	Fitzwater	Flanigan
Frederick	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hodges	Holsman
Hughes	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Loehner	Marshall	McCaherty
McCreery	McNary	McNeil	Nance	Nasheed
Neth	Nichols	Nolte	Oxford	Parkinson
Pierson	Quinn	Richardson	Riddle	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Still
Stream	Swinger	Taylor	Thomson	Torpey
Weter	White	Wieland	Wright	Wyatt
Mr Speaker				

NOES: 051

Anders	Asbury	Atkins	Carlson	Carter
Colona	Cookson	Denison	Dugger	Ellington
Entlicher	Fraker	Franklin	Gatschenberger	Hampton
Hinson	Hoskins	Hough	Houghton	Hubbard
Hummel	Jones 63	Klippenstein	Korman	Kratky
Lichtenegger	Long	May	McCann Beatty	McDonald
McGeoghegan	McManus	Molendorp	Montecillo	Morgan
Newman	Pace	Phillips	Pollock	Redmon
Rizzo	Ruzicka	Schieffer	Schupp	Spreng
Swearingen	Wallingford	Walton Gray	Webb	Wells
Zerr				

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Diehl	Franz	Funderburk	Lauer
McGhee	Meadows	Reiboldt	Sater	Talboy
Webber				

On motion of Representative Barnes, **HCS HB 1865, as amended**, was ordered perfected and printed.

HCS HB 1966, relating to records of activity as evidence, was taken up by Representative Burlison.

HCS HB 1966 was laid over.

HCS HB 1254, relating to agriculture, was taken up by Representative Klippenstein.

Representative Klippenstein offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1254, Page 9, Section 262.750, Line 8, by inserting after all of said section and line the following:

"**262.795. Any law to the contrary notwithstanding, a child, as defined in subdivision (1) of section 294.011, may perform agriculture work, as defined in subdivision (1) of section 290.500, on a farm owned and operated by the child's parent, sibling, grandparent or sibling of a parent or, if performed by the child with the knowledge and consent of the child's parent, on any family farm, as defined in subdivision (4) of section 350.010, or on any family farm corporation, as defined in subdivision (5) of section 350.010, including work that would otherwise be prohibited by subdivisions (1), (2), (3), (7), and (12) of section 294.040; but no such child shall be permitted to engage in any other activities prohibited by section 294.040. The term "parent", as used in this section, shall have the same meaning as in subdivision (8) of section 294.011. Children engaged in work permitted by this section may do so without obtaining a work certificate as required by section 294.024. Children engaged in work permitted by this section are not subject to the limitations set out in section 294.030 and subsection 4 of section 294.045.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Klippenstein, **House Amendment No. 1** was adopted.

Representative Johnson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1254, Pages 9-10, Section 262.975, Lines 1-43, by deleting all of said lines and inserting in lieu thereof the following:

"**262.975. 1. The department of agriculture shall build and maintain, by contract or otherwise, a Missouri international agricultural exchange website with search engine optimization technology. Such website shall contain content licensed by the department to promote Missouri agricultural products to international agricultural buyers.**

2. The exchange shall be a website to post Missouri-based agricultural products to the producer to assist in marketing such products to international buyers. All sellers shall be required to register through the

department and provide a Missouri address. Only agricultural products produced in this state shall be allowed on the exchange website.

3. The state of Missouri retains ownership of all content on the exchange. The department or a website developer, if contracted, is authorized to:

(1) Use all informational content approved by the department of agriculture, and apply search engine optimization to the website content to achieve a high search engine ranking; and

(2) Sell advertising on the exchange website to any entity that will benefit from marketing to international agriculture producers and buyers. If contracted, the website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the exchange website, with the website developer retaining all advertising revenues obtained from such exchange website to provide the financing for such exchange website.

4. If contacted, the website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department;

(2) Demonstrate prior experience with website development projects which increased search engine rankings for the client.

5. If contracted, the department of agriculture, in consultation with the department of economic development, shall review all applications and award a contract for the development, design, marketing, and maintenance of the exchange website, with renewals for continuing upgrades, marketing, and maintenance of the website. The department shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department may have a contract terminated for failure to operate under the department's guidelines for the exchange website. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 2** was adopted.

Representative Quinn offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1254, Page 5, Section 262.005, Line 1, by inserting after the number "**262.005.**" the number "**1.**"; and

Further amend said bill, page, and section, Line 5, by inserting after all of said line the following:

"**2. Nothing in this section shall be construed or interpreted to limit the authority of the department of agriculture or the state veterinarian to carry out the department's statutory and regulatory responsibilities and functions as currently and hereafter provided under Chapters 261 to 281, Chapter 350 and Chapters 411 to 414 and all rules and regulations promulgated thereunder.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Quinn, **House Amendment No. 3** was adopted.

Representative Ruzicka offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1254, Page 20, Section 537.850, Lines 22-23, by deleting the words "**conducted with ordinary care by a registered agritourism operator**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 4** was adopted.

Representative Schieffer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1254, Page 5, Section 262.257, Line 1, by inserting after the word "**all**" the word "**qualified**"; and

Further amend said bill, Page 25, Section 2, Line 3, by inserting after the word "**all**" the word "**qualified**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieffer, **House Amendment No. 5** was adopted.

Representative Holsman offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 1254, Page 9, Section 262.750, Line 8, by inserting after all of said line the following:

"**262.900. 1. As used in this section, the following terms mean:**

(1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable product, growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product, planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either in its natural or processed state, that has been produced, processed, or otherwise had value added to it in this state;

(2) "Blighted area", that portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration have become economic and social liabilities, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes;

(3) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(4) "Grower UAZ", a type of UAZ:

(a) That can either grow produce, raise livestock, or produce other value added agricultural products;

(b) That does not exceed fifty laying hens, six hundred fifty broiler chickens, or thirty domesticated animals;

(5) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(6) "Locally grown", a product that was grown or raised in the same county as the UAZ or in an adjoining county. For a product raised or sold in a city not within a county, locally grown includes those counties adjoining a county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(7) "Processing UAZ", a type of UAZ:

(a) That processes livestock or poultry for human consumption;

(b) That meets federal and state processing laws and standards;

(8) "Meat", any edible portion of livestock or poultry carcass or part thereof;

(9) "Meat product", anything containing meat intended for or capable of use for human consumption, which is derived, in whole or in part, from livestock or poultry;

(10) "Poultry", any domesticated bird intended for human consumption;

(11) "Value added agricultural products", any product or products that are the result of:

(a) Using an agricultural product grown in this state to produce a meat or dairy product in this state;

(b) A change in the physical state or form of the original agricultural product;

(c) An agricultural product grown in this state whose value has been enhanced by special production methods such as organically grown products; or

(d) A physical segregation of a commodity or agricultural product grown in this state that enhances its value such as identity preserved marketing systems;

(12) "Urban agricultural zone" or "UAZ", a zone that contains the following activities to qualify for the benefits provided under this section:

(a) Any organization or person who grows produce or other agricultural products;

(b) Any organization or person that raises livestock or poultry;

(c) Any organization or person who processes livestock or poultry;

(d) Any organization that sells at a minimum seventy-five percent locally grown food;

(13) "Vending UAZ", a type of UAZ:

(a) That sells produce, meat, or value added locally grown agricultural goods;

(b) That applies to the department of agriculture for an UAZ vendor license;

(c) That is able to accept food stamps under the provisions of the Federal Food Stamp Program as a form of payment.

2. (1) A person or organization shall submit to any incorporated municipality an application to develop an UAZ on a blighted area of land. Such application shall demonstrate or identify on the application:

(a) If the person or organization is a grower UAZ, processing UAZ, vending UAZ, or a combination of all three types of UAZs provided in this paragraph, in which case the person or organization shall meet the requirements of each type of UAZ in order to qualify;

(b) The number of jobs to be created;

(c) The types of products to be produced (i.e. produce, value added agriculture products, livestock/domesticated animal);

(d) If applying for a vending UAZ, the ability to accept food stamps under the provisions of the Federal Food Stamp Program if selling products to consumers.

(2) A municipality shall review and modify the application as necessary before either approving or denying the request to establish an UAZ.

(3) Approval of the UAZ by such municipality shall be reviewed five and ten years after the development of the UAZ. After twenty-five years, the UAZ shall dissolve. If the municipality finds during its review that the UAZ is not meeting the requirements set out in this section, the municipality may dissolve the UAZ.

3. Once the requirements of this section have been complied with, the real property of the UAZ shall not be subject to assessment or payment of ad valorem taxes on real property imposed by the cities affected by this section, or by the state or any political subdivision thereof, for a period of ten years at which time the property shall then be reassessed. The UAZ shall then pay fifty percent of the assessed value for the next fifteen years. If only a portion of real property is used as an UAZ, then only that portion of real property shall not be subject to assessment or payment of ad valorem taxes on such property.

4. If the water services for the UAZ are provided by the municipality, a grower UAZ shall pay wholesale water rates, if available, for the cost of water consumed on the UAZ and shall pay fifty percent of the standard cost to hook onto the water source.

5. (1) Any sales tax revenues received from the sale of products sold in the UAZ, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats, and outboard motors, and future sales taxes earmarked by law, shall be deposited in the urban agricultural zone fund established in subdivision (2) of this subsection. School districts may apply to the state treasurer for money in the fund to be used for the development of curriculum on or the implementation of urban farming practices under the guidance of the University of Missouri extension service and a certified vocational agricultural instructor. The funds are to be distributed within the school district in which the UAZ is located.

(2) There is hereby created in the state treasury the "Urban Agricultural Zone Fund", which shall consist of money collected under subdivision (1) of this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of subdivision (1) of this subsection. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The provisions in this section shall supercede any local ordinances to the contrary."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Holsman, **House Amendment No. 6** was adopted.

Representative McNeil offered **House Amendment No. 7**.

Representative Cierpiot raised a point of order that **House Amendment No. 7** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Klippenstein, **HCS HB 1254, as amended**, was adopted.

On motion of Representative Klippenstein, **HCS HB 1254, as amended**, was ordered perfected and printed.

HB 2099, relating to the Whistleblower Protection Act, was taken up by Representative Elmer.

Representative Korman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 2099, Page 1, Section 213.200, Line 8, by inserting after the word "**state**" the following: "**or any public entity with the status of a governmental body**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1** was adopted.

Representative Taylor offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 2099, Section 213.200, Page 1, Line 6, by deleting "**six**" and inserting in lieu thereof "**one**"; and

Further amend said section, Page 2, Line 42, by deleting "**more than five and**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Taylor, **House Amendment No. 2** was adopted by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 008

Curtman	Dugger	Franklin	Klippenstein	Koenig
Pollock	Schad	Wells		

PRESENT: 000

ABSENT WITH LEAVE: 013

Day	Dieckhaus	Diehl	Funderburk	Lauer
McGhee	McNary	Meadows	Riddle	Sater
Swinger	Talboy	Mr Speaker		

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McGhee
McNary	Molendorp	Nance	Neth	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 016

Day	Diehl	Funderburk	Guernsey	Hampton
Hughes	Jones 117	Lauer	McCaherty	Meadows
Nolte	Parkinson	Sater	Scharnhorst	Talboy
Mr Speaker				

On motion of Representative Elmer, **HB 2099, as amended**, was ordered perfected and printed by the following vote:

AYES: 085

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Nance	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Sommer
Stream	Swinger	Thomson	Wallingford	Wells
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 067

Anders	Atkins	Aull	Barnes	Berry
Black	Brown 50	Carlson	Carter	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Harris	Higdon	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	Largent	Lasater	Leach
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Molendorp	Montecillo
Morgan	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieber	Schieffer	Schupp	Shively	Sifton
Smith 71	Solon	Spreng	Still	Swearingen
Taylor	Torpey	Walton Gray	Webb	Webber
Weter	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Diehl	Funderburk	Guernsey	Hughes
Lauer	Meadows	Nolte	Parkinson	Sater
Talboy				

THIRD READING OF SENATE BILL

SB 564, relating to motorcycle rider training, was taken up by Representative Davis.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 564, Page 1, In the Title, Lines 3 through 5, by deleting all of said lines and inserting in lieu thereof the words, "to motor vehicles"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"302.130. 1. Any person at least fifteen years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a license pursuant to sections 302.010 to 302.340 may apply for and the director shall issue a temporary instruction permit entitling the applicant, while having such permit in the applicant's immediate possession, to drive a motor vehicle of the appropriate class upon the highways for a period of twelve months, but any such person, except when operating a motorcycle or motortricycle, must be accompanied by a licensed operator for the type of motor vehicle being operated who is actually occupying a seat beside the driver for the purpose of giving instruction in driving the motor vehicle, who is at least twenty-one years of age, and in the case of any driver under sixteen years of age, the licensed operator occupying the seat beside the driver shall be a grandparent, parent, guardian, a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or a qualified instructor of a private drivers' education program who has a valid driver's license. An applicant for a temporary instruction permit shall successfully complete a vision test and a test of the applicant's ability to understand highway signs which regulate, warn or direct traffic and practical knowledge of the traffic laws of this state, pursuant to section 302.173. In addition, beginning January 1, 2007, no permit shall be granted pursuant to this subsection unless a parent or legal guardian gives written permission by signing the application and in so signing, state they, or their designee as set forth in subsection 2 of this section, will provide a minimum of forty hours of behind-the-wheel driving instruction, including a minimum of ten hours of behind-the-wheel driving instruction that occurs during the nighttime hours falling between sunset and sunrise. The forty hours of behind-the-wheel driving instruction that is completed pursuant to this subsection may include any time that the holder of an instruction permit has spent operating a motor vehicle in a driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or by a qualified instructor of a private drivers' education program. If the applicant for a permit is enrolled in a federal residential job training program, the instructor, as defined in subsection 5 of this section, is authorized to sign the application stating that the applicant will receive the behind-the-wheel driving instruction required by this section.

2. In the event the parent, grandparent or guardian of the person under sixteen years of age has a physical disability which prohibits or disqualifies said parent, grandparent or guardian from being a qualified licensed operator pursuant to this section, said parent, grandparent or guardian may designate a maximum of two individuals authorized to accompany the applicant for the purpose of giving instruction in driving the motor vehicle. An authorized designee must be a licensed operator for the type of motor vehicle being operated and have attained twenty-one years of age. At least one of the designees must occupy the seat beside the applicant while giving instruction in driving the motor vehicle. The name of the authorized designees must be provided to the department of revenue by the parent, grandparent or guardian at the time of application for the temporary instruction permit. The name of each authorized designee shall be printed on the temporary instruction permit, however, the director may delay the time at which permits are printed bearing such names until the inventories of blank permits and related forms existing on August 28, 1998, are exhausted.

3. The director, upon proper application on a form prescribed by the director, in his or her discretion, may issue a restricted instruction permit effective for a school year or more restricted period to an applicant who is enrolled in a high school driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education even though the applicant has not reached the age of sixteen years but has passed the age of fifteen years. Such instruction permit shall entitle the applicant, when the applicant has such permit in his or her immediate possession, to operate a motor vehicle on the highways, but only when a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the state department of elementary and secondary education is occupying a seat beside the driver.

4. The director, in his or her discretion, may issue a temporary driver's permit to an applicant who is otherwise qualified for a license permitting the applicant to operate a motor vehicle while the director is completing the director's investigation and determination of all facts relative to such applicant's rights to receive a license. Such permit must be in the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's license has been issued or for good cause has been refused.

5. In the event that the applicant for a temporary instruction permit described in subsection 1 of this section is a participant in a federal residential job training program, the permittee may operate a motor vehicle accompanied by a driver training instructor who holds a valid driver education endorsement issued by the department of elementary and secondary education and a valid driver's license.

6. A person at least fifteen years of age may operate a motor vehicle as part of a driver training program taught by a driver training instructor holding a valid driver education endorsement on a teaching certificate issued by the department of elementary and secondary education or a qualified instructor of a private drivers' education program.

7. Beginning January 1, 2003, the director shall issue with every temporary instruction permit issued pursuant to subsection 1 of this section a sticker or sign bearing the words "PERMIT DRIVER". The design and size of such sticker or sign shall be determined by the director by regulation. Every applicant issued a temporary instruction permit and sticker on or after January 1, 2003, may display or affix the sticker or sign on the rear window of the motor vehicle. Such sticker or sign may be displayed on the rear window of the motor vehicle whenever the holder of the instruction permit operates a motor vehicle during his or her temporary permit licensure period.

8. Beginning July 1, 2005, the director shall verify that an applicant for an instruction permit issued under this section is lawfully present in the United States before accepting the application. The director shall not issue an instruction permit for a period that exceeds an applicant's lawful presence in the United States. The director may establish procedures to verify the lawful presence of the applicant and establish the duration of any permit issued under this section.

9. **Notwithstanding subsection 1 of this section, if an applicant is issued a temporary instruction permit under the provisions of this section that includes a motorcycle endorsement, then such temporary instruction permit shall only entitle the applicant to operate a motor vehicle, motorcycle, or motortricycle for a period of six months and such applicant may only renew such permit two additional times, for a total maximum cumulative permit period of eighteen months pursuant to section 302.132.**

10. The director may adopt rules and regulations necessary to carry out the provisions of this section.

302.132. 1. Any person at least fifteen and one-half years of age who, except for age or lack of instruction in operating a motor vehicle, would otherwise be qualified to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340 may apply, with the written consent of the parent or guardian of such person, for a temporary motorcycle instruction permit to operate a motorcycle or motortricycle.

2. The director shall issue a temporary motorcycle instruction permit under this section if the applicant has completed a motorcycle rider training course approved under sections 302.133 to 302.138 and is otherwise eligible for the temporary permit.

3. A person receiving a temporary motorcycle permit and having it in his **or her** immediate possession shall be entitled to operate a motorcycle or motortricycle for a period of six months upon the highways of the state, and **[**persons under the age of sixteen**] such person** shall be subject to the following restrictions:

(1) **[**The motorcycle or motortricycle may not have an engine with a displacement of greater than two hundred fifty cubic centimeters;

(2)**]** The operator shall not travel at any time from a half-hour after sunset to a half-hour before sunrise; **and**

[(3)**] (2)** The operator shall not carry any passengers**[**; and

(4) The operator shall not travel over fifty miles from the operator's home address**]**.

4. An applicant issued a temporary motorcycle instruction permit under this section may renew such permit two additional times, for a total maximum permit period of eighteen months. After such period the applicant shall complete the required written examinations to obtain a temporary motorcycle instruction permit or a temporary instruction permit with a motorcycle endorsement."; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

"Section B. The repeal and reenactment of sections 302.130 and 302.132 shall become effective May 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Pollock offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Bill No. 564, Page 4, Section 302.173, Line 100, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Entlicher offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to Senate Bill No. 564, Page 1, Line 7, by inserting after all of said line the following:

'Further amend said section and line, by inserting after all of said section and line the following:

"Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Entlicher, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Pollock, **House Amendment No. 2, as amended**, was adopted.

Representative Nance offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Bill No. 564, Page 1, Title, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the following:

"to motor vehicle operation."; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said section and line the following:

"302.341. 1. If a Missouri resident charged with a moving **[**traffic**]** violation**, as defined in section 302.010,** of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village **meets the criteria established in subsection 6 of this section and** receives more than thirty-five percent of its annual general operating revenue from fines and court costs for **[**traffic**] cited moving** violations occurring on state highways, **whether the violation is adjudicated finally as a moving or nonmoving violation,** all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. **[**The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue.**]**

3. The governing body of each city, town, or village that meets the criteria established in subsection 6 of this section shall cause to be prepared an annual report of the fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation occurring on state highways, along with the entity's annual general revenue for the year, in such summary form as the department of revenue shall prescribe by rule. In the event the fines and court costs exceed thirty-five percent of the entity's general operating revenue for the year, the entity shall include with the annual report payment of the excess revenues to the director of the department of revenue. The payment of excess revenues shall be disbursed as provided in subsection 2 of this section. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. **[**Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.**]**

4. The department of revenue may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the

authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. In the event a city, town, or village that meets the criteria established in subsection 6 of this section fails to comply with subsections 2 and 3 of this section, such entity shall be subject to a civil penalty in an amount up to one thousand dollars. The department of revenue shall determine the amount of the penalty by taking into account the size of the entity, the seriousness of the offense, and whether the city, town, or village has violated the provisions of subsections 2 and 3 of this section previously. The director of revenue or his or her designated representative shall administer and enforce the provisions of this section and may develop, prescribe, and issue any forms, notices, or other written documents to enforce such authority and to ensure that every city, town, or village is in compliance with the provisions of subsections 2 and 3 of this section.

6. The provisions of subsections 2, 3, 4, and 5 of this section shall only apply to any city, town, or village with:

(1) Less than two million dollars in general revenue, excluding fines and court costs collected for cited moving violations whether finally adjudicated as a moving or nonmoving violation; and

(2) Fines and court costs from cited moving violations, whether finally adjudicated as a moving or nonmoving violation, in excess of seventy thousand dollars."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 3** was adopted.

Representative Wells offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Bill No. 564, Page 1, In the Title, Lines 3 to 5, by deleting all of said lines and inserting in lieu thereof the words, "to motor vehicles."; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles

4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in **[**subsection 9**] subsections 9 and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway **[**65**] 63**, **[**and**]** on U.S. Highway 65 from the Iowa state line to U.S. Highway 36**, and on U.S. Highway 63 from the Iowa state line to U.S. Highway 36**.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 4** was adopted.

Representative Sommer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Bill No. 564, Page 1, Lines 3-5 of the Title, by deleting all of said lines and inserting in lieu there of the following:

"motor vehicles."; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. **Beginning January 1, 2014, every applicant who is under twenty-one years of age and applies for a motorcycle license or endorsement shall show proof that he or she has successfully completed a motorcycle training course approved under sections 302.133 to 302.138.**

3. Every person operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

[3.**]** **4.** Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by a fine not to exceed three hundred dollars. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by imprisonment in the county jail for a term not to exceed one year and/or a fine not to exceed one thousand dollars. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable by a fine not to exceed three hundred dollars, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sommer moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Long offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Bill No. 564, Page 1, In the Title, Lines 3 through 5, by deleting all of said lines and inserting in lieu thereof the words, "to motor vehicles."; and

Further amend said bill, Page 4, Section 302.173, Line 100, by inserting after all of said line the following:

"302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon

receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record **if the individual was not operating a commercial motor vehicle or a commercial driver's license holder at the time of the offense**. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for traffic violations occurring on state highways, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

302.700. 1. Sections 302.700 to 302.780 may be cited as the "Uniform Commercial Driver's License Act".

2. When used in sections 302.700 to 302.780, the following words and phrases mean:

(1) "Alcohol", any substance containing any form of alcohol, including, but not limited to, ethanol, methanol, propanol and isopropanol;

(2) "Alcohol concentration", the number of grams of alcohol per one hundred milliliters of blood or the number of grams of alcohol per two hundred ten liters of breath or the number of grams of alcohol per sixty-seven milliliters of urine;

(3) **"CDLIS driver record", the electronic record of the individual commercial driver's status and history stored by the state of record as part of the Commercial Driver's License Information System (CDLIS) established under 49 U.S.C. Section 31309, et seq.;**

(4) "CDLIS motor vehicle record (CDLIS MVR)", a report generated from the CDLIS driver record which meets the requirements for access to CDLIS information and is provided by states to users authorized in 49 CFR Part 384, subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, et seq.;

(5) "Commercial driver's instruction permit", a permit issued pursuant to section 302.720;

[(4)**] (6)** "Commercial driver's license", a license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle;

[(5)**] (7) "Commercial driver's license downgrade", occurs when:**

(a) A driver changes the self-certification to interstate, but operates exclusively in transportation or operation excepted from 49 CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or 398.3;

(b) A driver changes the self-certification to intrastate only, if the driver qualifies under the state's physical qualification requirements for intrastate only;

(c) A driver changes the self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or

(d) The state removes the commercial driver's license privilege from the driver's license;

(8) "Commercial driver's license information system **(CDLIS)**", the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;

[(6)**] (9)** "Commercial motor vehicle", a motor vehicle designed or used to transport passengers or property:

(a) If the vehicle has a gross combination weight rating of twenty-six thousand one or more pounds inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds or more;

(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand one or more pounds or such lesser rating as determined by federal regulation;

(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or

(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801, et seq.);

[(7)**] (10)** "Controlled substance", any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes all substances listed in schedules I through V of 21 CFR part 1308, as they may be revised from time to time;

[(8)**] (11)** "Conviction", an unvacated adjudication of guilt, including pleas of guilt and nolo contendre, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative proceeding, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended or prorated, including an offense for failure to appear or pay;

[(9)**] (12)** "Director", the director of revenue or his authorized representative;

[(10)**] (13)** "Disqualification", any of the following three actions:

(a) The suspension, revocation, or cancellation of a commercial driver's license;

(b) Any withdrawal of a person's privileges to drive a commercial motor vehicle by a state**, Canada, or Mexico** as the result of a violation of federal, state, county, municipal, or local law relating to motor vehicle traffic control or violations committed through the operation of motor vehicles, other than parking, vehicle weight, or vehicle defect violations;

(c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

[(11)**] (14)** "Drive", to drive, operate or be in physical control of a commercial motor vehicle;

[(12)**] (15)** "Driver", any person who drives, operates, or is in physical control of a motor vehicle, or who is required to hold a commercial driver's license;

(16) "Driver applicant", an individual who applies to obtain, transfer, upgrade, or renew a commercial driver's license in this state;

[(13)**] (17)** "Driving under the influence of alcohol", the commission of any one or more of the following acts:

(a) Driving a commercial motor vehicle with the alcohol concentration of four one-hundredths of a percent or more as prescribed by the secretary or such other alcohol concentration as may be later determined by the secretary by regulation;

(b) Driving a commercial or noncommercial motor vehicle while intoxicated in violation of any federal or state law, or in violation of a county or municipal ordinance;

(c) Driving a commercial or noncommercial motor vehicle with excessive blood alcohol content in violation of any federal or state law, or in violation of a county or municipal ordinance;

(d) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance; or

(e) Having any state, county or municipal alcohol-related enforcement contact, as defined in subsection 3 of section 302.525; provided that any suspension or revocation pursuant to section 302.505, committed in a noncommercial motor vehicle by an individual twenty-one years of age or older shall have been committed by the person with an alcohol concentration of at least eight-hundredths of one percent or more, or in the case of an individual who is less than twenty-one years of age, shall have been committed by the person with an alcohol concentration of at least two-hundredths of one percent or more, and if committed in a commercial motor vehicle, a concentration of four-hundredths of one percent or more;

[(14)**] (18)** "Driving under the influence of a controlled substance", the commission of any one or more of the following acts in a commercial or noncommercial motor vehicle:

(a) Driving a commercial or noncommercial motor vehicle while under the influence of any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), including any substance listed in schedules I through V of 21 CFR Part 1308, as they may be revised from time to time;

(b) Driving a commercial or noncommercial motor vehicle while in a drugged condition in violation of any federal or state law or in violation of a county or municipal ordinance; or

(c) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance;

[(15)**] (19)** "Employer", any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a driver to operate such a vehicle;

(20) "Endorsement", an authorization on an individual's commercial driver's license permitting the individual to operate certain types of commercial motor vehicles;

[(16)**] (21)** "Farm vehicle", a commercial motor vehicle controlled and operated by a farmer used exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty miles of the farm, other than one which requires placarding for hazardous materials as defined in this section, or used in the operation of a common or contract motor carrier, except that a farm vehicle shall not be a commercial motor vehicle when the total combined gross weight rating does not exceed twenty-six thousand one pounds when transporting fertilizers as defined in subdivision **[**(21)**] (27)** of this subsection;

[(17)**] (22)** "Fatality", the death of a person as a result of a motor vehicle accident;

[(18)**] (23)** "Felony", any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year;

(24) "Foreign", outside the fifty states of the United States and the District of Columbia;

[(19)**] (25)** "Gross combination weight rating" or "GCWR", the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon;

[(20)**] (26)** "Gross vehicle weight rating" or "GVWR", the value specified by the manufacturer as the loaded weight of a single vehicle;

[(21)**] (27)** "Hazardous materials", any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of CFR Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel, shall not be considered hazardous materials when transported by a farm vehicle provided all other provisions of this definition are followed;

[(22)**] (28)** "Imminent hazard", the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begins to lessen the risk of that death, illness, injury, or endangerment;

[(23)**] (29)** "Issuance", the initial licensure, license transfers, license renewals, and license upgrades;

(30) "Medical examiner", a person who is licensed, certified, or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic;

(31) "Medical variance", when a driver has received one of the following that allows the driver to be issued a medical certificate:

(a) An exemption letter permitting operation of a commercial motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;

(b) A skill performance evaluation certificate permitting operation of a commercial motor vehicle under 49 CFR Part 391.49;

[(24)**] (32)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks;

[(25)**] (33)** "Noncommercial motor vehicle", a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" in this section;

[(26)**] (34)** "Out of service", a temporary prohibition against the operation of a commercial motor vehicle by a particular driver, or the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier;

[(27)**] (35)** "Out-of-service order", a declaration by **[**the Federal Highway Administration, or any**] an** authorized enforcement officer of a federal, state, **[**Commonwealth of Puerto Rico,**]** Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service **under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or comparable laws, or the North American Standard Out-of-Service Criteria**;

[(28)**] (36)** "School bus", a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary;

[(29)**] (37)** "Secretary", the Secretary of Transportation of the United States;

[(30)**] (38)** "Serious traffic violation", driving a commercial motor vehicle in such a manner that the driver receives a conviction for the following offenses or driving a noncommercial motor vehicle when the driver receives a conviction for the following offenses and the conviction results in the suspension or revocation of the driver's license or noncommercial motor vehicle driving privilege:

(a) Excessive speeding, as defined by the Secretary by regulation;

(b) Careless, reckless or imprudent driving which includes, but shall not be limited to, any violation of section 304.016, any violation of section 304.010, or any other violation of federal or state law, or any county or municipal ordinance while driving a commercial motor vehicle in a willful or wanton disregard for the safety of persons or property, or improper or erratic traffic lane changes, or following the vehicle ahead too closely, but shall not include careless and imprudent driving by excessive speed;

(c) A violation of any federal or state law or county or municipal ordinance regulating the operation of motor vehicles arising out of an accident or collision which resulted in death to any person, other than a parking violation;

(d) Driving a commercial motor vehicle without obtaining a commercial driver's license in violation of any federal or state or county or municipal ordinance;

(e) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession in violation of any federal or state or county or municipal ordinance. Any individual who provides proof to the court which has jurisdiction over the issued citation that the individual held a valid commercial driver's license on the date that the citation was issued shall not be guilty of this offense;

(f) Driving a commercial motor vehicle without the proper commercial driver's license class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported in violation of any federal or state law or county or municipal ordinance; or

(g) Any other violation of a federal or state law or county or municipal ordinance regulating the operation of motor vehicles, other than a parking violation, as prescribed by the secretary by regulation;

[(31)**]** **(39)** "State", a state**[**, territory or possession**]** of the United States**[**, the District of Columbia, the Commonwealth of Puerto Rico, Mexico, and any province of Canada**]**;

[(32)**]** **(40)** "United States", the fifty states and the District of Columbia.

302.768. 1. Any applicant for a commercial driver's license or commercial driver's instruction permit shall comply with the Federal Motor Carrier Safety Administration application requirements of 49 CFR Part 383.71 by certifying to one of the following applicable statements relating to federal and state driver qualification rules:

(1) Nonexcepted interstate: Certifies the applicant is a driver operating or expecting to operate in interstate or foreign commerce, or is otherwise subject to and meets requirements of 49 CFR Part 391 and is required to obtain a medical examiner's certificate as defined in 49 CFR Part 391.45;

(2) Excepted interstate: Certifies the applicant is a driver operating or expecting to operate entirely in interstate commerce that is not subject to Part 391 and is subject to Missouri driver qualifications and not required to obtain a medical examiner's certificate;

(3) Nonexcepted intrastate: Certifies the applicant is a driver operating only in intrastate commerce and is subject to Missouri driver qualifications;

(4) Excepted intrastate: Certifies the applicant operates or expects to operate only in intrastate commerce, and engaging only in operations excepted from all parts of the Missouri driver qualification requirements.

2. Any applicant who cannot meet certification requirements under one of the categories defined in subsection 1 of this section shall be denied issuance of a commercial driver's license or commercial driver's instruction permit.

3. An applicant certifying to operation in nonexcepted interstate or nonexcepted intrastate commerce shall provide the state with an original or copy of a current medical examiners certificate or a medical examiners certificate accompanied by a medical variance or waiver. The state shall retain the original or copy of the documentation of physical qualification for a minimum of three years beyond the date the certificate was issued.

4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce shall provide an updated medical certificate or variance documents to maintain a certified status during the term of the commercial driver's license or commercial driver's instruction permit in order to retain commercial privileges.

5. The director shall post the medical examiners certificate of information, medical variance if applicable, the applicant's self-certification and certification status to the Missouri driver record within ten calendar days and such information will become part of the CDLIS driver record.

6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce who fail to provide or maintain a current medical examiners certificate, or if the state has received notice of a medical variance or waiver expiring or being rescinded, the state shall, within ten calendar days, update the driver's medical certification status to "not certified". The state shall notify the driver of the change

in certification status and require the driver to annually comply with requirements for a commercial driver's license downgrade within sixty days of the expiration of the applicant certification.

7. The department of revenue may, by rule, establish the cost and criteria for submission of updated medical certification status information as required under this section.

8. Any person who falsifies any information in an application for or update of medical certification status information for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled for a period of one year after the director discovers such falsification.

9. The director may promulgate rules and regulations necessary to administer and enforce this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

Section B. The repeal and reenactment of section 302.700 and the enactment of section 302.768 of this act shall become effective on the date the director of the department of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768, or on May 1, 2013, whichever occurs first. If the director of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768 prior to May 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 6** was adopted.

Representative Korman offered **House Amendment No. 7**.

House Amendment No. 7

AMEND Senate Bill No. 564, Page 1, Title, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the phrase "to transportation."; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line, the following:

"142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel**[**,**]** **or hydrogen** and for which a valid **alternative fuel** decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: **[**seventy-five**]** **one hundred forty** dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred **eighty-five** dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; **[**one**]** **two** hundred **[**fifty**]** **eighty** dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; **[**two**]** **four** hundred **[**fifty**]** **seventy** dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; and one thousand **eight hundred eighty** dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section.

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel, and for which a valid temporary alternative fuel decal has been acquired as provided in this

section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of **[**eight**]** **twelve** dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such **temporary** decal and fee shall not be transferable. **[**All proceeds from such decal fees shall be deposited as specified in section 142.345.**]** Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be **created and** supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year.

4. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

5. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

6. It shall be unlawful for any person to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal.

7. No person shall cause to be put, or put, LP gas or natural gas into the fuel supply receptacle of a motor vehicle required to have an alternative fuel decal unless the motor vehicle has a valid decal attached to it. Sales of fuel placed in the supply receptacle of a motor vehicle displaying such decal shall be recorded upon an invoice, which invoice shall include the decal number, the motor vehicle license number and the number of gallons placed in such supply receptacle.

8. Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

9. Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter.

10. For all new alternative fuel or hydrogen-powered vehicles assembled in Missouri, the first year's decal fee shall be one-half of the fees as proposed in this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Korman moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Brattin offered **House Amendment No. 8**.

House Amendment No. 8

AMEND Senate Bill No. 564, Page 1, In the Title, Lines 3-5, by deleting all of said lines and inserting in lieu thereof the words, "to transportation."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

"142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subdivision (1) of this subsection, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate vender to a

farm location for agricultural purposes only. As used in this section, the term "farmer" shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010. At the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the ultimate vender unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer provides an exemption certificate to the ultimate vender, in which case the ultimate vender may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor; The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and (c) of this subdivision shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

(5) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;

(6) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

(7) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

(8) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars.

3. Motor fuel used in any watercraft, as such term is defined in section 306.010, is exempt from the fuel tax imposed by this chapter, and no such tax shall be imposed or levied on any motor fuel delivered to any marina or other retailer within this state who sells such fuel solely for use in any watercraft in this state. Any distributor who delivers motor fuel to any marina located in this state for use only in a watercraft may also claim the exemption provided in this subsection.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which

may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for

common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is

exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event**[**.**];**

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010."; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

On motion of Representative Brattin, **House Amendment No. 8** was adopted.

On motion of Representative Davis, **SB 564, as amended**, was read the third time and passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair

Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 006

Carlson	Curtman	Kirkton	McCreery	McNeil
Schupp				

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Dieckhaus	Diehl	Funderburk	Hubbard
Hughes	Jones 63	Lampe	Lauer	Sater
Scharnhorst	Talboy			

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 2001**, entitled:

An act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds of these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2002**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2003**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2004**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2005**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2006**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, Page 14, Section 6.285, Line 4, by striking the number "$21,205,230" and inserting in lieu thereof the number "$20,905,230"; and

Further amend said section, Page 15, Line 38, by striking the number "660.71" and inserting in lieu thereof of the following number "659.71"; and

Further amend all totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2007**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2008**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2009**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2010**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2011**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 26, Section 11.495, Lines 12-20, by striking all of said lines and inserting in lieu thereof the following:

"with Section 191.710, RSMo";

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, Page 8, Section 11.128, Lines 3-10, by striking all of said lines and inserting in lieu thereof the following:

"For the purpose of funding healthcare benefits for non-Medicaid eligible blind individuals who receive the Missouri Blind Pension cash grant"; and

Further amend said page, Section 11.128, Line 14, by inserting immediately after said line the following new section:

"Section 11.129. To the Department of Social Services
There is hereby transferred out of the State Treasury, chargeable to the General Revenue Fund, to the
Blind Pension Premium Fund
From General Revenue. . . . . $8,632,576"; and

Further amend all totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2012**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2012 and ending June 30, 2013.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2013**, entitled:

An act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 2014**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 568, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HCS HB 2014** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 2014** was delivered to the Governor by the Chief Clerk of the House.

Speaker Pro Tem Schoeller resumed the Chair.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SB 742 - Health Care Policy

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 689**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Economic Development, Chairman Zerr reporting:

Mr. Speaker: Your Committee on Economic Development, to which was referred **HB 1728**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 599**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Emerging Issues in Animal Agriculture, Chairman Wright reporting:

Mr. Speaker: Your Committee on Emerging Issues in Animal Agriculture, to which was referred **SCS SB 566**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SCS SB 470**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SS SB 665**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 673**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Veterans, Chairman Day reporting:

Mr. Speaker: Your Committee on Veterans, to which was referred **SCS SB 715**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, April 26, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, May 2, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continued discussion of DSS policies and procedures

CRIME PREVENTION AND PUBLIC SAFETY
Thursday, April 26, 2012, 9:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Thursday, April 26, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: HCR 57, HB 2106
Executive session may be held on any matter referred to the committee.
AMENDED

FISCAL REVIEW
Thursday, April 26, 2012, 9:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT
Thursday, April 26, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
2nd quarter meeting
AMENDED

RULES
Thursday, April 26, 2012, 9:35 AM House Hearing Room 2.
Public hearing will be held: HR 959, HR 1773
Executive session will be held: HR 959, HR 1773

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, April 26, 2012, 9:35 AM House Hearing Room 2.
Executive session will be held: HCS#2 HB 1213, HB 1357, HCS HB 1526, HCS HB 1585, HCS HB 1846, HCS HB 1971, HCS HB 1988, HCS SB 455, HCS SS SCS SB 467, HCS SCS SB 480, HCS SCS SB 498, HCS SB 578, HCS SCS SB 655
Executive session may be held on any or all bills referred to this committee

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, April 30, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: SCS SB 856
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Tuesday, May 1, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Executive session on previously referred bills

TOURISM AND NATURAL RESOURCES
Thursday, April 26, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCR 25, SS SCR 16, SCS SCR 17, HR 1880
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Thursday, April 26, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1673, HB 1478, HB 1976

HOUSE CALENDAR

SIXTY-THIRD DAY, THURSDAY, APRIL 26, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
4 HCS HB 1049 - Allen
5 HCS HB 1210, as amended - Gatschenberger
6 HCS HB 1795 - Ruzicka
7 HCS HB 1803 - Korman
8 HCS HB 1966 - Burlison
9 HCS HB 1328 - Cox
10 HB 1779 - Flanigan
11 HCS HB 1794 - Grisamore
12 HCS HB 1854 - Grisamore
13 HCS HB 1754 - Cox
14 HCS HB 1815 - Pollock
15 HB 1842 - Lant
16 HCS HB 1900 - Redmon
17 HCS HB 1922 - Molendorp
18 HCS HB 1935 - Franz
19 HB 2063 - Denison
20 HCS HB 2100 - Denison
21 HCS HB 1709 - Hough
22 HCS HB 1710 - Hough
23 HCS HBs 1076 & 1302 - Wyatt
24 HCS HB 1245 - Lauer
25 HCS#2 HB 1358 - Gatschenberger
26 HCS HB 1397 - Gatschenberger
27 HCS HBs 1542 & 1101 - Koenig

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1066 - McGhee
5 HCS HB 1117 - Brown (50)
6 HCS#2 HB 1475 - Cross
7 HB 1592 - Jones (89)
8 HCS HB 1758 - Long
9 HCS HB 1280 - Korman
10 HCS HBs 1741 & 1543 - Leara
11 HCS HB 1137 - Lauer
12 HCS HB 1818 - Schad
13 HB 1455 - Gatschenberger
14 HCS HB 1869, E.C. - Dugger
15 HB 1540 - Jones (89)
16 HCS HB 1865 - Barnes
17 HCS HB 1254 - Klippenstein
18 HB 2099 - Elmer

SENATE BILLS FOR THIRD READING

1 HCS SCS SB 569 - Dugger
2 SB 611 - Stream
3 SS SCS SB 719, E.C. - Brown (116)
4 HCS SCS SB 562, E.C. - Thomson

HOUSE BILLS WITH SENATE AMENDMENTS

1 SS HCS HB 1106, as amended - Dugger
2 SS HCS HB 2001 - Silvey
3 SS SCS HCS HB 2002 - Silvey
4 SS SCS HCS HB 2003 - Silvey
5 SS SCS HCS HB 2004 - Silvey
6 SS SCS HCS HB 2005 - Silvey
7 SS SCS HCS HB 2006, as amended - Silvey
8 SS SCS HCS HB 2007 - Silvey
9 SS SCS HCS HB 2008 - Silvey
10 SS SCS HCS HB 2009 - Silvey
11 SS SCS HCS HB 2010 - Silvey
12 SS SCS HCS HB 2011, as amended - Silvey
13 SS SCS HCS HB 2012 - Silvey
14 SS SCS HCS HB 2013 - Silvey

BILLS CARRYING REQUEST MESSAGES

HCS SB 568, as amended (request House recede/grant conference), E.C. - Franz

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE RESOLUTIONS

HR 1365 - Bahr

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-THIRD DAY, THURSDAY, APRIL 26, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

We know that in everything God works for good with those who love Him. (Romans 8:28)

Almighty God, from Whom we come, with Whom we live, and unto Whom our spirits return, may we feel the tap of Your finger upon our shoulders and the touch of Your spirit upon our hearts as we at this moment lift ourselves to You in prayer.

Always You are with us - always. Help us to become more aware of Your presence, renewing our faith in the goodness of life, restoring our spirits to the comfort of Your love, and reinvigorating our minds with fresh and positive thoughts.

We do not pray for relief from heavy responsibilities but for the gift of Your power which will help us to meet them with honor; not for fewer burdens but for greater strength to manage them with patience; not for less trouble but for more trust in You which will help us to master trouble with confidence. In all of life may we be more than conquerors through Him Who loves us.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mary Grace Campbell, Rachael Prawitz, Jacob Cogley, Sydney Nolte, Lauren Stanley and Hannah Benningfield.

The Journal of the sixty-second day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2567 through House Resolution No. 2644

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1254 - Fiscal Review

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1254**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILLS

HCS HB 1117, relating to the Missouri and Midwest Rail Integration and Improvement Commission, was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HCS HB 1117** was read the third time and passed by the following vote:

AYES: 134

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Leara	Lichtenegger	Long	Marshall
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 002

Franklin	Leach

PRESENT: 000

ABSENT WITH LEAVE: 027

Allen	Bernskoetter	Carter	Colona	Day
Fraker	Franz	Frederick	Funderburk	Grisamore
Hughes	Kelley 126	Lauer	Loehner	May
McManus	Meadows	Nasheed	Parkinson	Redmon
Sater	Schneider	Smith 71	Still	Talboy
Webb	Wright			

Speaker Tilley declared the bill passed.

HCS#2 HB 1475, relating to tanning devices, was taken up by Representative Cross.

HCS#2 HB 1475 was laid over.

HB 1592, relating to taxes and revenue bonds, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HB 1592** was read the third time and passed by the following vote:

AYES: 143

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 008

Asbury	Bahr	Brattin	Curtman	Koenig
Leach	Marshall	Schieber		

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Funderburk	Grisamore	Holsman	Hughes
Lauer	Meadows	Redmon	Sater	Silvey
Talboy	Wells			

Speaker Tilley declared the bill passed.

HCS HB 1758, relating to parent/child relationships, was taken up by Representative Long.

On motion of Representative Long, **HCS HB 1758** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McGeoghegan
McGhee	McManus	McNary	Molendorp	Morgan
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Scharnhorst
Schatz	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 029

Carlson	Colona	Ellinger	Ellington	Hummel
Kirkton	Marshall	May	McCann Beatty	McCreery
McNeil	Montecillo	Newman	Oxford	Pace

Pierson	Rizzo	Schad	Schieber	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Taylor	Walton Gray	Webb	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Funderburk	Grisamore	Holsman	Hughes
Kelly 24	Lauer	Meadows	Redmon	Sater
Talboy				

Speaker Tilley declared the bill passed.

HCS HB 1280, relating to a peer review process for design professionals, was taken up by Representative Korman.

On motion of Representative Korman, **HCS HB 1280** was read the third time and passed by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Leach
Leara	Lichtenegger	Loehner	Long	McNary
Nance	Neth	Parkinson	Phillips	Pollock
Reiboldt	Riddle	Rowland	Ruzicka	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Zerr	Mr Speaker		

NOES: 061

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 14
Conway 27	Ellinger	Ellington	Fallert	Hampton
Harris	Hodges	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
Largent	Marshall	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Molendorp
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Richardson
Rizzo	Schieffer	Schupp	Shively	Sifton

Smith 71	Solon	Spreng	Still	Swearingen
Swinger	Taylor	Walton Gray	Webb	Webber
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Funderburk	Holsman	Hughes	Lauer
McCaherty	McGhee	Meadows	Nolte	Redmon
Sater	Scharnhorst	Talboy	Wright	

Speaker Tilley declared the bill passed.

Representative Smith (150) assumed the Chair.

HCS HBs 1741 & 1543, relating to public employee retirement benefits, was taken up by Representative Leara.

On motion of Representative Leara, **HCS HBs 1741 & 1543** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Quinn
Reiboldt	Riddle	Rizzo	Schad	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey

Wallingford	Walton Gray	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Funderburk	Hubbard	Hughes	Lauer
McGhee	Meadows	Pollock	Redmon	Richardson
Rowland	Ruzicka	Sater	Scharnhorst	Schneider
Talboy	Mr Speaker			

Representative Smith (150) declared the bill passed.

HCS HB 1137, relating to adoptions, was taken up by Representative Long.

On motion of Representative Long, **HCS HB 1137** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McDonald	McGeoghegan
McManus	McNeil	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Pace	Parkinson	Phillips	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieffer	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 010

Colona	Ellinger	Jones 63	May	McCreery
Oxford	Pierson	Schieber	Schupp	Sifton

PRESENT: 000

ABSENT WITH LEAVE: 018

Black	Day	Elmer	Funderburk	Hubbard
Hughes	Lauer	McGhee	McNary	Meadows
Nolte	Pollock	Redmon	Sater	Scharnhorst
Schneider	Talboy	Mr Speaker		

Representative Smith (150) declared the bill passed.

HB 2099, relating to the Whistleblower Protection Act, was taken up by Representative Elmer.

On motion of Representative Elmer, **HB 2099** was read the third time and passed by the following vote:

AYES: 086

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	McNary	Nance	Nolte	Parkinson
Phillips	Pollock	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Sommer
Stream	Swinger	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 066

Anders	Atkins	Aull	Barnes	Berry
Black	Brown 50	Carlson	Carter	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	Largent	Lasater	Leach	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieber	Schieffer	Schupp	Shively	Sifton

Smith 71	Solon	Spreng	Still	Swearingen
Taylor	Torpey	Walton Gray	Webb	Webber
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 011

Day	Dieckhaus	Franz	Funderburk	Hinson
Hubbard	Lauer	Redmon	Sater	Scharnhorst
Talboy				

Representative Smith (150) declared the bill passed.

HCS HB 1818, relating to property tax on time-share units, was taken up by Representative Schad.

On motion of Representative Schad, **HCS HB 1818** was read the third time and passed by the following vote:

AYES: 118

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hoskins	Hough
Houghton	Hughes	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCreery	McGhee	McManus	Molendorp	Nance
Neth	Newman	Nolte	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 030

Anders	Atkins	Carlson	Carter	Ellinger
Ellington	Holsman	Hummel	Jones 63	May
McCann Beatty	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Nasheed	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Smith 71	Spreng
Still	Swearingen	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Day	Franz	Funderburk	Hinson
Hubbard	Klippenstein	Lauer	McNary	Meadows
Redmon	Sater	Scharnhorst	Talboy	Mr Speaker

Representative Smith (150) declared the bill passed.

HB 1540, relating to workers' compensation, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HB 1540** was read the third time and passed by the following vote:

AYES: 099

Allen	Asbury	Aull	Bahr	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Loehner	Long	McCaherty
Molendorp	Nance	Neth	Nolte	Parkinson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 047

Anders	Atkins	Barnes	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Holsman
Hughes	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Webb	Webber			

PRESENT: 001

Lichtenegger

ABSENT WITH LEAVE: 016

Cookson	Cox	Day	Funderburk	Guernsey
Hinson	Hubbard	Lauer	McGhee	McNary
Phillips	Redmon	Sater	Swearingen	Talboy
Walton Gray				

Representative Smith (150) declared the bill passed.

HCS HB 1869, relating to elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **HCS HB 1869** was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Aull	Bahr	Barnes
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hodges	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lasater	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Meadows
Molendorp	Nance	Nolte	Parkinson	Pollock
Quinn	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 037

Anders	Atkins	Carlson	Carter	Colona
Ellinger	Ellington	Holsman	Hughes	Hummel
Jones 63	Kirkton	Kratky	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Taylor	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 020

Bernskoetter	Cookson	Cox	Day	Dieckhaus
Fuhr	Funderburk	Hinson	Hoskins	Hubbard
Lauer	McNary	Neth	Phillips	Redmon
Reiboldt	Sater	Talboy	Walton Gray	Wright

Representative Smith (150) declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 088

Allen	Bahr	Barnes	Black	Brandom
Brattin	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Kander	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Leara	Lichtenegger	Loehner	McCaherty
McGhee	Meadows	Molendorp	Nolte	Parkinson
Pollock	Quinn	Reiboldt	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Wallingford	Webber	Wells	Weter
Wright	Wyatt	Zerr		

NOES: 053

Anders	Asbury	Atkins	Aull	Berry
Brown 50	Brown 85	Carlson	Colona	Ellinger
Ellington	Hampton	Holsman	Hughes	Hummel
Jones 63	Jones 117	Kelly 24	Kirkton	Kratky
Lampe	Lasater	Leach	Long	Marshall
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Richardson	Rizzo	Schieber	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Taylor
Torpey	White	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 022

Bernskoetter	Carter	Cox	Day	Denison
Dieckhaus	Diehl	Fuhr	Funderburk	Hinson
Hubbard	Lauer	May	McNary	Neth
Phillips	Redmon	Sater	Talboy	Walton Gray
Webb	Mr Speaker			

HCS HB 1865, relating to economic development incentives, was taken up by Representative Barnes.

On motion of Representative Barnes, **HCS HB 1865** was read the third time and passed by the following vote:

AYES: 095

Anders	Aull	Bahr	Barnes	Berry
Black	Brandom	Brattin	Brown 85	Burlison
Casey	Cierpiot	Conway 14	Conway 27	Cookson
Crawford	Cross	Curtman	Davis	Denison
Diehl	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Franz	Frederick	Gosen	Guernsey
Haefner	Harris	Higdon	Hodges	Holsman
Hughes	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Lair	Lampe	Lant	Leach	Leara
Loehner	Marshall	McCaherty	McCreery	McDonald
McNeil	Meadows	Montecillo	Nance	Nichols
Oxford	Pace	Parkinson	Pierson	Quinn
Reiboldt	Richardson	Riddle	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Spreng	Still
Stream	Thomson	Torpey	Webber	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 043

Asbury	Atkins	Brown 50	Brown 116	Carlson
Cauthorn	Colona	Dugger	Ellington	Entlicher
Flanigan	Fraker	Franklin	Gatschenberger	Hampton
Hoskins	Hough	Houghton	Hummel	Jones 63
Klippenstein	Korman	Kratky	Largent	Lichtenegger
McCann Beatty	McGeoghegan	McManus	Molendorp	Morgan
Nasheed	Newman	Pollock	Rizzo	Rowland
Schupp	Sommer	Swearingen	Swinger	Taylor
Wallingford	Wells	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 025

Allen	Bernskoetter	Carter	Cox	Day
Dieckhaus	Fuhr	Funderburk	Grisamore	Hinson
Hubbard	Lasater	Lauer	Long	May
McGhee	McNary	Neth	Nolte	Phillips
Redmon	Sater	Talboy	Walton Gray	Webb

Representative Smith (150) declared the bill passed.

HCS HB 1254, relating to agriculture, was taken up by Representative Klippenstein.

Representative Keeney assumed the Chair.

On motion of Representative Klippenstein, **HCS HB 1254** was read the third time and passed by the following vote:

AYES: 123

Anders	Asbury	Aull	Bahr	Barnes
Black	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McGeoghegan	McGhee	McManus	Molendorp	Montecillo
Nance	Neth	Nichols	Nolte	Parkinson
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 017

Atkins	Carlson	Ellinger	Kirkton	Marshall
McCann Beatty	McCreery	McDonald	McNeil	Morgan
Newman	Oxford	Pace	Pierson	Schupp
Sifton	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 023

Allen	Bernskoetter	Berry	Carter	Cox
Day	Funderburk	Grisamore	Hinson	Hubbard
Hughes	Lauer	Leach	McNary	Meadows
Nasheed	Phillips	Redmon	Sater	Scharnhorst
Talboy	Walton Gray	Webb		

Representative Keeney declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SB 568, as amended, relating to motor vehicle operation, was taken up by Representative Franz.

Representative Franz moved that the House refuse to recede from its position on **HCS SB 568, as amended,** and grant the Senate a conference.

Which motion was adopted.

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 690**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SB 755**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elections, Chairman Dugger reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SCS SB 671**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Financial Institutions, Chairman Wells reporting:

Mr. Speaker: Your Committee on Financial Institutions, to which was referred **SB 813**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 557**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1970**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 485**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 636**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 789**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 729**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SS SB 781**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 667**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Small Business, Chairman Scharnhorst reporting:

Mr. Speaker: Your Committee on Small Business, to which was referred **SCS SB 837**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **HR 1880**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE RESOLUTION NO. 1880

WHEREAS, more than a century ago, hunters, anglers, and trappers were among the first conservationists who realized America's natural resources were in peril and could not sustain unregulated harvest and habitat destruction; and

WHEREAS, hunters, anglers, and trappers took it upon themselves to support laws that stopped excessive harvest of fish and wildlife, established game and fish agencies to protect fish, wildlife, and their habitat, and support special fishing and hunting license fees to help fund the new agencies' efforts to provide for healthy natural resources for future generations; and

WHEREAS, upon realizing that license fees alone were insufficient to restore and sustain healthy fish and wildlife populations, hunters, anglers, and trappers supported excise taxes on firearms, ammunition, archery equipment, hunting equipment, and fishing equipment to raise additional funds to support restoration and enhancement efforts of the state agencies; and

WHEREAS, these efforts became known as the "Wildlife and Sport Fish Restoration Program" that began 75 years ago with the passage of the Federal Aid in Wildlife Restoration Act in 1937, and then was bolstered with the passage of the Federal Aid in Wildlife Restoration Act in 1950, further expanded with the Wallop-Breaux amendment to the Sport Fish Restoration Act in 1984; and

WHEREAS, these federal efforts supplemented conservation efforts made by the citizens of Missouri with the adoption of Article IV, Sections 40 to 42 of the Missouri Constitution in 1936, which created the Missouri Department of Conservation; and

WHEREAS, the combined contribution of the Wildlife and Sport Fish Restoration Programs to state fish and wildlife agencies exceeds $13 billion since 1939, the first year money was distributed to the states - more than any other single conservation effort in American history; and

WHEREAS, industry has collected the excise taxes on firearms, ammunition, archery equipment, manufactured fishing tackle, electric trolling motors, marine electronics, and motorboat fuel, and provided these funds to the states through the United States Fish and Wildlife Service; and

WHEREAS, industry has supported the Wildlife and Sport Fish Restoration Programs and continues to exhibit a spirit of cooperation with the state fish and wildlife agencies; and

WHEREAS, this cooperative partnership between industry, hunters, anglers, trappers, boaters, recreational shooters, the United States Fish and Wildlife Service and state natural resource agencies has resulted in most successful model of fish and wildlife management in the world, restoring populations from coast to coast, Alaska and Hawaii:

NOW THEREFORE BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, hereby recognizes America's hunters, anglers, trappers, boaters, recreational shooters, industry, state fish and wildlife agencies, and the United States Fish and Wildlife Service for their leading role in restoring healthy populations of fish, wildlife, and other natural resources, both game and non-game, to the abundance we see today; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Missouri Department of Conservation, each member of the Missouri Congressional delegation, and local, regional, and national media sources so that people may know and

appreciate the foresight and contributions from anglers, hunters, trappers, recreational shooters, industry, state fish and wildlife agencies, and the United States Wildlife Service on behalf of our nation's natural resources.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SS SCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 714**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 959**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 959

WHEREAS, civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775, which issued a proclamation setting aside a time for prayer in forming a new nation; and

WHEREAS, in 1863, Abraham Lincoln called for a day of prayer, and Franklin Roosevelt declared a national day of prayer on D-Day, June 6, 1944, the day the Allied powers crossed the English Channel and landed on the beaches of Normandy, France, beginning the liberation of Western Europe from Nazi control during World War II; and

WHEREAS, in 1952, by joint act of Congress and signed into law by Harry S. Truman, the "National Day of Prayer" was officially established as an annual event calling upon each President of the United States to set aside an appropriate day for national prayer; and

WHEREAS, on May 5, 1988, President Ronald Reagan signed a bill which passed unanimously in Congress making the first Thursday of every May the National Day of Prayer; and

WHEREAS, the National Day of Prayer is an opportunity to acknowledge our dependence on God, to give thanks for blessings received, and to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

WHEREAS, the governors of all fifty states have signed proclamations encouraging all Americans to pray on the National Day of Prayer:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, Second Regular Session, hereby recognize May 3, 2012, as the "National Day of Prayer" and encourages all citizens of the State of Missouri to join in this recognition and observance of prayer for the welfare of this state.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1213**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1357**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1526**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1585**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1846**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1971**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1988**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 455**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 467**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 480**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SCS SB 480**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 498**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 566**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 578**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 10 - Urban Issues
HCR 55 - International Trade and Job Creation

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 48 - Tourism and Natural Resources
HJR 51 - Tourism and Natural Resources

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1031 - Ways and Means
HB 1091 - Economic Development
HB 1092 - Ways and Means
HB 1320 - Elections
HB 1448 - Economic Development
HB 1567 - Professional Registration and Licensing
HB 1586 - Local Government
HB 1635 - Transportation
HB 1706 - Crime Prevention and Public Safety
HB 1757 - Crime Prevention and Public Safety
HB 1770 - Professional Registration and Licensing
HB 1781 - Elections
HB 1783 - Health Care Policy
HB 1785 - Transportation
HB 1786 - Transportation
HB 1787 - Crime Prevention and Public Safety
HB 1806 - Insurance Policy
HB 1808 - Transportation
HB 1816 - Health Insurance
HB 1823 - Economic Development
HB 1873 - Financial Institutions
HB 1884 - Insurance Policy
HB 1908 - Tourism and Natural Resources
HB 1921 - Local Government
HB 1948 - Professional Registration and Licensing
HB 1979 - Transportation
HB 1982 - Tax Reform
HB 1992 - Crime Prevention and Public Safety
HB 2047 - Elections

HB 2053 - Elementary and Secondary Education
HB 2056 - Health Insurance
HB 2064 - Special Standing Committee on Governmental Affairs
HB 2065 - Special Standing Committee on Governmental Affairs
HB 2067 - Agri-Business
HB 2069 - Professional Registration and Licensing
HB 2071 - Veterans
HB 2072 - Ways and Means
HB 2073 - Financial Institutions
HB 2074 - Health Care Policy
HB 2077 - Transportation
HB 2080 - Ways and Means
HB 2089 - Small Business
HB 2091 - Financial Institutions
HB 2094 - Professional Registration and Licensing
HB 2108 - Judiciary

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 455 - Fiscal Review
SS SCS SB 448 - Children and Families
SCS SB 510 - Special Standing Committee on Governmental Affairs
SS SCS SB 576 - Elementary and Secondary Education
SS SCS SB 677 - Elementary and Secondary Education
SS SCS SB 682 - Professional Registration and Licensing
SB 739 - Judiciary
SCS SB 758 - Children and Families

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 625**, entitled:

An act to repeal sections 104.603, 104.1084, and 104.1091, RSMo, and to enact in lieu thereof three new sections relating to retirement.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 803**, entitled:

An act to repeal sections 337.300, 337.305, 337.310, 337.315, 337.325, and 337.345, RSMo, and to enact in lieu thereof six new sections relating to behavior analysis.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 854**, entitled:

An act to repeal section 660.315, RSMo, and to enact in lieu thereof one new section relating to the employment disqualification list for home care employees.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 893**, entitled:

An act to repeal sections 302.010, 302.060, and 302.309, RSMo, and to enact in lieu thereof three new sections relating to completing a criminal history check as part of the process for issuing or reinstating driving privileges.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Redmon.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, April 30, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, May 2, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continued discussion of DSS policies and procedures

DOWNSIZING STATE GOVERNMENT
Tuesday, May 1, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HCR 57, HB 2106
Executive session may be held on any matter referred to the committee.
CORRECTED

HEALTH CARE POLICY
Wednesday, May 2, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1933, HB 1405, SS SB 742
Executive session may be held on any matter referred to the committee.
Meal provided by Jerry Burch on behalf of the Missouri Hospital Association

HEALTH INSURANCE
Tuesday, May 1, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: SS SB 749
Executive session may be held on any matter referred to the committee.
SS SB 749 continuation of hearing from April 24, 2012

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, April 30, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: SCS SB 856
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Tuesday, May 1, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Executive session on previously referred bills.

URBAN ISSUES
Monday, April 30, 2012, Upon Evening Adjournment House Hearing Room 5.
Executive session will be held: HCS#2 HB 1344
Executive session may be held on any matter referred to the committee.

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Monday, April 30, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: SB 911
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-FOURTH DAY, MONDAY, APRIL 30, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198 - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
4 HCS HB 1049 - Allen
5 HCS HB 1210, as amended - Gatschenberger
6 HCS HB 1795 - Ruzicka
7 HCS HB 1803 - Korman
8 HCS HB 1966 - Burlison
9 HCS HB 1328 - Cox
10 HB 1779 - Flanigan
11 HCS HB 1794 - Grisamore
12 HCS HB 1854 - Grisamore
13 HCS HB 1754 - Cox
14 HCS HB 1815 - Pollock
15 HB 1842 - Lant
16 HCS HB 1900 - Redmon

17 HCS HB 1922 - Molendorp
18 HCS HB 1935 - Franz
19 HB 2063 - Denison
20 HCS HB 2100 - Denison
21 HCS HB 1709 - Hough
22 HCS HB 1710 - Hough
23 HCS HBs 1076 & 1302 - Wyatt
24 HCS HB 1245 - Lauer
25 HCS#2 HB 1358 - Gatschenberger
26 HCS HB 1397 - Gatschenberger
27 HCS HBs 1542 & 1101 - Koenig
28 HCS#2 HB 1213 - Franklin
29 HB 1357 - Gatschenberger
30 HCS HB 1526 - Dieckhaus
31 HCS HB 1846 - Long

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HCS HB 1988 - Brandom

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1066 - McGhee
5 HCS#2 HB 1475 - Cross
6 HB 1455 - Gatschenberger

SENATE BILLS FOR SECOND READING

1 SCS SB 625
2 SS SCS SB 803
3 SS SB 854
4 SB 893

SENATE BILLS FOR THIRD READING

1 HCS SCS SB 569 - Dugger
2 SB 611 - Stream
3 SS SCS SB 719, E.C. - Brown (116)
4 HCS SCS SB 562, E.C. - Thomson
5 HCS SB 455, (Fiscal Review 4/26/12) - Thomson

6 HCS SS SCS SB 467, E.C. - Cox
7 HCS SCS SB 498, E.C. - Shumake
8 SCS SB 566 - Jones (117)
9 HCS SB 578 - Cox

HOUSE BILLS WITH SENATE AMENDMENTS

1 SS HCS HB 1106, as amended - Dugger
2 SS HCS HB 2001 - Silvey
3 SS SCS HCS HB 2002 - Silvey
4 SS SCS HCS HB 2003 - Silvey
5 SS SCS HCS HB 2004 - Silvey
6 SS SCS HCS HB 2005 - Silvey
7 SS SCS HCS HB 2006, as amended - Silvey
8 SS SCS HCS HB 2007 - Silvey
9 SS SCS HCS HB 2008 - Silvey
10 SS SCS HCS HB 2009 - Silvey
11 SS SCS HCS HB 2010 - Silvey
12 SS SCS HCS HB 2011, as amended - Silvey
13 SS SCS HCS HB 2012 - Silvey
14 SS SCS HCS HB 2013 - Silvey

BILLS IN CONFERENCE

HCS SB 568, as amended, E.C. - Franz

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE RESOLUTIONS

1 HR 1365 - Bahr
2 HR 959 - Jones (89)

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-FOURTH DAY, MONDAY, APRIL 30, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Pastor Paul Meinsen.

Through the prophet, Isaiah, the LORD stated, *"For I am God, and there is no other; I am God, and there is no one like Me, declaring the end from the beginning, and from ancient times things which have not been done, saying, My purpose will be established, and I will accomplish all My good pleasure...Truly I have spoken; truly I will bring it to pass. I have planned it, surely I will do it." (Isaiah 46:9-10, 11b)*

Father, I give thanks this afternoon for Your mercies, abounding lovingkindness and grace. Your Word teaches us to do justice, love mercy, and to walk humbly with You. Please give each one of us the wisdom to know what is just and how to show mercy. Please give each one of us a heart that is desirous to do what is just and to show mercy.

I also pray, O Lord, for these You have ordained to lead the state of Missouri. May they govern in a way which glorifies You. May they seek that which is righteous and may they defend it with honor. In their discourses may they speak with respect for all.

I pray too, O Lord, for my fellow citizens of this great state. I pray that we will learn what it means to respect and honor those You have appointed to lead. Too many times, we have prayed for these leaders out of one side of our mouth and then spoken words of scorn, hatred and dishonor from the other. Instead, Lord, even if we disagree on issues, may we always show the honor due to these servants of Yours.

I pray that we will render unto Caesar that which is due; may we render unto You that which belongs to You.

May we fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good, and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Ella Margerette Schneider.

The Journal of the sixty-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2645 through House Resolution No. 2710

SECOND READING OF SENATE BILLS

SCS SB 625, SS SCS SB 803, SS SB 854 and **SB 893** were read the second time.

THIRD READING OF HOUSE BILL

HCS#2 HB 1475, relating to tanning devices, was taken up by Representative Cross.

On motion of Representative Cross, **HCS#2 HB 1475** was read the third time and passed by the following vote:

AYES: 091

Allen	Anders	Atkins	Barnes	Brandom
Brown 116	Colona	Conway 27	Cross	Denison
Diehl	Ellinger	Ellington	Elmer	Fisher
Fraker	Frederick	Gatschenberger	Gosen	Grisamore
Hampton	Higdon	Hinson	Hodges	Holsman
Hough	Houghton	Hubbard	Hummel	Jones 63
Jones 89	Jones 117	Kander	Kelly 24	Kirkton
Korman	Kratky	Lampe	Lant	Lasater
Lauer	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Molendorp	Montecillo	Morgan	Nance
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Schatz	Schieffer
Schneider	Schupp	Shively	Shumake	Silvey
Smith 71	Still	Stream	Swearingen	Swinger
Talboy	Torpey	Wallingford	Walton Gray	Webber
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 056

Asbury	Bahr	Black	Brattin	Brown 85
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Curtman
Davis	Day	Dieckhaus	Fallert	Fitzwater
Flanigan	Franklin	Fuhr	Guernsey	Haefner
Harris	Hoskins	Johnson	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Largent	Leach
Lichtenegger	Loehner	Marshall	Meadows	Neth
Parkinson	Pollock	Ruzicka	Schad	Scharnhorst
Schieber	Schoeller	Smith 150	Solon	Sommer
Spreng	Taylor	Thomson	Webb	Wells
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 016

Aull	Bernskoetter	Berry	Brown 50	Carter
Dugger	Entlicher	Franz	Funderburk	Hughes
Leara	McNary	Nasheed	Nolte	Sater
Sifton				

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley assumed the Chair.

HOUSE BILL WITH SENATE AMENDMENTS

SS HCS HB 2001, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **SS HCS HB 2001** was adopted by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Bernskoetter	Brown 50	Carter	Funderburk
Hughes	Leara	McNary	Nasheed	Nolte
Sater	Sifton	Smith 71		

On motion of Representative Silvey, **SS HCS HB 2001** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Aull	Bernskoetter	Brown 50	Brown 116	Carlson
Carter	Cox	Day	Funderburk	Hughes
Leara	Long	McNary	Nasheed	Nolte
Sater	Sifton			

Speaker Tilley declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 568, as amended**: Senators Parson, Stouffer, Richard, McKenna and Wright-Jones.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 568: Representatives Franz, Silvey, Brown (116), Webber and Meadows

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 2002, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2002** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2003, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2003** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2004, relating to appropriations, was taken up by Representative Silvey.

Representative Smith (150) assumed the Chair.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2004** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2005, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2005** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2006, as amended, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2006, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2007, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2007** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2008, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2008** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2009, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2009** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2010, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2010** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2011, as amended, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2011, as amended,** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2012, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2012** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 2013, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House refuse to adopt **SS SCS HCS HB 2013** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL

HCS HB 1198, relating to prevailing wages, was taken up by Representative Fisher.

Representative Fisher offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1198, Pages 2-3, Section 290.220, Lines 1-8, by deleting all of said section from the bill; and

Further amend said bill, Page 3, Section B, Lines 1-5, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fraker offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1198, Page 2, Section 290.210, Line 23, by inserting an opening bracket "**[**" after the word "performed" on said line; and

Further amend said bill, section, and page, Line 41, by deleting all of said line and inserting in lieu thereof the following:

"costs is not less than the rate of pay plus the other amounts as provided herein**]. The prevailing hourly rate of wages for all counties except for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth**

classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county shall be deemed:

(a) The median hourly wage estimate for the construction and extraction occupational code most closely resembling the occupational title as published in the latest United States Bureau of Labor Statistics by Metropolitan and Non-Metropolitan Area Occupational Employment Wage Estimate; or

(b) If no such rate can be determined under paragraph (a) of this subdivision, the median hourly wage estimate for occupational code 47-0000 in the construction and extraction occupational code, published in the latest United States Bureau of Labor Statistics publication shall be the prevailing wage for such occupational title;"; and

Further amend said bill, Section 290.220, Pages 2-3, Lines 1-8, by deleting all of said section from the bill; and

Further amend said section, Page 3, Line 8, by inserting after all of said section and line the following:

"290.262. 1. **(1)(a)** Except as otherwise provided in section 290.260, **for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county,** the department shall annually investigate and determine the prevailing hourly rate of wages in each locality for each separate occupational title.

(b) A final determination applicable to every locality to be contained in an annual wage order shall be made annually on or before July first of each year and shall remain in effect until superseded by a new annual wage order or as otherwise provided in this section.

(c) In determining prevailing rates, **for any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county,** the department shall ascertain and consider the applicable wage rates established by collective bargaining agreements, if any, **the applicable wage rates paid by members of a trade organization designated with a 501(c)(6) tax exempt status by the United States Internal Revenue Service,** and the rates that are paid generally within [the locality] **any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants, any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, any county of the second classification with more than fifty thousand but fewer than fifty-eight thousand inhabitants, any county with a charter form of government and with**

more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, any county of the third classification without a township form of government and with more than twenty-nine thousand but fewer than thirty-three thousand inhabitants and with a city of the fourth classification with more than seven thousand but fewer than eight thousand inhabitants as the county seat, any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants, any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, and any city not within a county, and shall, by March tenth of each year, make an initial determination for each occupational title within the locality[.]**;**

(d) For the purposes of this chapter, the wage rates paid by members of a trade organization may be submitted by such trade organization and shall be considered in the aggregate. Any subsequent challenge to the wage rate as determined by the department based upon such data shall not require any member of such trade organization to appear or participate in any administrative action related thereto;

(2) (a) Except as otherwise provided in section 290.260, the prevailing hourly rate of wages for all other counties shall be deemed:

a. The median hourly wage estimate for the construction and extraction occupational code most closely resembling the occupational title as published in the latest United States Bureau of Labor Statistics by Metropolitan and Non-Metropolitan Area Occupational Employment Wage Estimate; or

b. If no such rate can be determined under subparagraph a. of this paragraph (a) of subdivision (2), the median hourly wage estimate for occupational code 47-0000 in the construction and extraction occupational code, published in the latest United States Bureau of Labor Statistics publication shall be the prevailing wage for such occupational title;

(b) A final determination applicable to every locality to be contained in an annual wage order shall be made annually on or before July first of each year and shall remain in effect until superseded by a new annual wage order or as otherwise provided in this section;

(c) In determining prevailing rates, the department shall consider the applicable wage rates that are paid generally within the locality, and shall, by March tenth of each year, make an initial determination for each occupational title within the locality;

2. A certified copy of the initial determinations so made shall be filed immediately with the secretary of state and with the department in Jefferson City. Copies shall be supplied by the department to all persons requesting them within ten days after the filing.

3. At any time within thirty days after the certified copies of the determinations have been filed with the secretary of state and the department, any person who is affected thereby may object in writing to a determination or a part thereof that he deems objectionable by filing a written notice with the department, stating the specific grounds of the objection. If no objection is filed, the determination is final after thirty days.

4. After the receipt of the objection, the department shall set a date for a hearing on the objection. The date for the hearing shall be within sixty days of the receipt of the objection. Written notice of the time and place of the hearing shall be given to the objectors at least ten days prior to the date set for the hearing.

5. The department at its discretion may hear each written objection separately or consolidate for hearing any two or more written objections. At the hearing the department shall first introduce in evidence the investigation it instituted and the other facts which were considered at the time of the original determination which formed the basis for its determination. The department, or the objector, or any interested party, thereafter may introduce any evidence that is material to the issues.

6. Within twenty days of the conclusion of the hearing, the department shall rule on the written objection and make the final determination that it believes the evidence warrants. Immediately, the department shall file a certified copy of its final determination with the secretary of state and with the department and shall serve a copy of the final determination on all parties to the proceedings by personal service or by registered mail.

7. This final decision of the department of the prevailing wages in the locality for each occupational title is subject to review in accordance with the provisions of chapter 536. Any person affected, whether or not the person participated in the proceedings resulting in the final determination, may have the decision of the department reviewed. The filing of the final determination with the secretary of state shall be considered a service of the final determination on persons not participating in the administrative proceedings resulting in the final determination.

8. At any time before trial any person affected by the final determination of the department may intervene in the proceedings to review under chapter 536 and be made a party to the proceedings.

9. Any annual wage order made for a particular occupational title in a locality may be altered once each year, as provided in this subsection. The prevailing wage for each such occupational title may be adjusted on the anniversary date of any collective bargaining agreement which covers all persons in that particular occupational title in the locality in accordance with any annual incremental wage increases set in the collective bargaining agreement. If the prevailing wage for an occupational title is adjusted pursuant to this subsection, the employee's representative or employer in regard to such collective bargaining agreement shall notify the department of this adjustment, including the effective date of the adjustment. The adjusted prevailing wage shall be in effect until the next final annual wage order is issued pursuant to this section. The wage rates for any particular job, contracted and commenced within sixty days of the contract date, which were set as a result of the annual or revised wage order, shall remain in effect for the duration of that particular job.

10. In addition to all other reporting requirements of sections 290.210 to 290.340, each public body which is awarding a contract for a public works project shall, prior to beginning of any work on such public works project, notify the department, on a form prescribed by the department, of the scope of the work to be done, the various types of craftsmen who will be needed on the project, and the date work will commence on the project."; and

Further amend said bill, Section B, Page 3, Lines 1-5, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hummel offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**.

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill No. 1198, Page 5, Line 32, by inserting after all of said line the following:

'Further amend said bill, Page 1, Section 290.210, Line 1, by inserting after the section number "**290.210.**" the number "**1.**"; and

Further amend said bill and section, Page 2, Line 51, by inserting after all of said line the following:

"**2. Nothing in this section shall be interpreted to define maintenance to be in anyway broader in scope than the definition of 'maintenance' or more narrow than the definition of 'construction' than those used for interpreting the federal Davis-Bacon Act in 40 U.S. C. § *et seq.***"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk

Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 053

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 009

Aull	Carter	Cox	Hughes	McNary
Nolte	Schneider	Schoeller	Sifton	

Representative Hummel moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner

Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	Molendorp	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 053

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Carter	Day	Hughes	McGhee
McNary	Nolte	Schneider	Schoeller	Sifton

On motion of Representative Fraker, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

HCS HB 1198, as amended, was laid over.

THIRD READING OF SENATE BILL

HCS SCS SB 569, relating to elections, was taken up by Representative Dugger.

Representative Keeney assumed the Chair.

Representative Lant offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 3, Section 78.090, Line 23, by inserting after all of said line the following:

"79.070. No person shall be an alderman unless he or she is at least **[**twenty-one**]** **eighteen** years of age, a citizen of the United States, and an inhabitant and resident of the city for one year next preceding his or her election, and

a resident, at the time he or she files and during the time he or she serves, of the ward from which he or she is elected."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lant, **House Amendment No. 1** was adopted.

Representative Torpey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 3, Section 78.090, Line 23, by inserting after said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the

Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 2** was adopted.

Representative Smith (150) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 1, Section A, Line 4, by inserting after all of said line the following:

"**26.016. In the case of any vacancy for any cause in the office of lieutenant governor, the governor shall appoint an acting lieutenant governor to fill such vacancy for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the lieutenant governor under section 105.031. In cases of impeachment as provided in chapter 106, the lieutenant governor shall be suspended until the impeachment is determined. If the lieutenant governor is acquitted, the lieutenant governor shall be reinstated to office and the acting lieutenant governor shall be relieved of the duties of the office. If the lieutenant governor is convicted, the vacancy shall be filled in the same manner as provided in this section.**

27.015. In the case of any vacancy for any cause in the office of attorney general, the governor shall appoint an acting attorney general to fill such vacancy for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election scheduled for the attorney general under section 105.031. The acting attorney general shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the attorney general shall be suspended until the impeachment is determined. If the attorney general is acquitted, the attorney general shall be reinstated to office and the acting attorney general shall be relieved of the duties of the office. If the attorney general is convicted, the vacancy shall be filled in the same manner as provided in this section.

28.190. In case of death, resignation, removal from office, impeachment**,** or vacancy from any cause in the office of secretary of state, the governor shall immediately appoint **[**a qualified person**] an acting secretary of state** to fill such vacancy for the remainder of the term in which such vacancy occurred **[**and**]** until **[**his**] a** successor is elected **[**or appointed, commissioned**]** and qualified**[**; and the governor shall take charge of the office and superintend its business until such person is appointed, commissioned and qualified; except that in case of impeachment the governor shall appoint a qualified person to serve only until such impeachment is determined, when the suspended officer, if acquitted, shall be reinstated in office, or if the suspended officer is convicted, a new appointment shall be made by the governor as in the case of other vacancies**] at the next election scheduled for the secretary of state under section 105.031. In cases of impeachment as provided in chapter 106, the secretary of state shall be suspended until the impeachment is determined. If the secretary of state is acquitted, the secretary of state shall be reinstated to office and the acting secretary of state shall be relieved of the duties of the office. If the secretary of state is convicted, the vacancy shall be filled in the same manner as provided in this section**.

29.280. When a vacancy occurs in the office of state auditor**,** the governor shall immediately appoint an **acting** auditor to fill such vacancy for the residue of the term in which the vacancy occurred**[**, and**]** until **[**his**] a** successor is elected **[**or appointed, commissioned**]** and qualified **at the next election scheduled for the state auditor under section 105.031. The acting auditor shall take charge of such office and superintend the business of the office until a successor is elected and qualified. In cases of impeachment as provided in chapter 106, the auditor shall be suspended until the impeachment is determined. If the auditor is acquitted, the auditor shall be reinstated to office and the acting auditor shall be relieved of the duties of the office. If the auditor is convicted, the vacancy shall be filled in the same manner as provided in this section**.

30.060. In case of death, resignation, removal from office, impeachment**,** or vacancy from any cause**[**,**]** in the office of the state treasurer, the governor shall **appoint an acting state treasurer to fill such vacancy for the remainder of the term in which such vacancy occurred until a successor is elected and qualified at the next election scheduled for the state treasurer under section 105.031. The acting state treasurer shall** take charge of such office and superintend the business thereof until a successor is **[**appointed, commissioned**] elected** and qualified **[**except**].** In case of impeachment, **[**when no appointment shall be made until a determination of the matter is had, when, in the event of an acquittal, the suspended officer shall be reinstated in office**] the state treasurer shall be suspended until the impeachment is determined. If the state treasurer is acquitted, the state treasurer shall be reinstated to office and the acting state treasurer shall be relieved of the duties of the office. If the treasurer is convicted, the vacancy shall be filled in the same manner as provided in this section**.

30.080. Immediately after the appointment **or election** and qualification of a state treasurer, made to fill any vacancy occurring in said office, or the resumption of **[**his**]** duties by said officer, after the removal of any disability or temporary suspension therefrom the general assembly if in session, or, if such assembly be not in session, then the governor, shall cause a settlement to be made of the accounts of the former state treasurer, or any such office ad interim, remaining unsettled, and ascertain what balance, if any, is due the state or such officer, as the case may be."; and

Further amend said bill, Page 3, Section 78.090, Line 23, by inserting after all of said line the following:

"105.030. **1.** Whenever any vacancy, caused in any manner or by any means whatsoever, occurs or exists in any state or county office originally filled by election of the people, other than in the offices of lieutenant governor, **attorney general, secretary of state, state auditor, state treasurer,** state senator or representative, sheriff, or recorder of deeds in the city of St. Louis, the vacancy shall **only** be filled by appointment by the governor except that when a vacancy occurs in the office of county assessor after a general election at which a person other than the incumbent has been elected, the person so elected shall be appointed to fill the remainder of the unexpired term; and the person

appointed after duly qualifying and entering upon the discharge of **[**his**]** **the** duties under the appointment shall continue in office until the first Monday in January next following the first ensuing general election, at which general election a person shall be elected to fill the unexpired portion of the term, or for the ensuing regular term, as the case may be, and the person so elected shall enter upon the discharge of the duties of the office the first Monday in January next following his election, except that when the term to be filled begins on any day other than the first Monday in January, the appointee of the governor shall be entitled to hold the office until such other date. This section shall not apply to vacancies in county offices in any county which has adopted a charter for its own government under section 18, article VI of the constitution. Any vacancy in the office of recorder of deeds in the city of St. Louis shall be filled by appointment by the mayor of that city.

2. Any vacancy occurring in the offices of lieutenant governor, attorney general, secretary of state, state auditor, or state treasurer shall be filled by the appointment of an acting lieutenant governor, acting attorney general, acting secretary of state, acting state auditor, or acting state treasurer by the governor, or by a special election called for such purpose under section 105.031. No person appointed by the governor under this subsection shall be eligible to be a candidate for such office to which such person was appointed under this subsection at the election to fill such office immediately following such person's appointment, but may be a candidate for such office after one intervening election has been held.

105.031. In the case of a vacancy for cause in the offices of senator of the United States from this state, lieutenant governor, attorney general, secretary of state, state auditor, or state treasurer, such vacancy shall be filled by a special election called by the governor at the same time as the general election when there is a general election scheduled before the expiration of the term of such offices as required by section 17, article IV, Constitution of Missouri, or Amendment XVII of the Constitution of the United States. If there is no general election scheduled prior to the expiration of the term of such offices, then the acting official appointed by the governor shall serve out the remainder of the full term in office. The candidate elected and qualified at a special election held on the general election day shall take office on January first immediately following such election, and shall relieve any acting official filling such vacancy of the duties of the office.

105.040. Whenever a vacancy in the office of senator of the United States from this state exists, the governor **[**, unless otherwise provided by law,**]** shall appoint **[**a person to fill such vacancy, who shall continue in office until a successor shall have been duly elected and qualified according to law**]** **an acting senator of the United States to fill the vacancy for the remainder of the term in which the vacancy occurred until a successor is elected and qualified at the next election under section 105.031**.

105.050. If any vacancy shall happen from any cause in the office of the **[**attorney general,**]** circuit attorney, prosecuting attorney or assistant prosecuting attorney, the governor, upon being satisfied that such vacancy exists, shall appoint some competent person to fill the same until the next regular election for **[**attorney general,**]** prosecuting attorney or assistant prosecuting attorney, as the case may be; provided, in the case of a vacancy in the office of prosecuting attorney, if there is no qualified person in the county who can or will accept such appointment, then the governor may appoint any person who possesses all the qualifications set forth in section 56.010, RSMo, except the qualification as to residence."; and

Further amend said bill, Page 8, Section 115.761, Line 31, by inserting after all of said line the following:

"**[**30.070. When a vacancy occurs in the office of state treasurer, the governor shall immediately appoint a state treasurer to fill such vacancy for the residue of the term in which the vacancy occurred, and until his successor is elected or appointed, commissioned and qualified.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 3** was adopted.

Representative Talboy offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Section 54.330, Page 2, Line 16, by inserting the following after all of said line:

"**67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:**

(1) Later establishment or cessation of any park or recreation system provided by law; or

(2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". . . . . Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

(1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;

(2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;

(3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;

(4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;

(5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

(6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;

(7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;

(8) Establish and collect reasonable charges for the use of the facilities of the district;

(9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and

(10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of . . . . ., state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". . . . . Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in ..... County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to . . . . County and the cities within the County for local park improvements?

☐ YES ☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name

of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for

the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state,

but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 4** was adopted.

Representative Entlicher offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 4, Section 115.123, Line 24, by inserting after all of said section and line the following:

"115.315. 1. Sections 115.315 to 115.327 shall be known and may be cited as the "Fair Ballot Access Act".

2. Any group of persons desiring to form a new political party throughout the state, or for any congressional district, state senate district, state representative district or circuit judge district, shall file a petition with the secretary of state. Any group of persons desiring to form a new party for any county shall file a petition with the election authority of the county.

3. Each page or a sheet attached to each page of each petition for the formation of a new political party shall:

(1) Declare concisely the intention to form a new political party in the state, district or county;

(2) State in not more than five words the name of the proposed party;

(3) **[**If presidential electors are to be nominated by petition, at least one qualified resident of each congressional district shall be named as a nominee for presidential elector. The number of candidates to be nominated shall equal the number of electors to which the state is entitled, and the name of their candidate for president and the name of their candidate for vice president shall be printed on each page or a sheet attached to each page of the petition. The names of the candidates for president and vice president may be added to the party name, but the names of the candidates for president and vice president shall not be printed on the official ballot without the written consent of such persons. Their written consent shall accompany and be deemed part of the petition;

(4)**]** Give a complete list of the names and addresses, including the street and number, of the chairman and treasurer of the party.

4. When submitted for filing, each petition shall contain the names and addresses of two people, not candidates, to serve as provisional chairman and treasurer for the party in the event the party becomes a new political party.

5. If the new party is to be formed for the entire state, which shall include being formed for all districts and counties in which the party has nominations so listed on its certified list of candidates required pursuant to section 115.327, then this statewide petition shall be signed by at least ten thousand registered voters of the state obtained at large.

6. If the new party is to be formed for any district or county, but not by the statewide method set out in subsection 5 of this section, then the petition shall be signed by the number of registered voters in the district or county which is equal to at least two percent of the total number of voters who voted at the last election for candidates for the office being sought or is equal to ten thousand voters, whichever is less.

115.327. When submitted for filing, each petition for the nomination of an independent candidate or for the formation of a new political party shall be accompanied by a declaration of candidacy for each candidate to be nominated by the petition or by the party, respectively. The party's duly authorized chairman and treasurer shall also submit a certified complete list of the names and addresses of all their candidates and the office for which each seeks. The party shall nominate its candidates in the manner prescribed in the party's bylaws. **If presidential electors are to be nominated, at least one qualified resident of each congressional district shall be named as a nominee for presidential elector. The number of candidates to be nominated shall equal the number of electors to which the state is entitled.** Each declaration of candidacy for the office of presidential elector shall be in the form provided in section 115.399. Each declaration of candidacy for an office other than presidential elector shall state the candidate's full name, residence address, office for which he proposes to be a candidate, the party, if any, upon whose ticket he is to be a candidate and that if nominated and elected he will qualify. Each such declaration shall be in substantially the following form:

I, ..., a resident and registered voter of the ..... precinct of the town of ..... or the ..... precinct of the ..... ward of the city of ....., or the ..... precinct of ..... township of the county of ..... and the state of Missouri, do announce myself a candidate for the office of ..... on the ..... ticket, to be voted for at the general (special) election to be held on the ..... day of ....., 20...., and I further declare that if nominated and elected I will qualify.

.....	Subscribed and sworn to
Signature of candidate	before me this .....
	day of ....., 20....
.....	.....
Residence address	Signature of election
	official or officer
	authorized to administer
	oaths

Each such declaration shall be subscribed and sworn to by the candidate before the election official accepting the candidate's petition, a notary public or other officer authorized by law to administer oaths.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Entlicher, **House Amendment No. 5** was adopted.

Representative Franklin offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 2, Section 54.330, Line 16, by inserting after all of said section and line:

"67.1860. Sections 67.1860 to **[**67.1898**]** **67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to **[**67.1898**]** **67.1894**, the following terms mean:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;

(2) "Board", the board of directors of a district;

(3) "District", a law enforcement district organized **[**pursuant to**]** **under** sections 67.1860 to **[**67.1898**]** **67.1894;**

(4) "Registered voter", any voter registered within the boundaries of the district or proposed district.

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification **[**without a charter form of government and a population of fifty thousand inhabitants or less**]**.

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district **[**or who is a**]** **and each** registered voter **[**resident**]** within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed **[**pursuant to**]** **under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required **[**pursuant to**]** **under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required **[**pursuant to**]** **under** section 67.1870.

5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

67.1868. 1. Any owner of real property within the proposed district and any **[**legal**]** **registered** voter **[**who is a resident**]** within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall **[**determine and declare**]** **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized **[**pursuant to**]** **under** sections 67.1860 to **[**67.1898**]** **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created **[**pursuant to**]** **under** sections 67.1860 to **[**67.1898**]** **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters **[**resident**]** within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of **[**residents**]** **registered voters** of the district.

2. The attendees, when assembled, shall organize by **[**the election of**]** **electing** a chairman and secretary of the meeting **[**who**]**. **The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section,** each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the **[**residents**]** **registered voters** called by the board. **[**Each successor director shall serve a three-year term.**]** The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to **[**67.1898**]** **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the **[**qualified**]** **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the ..... Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than ..... (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to **[**67.1898**]** **67.1894** the district shall have the following general powers:

(1) To contract with the **[**local**]** **county** sheriff's department for the provision of services;

(2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(3) To fix compensation of its employees and contractors;

(4) To purchase any personal property necessary or convenient for its activities;

(5) To collect and disburse funds for its activities; and

(6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. **[**The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.**]**

67.1894. **[**1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the

signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board**] Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question**."; and

Further amend said bill, Section 115.761, Page 8, Line 31, by inserting after all of said line the following:

"**[**67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the

petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.**]**

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the ..... Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES ☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.**]**

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the ..... Law Enforcement District to adopt property taxes be terminated?

☐ YES ☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.**]**

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall ..... (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES ☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 6** was adopted.

Representative Lasater offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 4, Section 115.123, Line 24, by inserting after all of said section and line, the following:

"115.305. **Except as provided in sections 115.348 and 115.350,** this subchapter shall not apply to candidates for special district offices, township offices in township organization counties, or city, town and village offices; provided that, cities of the fourth class, except those in a county of the first class with a charter form of government and which adjoins a city not within a county, may elect, only by ordinance, to hold primary elections in accordance with the provisions of sections 115.305 to 115.405 or in accordance with the provisions of sections 78.470, 78.480 and 78.510, and the ordinance shall state which of these provisions of law are being adopted."; and

Further amend said bill, Page 5, Section 115.342, Line 30, by inserting after all of said section and line, the following:

"115.348. No person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony or misdemeanor under the federal laws of the United States of America. **Notwithstanding the provisions of subdivision (22) of section 115.013 to the contrary, this section shall apply to any person seeking to qualify as a candidate for an elected office in cities of the fourth classification.**

115.350. No person shall qualify as a candidate for elective public office in the state of Missouri who has been convicted of or found guilty of or pled guilty to a felony under the laws of this state. **Notwithstanding the provisions of subdivision (22) of section 115.013 to the contrary, this section shall apply to any person seeking to qualify as a candidate for an elected office in cities of the fourth classification.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lasater, **House Amendment No. 7** was adopted.

Representative Entlicher offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, Page 3, Section 78.090, Line 23, by inserting after all of said section and line the following:

"115.091. On commissioning or before entering upon his duties, each election judge shall take and subscribe the following oath:

I solemnly swear that I will **support and defend the Constitution of the United States and of this state, that I will** impartially discharge the duties of judge according to law**[**,**]** to the best of my ability**,** and that I will not disclose how any voter has voted unless I am required to do so as a witness in a proper judicial proceeding. I also affirm that I will not allow any person to vote who is not entitled to vote and that I will make no statement nor give any information of any kind tending in any way to show the state of the count prior to the close of the polls on election day.

Sworn and subscribed to before me this .....day of .....,

20... ..... Judge of Election .....

Election Authority (Judge of Election) witnessing oath"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Entlicher, **House Amendment No. 8** was adopted.

On motion of Representative Dugger, **HCS SCS SB 569, as amended,** was adopted.

On motion of Representative Dugger, **HCS SCS SB 569, as amended,** was read the third time and passed by the following vote:

AYES: 109

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gosen	Grisamore
Guernsey	Hampton	Higdon	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Korman	Lair	Lant	Largent

Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McGhee
McManus	Meadows	Molendorp	Nance	Nasheed
Neth	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 040

Atkins	Brattin	Brown 85	Colona	Ellinger
Ellington	Fuhr	Harris	Holsman	Hummel
Jones 63	Kirkton	Koenig	Kratky	Lampe
Marshall	May	McCann Beatty	McCreery	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieber
Schieffer	Schupp	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 014

Aull	Carlson	Carter	Elmer	Gatschenberger
Haefner	Hinson	Hughes	McNary	Nolte
Parkinson	Schneider	Schoeller	Sifton	

Representative Keeney declared the bill passed.

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 2038**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SCS SB 711**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SS SB 727**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 628**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **SB 911**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1042**, entitled:

An act to repeal sections 173.005, 173.040, 173.606, 173.608, 173.612, 173.614, 173.616, and 173.618, RSMo, and to enact in lieu thereof eight new sections relating to duties prescribed to the coordinating board for higher education, with a penalty provision.

With Senate Amendment No. 2.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1042, Page 1, Section Title, Line 4, by striking the following:

"duties prescribed to the coordinating board for"; and

Further amend said bill, Page 14, Section 173.618, Line 11, by inserting immediately after said line the following:

"174.332. 1. Notwithstanding the provisions of section 174.050 to the contrary, the board of regents of Northwest Missouri State University shall be composed of nine members, eight of whom shall be voting members and one who shall be a nonvoting member. Not more than four voting members shall belong to any one political party. **Not more than two voting members shall be residents of the same county.** The appointed members of the board serving on August 28, 2008, shall continue to serve until the expiration of the terms for which the appointed members were appointed and until such time a successor is duly appointed.

2. The board of regents shall be appointed as follows:

(1) Six voting members shall be residents of the university's historic statutory service region, as described in section 174.010 and modified by section 174.250, provided at least one member shall be a resident of Nodaway County;

(2) Two voting members shall be residents of a county in the state that is outside the university's historic statutory service region, as described in section 174.010 and modified by section 174.250, provided these two members shall not be appointed from the same congressional district; and

(3) One nonvoting member shall be a full-time student of the university, a United States citizen, and a resident of Missouri.

3. A majority of the voting members of the board shall constitute a quorum for the transaction of business; however, no appropriation of money nor any contract that shall require any appropriation or disbursement of money shall be made, nor teacher employed or dismissed, unless a majority of the voting members of the board vote for the same.

4. Except as specifically provided in this section, the appointments and terms of office for the voting and nonvoting members of the board, and all other duties and responsibilities of the board, shall comply with the provisions of state law regarding boards of regents.

174.450. 1. Except as provided in subsection 2 and subsection 6 of this section, the governing board of **the University of** Central Missouri **[**State University**]**, Missouri State University, Missouri Southern State University, Missouri Western State University, and of each other public institution of higher education which, through the procedures established in subdivision (7) or (8) of section 173.030, is charged with a statewide mission shall be a board of governors consisting of eight members, composed of seven voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party. The appointed members of the board of regents serving on the date of the statutory mission change shall become members of the board of governors on the effective date of the statutory mission change and serve until the expiration of the terms for which they were appointed. The board of regents of any such institution shall be abolished on the effective date of the statutory mission change, as prescribed in subdivision (7) or (8) of section 173.030.

2. The governing board of Missouri State University, a public institution of higher education charged with a statewide mission in public affairs, shall be a board of governors of ten members, composed of nine voting members and one nonvoting member, who shall be appointed by the governor, by and with the advice and consent of the senate. The nonvoting member shall be a student selected in the same manner as prescribed in section 174.055. At least one but no more than two voting members shall be appointed to the board from each congressional district, and every member of the board shall be a citizen of the United States, and a resident of this state for at least two years prior to his or her appointment. No more than five voting members shall belong to any one political party. The term of office of the governors shall be six years**, except as provided in this subsection**. **[**The voting members of the board of governors serving on August 28, 2005, shall serve until the expiration of the terms for which they were appointed. For those voting members appointed after August 28, 2005, the term of office will be established in a manner where no more than three terms shall expire in a given year.**]** The term of office for those appointed hereafter shall end January first in years ending in an odd number. **For the six voting members' terms that expired in 2011, the successors shall be appointed in the following manner:**

(1) Of the five voting members' terms that expired on August 28, 2011, one successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2013;

(2) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to terms that shall expire on January 1, 2015;

(3) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to a term that shall expire on January 1, 2017; and

(4) For the voting member's term that expired on January 1, 2011, the successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2017.

Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.

3. If a voting member of the board of governors of Missouri State University is found by unanimous vote of the other governors to have moved such governor's residence from the district from which such governor was appointed, then the office of such governor shall be forfeited and considered vacant.

4. Should the total number of Missouri congressional districts be altered, all members of the board of governors of Missouri State University shall be allowed to serve the remainder of the term for which they were appointed.

5. Should the boundaries of any congressional districts be altered in a manner that displaces a member of the board of governors of Missouri State University from the congressional district from which the member was appointed, the member shall be allowed to serve the remainder of the term for which the member was appointed.

6. The governing board of Missouri Southern State University shall be a board of governors consisting of nine members, composed of eight voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1112**, entitled:

An act to repeal sections 376.010, 376.015, and 376.307, RSMo, and to enact in lieu thereof three new sections relating to life, health, and accident insurance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1179.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1188**, entitled:

An act to amend chapter 167, RSMo, by adding thereto one new section relating to the administration of asthma related rescue medication by school nurses.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 1188, Page 1, Section 167.635, Line 2, by striking the word "for" as it appears the second time.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1495**, entitled:

An act to repeal section 375.993, RSMo, and to enact in lieu thereof one new section relating to fraudulent insurance acts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1525**, entitled:

An act to repeal sections 221.105, 559.016, 559.036, 559.100, and 559.115, RSMo, and to enact in lieu thereof eight new sections relating to criminal offenders under the supervision of the department of corrections, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1680.**

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

April 27, 2012

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96th GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 2014** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2012.

On April 27, 2012 I approved said **House Committee Substitute for House Bill No. 2014**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, May 1, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, May 2, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continued discussion of DSS policies and procedures

CHILDREN AND FAMILIES
Wednesday, May 2, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: SCS SB 758, SS SCS SB 448, HB 1907, HR 1391, HCR 54
Executive session may be held on any matter referred to the committee.

DOWNSIZING STATE GOVERNMENT
Tuesday, May 1, 2012, Upon Morning Adjournment South Gallery.
Executive session will be held: HCR 57, HB 2106
Executive session may be held on any matter referred to the committee.
CORRECTED

ELECTIONS
Tuesday, May 1, 2012, 8:30 AM House Hearing Room 5.
Public hearing will be held: HB 1870, HB 2047, HB 1781
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, May 2, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: SS SCS SB 576
Executive session will be held: SS SCS SB 576
Executive session may be held on any matter referred to the committee.

EMERGING ISSUES IN ANIMAL AGRICULTURE
Tuesday, May 1, 2012, 5:00 PM or Upon Afternoon Adjournment House Hearing Room 1.
Public hearing will be held: HB 1977
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Tuesday, May 1, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HJR 64, HB 1891, HB 2092
Executive session may be held on any matter referred to the committee.

HEALTH CARE POLICY
Wednesday, May 2, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1933, HB 1405, SS SB 742, HB 1078
Executive session may be held on any matter referred to the committee.
Meal provided by Jerry Burch on behalf of the Missouri Hospital Association
AMENDED

HEALTH INSURANCE
Tuesday, May 1, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: SS SB 749
Executive session may be held on any matter referred to the committee.
SS SB 749 continuation of hearing from April 24, 2012

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, May 2, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HCR 55
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, May 2, 2012, 12:00 PM or Upon Morning Recess (whichever is earlier) House Hearing Room 1.
Public hearing will be held: SB 739, HB 1514, HB 2107
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, May 2, 2012, 8:00 AM House Hearing Room 7.
Executive session will be held: SCS SB 692
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Tuesday, May 1, 2012, Upon Afternoon Adjournment House Hearing Room 6.
Executive session will be held: HR 1880, HB 1690, HB 1728, HB 1790, HCS HB 1970, SS SCR 16, SCS SCR 17, SCR 25, HCS SS SCS SB 470, SCS SB 566, HCS SS SCS SB 469, HCS SS SCS SB 595, HCS SCS SB 591, HCS SB 620, HCS SB 628, HCS SCS SB 635, HCS SB 636, SS SB 665, HCS SCS SB 726, SS SCS SB 689, SCS SB 837
Executive session may be held on any or all bills which have been referred to this committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENTAL AFFAIRS
Tuesday, May 1, 2012, Upon Afternoon Adjournment House Hearing Room 7.
Public hearing will be held: SCS SB 510, HB 2064
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Tuesday, May 1, 2012, 1:00 PM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Executive session on previously referred bills.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Tuesday, May 1, 2012, 12:00 PM House Hearing Room 3.
Public hearing will be held: HB 1850, HB 1924
Executive session may be held on any matter referred to the committee.
AMENDED

TRANSPORTATION
Tuesday, May 1, 2012, Upon Morning Adjournment House Hearing Room 7.
Executive session may be held on any matter referred to the committee.

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, May 1, 2012, 5:00 PM or Upon Afternoon Adjournment, whichever is later, House Hearing Room 5.
Public hearing will be held: SS SB 769
Executive session may be held on any matter referred to the committee.

UTILITIES
Tuesday, May 1, 2012, 12:00 PM or Upon Recess House Hearing Room 1.
Public hearing will be held: SCS SBs 484, 477 & 606
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-FIFTH DAY, TUESDAY, MAY 1, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
4 HCS HB 1049 - Allen
5 HCS HB 1210, as amended - Gatschenberger
6 HCS HB 1795 - Ruzicka
7 HCS HB 1803 - Korman
8 HCS HB 1966 - Burlison
9 HCS HB 1328 - Cox
10 HB 1779 - Flanigan
11 HCS HB 1794 - Grisamore
12 HCS HB 1854 - Grisamore
13 HCS HB 1754 - Cox
14 HCS HB 1815 - Pollock
15 HB 1842 - Lant
16 HCS HB 1900 - Redmon
17 HCS HB 1922 - Molendorp
18 HCS HB 1935 - Franz
19 HB 2063 - Denison
20 HCS HB 2100 - Denison
21 HCS HB 1709 - Hough
22 HCS HB 1710 - Hough
23 HCS HB 1076 & 1302 - Wyatt
24 HCS HB 1245 - Lauer
25 HCS#2 HB 1358 - Gatschenberger
26 HCS HB 1397 - Gatschenberger
27 HCS HBs 1542 & 1101 - Koenig
28 HCS#2 HB 1213 - Franklin
29 HB 1357 - Gatschenberger
30 HCS HB 1526 - Dieckhaus
31 HCS HB 1846 - Long
32 HCS HB 1585 - Cross

33 HCS HB 1639 - Nolte
34 HCS HB 1971 - Schneider

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HCS HB 1988 - Brandom

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1066 - McGhee
5 HB 1455 - Gatschenberger

SENATE BILLS FOR THIRD READING

1 SB 611 - Stream
2 SS SCS SB 719, E.C. - Brown (116)
3 HCS SCS SB 562, E.C. - Thomson
4 HCS SB 455, (Fiscal Review 4/26/12) - Thomson
5 HCS SS SCS SB 467, E.C. - Cox
6 HCS SCS SB 498, E.C. - Shumake
7 SCS SB 566 - Jones (117)
8 HCS SB 578 - Cox

HOUSE BILLS WITH SENATE AMENDMENTS

1 SS HCS HB 1106, as amended - Dugger
2 HB 1188, SCA 1 - Allen

BILLS CARRYING REQUEST MESSAGES

1 SS SCS HCS HB 2002, (request Senate recede/grant conference) - Silvey
2 SS SCS HCS HB 2003, (request Senate recede/grant conference) - Silvey
3 SS SCS HCS HB 2004, (request Senate recede/grant conference) - Silvey
4 SS SCS HCS HB 2005, (request Senate recede/grant conference) - Silvey
5 SS SCS HCS HB 2006, as amended, (request Senate recede/grant conference) - Silvey
6 SS SCS HCS HB 2007, (request Senate recede/grant conference) - Silvey
7 SS SCS HCS HB 2008, (request Senate recede/grant conference) - Silvey
8 SS SCS HCS HB 2009, (request Senate recede/grant conference) - Silvey
9 SS SCS HCS HB 2010, (request Senate recede/grant conference) - Silvey
10 SS SCS HCS HB 2011, as amended, (request Senate recede/grant conference) - Silvey

11 SS SCS HCS HB 2012, (request Senate recede/grant conference) - Silvey
12 SS SCS HCS HB 2013, (request Senate recede/grant conference) - Silvey

BILLS IN CONFERENCE

HCS SB 568, as amended, E.C. - Franz

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE RESOLUTIONS

1 HR 1365 - Bahr
2 HR 959 - Jones (89)

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-FIFTH DAY, TUESDAY, MAY 1, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

"Fear not", saith the Lord, "for I am with you." (Isaiah 43:5)

O Lord, we give You thanks for the rest of the day and for the gift of a new day with its opportunities of serving You and our fellow Missourians, and leading our state into right and good paths.

By the might of Your presence in our hearts help us to master the spirit of pride and prejudice which separates people and causes them to strive against each other. Lead us and our citizens into the paths of mutual helpfulness and mutual concern, that in all good will and as free people we may live together in peace.

Guide us into the ways of justice and truth and establish peace which is the fruit of righteousness.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-fourth day was approved as printed.

SPECIAL RECOGNITION

Ray Brock, Liberty, Missouri, was introduced by Representative Neth and recognized as an Outstanding Missourian.

PERFECTION OF HOUSE BILL

HCS HB 1049, relating to bullying in schools, was taken up by Representative Allen.

Representative Scharnhorst offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1049, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**135.1220. 1. As used in this section, the following terms mean:**
(1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;
(2) "Department", the department of elementary and secondary education;

(3) "Director", the director of the department of elementary and secondary education;

(4) "Educational scholarships", grants to students to cover all or part of the tuition and fees at either a qualified nonpublic school or a qualified public school, including transportation;

(5) "Eligible student", any elementary or secondary student who attended public school in Missouri the preceding semester whose parent has executed an affidavit to be filed with the scholarship application that his or her child has been bullied, as bullying is defined in section 160.775, RSMo;

(6) "Parent", includes a guardian, custodian, or other person with authority to act on behalf of the child;

(7) "Program", the program established in this section;

(8) "Qualified school", either an accredited public elementary or secondary school outside of the district in which a student resides or an accredited nonpublic elementary or secondary school in Missouri that complies with all of the requirements of the program and complies with all state laws that apply to nonpublic schools regarding criminal background checks for employees and excludes from employment any person not permitted by state law to work in a nonpublic school;

(9) "Scholarship granting organization", a charitable organization which is exempt from federal income tax that complies with the requirements of this program and provides education scholarships to students attending qualified schools of their parents' choice, and that does not accept contributions on behalf of any eligible student from any taxpayer with any obligation to provide any support for the eligible student;

(10) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer under chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer under chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(11) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state under chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2012, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to eighty percent of the amount such taxpayer contributed to a scholarship granting organization. No taxpayer shall be issued more than eight hundred thousand dollars in tax credits authorized under this section per tax year.

3. The amount of the tax credit claimed shall not exceed fifty percent of a taxpayer's state tax liability for the taxable year for which the credit is claimed. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. The director shall determine, at least annually, which organizations in this state may be classified as scholarship granting organizations. The director may require of an organization seeking to be classified as a scholarship granting organization whatever information which is reasonably necessary to make such a determination. The director shall classify an organization as a scholarship granting organization if such organization meets the definition set forth in this section.

5. The director shall establish a procedure by which a taxpayer can determine if an organization has been classified as a scholarship granting organization. Scholarship granting organizations shall be permitted to decline a contribution from a taxpayer.

6. Each scholarship granting organization shall provide information to the director concerning the identity of each taxpayer making a contribution to the scholarship granting organization who is claiming a tax credit under this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

7. Once a scholarship granting organization has decided to provide a student with a scholarship, it shall promptly notify the director. The director shall keep a running tally of the number of scholarships granted in the order in which they were reported. Once the tally reaches the annual limit of eligible students, the director shall notify all of the participating scholarship granting organizations that they may not issue any more scholarships and any more receipts for contributions. If the scholarship granting organizations have not

expended all of their available scholarship funds in that year at the time when the limit is reached, the available scholarship funds may be carried over into the next year. These unexpended funds shall not be counted as part of the requirement in subdivision (3) of subsection 9 of this section for that year. Any receipt for a scholarship contribution issued by a scholarship granting organization before the director has publicly announced the student limit has been reached shall be valid for a taxpayer claiming a credit.

8. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

(1) For no less than seventy-five percent of the par value of such credits; and

(2) In an amount not to exceed one hundred percent of annual earned credits.

9. Each scholarship granting organization participating in the program shall:

(1) Notify the department of its intent to provide educational scholarships to students attending qualified schools;

(2) Provide a department-approved receipt to taxpayers for contributions made to the organization;

(3) Ensure that at least ninety percent of its revenue from donations is spent on educational scholarships, and that all revenue from interest or investments is spent on educational scholarships;

(4) Distribute periodic scholarship payments as checks made out to a student's parent and mailed to the qualified school where the student is enrolled. The parent or guardian shall endorse the check before it can be deposited;

(5) Cooperate with the department to conduct criminal background checks on all of its employees and board members and exclude from employment or governance any individual who might reasonably pose a risk to the appropriate use of contributed funds;

(6) Ensure that scholarships are portable during the school year and can be used at any qualified school that accepts the eligible student according to a parent's wishes. If a student moves to a new qualified school during a school year, the scholarship amount may be prorated;

(7) Demonstrate its financial accountability by:

(a) Submitting a financial information report for the organization that complies with uniform financial accounting standards established by the department and conducted by a certified public accountant; and

(b) Having the auditor certify that the report is free of material misstatements;

(8) Demonstrate its financial viability, if the organization is to receive donations of fifty thousand dollars or more during the school year, by filing with the department prior to the start of the school year:

(a) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(b) Financial information that demonstrates the financial viability of the scholarship granting organization.

10. Each scholarship granting organization shall ensure that each participating school that accepts its scholarship students shall:

(1) Comply with all health and safety laws or codes that apply to nonpublic schools;

(2) Hold a valid occupancy permit if required by its municipality;

(3) Certify that it will comply with 42 U.S.C. Section 1981, as amended; and

(4) Provide academic accountability to parents of the students in the program by regularly reporting to the parent on the student's progress.

11. Scholarship granting organizations shall not provide educational scholarships for students to attend any school with paid staff or board members who are relatives within the first degree of consanguinity or affinity.

12. A scholarship granting organization shall publicly report to the department, by June first of each year, the following information prepared by a certified public accountant regarding its grants in the previous calendar year:

(1) The name and address of the scholarship granting organization;

(2) The total number and total dollar amount of contributions received during the previous calendar year; and

(3) The total number and total dollar amount of educational scholarships awarded during the previous calendar year, and the total number and total dollar amount of educational scholarships awarded during the previous year to students eligible for free and reduced lunch.

13. The department shall adopt rules and regulations consistent with this section as necessary to implement the program.

14. The department shall provide a standardized format for a receipt to be issued by a scholarship granting organization to a taxpayer to indicate the value of a contribution received. The department shall require a taxpayer to provide a copy of this receipt when claiming the Missouri special needs scholarship tax credit.

15. The department shall provide a standardized format for scholarship granting organizations to report the information in this section.

16. The department may conduct either a financial review or audit of a scholarship granting organization.

17. If the department believes that a scholarship granting organization has intentionally and substantially failed to comply with the requirements of this section, the department may hold a hearing before the director, or his or her designee, to bar a scholarship granting organization from participating in the program. The director, or his or her designee, shall issue a decision within thirty days. A scholarship granting organization may appeal the director's decision to the administrative hearing commission for a hearing in accordance with the provisions of chapter 621.

18. If the scholarship granting organization is barred from participating in the program, the department shall notify affected scholarship students and their parents of this decision within fifteen days.

19. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

20. The department shall conduct a study of the program with funds other than state funds. The department may contract with one or more qualified researchers who have previous experience evaluating similar programs. The department may accept grants to assist in funding this study.

21. The study shall assess:

(1) The level of participating students' satisfaction with the program;

(2) The level of parental satisfaction with the program;

(3) The percentage of participating students who were bullied or harassed at their qualified school;

(4) The percentage of participating students who exhibited behavioral problems at their resident school district compared to the percentage exhibiting behavioral problems at their qualified school;

(5) The class size experienced by participating students at their resident school district and at their qualified school; and

(6) The fiscal impact to the state and resident school districts of the program.

22. The study shall be completed using appropriate analytical and behavioral sciences methodologies to ensure public confidence in the study.

23. The department shall provide the general assembly with a final copy of the evaluation of the program by December 31, 2015.

24. The public and nonpublic participating schools from which students transfer to participate in the program shall cooperate with the research effort by providing student assessment instrument scores and any other data necessary to complete this study.

25. The general assembly may require periodic updates on the status of the study from the department. The individuals completing the study shall make their data and methodology available for public review while complying with the requirements of the Family Educational Rights and Privacy Act, as amended.

26. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 010

Funderburk	Hughes	McGhee	Nasheed	Schad
Schneider	Schoeller	Sifton	Taylor	Webber

Representative Scharnhorst moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 025

Bahr	Barnes	Bernskoetter	Brown 50	Burlison
Cookson	Cox	Curtman	Dieckhaus	Fitzwater
Gatschenberger	Gosen	Houghton	Hubbard	Jones 89
Koenig	Leach	McNary	Neth	Parkinson
Riddle	Scharnhorst	Schatz	Stream	Mr Speaker

NOES: 127

Allen	Anders	Asbury	Atkins	Aull
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Crawford
Cross	Davis	Day	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Hummel
Johnson	Jones 63	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schieber	Schieffer	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

PRESENT: 000

ABSENT WITH LEAVE: 011

Funderburk	Hughes	McGhee	Nasheed	Nolte
Schad	Schneider	Schoeller	Sifton	Taylor
Webber				

Representative Weter offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1049, Page 1, Section 160.775, Line 12, by inserting after the word "students" the words "**, without exception**,"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl assumed the Chair.

Speaker Tilley resumed the Chair.

Representative Lampe offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1 to House Amendment No. 2 was withdrawn.

Representative Lampe offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1049, Page 1, Section 160.775, Lines 12-13, by deleting all of said lines and inserting in lieu thereof the following:

"need a safe learning environment. **[**Policies shall treat students equally and shall not contain specific lists of protected classes of students who are to receive special treatment.**] Bullying that is reasonably perceived as being motivated by actual or perceived race, color, religion, ancestry, national origin, gender, sexual orientation and gender identity, intellectual ability, physical appearance, or a mental, physical or sensory disability or disorder, or on the basis of association with others identified by these categories is prohibited**. Policies may"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Franz assumed the Chair.

Representative Scharnhorst offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2**.

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Substitute Amendment No. 1 for House Amendment No. 2 to House Committee Substitute for House Bill No. 1049, Page 1, Lines 6-9, by deleting all of said lines and inserting in lieu thereof the following:

' "**Bullying that is reasonably perceived as being motivated by any reason identified by a local school board is prohibited.** Policies may"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kander raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2** is in the third degree.

Representative Franz requested a parliamentary ruling.

The point of order was withdrawn.

HCS HB 1049, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2, House Substitute Amendment No. 1 for House Amendment No. 2 and House Amendment No. 2, pending, was laid over.

HCS HB 1803, relating to certified school social workers, was taken up by Representative Korman.

On motion of Representative Korman, **HCS HB 1803** was adopted.

On motion of Representative Korman, **HCS HB 1803** was ordered perfected and printed.

HCS HB 1900, relating to executive branch reorganizations, was taken up by Representative Redmon.

Representative Jones (63) offered **House Amendment No. 1**.

Representative Hinson raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Franz requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Higdon offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1900, Page 41, Section 302.171, Line 106, by inserting after all of said line the following:

"311.240. 1. On approval of the application and payment of the license tax provided in this chapter, the supervisor of **[**liquor**] alcohol and tobacco** control shall grant the applicant a license to conduct business in the state for a term to expire with the thirtieth day of June next succeeding the date of such license. A separate license shall be required for each place of business. Of the license tax to be paid for any such license, the applicant shall pay as many twelfths as there are months (part of a month counted as a month) remaining from the date of the license to the next succeeding July first.

2. No such license shall be effective, and no right granted thereby shall be exercised by the licensee, unless and until the licensee shall have obtained and securely affixed to the license in the space provided therefor an original stamp or other form of receipt issued by the duly authorized representative of the federal government, evidencing the payment by the licensee to the federal government of whatever excise or occupational tax is by any law of the United States then in effect required to be paid by a dealer engaged in the occupation designated in said license. Within ten days from the issuance of said federal stamp or receipt, the licensee shall file with the supervisor of **[**liquor**] alcohol and tobacco** control a photostat copy thereof, or such duplicate or indented and numbered stub therefrom as the federal government may have issued to the taxpayer with the original.

3. Every license issued under the provisions of this chapter shall particularly describe the premises at which intoxicating liquor may be sold thereunder, and such license shall not be deemed to authorize or permit the sale of intoxicating liquor at any place other than that described therein.

4. **In addition to any fees collected for licenses issued for more than a thirty-day period under this chapter, an applicant for a new or renewal license shall pay to the director of revenue an additional transaction fee of one hundred dollars at the same time and in the same manner as its other license fees. The transaction fees imposed by this subsection are not subject to section 311.220.**

5. The moneys derived from the transaction fees imposed by subsection 4 of this section shall be deposited into the alcohol and tobacco control trust fund established in section 311.735.

6. Applications for renewal of licenses must be filed on or before the first day of May of each calendar year.

[5.**]** **7.** In case of failure to submit the completed renewal application required under subsection **[**4**]** **6** of this section on or before the first day of May, there shall be added to the amount of the renewal fee a late charge of one hundred dollars from the second day of May to the last day of May; a late charge of two hundred dollars if the renewal application is submitted on the first day of June to the last day of June; or a late charge of three hundred dollars if the renewal application is submitted after the last day of June."; and

Further amend said bill and page, Section 311.650, Line 3, by inserting after all of said line the following:

"311.730. **1.** All **license** fees **and charges for the privilege of selling spiritous liquors and wines, and the inspection and gauging fees on malt liquor** collected by the director of revenue as provided for in this chapter**[**, including licenses, inspection and gauging fees,**]** shall be paid into the state treasury, to the credit of the ordinary state revenue fund.

2. All transaction fees and miscellaneous fees collected by the director of revenue as provided in this chapter shall be paid into the state treasury to the credit of the alcohol and tobacco control trust fund established in section 311.735.

311.735. 1. There is established in the state treasury a special trust fund to be known as the "Alcohol and Tobacco Control Trust Fund". The state treasurer shall credit to and deposit in the fund all amounts received under chapters 311 and 407.

2. The state treasurer shall invest moneys in the alcohol and tobacco control trust fund in the same manner as surplus state funds are invested under section 30.260. All earnings resulting from the investments of moneys in the fund shall be credited to the fund.

3. Funds appropriated by the general assembly from the fund shall be used only for purposes authorized under this section.

4. Appropriation of funds by the general assembly from the fund shall be used to support the division of alcohol and tobacco control for the administration and regulation of the liquor control and tobacco under chapter 311 and sections 407.920 to 407.934."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 2** was adopted.

Representative Higdon offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1900, Page 33, Section 209.251, Line 39, by inserting after all of said line the following:

"210.1014. 1. There is hereby created the "Amber Alert System Oversight Committee", whose primary duty shall be to develop criteria and procedures for the Amber alert system and shall be housed within the department of public safety. The committee shall regularly review the function of the Amber alert system and revise its criteria and procedures in cooperation with the department of public safety to provide for efficient and effective public notification. As soon as practicable, the committee shall adopt criteria and procedures to expand the Amber alert system to provide urgent public alerts related to homeland security, criminal acts, health emergencies, and other imminent dangers to the public health and welfare.

2. **The committee shall, prior to January 1, 2013, adopt the criteria and procedures necessary to expand the Amber alert system to provide peace officer safety alerts for the location and identification of any person who has assaulted or otherwise injured a licensed peace officer and who has fled the scene.**

3. The Amber alert system oversight committee shall consist of ten members of which seven members shall be appointed by the governor with the advice and consent of the senate. Such members shall represent the following entities: two representatives of the Missouri Sheriffs' Association; two representatives of the Missouri Police Chiefs

Association; one representative of small market radio broadcasters; one representative of large market radio broadcasters; one representative of television broadcasters. The director of the department of public safety shall also be a member of the committee and shall serve as chair of the committee. Additional members shall include one representative of the highway patrol and one representative of the department of health and senior services.

[3.**]** **4.** Members of the oversight committee shall serve a term of four years, except that members first appointed to the committee shall have staggered terms of two, three, and four years and shall serve until their successor is duly appointed and qualified.

[4.**]** **5.** Members of the oversight committee shall serve without compensation, except that members shall be reimbursed for their actual and necessary expenses required for the discharge of their duties.

[5.**]** **6.** The Amber alert system oversight committee shall promulgate rules for the implementation of the Amber alert system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 3** was adopted.

Representative Pollock offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1900, Page 38, Section 301.020, Line 87, by inserting after all of said section and line the following:

"**301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 4** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McNary	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schatz
Schieber	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo

Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 017

Conway 27	Hughes	McCaherty	McGhee	Molendorp
Nasheed	Nolte	Schad	Scharnhorst	Schneider
Schoeller	Sifton	Taylor	Torpey	Webber
Zerr	Mr Speaker			

On motion of Representative Redmon, **HCS HB 1900, as amended**, was adopted.

On motion of Representative Redmon, **HCS HB 1900, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILL

SB 611, relating to yellow light change interval times, was taken up by Representative Stream.

Representative Hinson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 611, Page 1, Section A, Line 2, by inserting after all of said line the following:

"304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, **or a stationary vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation displaying lighted amber or amber and white lights,** the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An "emergency vehicle" is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550**;**

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

(2) The driver of an emergency vehicle may:

(a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

7. Violation of this section shall be deemed a class A misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1** was adopted.

Representative Smith (150) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Bill No. 611, Page 1, Title, Line 2, by deleting the word "the" on said line; and

Further amend said bill, page, and title, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the following:

"motor vehicle operation."; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of

this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000

43	60,000	70,500	75,000	80,000
44	60,000	71,500	75,500	80,000
45	60,000	72,000	76,000	80,000
46	60,000	72,500	76,500	80,000
47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in **[**subsection**]** **subsections** 9 **and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. **(1)** Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log trucks as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds **[**while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36**]**. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**

(2) Any vehicle hauling greater than eighty thousand pounds under the provisions of this subsection, shall apply yearly to the department of transportation for a permit and upon payment of a twenty-five dollar fee, the department shall grant the applicant a permit. Upon renewal of the permit, an applicant shall submit to the department a list of roads traveled and the number of miles traveled on each road during the year.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but

shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 2** was adopted.

Representative Hough offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Bill No. 611, Page 1, Section A, Line 2, by inserting after all of said line the following:

"304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles**, except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality**;

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality."; and

Further amend page, Section 304.289, Line 8, by inserting after all of said line the following:

"**537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or

highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.

3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 3** was adopted.

Representative Silvey offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Bill No. 611, Page 1, Section A, Line 2, by inserting after all of said section the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. **[**Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5.**] The director of revenue shall have authority to produce or allow others to produce a new temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase.** The temporary permit **[**shall be made available by the director of revenue and**] authorized under**

this section may be purchased **by the purchaser of a motor vehicle or trailer** from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer**, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates**. The director **[**shall**] or a producer authorized by the director may** make temporary permits available to registered dealers in this state or authorized agents of the department of revenue **[**in sets of ten permits**]**. The **[**fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued**] price paid by a registered dealer or an authorized agent of the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director shall direct dealers and authorized agents to obtain temporary permits from the authorized producer. Amounts received by the director for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director shall not constitute state revenue and any amounts received by dealers or authorized agents for temporary permits purchased from a producer other than the director shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director under section 301.190**. No dealer or authorized agent shall charge more than **[**seven dollars and fifty cents**] five dollars** for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

[6.**] 5.** The permit shall be issued on a form prescribed by the director and issued only for the applicant's **[**use in the**] temporary** operation of the motor vehicle or trailer purchased to enable the applicant to **[**legally**] temporarily** operate the vehicle while proper title and registration **[**plate**] plates** are being obtained**, or while awaiting receipt of registration plates**, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size **[**and**], material, design, reporting and tracking method to the Missouri uniform law enforcement system,** numbering configuration, construction, and color of the permit. **The director, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.**

[7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit.**]**

6. Every dealer that issues **[**a**]** temporary **[**permit**] permits** shall keep, for inspection **[**of**] by** proper officers, **[**a correct**] an accurate** record of each permit issued by recording the permit **[**or plate**]** number, **the dealer's number,** buyer's name and address, **the vehicle's** year, make, **and** manufacturer's vehicle identification number **[**on which the permit is to be used**]**, and the **permit's** date of issuance **and expiration date**.

[8.**] 7.** Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of **[**twelve**] fifty-four** thousand pounds gross weight, the option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such

vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application and proof of insurance as required by section 303.026.

2. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

3. The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration must be maintained for the full twenty-four month period.

301.559. 1. It shall be unlawful for any person to engage in business as or act as a motor vehicle dealer, boat dealer, manufacturer , boat manufacturer, public motor vehicle auction, wholesale motor vehicle auction or wholesale motor vehicle dealer without first obtaining a license from the department as required in sections 301.550 to 301.573. Any person who maintains or operates any business wherein a license is required pursuant to the provisions of sections 301.550 to 301.573, without such license, is guilty of a class A misdemeanor. Any person committing a second violation of sections 301.550 to 301.573 shall be guilty of a class D felony.

2. All dealer licenses shall expire on December thirty-first of **[**each year**] the designated license period**. The department shall notify each person licensed under sections 301.550 to 301.573 of the date of license expiration and the amount of the fee required for renewal. The notice shall be mailed at least ninety days before the date of license expiration to the licensee's last known business address. **The director shall have the authority to issue licenses valid for a period of up to two years and to stagger the license periods for administrative efficiency and equalization of workload, at the sole discretion of the director.**

3. Every manufacturer, boat manufacturer, motor vehicle dealer, wholesale motor vehicle dealer, wholesale motor vehicle auction, boat dealer or public motor vehicle auction shall make application to the department for issuance of a license. The application shall be on forms prescribed by the department and shall be issued under the terms and provisions of sections 301.550 to 301.573 and require all applicants, as a condition precedent to the issuance of a license, to provide such information as the department may deem necessary to determine that the applicant is bona fide and of good moral character, except that every application for a license shall contain, in addition to such information as the department may require, a statement to the following facts:

(1) The name and business address, not a post office box, of the applicant and the fictitious name, if any, under which he intends to conduct his business; and if the applicant be a partnership, the name and residence address of each partner, an indication of whether the partner is a limited or general partner and the name under which the partnership business is to be conducted. In the event that the applicant is a corporation, the application shall list the names of the principal officers of the corporation and the state in which it is incorporated. Each application shall be verified by the oath or affirmation of the applicant, if an individual, or in the event an applicant is a partnership or corporation, then by a partner or officer;

(2) Whether the application is being made for registration as a manufacturer, boat manufacturer, new motor vehicle franchise dealer, used motor vehicle dealer, wholesale motor vehicle dealer, boat dealer, wholesale motor vehicle auction or a public motor vehicle auction;

(3) When the application is for a new motor vehicle franchise dealer, the application shall be accompanied by a copy of the franchise agreement in the registered name of the dealership setting out the appointment of the applicant as a franchise holder and it shall be signed by the manufacturer, or his authorized agent, or the distributor, or his authorized agent, and shall include a description of the make of all motor vehicles covered by the franchise. The department shall not require a copy of the franchise agreement to be submitted with each renewal application unless the

applicant is now the holder of a franchise from a different manufacturer or distributor from that previously filed, or unless a new term of agreement has been entered into;

(4) When the application is for a public motor vehicle auction, that the public motor vehicle auction has met the requirements of section 301.561.

4. No insurance company, finance company, credit union, savings and loan association, bank or trust company shall be required to obtain a license from the department in order to sell any motor vehicle, trailer or vessel repossessed or purchased by the company on the basis of total destruction or theft thereof when the sale of the motor vehicle, trailer or vessel is in conformance with applicable title and registration laws of this state.

5. No person shall be issued a license to conduct a public motor vehicle auction or wholesale motor vehicle auction if such person has a violation of sections 301.550 to 301.573 or other violations of chapter 301, sections 407.511 to 407.556, or section 578.120 which resulted in a felony conviction or finding of guilt or a violation of any federal motor vehicle laws which resulted in a felony conviction or finding of guilt.

6. Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after the effective date, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 4** was adopted.

Representative Flanigan offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Bill No. 611, Page 1, In the Title, Line 2, by deleting the word, "the"; and

Further amend said bill, page, In the Title, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the words, "state agencies that regulate motor vehicles."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

"32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of **[**his**] the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering **[**himself**] the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on **[**his**] the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. **[**He**] The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by **[**him**] such person** under the local sales tax law or in the event a determination has been made against **[**him**] such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department."

105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees,

court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.

140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against

the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description

of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**]** **8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**]** **9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**]** **10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend said bill, page, Section 304.289, Line 8, by inserting after all of said section, the following:

"Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 5** was adopted.

Representative Pollock offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Bill No. 611, Page 1, Section 304.289, Line 8, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 6** was adopted.

Representative Long offered **House Amendment No. 7**.

House Amendment No. 7

AMEND Senate Bill No. 611, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"302.341. 1. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which the resident is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against the resident for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall return the license and remove the suspension from the individual's driving record **if the individual was not operating a commercial motor vehicle or a commercial driver's license holder at the time of the offense**. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town or village receives more than thirty-five percent of its annual general operating revenue from fines and court costs for traffic violations occurring on state highways, all revenues from such violations in excess of thirty-five percent of the annual general operating revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. The director of the department of revenue shall set forth by rule a procedure whereby excess revenues as set forth above shall be sent to the department of revenue. If any city, town, or village disputes a determination that it has received excess revenues required to be sent to the department of revenue, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

302.700. 1. Sections 302.700 to 302.780 may be cited as the "Uniform Commercial Driver's License Act".

2. When used in sections 302.700 to 302.780, the following words and phrases mean:

(1) "Alcohol", any substance containing any form of alcohol, including, but not limited to, ethanol, methanol, propanol and isopropanol;

(2) "Alcohol concentration", the number of grams of alcohol per one hundred milliliters of blood or the number of grams of alcohol per two hundred ten liters of breath or the number of grams of alcohol per sixty-seven milliliters of urine;

(3) **"CDLIS driver record", the electronic record of the individual commercial driver's status and history stored by the state of record as part of the Commercial Driver's License Information System (CDLIS) established under 49 U.S.C. Section 31309, et seq.;**

(4) "CDLIS motor vehicle record (CDLIS MVR)", a report generated from the CDLIS driver record which meets the requirements for access to CDLIS information and is provided by states to users authorized in 49 CFR Part 384, subject to the provisions of the Driver Privacy Protection Act, 18 U.S.C. Sections 2721 to 2725, et seq.;

(5) "Commercial driver's instruction permit", a permit issued pursuant to section 302.720;

[(4)**] (6)** "Commercial driver's license", a license issued by this state to an individual which authorizes the individual to operate a commercial motor vehicle;

[(5)**] (7) "Commercial driver's license downgrade", occurs when:**

(a) A driver changes the self-certification to interstate, but operates exclusively in transportation or operation excepted from 49 CFR Part 391, as provided in 49 CFR Part 390.3(f), 391.2, 391.68, or 398.3;

(b) A driver changes the self-certification to intrastate only, if the driver qualifies under the state's physical qualification requirements for intrastate only;

(c) A driver changes the self-certification to intrastate, but operating exclusively in transportation or operations excepted from all or part of the state driver qualification requirements; or

(d) The state removes the commercial driver's license privilege from the driver's license;

(8) "Commercial driver's license information system **(CDLIS)**", the information system established pursuant to the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) to serve as a clearinghouse for locating information related to the licensing and identification of commercial motor vehicle drivers;

[(6)**] (9)** "Commercial motor vehicle", a motor vehicle designed or used to transport passengers or property:

(a) If the vehicle has a gross combination weight rating of twenty-six thousand one or more pounds inclusive of a towed unit which has a gross vehicle weight rating of ten thousand one pounds or more;

(b) If the vehicle has a gross vehicle weight rating of twenty-six thousand one or more pounds or such lesser rating as determined by federal regulation;

(c) If the vehicle is designed to transport sixteen or more passengers, including the driver; or

(d) If the vehicle is transporting hazardous materials and is required to be placarded under the Hazardous Materials Transportation Act (46 U.S.C. 1801, et seq.);

[(7)**] (10)** "Controlled substance", any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), and includes all substances listed in schedules I through V of 21 CFR part 1308, as they may be revised from time to time;

[(8)**] (11)** "Conviction", an unvacated adjudication of guilt, including pleas of guilt and nolo contendre, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative proceeding, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended or prorated, including an offense for failure to appear or pay;

[(9)**] (12)** "Director", the director of revenue or his authorized representative;

[(10)**] (13)** "Disqualification", any of the following three actions:

(a) The suspension, revocation, or cancellation of a commercial driver's license;

(b) Any withdrawal of a person's privileges to drive a commercial motor vehicle by a state**, Canada, or Mexico** as the result of a violation of federal, state, county, municipal, or local law relating to motor vehicle traffic control or violations committed through the operation of motor vehicles, other than parking, vehicle weight, or vehicle defect violations;

(c) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR Part 383.52 or Part 391;

[(11)**] (14)** "Drive", to drive, operate or be in physical control of a commercial motor vehicle;

[(12)**] (15)** "Driver", any person who drives, operates, or is in physical control of a motor vehicle, or who is required to hold a commercial driver's license;

(16) "Driver applicant", an individual who applies to obtain, transfer, upgrade, or renew a commercial driver's license in this state;

[(13)**] (17)** "Driving under the influence of alcohol", the commission of any one or more of the following acts:

(a) Driving a commercial motor vehicle with the alcohol concentration of four one-hundredths of a percent or more as prescribed by the secretary or such other alcohol concentration as may be later determined by the secretary by regulation;

(b) Driving a commercial or noncommercial motor vehicle while intoxicated in violation of any federal or state law, or in violation of a county or municipal ordinance;

(c) Driving a commercial or noncommercial motor vehicle with excessive blood alcohol content in violation of any federal or state law, or in violation of a county or municipal ordinance;

(d) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance; or

(e) Having any state, county or municipal alcohol-related enforcement contact, as defined in subsection 3 of section 302.525; provided that any suspension or revocation pursuant to section 302.505, committed in a noncommercial motor vehicle by an individual twenty-one years of age or older shall have been committed by the person with an alcohol concentration of at least eight-hundredths of one percent or more, or in the case of an individual who is less than twenty-one years of age, shall have been committed by the person with an alcohol concentration of at least two-hundredths of one percent or more, and if committed in a commercial motor vehicle, a concentration of four-hundredths of one percent or more;

[(14)**] (18)** "Driving under the influence of a controlled substance", the commission of any one or more of the following acts in a commercial or noncommercial motor vehicle:

(a) Driving a commercial or noncommercial motor vehicle while under the influence of any substance so classified under Section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6)), including any substance listed in schedules I through V of 21 CFR Part 1308, as they may be revised from time to time;

(b) Driving a commercial or noncommercial motor vehicle while in a drugged condition in violation of any federal or state law or in violation of a county or municipal ordinance; or

(c) Refusing to submit to a chemical test in violation of section 577.041, section 302.750, any federal or state law, or a county or municipal ordinance;

[(15)**] (19)** "Employer", any person, including the United States, a state, or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns a driver to operate such a vehicle;

(20) "Endorsement", an authorization on an individual's commercial driver's license permitting the individual to operate certain types of commercial motor vehicles;

[(16)**] (21)** "Farm vehicle", a commercial motor vehicle controlled and operated by a farmer used exclusively for the transportation of agricultural products, farm machinery, farm supplies, or a combination of these, within one hundred fifty miles of the farm, other than one which requires placarding for hazardous materials as defined in this section, or used in the operation of a common or contract motor carrier, except that a farm vehicle shall not be a commercial motor vehicle when the total combined gross weight rating does not exceed twenty-six thousand one pounds when transporting fertilizers as defined in subdivision **[**(21)**] (27)** of this subsection;

[(17)**] (22)** "Fatality", the death of a person as a result of a motor vehicle accident;

[(18)**] (23)** "Felony", any offense under state or federal law that is punishable by death or imprisonment for a term exceeding one year;

(24) "Foreign", outside the fifty states of the United States and the District of Columbia;

[(19)**] (25)** "Gross combination weight rating" or "GCWR", the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon;

[(20)**] (26)** "Gross vehicle weight rating" or "GVWR", the value specified by the manufacturer as the loaded weight of a single vehicle;

[(21)**] (27)** "Hazardous materials", any material that has been designated as hazardous under 49 U.S.C. 5103 and is required to be placarded under subpart F of CFR Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR Part 73. Fertilizers, including but not limited to ammonium nitrate, phosphate, nitrogen, anhydrous ammonia, lime, potash, motor fuel or special fuel, shall not be considered hazardous materials when transported by a farm vehicle provided all other provisions of this definition are followed;

[(22)**] (28)** "Imminent hazard", the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begins to lessen the risk of that death, illness, injury, or endangerment;

[(23)**] (29)** "Issuance", the initial licensure, license transfers, license renewals, and license upgrades;

(30) "Medical examiner", a person who is licensed, certified, or registered, in accordance with applicable state laws and regulations, to perform physical examinations. The term includes, but is not limited to, doctors of medicine, doctors of osteopathy, physician assistants, advanced practice nurses, and doctors of chiropractic;

(31) "Medical variance", when a driver has received one of the following that allows the driver to be issued a medical certificate:

(a) An exemption letter permitting operation of a commercial motor vehicle under 49 CFR Part 381, Subpart C or 49 CFR Part 391.64;

(b) A skill performance evaluation certificate permitting operation of a commercial motor vehicle under 49 CFR Part 391.49;

[(24)**] (32)** "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks;

[(25)**] (33)** "Noncommercial motor vehicle", a motor vehicle or combination of motor vehicles not defined by the term "commercial motor vehicle" in this section;

[(26)**] (34)** "Out of service", a temporary prohibition against the operation of a commercial motor vehicle by a particular driver, or the operation of a particular commercial motor vehicle, or the operation of a particular motor carrier;

[(27)**] (35)** "Out-of-service order", a declaration by **[**the Federal Highway Administration, or any**] an** authorized enforcement officer of a federal, state, **[**Commonwealth of Puerto Rico,**]** Canadian, Mexican or any local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service **under 49 CFR Part 386.72, 392.5, 392.9a, 395.13, or 396.9, or comparable laws, or the North American Standard Out-of-Service Criteria**;

[(28)**] (36)** "School bus", a commercial motor vehicle used to transport preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-sponsored events. School bus does not include a bus used as a common carrier as defined by the Secretary;

[(29)**] (37)** "Secretary", the Secretary of Transportation of the United States;

[(30)**] (38)** "Serious traffic violation", driving a commercial motor vehicle in such a manner that the driver receives a conviction for the following offenses or driving a noncommercial motor vehicle when the driver receives a conviction for the following offenses and the conviction results in the suspension or revocation of the driver's license or noncommercial motor vehicle driving privilege:

(a) Excessive speeding, as defined by the Secretary by regulation;

(b) Careless, reckless or imprudent driving which includes, but shall not be limited to, any violation of section 304.016, any violation of section 304.010, or any other violation of federal or state law, or any county or municipal ordinance while driving a commercial motor vehicle in a willful or wanton disregard for the safety of persons or property, or improper or erratic traffic lane changes, or following the vehicle ahead too closely, but shall not include careless and imprudent driving by excessive speed;

(c) A violation of any federal or state law or county or municipal ordinance regulating the operation of motor vehicles arising out of an accident or collision which resulted in death to any person, other than a parking violation;

(d) Driving a commercial motor vehicle without obtaining a commercial driver's license in violation of any federal or state or county or municipal ordinance;

(e) Driving a commercial motor vehicle without a commercial driver's license in the driver's possession in violation of any federal or state or county or municipal ordinance. Any individual who provides proof to the court which has jurisdiction over the issued citation that the individual held a valid commercial driver's license on the date that the citation was issued shall not be guilty of this offense;

(f) Driving a commercial motor vehicle without the proper commercial driver's license class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported in violation of any federal or state law or county or municipal ordinance; or

(g) Any other violation of a federal or state law or county or municipal ordinance regulating the operation of motor vehicles, other than a parking violation, as prescribed by the secretary by regulation;

[(31)**] (39)** "State", a state**[**, territory or possession**]** of the United States**[**, the District of Columbia, the Commonwealth of Puerto Rico, Mexico, and any province of Canada**]**;

[(32)**] (40)** "United States", the fifty states and the District of Columbia.

302.768. 1. Any applicant for a commercial driver's license or commercial driver's instruction permit shall comply with the Federal Motor Carrier Safety Administration application requirements of 49 CFR Part 383.71 by certifying to one of the following applicable statements relating to federal and state driver qualification rules:

(1) Nonexcepted interstate: Certifies the applicant is a driver operating or expecting to operate in interstate or foreign commerce, or is otherwise subject to and meets requirements of 49 CFR Part 391 and is required to obtain a medical examiner's certificate as defined in 49 CFR Part 391.45;

(2) Excepted interstate: Certifies the applicant is a driver operating or expecting to operate entirely in interstate commerce that is not subject to Part 391 and is subject to Missouri driver qualifications and not required to obtain a medical examiner's certificate;

(3) Nonexcepted intrastate: Certifies the applicant is a driver operating only in intrastate commerce and is subject to Missouri driver qualifications;

(4) Excepted intrastate: Certifies the applicant operates or expects to operate only in intrastate commerce, and engaging only in operations excepted from all parts of the Missouri driver qualification requirements.

2. Any applicant who cannot meet certification requirements under one of the categories defined in subsection 1 of this section shall be denied issuance of a commercial driver's license or commercial driver's instruction permit.

3. An applicant certifying to operation in nonexcepted interstate or nonexcepted intrastate commerce shall provide the state with an original or copy of a current medical examiners certificate or a medical examiners certificate accompanied by a medical variance or waiver. The state shall retain the original or copy of the documentation of physical qualification for a minimum of three years beyond the date the certificate was issued.

4. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce shall provide an updated medical certificate or variance documents to maintain a certified status during the term of the commercial driver's license or commercial driver's instruction permit in order to retain commercial privileges.

5. The director shall post the medical examiners certificate of information, medical variance if applicable, the applicant's self-certification and certification status to the Missouri driver record within ten calendar days and such information will become part of the CDLIS driver record.

6. Applicants certifying to operation in nonexcepted interstate commerce or nonexcepted intrastate commerce who fail to provide or maintain a current medical examiners certificate, or if the state has received notice of a medical variance or waiver expiring or being rescinded, the state shall, within ten calendar days, update the driver's medical certification status to "not certified". The state shall notify the driver of the change in certification status and require the driver to annually comply with requirements for a commercial driver's license downgrade within sixty days of the expiration of the applicant certification.

7. The department of revenue may, by rule, establish the cost and criteria for submission of updated medical certification status information as required under this section.

8. Any person who falsifies any information in an application for or update of medical certification status information for a commercial driver's license shall not be licensed to operate a commercial motor vehicle, or the person's commercial driver's license shall be canceled for a period of one year after the director discovers such falsification.

9. The director may promulgate rules and regulations necessary to administer and enforce this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill, Section 304.289, Page 1, Line 8, by inserting after all of said section and line the following:

"Section B. The repeal and reenactment of section 302.700 and the enactment of section 302.768 of this act shall become effective on the date the director of the department of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768, or on May 1, 2013, whichever occurs first. If the director of revenue begins accepting commercial driver license medical certifications under sections 302.700 and 302.768 prior to May 1, 2013, the director of the department of revenue shall notify the revisor of statutes of such fact."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 7** was adopted.

Representative Brattin offered **House Amendment No. 8**.

House Amendment No. 8

AMEND Senate Bill No. 611, Page 1, In the Title, Lines 2-4, by deleting the words, "the establishment of minimal yellow light change interval times for traffic control devices" and inserting in lieu thereof the word, "transportation"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

"142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subdivision (1) of this subsection, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate vender to a farm location for agricultural purposes only. As used in this section, the term "farmer" shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010. At the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the ultimate vender unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer provides an exemption certificate to the ultimate vender, in which case the ultimate vender may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor; The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and (c) of this subdivision shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed

kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

(5) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;

(6) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

(7) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

(8) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars.

3. Motor fuel used in any watercraft, as such term is defined in section 306.010, is exempt from the fuel tax imposed by this chapter, and no such tax shall be imposed or levied on any motor fuel delivered to any marina or other retailer within this state who sells such fuel solely for use in any watercraft in this state. Any distributor who delivers motor fuel to any marina located in this state for use only in a watercraft may also claim the exemption provided in this subsection.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or

fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry.

As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event**;**

_____(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 8** was adopted.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Schatz	Schieber	Schneider	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Shively	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Brown 50	Day	Elmer	Fisher
Franklin	Holsman	Lasater	Nasheed	Neth
Quinn	Sater	Scharnhorst	Schieffer	Schoeller
Sifton	Webber			

On motion of Representative Stream, **SB 611, as amended**, was read the third time and passed by the following vote:

AYES: 133

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Loehner	Long
May	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Morgan	Nance	Nichols	Nolte
Parkinson	Phillips	Pierson	Pollock	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schatz	Schieber	Schieffer	Schneider	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 016

Atkins	Ellington	Hughes	Jones 63	Kirkton
Kratky	Marshall	McCreery	McNeil	Newman
Oxford	Pace	Schupp	Smith 71	Spreng
Still				

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Elmer	Lasater	Lichtenegger	Nasheed
Neth	Quinn	Redmon	Sater	Schad
Scharnhorst	Schoeller	Sifton	Webber	

Representative Franz declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Denison	Diehl	Dugger	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Montecillo
Morgan	Nance	Nichols	Nolte	Oxford
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Talboy	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 021

Atkins	Carlson	Carter	Colona	Ellington
Hubbard	Hughes	Marshall	May	McCreery
McNeil	Newman	Pace	Schupp	Smith 71
Spreng	Still	Swearingen	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 018

Curtman	Day	Dieckhaus	Elmer	Jones 63
Kelly 24	Klippenstein	Lasater	Nasheed	Neth
Pierson	Quinn	Sater	Scharnhorst	Schoeller
Sifton	Webber	Wright		

On motion of Representative Jones (89), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Diehl.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2711 through House Resolution No. 2740

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1504**, entitled:

An act to repeal sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, 67.1754, 144.805, and 182.802, RSMo, and to enact in lieu thereof twenty-nine new sections relating to sales taxes, with an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 1 to Senate Amendment No. 5, Senate Amendment No. 5, as amended, and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1504, Page 18, Section 67.5038, Line 8, by inserting after all of said line the following:

"92.338. 1. All applicable provisions contained in sections 144.010 to 144.510 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax imposed by sections 92.325 to 92.340, except as modified in sections 92.325 to 92.340.

2. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.510 are hereby made applicable to the imposition and collection of the tax imposed by sections 92.325 to 92.340. **Notwithstanding the provisions of this subsection, the governing body of any city that imposes a convention and tourism tax pursuant to sections 92.325 to 92.340 may pass an ordinance and seek voter approval to collect the tax from certain transient guests who are otherwise exempt under this subsection. Such proposition shall be submitted to the voters at a citywide general or primary election or at a special election called for that purpose. It shall be submitted in a form set by the governing body.**

3. **Except as provided in subsection 2 of this section,** the same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.510 for the administration and collection of the state sales tax shall satisfy the requirements of sections 92.325 to 92.340, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from the tax imposed by sections 92.325 to 92.340.

4. The person, firm or corporation subject to any tax imposed pursuant to sections 92.325 to 92.340 shall collect the tax from the transient guests and patrons of the food establishment and each such transient guest and patron of the food establishment shall pay the amount of the tax due to the person, firm or corporation required to collect the tax. The city shall permit the person required to remit the tax to deduct and retain an amount equal to two percent of the taxes collected. The city governing body may either require the license collector of the city to collect the tax imposed by sections 92.325 to 92.340 or may enter into an agreement with the director of revenue to have the director collect such tax on behalf of the city. In the event such an agreement is entered into, the director of revenue shall perform all functions incident to the collection, enforcement and operation of such tax, and the director shall collect the tax on behalf of the city and shall transfer the funds collected to the city license collector, except for an amount not less than one percent nor more than three percent, which shall be retained by the director for costs of collection. If the director of revenue is to collect such tax, the tax shall be collected and reported upon such forms and under such administrative rules

and regulations as the director may prescribe. All refunds and penalties as provided in sections 144.010 to 144.525 are hereby made applicable to violations of sections 92.325 to 92.340."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 1504, Page 2, Section 67.750, Line 29, by inserting at the end of said line the following:

"67.1360. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) A city with a population of more than seven thousand and less than seven thousand five hundred;

(2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;

(3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;

(4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater than six hundred thousand but less than nine hundred thousand inhabitants;

(5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;

(8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;

(9) Any county of the second classification without a township form of government and a population of less than thirty thousand;

(10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;

(11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;

(14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;

(15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(18) Any fourth class city with a population of more than two thousand four hundred but less than two thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the portion of the school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants;

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(34) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants; **[**or**]**

(35) Any city of the fourth classification with more than three thousand eight hundred but fewer than four thousand inhabitants and located in more than one county; provided, however, that motels owned by not-for-profit organizations are exempt**; or**

(36) Any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 1504, Page 18, Section 67.5038, Line 8, by inserting after all of said line the following:

"144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment.

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date

of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**]** **8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**]** **9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**]** **10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Bill No. 1504, Page 18, Section 67.5038, Line 8, by inserting after all of said line the following:

"71.625. **1.** The timely payment of a license tax due to any municipal corporation in this state, or any county pursuant to section 66.300, which is delivered by United States mail to the municipality or county office designated by such municipality or county office to receive such payments, shall be deemed paid as of the postmark date stamped on the envelope or other cover in which such payment is mailed. In the event any payment of tax due is sent by registered or certified mail, the date of the registration or certification shall be deemed the postmark date. No additional tax, penalty or interest shall be imposed by any municipality or county on any taxpayer whose payment is delivered by United States mail, if the postmark date stamped on the envelope or other cover containing such payment falls within the prescribed period on or before the prescribed date, including any extension granted, for making the payment. When the last day for making any license tax payment, including extensions, falls on a Saturday, a Sunday, or a legal holiday in this state, the payment shall be considered timely if the payment is made on the next succeeding day which is not a Saturday, Sunday or legal holiday.

2. Except as otherwise provided by law, the interest provisions of section 144.170 and penalty provisions of section 144.250 relating to delinquent sales taxes shall apply to delinquent taxes due as a result of the imposition of a license tax by any municipal corporation. The limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.510."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1
to
Senate Amendment No. 5

AMEND Senate Amendment No. 5 to Senate Committee Substitute for House Bill No. 1504, Page 1, Line 5, by striking the word "six" and inserting in lieu thereof the following:

"**twenty-three**".

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Bill No. 1504, Page 11, Section 67.5012, Line 10, by inserting at the end of said line the following:

"**The question of whether to continue to impose the one-tenth of one cent local sales tax authorized under this section shall be submitted to the voters of the county every six years after the voters of that county approved the initial imposition of the tax.**".

Senate Amendment No. 6

AMEND Senate Committee Substitute for House Bill No. 1504, Page 8, Section 67.1754, Line 81 of said page, by inserting after all of said line the following:

"67.2500. 1. A theater, cultural arts, and entertainment district may be established in the manner provided in section 67.2505 by the governing body of any county, city, town, or village that has adopted transect-based zoning under

chapter 89, any county described in this subsection, or any city, town, or village that is within such counties:

(1) Any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants;

(2) Any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants;

(3) Any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants;

(4) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(5) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(6) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants**;**

(7) Any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat.

2. Sections 67.2500 to 67.2530 shall be known as the "Theater, Cultural Arts, and Entertainment District Act".

3. As used in sections 67.2500 to 67.2530, the following terms mean:

(1) "District", a theater, cultural arts, and entertainment district organized under this section;

(2) "Qualified electors", "qualified voters", or "voters", registered voters residing within the district or subdistrict, or proposed district or subdistrict, who have registered to vote pursuant to chapter 115 or, if there are no persons eligible to be registered voters residing in the district or subdistrict, proposed district or subdistrict, property owners, including corporations and other entities, that are owners of real property;

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115; and

(4) "Subdistrict", a subdivision of a district, but not a separate political subdivision, created for the purposes specified in subsection 5 of section 67.2505.

67.2510. As a complete alternative to the procedure establishing a district set forth in section 67.2505, a theater, cultural arts, and entertainment district may be established in the manner provided in section 67.2515 by a circuit court with jurisdiction over any county, city, town, or village that has adopted transect-based zoning under chapter 89, any county described in this section, or any city, town, or village that is within such counties:

(1) Any county with a charter form of government and with more than two hundred fifty thousand but less than three hundred fifty thousand inhabitants;

(2) Any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants;

(3) Any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants;

(4) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

(5) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(6) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants**;**

(7) Any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a home rule city with more than seventy-six thousand but fewer than ninety-one thousand inhabitants as the county seat."; and

Further amend the title and enacting clause accordingly.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2002** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2003** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2004** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2005** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2006, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2007** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2008** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2009** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2010** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2011, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2012** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 2013** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Schaefer, Brown, Kraus, Green and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SJR 51**, entitled:

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 25(a) and 25(d) of article V of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to nonpartisan selection of judges.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA's 1, 2, as amended, 3, 4, 6 & 8 to SB 564**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Speaker Tilley resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS SCS HCS HB 2002: Representatives Silvey, Stream, Hough, Lampe and Montecillo
SS SCS HCS HB 2003: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2004: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2005: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2006: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2007: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2008: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2009: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2010: Representatives Silvey, Stream, Flanigan, Lampe and Kelly (24)
SS SCS HCS HB 2011: Representatives Silvey, Stream, Flanigan, Kelly (24) and Montecillo
SS SCS HCS HB 2012: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)
SS SCS HCS HB 2013: Representatives Silvey, Stream, Hough, Lampe and Kelly (24)

Representative Diehl resumed the Chair.

PERFECTION OF HOUSE BILLS

HCS HB 1966, relating to records of activity as evidence, was taken up by Representative Burlison.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Denison
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schneider	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Wallingford	Weter
Wieland	Wright	Wyatt	Zerr	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 022

Curtman	Day	Dieckhaus	Dugger	Funderburk
Jones 63	Lasater	Marshall	McGhee	McNary
Meadows	Molendorp	Schad	Schoeller	Sifton
Stream	Torpey	Webb	Webber	Wells
White	Mr Speaker			

Representative Burlison moved that **HCS HB 1966** be adopted.

Which motion was defeated by the following vote:

AYES: 049

Allen	Bahr	Brandom	Burlison	Cookson
Crawford	Cross	Davis	Diehl	Dugger
Fisher	Fitzwater	Flanigan	Fraker	Franz
Gatschenberger	Grisamore	Guernsey	Haefner	Hoskins
Houghton	Johnson	Jones 89	Jones 117	Keeney
Koenig	Korman	Lair	Lant	Lauer
Leach	Leara	Lichtenegger	Long	Parkinson
Phillips	Reiboldt	Riddle	Ruzicka	Sater
Schatz	Schneider	Smith 150	Sommer	Stream
Thomson	Wallingford	Wright	Zerr	

NOES: 095

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 50
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cox	Denison	Ellinger	Ellington	Elmer
Entlicher	Fallert	Franklin	Frederick	Fuhr
Funderburk	Gosen	Hampton	Harris	Hinson
Hodges	Holsman	Hough	Hubbard	Hughes
Hummel	Kander	Kelley 126	Kelly 24	Kirkton
Klippenstein	Kratky	Lampe	Largent	Loehner
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Pierson	Pollock
Quinn	Redmon	Richardson	Rizzo	Rowland
Scharnhorst	Schieber	Schieffer	Schupp	Shively
Shumake	Silvey	Smith 71	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Wells	Weter	Wieland	Wyatt

PRESENT: 000

ABSENT WITH LEAVE: 019

Curtman	Day	Dieckhaus	Higdon	Jones 63
Lasater	Marshall	McGhee	McNary	Meadows
Molendorp	Schad	Schoeller	Sifton	Torpey
Webb	Webber	White	Mr Speaker	

HB 1966 was laid over.

HCS HB 1710, relating to the Missouri Works Training Program, was taken up by Representative Hough.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1710, Page 1, Section A, Line 6, by inserting after all of said line the following:

"**67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**

(1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of revenue;

(6) "Eligible costs", shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1710, Page 4, Section 135.800, Line 75, by inserting after all of said section and line:

"**620.007. The department of economic development shall require start-up companies that apply for economic development incentives, where the incentive is provided up-front, to provide verification of financial information when an application for such incentives is submitted to the department. In complying with this section, the department shall define "start-up company".**

620.009. 1. The department of economic development shall share either by electronic copy of the original source or as close as a reproduction as possible all adverse information it has about a company seeking state and local economic development incentives with all local governments, local not-for-profit economic development organizations, and economic development officials competing for the company's business.

2. Local governments, local not-for-profit economic development organizations, and economic development officials working with a company seeking state or local economic development incentives shall also share with the department of economic development all adverse information received about a company.

3. In complying with the provisions of this section, all adverse information received about a company seeking state or local economic development incentives shall be subject to the provisions of section 620.014.

4. In working with local governments, local not-for-profit economic development organizations, and economic development officials on projects, the department of economic development shall designate one or more persons as the local contact for each project. The designated contacts shall be the persons through whom all information required in this section shall be provided. Such persons shall be required to sign a nondisclosure agreement agreeing not to divulge information, including company name, acquired about an applicant for economic development incentives to the general public.

5. In complying with the provisions of this section, no person or entity shall be required to violate terms of another nondisclosure agreement related to the project, except that the department of economic development shall not enter into a nondisclosure agreement that forbids sharing of adverse information under this section.

620.019. The department of economic development shall develop a rating system to apprise local governments of the department's opinion on proposals for discretionary economic development incentives that combine local and state resources."; and

Further amend said bill, Section 620.800, Page 6, Line 75 through Page 7, Line 83, by deleting all of said lines and inserting in lieu thereof the following:

"**publicly announced its intention to file for bankruptcy protection.**"; and

Further amend said bill, Page 28, Section 620.1910, Line 163, by inserting after all of said section and line the following:

"**Section 1. The department of economic development shall include a conflict of interest policy in all new consulting contracts for trade offices located in foreign countries.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Solon offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1710, Page 20, Section 620.1881, Line 113, by inserting after the word, "relocation" the words, "**or quality job loss**"; and

Further amend said page and section, Line 118, by deleting the word, "seventy" and inserting in lieu thereof, "**[**seventy**] fifty**"; and

Further amend said page, section and line, by deleting the word, "two" and inserting in lieu thereof, "**[**two**] five**"; and

Further amend said section, Page 21, Line 139, by deleting the number "2013" and inserting in lieu thereof, "**[**2013**] 2018**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 3** was adopted.

Representative Johnson offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1710, Page 28, Section 620.1910, Line 163, by inserting after all of said section and line the following:

"**620.2450. 1. There is hereby established the "Missouri Jobs for Education Program". The program is established for the purpose of providing credit toward tuition to award Missouri and out-of-state business owners and companies responsible for the creation of new jobs in the state. Credit toward tuition awarded under this section entitle the credit holder to credit toward tuition at any public institution of higher education in the state.**

2. Under the Missouri jobs for education program, business owners and companies may apply for credit toward tuition, redeemable for study at public institutions of higher education in the state. A qualifying business owner or company shall receive one credit toward tuition for every qualifying job created. In order to qualify for credit toward tuition under this section, the new job shall:

(1) Pay wages that meet or exceed the county average wage;

(2) Be maintained for at least one year before the claimant is eligible to receive the credit toward tuition; and

(3) Be a full-time position, including at a minimum two thousand hours per year, with one hundred sixty hours per month for ten of the twelve calendar months.

3. Credit toward tuition awarded under this section may be used by employees of the business owner or company, by any relatives of the business owner, or may be gifted to any person of the business owner's choosing. Credit toward tuition received shall expire if not used within ten years of the date awarded. Unused credit toward tuition shall not be refunded and shall be deposited into general revenue.

4. There is hereby created in the state treasury the "Missouri Jobs for Education Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely for the administration of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of economic development shall administer the program established in this section. The department of revenue shall create an employer application process, and withhold state employee taxes and deposit the money into the Missouri jobs for education fund established in subsection 4 of this section. Funding for credit toward tuition shall begin on the day the new job is created. The department of economic development shall track employer contributions and ensure that the credit toward tuition granted does not exceed the amount that has been deposited by the employer. If an employee tax withheld is more than the cost of tuition, no money shall be refunded.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 4** was adopted.

On motion of Representative Hough, **HCS HB 1710, as amended**, was adopted.

On motion of Representative Hough, **HCS HB 1710, as amended**, was ordered perfected and printed.

RECONSIDERATIONS

Representative Higdon, having voted on the prevailing side, moved that the vote by which **HCS HB 1900, as amended**, was ordered perfected and printed, be reconsidered.

Which motion was adopted by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schatz	Schieber	Schieffer	Schupp	Shively
Shumake	Smith 71	Smith 150	Solon	Sommer
Still	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Walton Gray	Webb	Weter
Wieland	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 030

Curtman	Day	Dieckhaus	Hoskins	Hughes
Jones 63	Jones 117	Lasater	Long	Marshall
McGhee	McNary	Meadows	Molendorp	Parkinson
Phillips	Sater	Schad	Schneider	Schoeller
Sifton	Silvey	Spreng	Stream	Wallingford
Webber	Wells	White	Wright	Mr Speaker

Representative Higdon, having voted on the prevailing side, moved that the vote by which **HCS HB 1900, as amended**, was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lampe	Lant	Largent	Lauer
Leara	Lichtenegger	Loehner	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Scharnhorst	Schatz
Schieber	Schieffer	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Wells	Weter	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Cierpiot	Curtman	Day	Dieckhaus	Hoskins
Hughes	Jones 63	Jones 117	Lair	Lasater
Leach	Long	Marshall	McGhee	McNary
Meadows	Molendorp	Sater	Schad	Schneider
Schoeller	Sifton	Spreng	Webber	White
Wright				

Representative Higdon, having voted on the prevailing side, moved that the vote by which **House Amendment No. 2** was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Scharnhorst	Schatz	Schieber	Schieffer	Schupp
Shively	Shumake	Silvey	Smith 71	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Colona	Curtman	Day	Dieckhaus	Hughes
Hummel	Jones 63	Lasater	Long	Marshall
McCreery	McGhee	McNary	Meadows	Molendorp
Sater	Schad	Schneider	Schoeller	Sifton
Smith 150	Swearingen	Webber	White	

Representative Redmon offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1900, Page 41, Section 311.650, Line 3, by inserting after all of said section and line the following:

"311.730. **1.** All **license** fees **and charges for the privilege of selling spiritous liquors and wines, and the inspection and gauging fees on malt liquor** collected by the director of revenue as provided for in this chapter**[**, including licenses, inspection and gauging fees,**]** shall be paid into the state treasury, to the credit of the ordinary state revenue fund.

2. All transaction fees and miscellaneous fees collected by the director of revenue as provided in this chapter shall be paid into the state treasury to the credit of the alcohol and tobacco control trust fund established in section 311.735.

311.735. 1. There is established in the state treasury a special trust fund to be known as the "Alcohol and Tobacco Control Trust Fund". The state treasurer shall credit to and deposit in the fund all amounts received under chapters 311 and 407.

2. The state treasurer shall invest moneys in the alcohol and tobacco control trust fund in the same manner as surplus state funds are invested under section 30.260. All earnings resulting from the investments of moneys in the fund shall be credited to the fund.

3. Funds appropriated by the general assembly from the fund shall be used only for purposes authorized under this section.

4. Appropriation of funds by the general assembly from the fund shall be used to support the division of alcohol and tobacco control for the administration and regulation of the liquor control and tobacco under chapter 311 and sections 407.920 to 407.934."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Redmon, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

On motion of Representative Redmon, **HCS HB 1900, as amended**, was adopted.

On motion of Representative Redmon, **HCS HB 1900, as amended**, was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HB 1245, relating to the Missouri Quality Jobs Act, was taken up by Representative Lauer.

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1245, Page 10, Line 118, by deleting the word, "seventy" and inserting in lieu thereof, "**[**seventy**] fifty**"; and

Further amend said page, section and line, by deleting the word, "two" and inserting in lieu thereof, "**[**two**] five**"; and

Further amend said page and section, Line 139, by deleting the number "2013" and inserting in lieu thereof, "**[**2013**] 2018**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 1** was adopted.

Representative Jones (89) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1245, Page 1, Section A, Line 2, by after all of said line inserting the following:

"**67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**

(1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of revenue;

(6) "Eligible costs", shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association

(USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested

with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 2** was adopted.

Representative Johnson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1245, Page 18, Section 620.1881, Line 409, by inserting after all of said section and line the following:

"**620.2450. 1. There is hereby established the "Missouri Jobs for Education Program". The program is established for the purpose of providing credit toward tuition to award Missouri and out-of-state business owners and companies responsible for the creation of new jobs in the state. Credit toward tuition awarded under this section entitle the credit holder to credit toward tuition at any public institution of higher education in the state.**

2. Under the Missouri jobs for education program, business owners and companies may apply for credit toward tuition, redeemable for study at public institutions of higher education in the state. A qualifying business owner or company shall receive one credit toward tuition for every qualifying job created. In order to qualify for credit toward tuition under this section, the new job shall:

(1) Pay wages that meet or exceed the county average wage;

(2) Be maintained for at least one year before the claimant is eligible to receive the credit toward tuition; and

(3) Be a full-time position, including at a minimum two thousand hours per year, with one hundred sixty hours per month for ten of the twelve calendar months.

3. Credit toward tuition awarded under this section may be used by employees of the business owner or company, by any relatives of the business owner, or may be gifted to any person of the business owner's choosing. Credit toward tuition received shall expire if not used within ten years of the date awarded. Unused credit toward tuition shall not be refunded and shall be deposited into general revenue.

4. There is hereby created in the state treasury the "Missouri Jobs for Education Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely for the administration of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of economic development shall administer the program established in this section. The department of revenue shall create an employer application process, and withhold state employee taxes and deposit the money into the Missouri jobs for education fund established in subsection 4 of this section. Funding for credit toward tuition shall begin on the day the new job is created. The department of economic development shall track employer contributions and ensure that the credit toward tuition granted does not exceed the amount that has been deposited by the employer. If an employee tax withheld is more than the cost of tuition, no money shall be refunded.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 3** was adopted.

Representative Jones (117) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1245, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

"135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and

(2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; **[**and**]**

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

(a) The state of Missouri over the previous twelve months; or

(b) The county or city not within a county over the previous twelve months**; and**

(5) No finding of blight under this chapter shall be used to meet the conditions for blight under any other statute of this state.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

(1) The potential to create sustainable jobs in a targeted industry; or

(2) A demonstrated impact on local industry cluster development.

5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 4** was adopted.

On motion of Representative Dugger, **HCS HB 1245, as amended**, was adopted.

On motion of Representative Dugger, **HCS HB 1245, as amended**, was ordered perfected and printed.

THIRD READING OF SENATE BILLS

SS SCS SB 719, relating to boating safety identification cards, was taken up by Representative Brown (116).

Representative Brattin offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 1, In the Title, Lines 2-3, by deleting all of said lines and inserting in lieu thereof the word, "transportation"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section, the following:

"142.815. 1. Motor fuel used for the following nonhighway purposes is exempt from the fuel tax imposed by this chapter, and a refund may be claimed by the consumer, except as provided for in subdivision (1) of this subsection, if the tax has been paid and no refund has been previously issued:

(1) Motor fuel used for nonhighway purposes including fuel for farm tractors or stationary engines owned or leased and operated by any person and used exclusively for agricultural purposes and including, beginning January 1, 2006, bulk sales of one hundred gallons or more of gasoline made to farmers and delivered by the ultimate vender to a farm location for agricultural purposes only. As used in this section, the term "farmer" shall mean any person engaged in farming in an authorized farm corporation, family farm, or family farm corporation as defined in section 350.010. At the discretion of the ultimate vender, the refund may be claimed by the ultimate vender on behalf of the consumer for sales made to farmers and to persons engaged in construction for agricultural purposes as defined in section 142.800. After December 31, 2000, the refund may be claimed only by the consumer and may not be claimed by the ultimate vender unless bulk sales of gasoline are made to a farmer after January 1, 2006, as provided in this subdivision and the farmer provides an exemption certificate to the ultimate vender, in which case the ultimate vender may make a claim for refund under section 142.824 but shall be liable for any erroneous refund;

(2) Kerosene sold for use as fuel to generate power in aircraft engines, whether in aircraft or for training, testing or research purposes of aircraft engines;

(3) Diesel fuel used as heating oil, or in railroad locomotives or any other motorized flanged-wheel rail equipment, or used for other nonhighway purposes other than as expressly exempted pursuant to another provision.

2. Subject to the procedural requirements and conditions set out in this chapter, the following uses are exempt from the tax imposed by section 142.803 on motor fuel, and a deduction or a refund may be claimed:

(1) Motor fuel for which proof of export is available in the form of a terminal-issued destination state shipping paper and which is either:

(a) Exported by a supplier who is licensed in the destination state or through the bulk transfer system;

(b) Removed by a licensed distributor for immediate export to a state for which all the applicable taxes and fees (however nominated in that state) of the destination state have been paid to the supplier, as a trustee, who is licensed to remit tax to the destination state; or which is destined for use within the destination state by the federal government for which an exemption has been made available by the destination state subject to procedural rules and regulations promulgated by the director; or

(c) Acquired by a licensed distributor and which the tax imposed by this chapter has previously been paid or accrued either as a result of being stored outside of the bulk transfer system immediately prior to loading or as a diversion across state boundaries properly reported in conformity with this chapter and was subsequently exported from this state on behalf of the distributor; The exemption pursuant to paragraph (a) of this subdivision shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax upon removal of the product from a terminal or refinery in this state. The exemption pursuant to paragraphs (b) and (c) of this subdivision shall be

claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars;

(2) Undyed K-1 kerosene sold at retail through dispensers which have been designed and constructed to prevent delivery directly from the dispenser into a vehicle fuel supply tank, and undyed K-1 kerosene sold at retail through nonbarricaded dispensers in quantities of not more than twenty-one gallons for use other than for highway purposes. Exempt use of undyed kerosene shall be governed by rules and regulations of the director. If no rules or regulations are promulgated by the director, then the exempt use of undyed kerosene shall be governed by rules and regulations of the Internal Revenue Service. A distributor or supplier delivering to a retail facility shall obtain an exemption certificate from the owner or operator of such facility stating that its sales conform to the dispenser requirements of this subdivision. A licensed distributor, having obtained such certificate, may provide a copy to his or her supplier and obtain undyed kerosene without the tax levied by section 142.803. Having obtained such certificate in good faith, such supplier shall be relieved of any responsibility if the fuel is later used in a taxable manner. An ultimate vendor who obtained undyed kerosene upon which the tax levied by section 142.803 had been paid and makes sales qualifying pursuant to this subsection may apply for a refund of the tax pursuant to application, as provided in section 142.818, to the director provided the ultimate vendor did not charge such tax to the consumer;

(3) Motor fuel sold to the United States or any agency or instrumentality thereof. This exemption shall be claimed as provided in section 142.818;

(4) Motor fuel used solely and exclusively as fuel to propel motor vehicles on the public roads and highways of this state when leased or owned and when being operated by a federally recognized Indian tribe in the performance of essential governmental functions, such as providing police, fire, health or water services. The exemption for use pursuant to this subdivision shall be made available to the tribal government upon a refund application stating that the motor fuel was purchased for the exclusive use of the tribe in performing named essential governmental services;

(5) That portion of motor fuel used to operate equipment attached to a motor vehicle, if the motor fuel was placed into the fuel supply tank of a motor vehicle that has a common fuel reservoir for travel on a highway and for the operation of equipment, or if the motor fuel was placed in a separate fuel tank and used only for the operation of auxiliary equipment. The exemption for use pursuant to this subdivision shall be claimed by a refund claim filed by the consumer who shall provide evidence of an allocation of use satisfactory to the director;

(6) Motor fuel acquired by a consumer out-of-state and carried into this state, retained within and consumed from the same vehicle fuel supply tank within which it was imported, except interstate motor fuel users;

(7) Motor fuel which was purchased tax-paid and which was lost or destroyed as a direct result of a sudden and unexpected casualty or which had been accidentally contaminated so as to be unsalable as highway fuel as shown by proper documentation as required by the director. The exemption pursuant to this subdivision shall be refunded to the person or entity owning the motor fuel at the time of the contamination or loss. Such person shall notify the director in writing of such event and the amount of motor fuel lost or contaminated within ten days from the date of discovery of such loss or contamination, and within thirty days after such notice, shall file an affidavit sworn to by the person having immediate custody of such motor fuel at the time of the loss or contamination, setting forth in full the circumstances and the amount of the loss or contamination and such other information with respect thereto as the director may require;

(8) Dyed diesel fuel or dyed kerosene used for an exempt purpose. This exemption shall be claimed as follows:

(a) A supplier or importer shall take a deduction against motor fuel tax owed on their monthly report for those gallons of dyed diesel fuel or dyed kerosene imported or removed from a terminal or refinery destined for delivery to a point in this state as shown on the shipping papers;

(b) This exemption shall be claimed by a deduction on the report of the supplier which is otherwise responsible for remitting the tax on removal of the product from a terminal or refinery in this state;

(c) This exemption shall be claimed by the distributor, upon a refund application made to the director within three years. A refund claim may be made monthly or whenever the claim exceeds one thousand dollars.

3. Motor fuel used in any watercraft, as such term is defined in section 306.010, is exempt from the fuel tax imposed by this chapter, and no such tax shall be imposed or levied on any motor fuel delivered to any marina or other retailer within this state who sells such fuel solely for use in any watercraft in this state. Any distributor who delivers motor fuel to any marina located in this state for use only in a watercraft may also claim the exemption provided in this subsection.

144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws

of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied, assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

(5) Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

(6) Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

(7) Animals or poultry used for breeding or feeding purposes, or captive wildlife;

(8) Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

(9) The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

(10) Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

(11) Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

(12) Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(13) Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

(14) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(15) Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

(16) Tangible personal property purchased by a rural water district;

(17) All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

(18) All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

(19) All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

(20) All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

(21) All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

(22) All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used

in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

(23) Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

(24) All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

(25) Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

(26) Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers

bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

(27) All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

(28) Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

(29) All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

(30) All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

(31) Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

(32) Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

(33) Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

(34) All sales of grain bins for storage of grain for resale;

(35) All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

(36) All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

(37) All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

(38) Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

(39) All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

(41) Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from

patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event**;**

(42) All sales of motor fuel, as defined in section 142.800, used in any watercraft, as defined in section 306.010."; and

Further amend said bill, Page 4, Section B, Lines 2 and 5, by inserting before the words, "section A" the following words, "the provisions relating to temporary boating safety identification cards to nonresidents in"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 1** was adopted.

Representative Hough offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 1, Section A, Line 2, by inserting after all of said line the following:

"304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles**, except that each municipality shall allow at least one street, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize municipalities to limit the use of all streets in the municipality**;

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial vehicles on all streets within the municipality."; and

Further amend said bill, Page 4, Section 306.127, Line 105, by inserting after all of said line the following:

"**537.293. 1. Notwithstanding any other provision of law, the use of vehicles on a public street or highway in a manner which is legal under state and local law shall not constitute a public or private nuisance, and shall not be the basis of a civil action for public or private nuisance.**

2. No individual or business entity shall be subject to any civil action in law or equity for a public or private nuisance on the basis of such individual or business entity legally using vehicles on a public street or highway. Any actions by a court in this state to enjoin the use of a public street or highway in violation of this section and any damages awarded or imposed by a court, or assessed by a jury, against an individual or business entity for public or private nuisance in violation of this section shall be null and void.

3. Notwithstanding any other provision of law, nothing in this section shall be construed to limit civil liability for compensatory damages arising from physical injury to another human being."; and

Further amend said bill, Page 4, Section B, Line 2, by inserting after the word, "vessels," the words, "the repeal and reenactment of section 306.127 of"; and

Further amend said page and section, Line 5, by inserting after the first occurrence of the word, "and" the words, "the repeal and reenactment of section 306.127 of"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 2** was adopted.

Representative Johnson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 1, Title, Lines 3-4, by deleting all of said lines and inserting in lieu thereof the following:

"to transportation."; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said section and line, the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. **Except as provided in subsection 3 of this section,** every person operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

3. **Notwithstanding subsection 2 of this section, any person twenty-one years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear when such person has obtained a helmet-free endorsement from the department of revenue. The department of revenue shall issue a helmet-free endorsement on the driver's license of any applicant who provides satisfactory proof of at least twenty-five thousand dollars in medical coverage payments insurance that is in effect for a minimum of two years.**

The cost of the new driver's license issued with the helmet-free endorsement shall be paid by the motorcycle licensee.

4. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by a fine not to exceed three hundred dollars. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable by imprisonment in the county jail for a term not to exceed one year and/or a fine not to exceed one thousand dollars. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable by a fine not to exceed three hundred dollars, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Korman offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 2, Line 22, by inserting after all of said line the following:

'Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"302.173. 1. Any applicant for a license, who does not possess a valid license issued pursuant to the laws of this state, another state, or a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 shall be examined as herein provided. Any person who has failed to renew such person's license on or before the date of its expiration or within six months thereafter must take the complete examination. Any active member of the armed forces, their adult dependents or any active member of the peace corps may apply for a renewal license without examination of any kind, unless otherwise required by sections 302.700 to 302.780, provided the renewal application shows that the previous license had not been suspended or revoked. Any person honorably discharged from the armed forces of the United States who held a valid license prior to being inducted may apply for a renewal license within sixty days after such person's honorable discharge without submitting to any examination of such person's ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780, other than the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. No applicant for a renewal license shall be required to submit to any examination of his or her ability to safely operate a motor vehicle over the highways of this state unless otherwise required by sections 302.700 to 302.780 or regulations promulgated thereunder, other than a test of the applicant's ability to understand highway signs regulating, warning or directing traffic and the vision test provided in section 302.175, unless the facts set out in the renewal application or record of convictions on the expiring license, or the records of the director show that there is good cause to authorize the director to require the applicant to submit to the complete examination. The examination shall be made available in each county. Reasonable notice of the time and place of the examination shall be given the applicant by the person or officer designated to conduct it. The complete examination shall include a test of the applicant's natural or corrected vision as prescribed in section 302.175, the applicant's ability to understand highway signs regulating, warning or directing traffic, the applicant's practical knowledge of the traffic laws of this state, and an actual demonstration of ability to exercise due care in the operation of a motor vehicle of the classification for which the license is sought. When an applicant for a license has a license from a state which has requirements for issuance of a license comparable to the Missouri requirements or a license from a country which has a reciprocal agreement with the state of Missouri regarding the exchange of licenses pursuant to section 302.172 and such license has not expired more than six months prior to the date

of application for the Missouri license, the director may waive the test of the applicant's practical knowledge of the traffic laws of this state, and the requirement of actual demonstration of ability to exercise due care in the operation of a motor vehicle. If the director has reasonable grounds to believe that an applicant is suffering from some known physical or mental ailment which ordinarily would interfere with the applicant's fitness to operate a motor vehicle safely upon the highways, the director may require that the examination include a physical or mental examination by a licensed physician of the applicant's choice, at the applicant's expense, to determine the fact. The director shall prescribe regulations to ensure uniformity in the examinations and in the grading thereof and shall prescribe and furnish all forms to the members of the highway patrol and to other persons authorized to conduct examinations as may be necessary to enable the officer or person to properly conduct the examination. The records of the examination shall be forwarded to the director who shall not issue any license hereunder if in the director's opinion the applicant is not qualified to operate a motor vehicle safely upon the highways of this state.

2. Beginning July 1, 2005, when the examiner has reasonable grounds to believe that an individual has committed fraud or deception during the examination process, the license examiner shall immediately forward to the director all information relevant to any fraud or deception, including, but not limited to, a statement of the examiner's grounds for belief that the person committed or attempted to commit fraud or deception in the written, skills, or vision examination.

3. The director of revenue shall delegate the power to conduct the examinations required for a license or permit to any member of the highway patrol or any person employed by the highway patrol. The powers delegated to any examiner may be revoked at any time by the director of revenue upon notice.

4. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful completion of a motorcycle rider training course approved pursuant to sections 302.133 to 302.137 shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further driving test shall be required to obtain a motorcycle or motortricycle license or endorsement.

5. Notwithstanding the requirements of subsections 1 and 3 of this section, the successful completion of a military motorcycle rider training course that meets or exceeds the Motorcycle Safety Foundation curriculum standards by an applicant who is an active member of the U.S. armed forces, shall constitute an actual demonstration of the person's ability to exercise due care in the operation of a motorcycle or motortricycle, and no further driving test shall be required to obtain a motorcycle or motortricycle license or endorsement. The director of revenue is authorized to promulgate rules and regulations for the administration and implementation of this subsection including rules governing the presentment of motorcycle training course completion cards from a military motorcycle rider training course or other documentation showing that the applicant has successfully completed a course in basic motorcycle safety instruction that meets or exceeds curriculum standards established by the Motorcycle Safety Foundation or other national organization whose purpose is to improve the safety of motorcyclists on the nation's streets and highways. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Johnson, **House Amendment No. 3, as amended**, was adopted by the following vote:

AYES: 077

Allen	Aull	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cox
Crawford	Cross	Curtman	Day	Diehl

Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Franz	Fuhr	Funderburk	Gosen
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Largent	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Meadows
Nance	Neth	Parkinson	Richardson	Riddle
Rowland	Schad	Schieber	Schieffer	Schneider
Shively	Silvey	Smith 150	Solon	Sommer
Swearingen	Swinger	Thomson	Torpey	Wallingford
Wieland	Zerr			

NOES: 074

Anders	Asbury	Atkins	Berry	Black
Brown 50	Brown 85	Carlson	Carter	Cookson
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Fraker	Franklin	Frederick	Gatschenberger
Grisamore	Haefner	Hampton	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	Lant	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Rizzo	Ruzicka	Sater	Scharnhorst	Schatz
Schupp	Shumake	Smith 71	Spreng	Still
Stream	Talboy	Taylor	Walton Gray	Webb
Weter	White	Wright	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 012

Colona	Guernsey	Hughes	Lasater	Lauer
Molendorp	Nolte	Schoeller	Sifton	Webber
Wells	Mr Speaker			

Representative Brown (116) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 4, Section 306.127, Line 105, by inserting after all of said line the following:

"306.532. Effective **[**January 1, 2011**]** **August 28, 2012**, the certificate of title for a new outboard motor shall designate the year the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW". **Any outboard motor manufactured on or after July 1 of any year shall be labeled "Year Manufactured" with the calender year immediately following the year manufactured, unless the manufacturer indicates a specific model or program year.**"; and

Further amend said bill, Page 4, Section B, Line 2, by inserting after the comma "," on said line the phrase "the repeal and reenactment of section 306.127 of"; and

Further amend said bill, page, and section, Line 5, by inserting after the first occurrence of the word "and" on said line the phrase "the repeal and reenactment of section 306.127 of"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (116), **House Amendment No. 4** was adopted.

Representative Ruzicka offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 3, Section 306.127, Line 75, by inserting after the word "**shall**" the following:

"**provide a valid driver's license establishing that the applicant is a nonresident and shall**"; and

Further amend said bill and section, Page 4, Line 101, by inserting after the word "**temporary**" the word "**boating**"; and

Further amend said bill, page, and section, Line 104, by inserting after the word "**card.**" the following:

"**The Missouri State Highway Patrol shall, by rule, develop a boating safety checklist for each applicant seeking a temporary boating safety identification card.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 5** was adopted.

Representative Pollock offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 4, Section 306.127, Line 105, by inserting after all of said section and line the following:

"577.073. 1. It is unlawful for any person to throw waste paper, tin cans, bottles, rubbish of any kind, or contaminate in any manner, any spring, pool or stream within a state park, nor shall any person other than authorized personnel of the department of natural resources cut, prune, pick or deface or injure in any manner the flowers, trees, shrub or any other flora growing on the land or in the water of any state park.

2. No person shall be permitted to offer or advertise merchandise or other goods for sale or hire, or to maintain any concession, or use any park facilities, buildings, trails, roads or other state park property for commercial use except by written permission or concession contract with the department of natural resources**; except that, the provisions of this subsection shall not apply to the normal and customary use of trails and roads by commercial and noncommercial organizations for the purpose of transporting persons, bicycles, or watercraft, as defined in section 537.327**.

3. No object of archaeological or historical value or interest within a state park may be removed, injured, disfigured, defaced or destroyed except by authorized personnel.

4. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor."; and

Further amend said bill, Page 4, Section B, Lines 1-6, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because of the immediate need to protect tourism in this state and ensure that out-of-state residents are knowledgeable in the safe operation of vessels, the repeal and reenactment of sections 306.127 and 577.073 of this

act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 306.127 and 577.073 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 6** was adopted.

Representative Denison offered **House Amendment No. 7**.

House Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 4, Section 306.127, Line 105, by inserting after all of said section and line the following:

"306.220. Each person under the age of **[**seven**]** **twelve** who is on board any watercraft which is on the waters of this state shall wear a personal flotation device which is approved by the United States Coast Guard. Any person who allows a person under the age of **[**seven**]** **twelve** to be on board any watercraft which is on the waters of this state without wearing a personal flotation device shall be deemed guilty of a class C misdemeanor. This section does not apply when the person under the age of **[**seven**]** **twelve** is in a part of a watercraft which is fully enclosed, where such enclosure will prevent such person from falling out of or being thrown from the watercraft."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Marshall raised a point of order that **House Amendment No. 7** is not germane to the underlying bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 7**.

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, Page 1, Lines 5 and 7, by inserting after the words, "this state" the following the words, "**and not tied to a dock, shore, or other permanent structure**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Dugger	Funderburk	Grisamore	Guernsey
Hughes	Lampe	Lasater	Lauer	Molendorp
Newman	Scharnhorst	Schoeller	Sifton	Webber
Wells	Zerr			

Representative Barnes moved that **House Amendment No. 1 to House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Elmer	Entlicher
Fisher	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Pollock	Redmon	Reiboldt
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Shumake
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Mr Speaker			

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 020

Denison	Dugger	Fitzwater	Funderburk	Hughes
Lampe	Lasater	Lauer	May	Molendorp
Newman	Phillips	Richardson	Schoeller	Sifton
Silvey	Smith 150	Webber	Wells	Zerr

Representative Denison moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Shumake	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 018

Cauthorn	Dugger	Flanigan	Funderburk	Hughes
Lampe	Lasater	Lauer	McNary	Molendorp
Newman	Richardson	Schneider	Schoeller	Sifton
Silvey	Webber	Wells		

On motion of Representative Brown (116), **SS SCS SB 719, as amended**, was read the third time and passed by the following vote:

AYES: 094

Asbury	Atkins	Aull	Bahr	Barnes
Bernskoetter	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Meadows	Nance	Neth	Nolte	Parkinson
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieffer	Schneider	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Thomson	Torpey
Wallingford	Weter	Wieland	Zerr	

NOES: 054

Anders	Berry	Black	Carlson	Carter
Casey	Colona	Dugger	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Rizzo	Schatz
Schieber	Schupp	Smith 71	Spreng	Still
Stream	Swinger	Talboy	Taylor	Walton Gray
Webb	White	Wright	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 015

Allen	Dieckhaus	Flanigan	Funderburk	Hughes
Lasater	Lauer	Molendorp	Newman	Schoeller
Sifton	Swearingen	Webber	Wells	Mr Speaker

Representative Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 111

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Thomson	Torpey	Wallingford	Walton Gray	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 041

Atkins	Aull	Carlson	Carter	Conway 27
Ellinger	Ellington	Harris	Hodges	Holsman
Hubbard	Jones 63	Kander	Kelly 24	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Smith 71
Spreng	Still	Swinger	Talboy	Taylor
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 011

Colona	Funderburk	Hughes	Hummel	Lasater
Lauer	Newman	Schoeller	Sifton	Webber
Wells				

HCS SCS SB 562, relating to state university property transfers, was taken up by Representative Thomson.

On motion of Representative Thomson, **HCS SCS SB 562** was adopted.

On motion of Representative Thomson, **HCS SCS SB 562** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Day	Denison	Dieckhaus	Funderburk	Hughes
Jones 117	Lasater	Lauer	Newman	Schoeller
Sifton	Webber			

Representative Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McDonald
McGeoghegan	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Thomson	Torpey	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 007

Colona	Ellington	Marshall	McCann Beatty	McCreery
Parkinson	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 019

Anders	Brown 50	Carter	Day	Dieckhaus
Funderburk	Hughes	Jones 63	Lasater	Lauer
May	McManus	Newman	Richardson	Schoeller
Sifton	Talboy	Wallingford	Webber	

HOUSE RESOLUTIONS

HR 959, relating to a "National Day of Prayer", was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HR 959** was adopted.

HR 1365, relating to the Ecumenical Patriarchate, was taken up by Representative Bahr.

On motion of Representative Bahr, **HR 1365** was adopted.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 625 - Retirement
SS SCS SB 803 - Professional Registration and Licensing

COMMITTEE REPORTS

Special Standing Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **SCS SB 856**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 1880**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1690**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1728**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1790**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1970**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SCR 17**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 469**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 470**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 591**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 595**, begs leave to report it has examined the same and recommends that it **Do pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 607**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 620**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 628**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 635**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 636**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 665**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 671**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 689**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 726**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 837**, begs leave to report it has examined the same and recommends that it **Do Pass**.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, May 2, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, May 2, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continued discussion of DSS policies and procedures

CHILDREN AND FAMILIES
Wednesday, May 2, 2012, 8:00 AM House Hearing Room 1.
Public hearing will be held: SCS SB 758, SS SCS SB 448, HB 1907, HR 1391, HCR 54
Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE
Wednesday, May 2, 2012, 2:30 PM House Lounge.
Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013
Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE
Thursday, May 3, 2012, 8:00 AM House Lounge.
Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Wednesday, May 2, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: HB 1992
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, May 2, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: SS SCS SB 576
Executive session will be held: SS SCS SB 576
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, May 3, 2012, 9:00 AM South Gallery.
Public hearing will be held: HCS SB 455
Executive session will be held: HCS SB 455
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

HEALTH CARE POLICY
Wednesday, May 2, 2012, 12:00 PM House Hearing Room 6.
Public hearing will be held: HB 1933, HB 1405, SS SB 742, HB 1078
Executive session may be held on any matter referred to the committee.
Meal provided by Jerry Burch on behalf of the Missouri Hospital Association
AMENDED

INTERNATIONAL TRADE AND JOB CREATION
Wednesday, May 2, 2012, 5:00 PM House Hearing Room 7.
Public hearing will be held: HCR 55
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION
Tuesday, May 8, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

JUDICIARY
Wednesday, May 2, 2012, 12:00 PM or Upon Morning Recess (whichever is earlier) House Hearing Room 1.
Public hearing will be held: SB 739, HB 1514, HB 2107
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, May 2, 2012, 8:00 AM House Hearing Room 7.
Executive session will be held: SCS SB 692
Executive session may be held on any matter referred to the committee.

PROFESSIONAL REGISTRATION AND LICENSING
Wednesday, May 2, 2012, Upon Morning Recess or 12 PM, whichever comes first, House Hearing Room 5.
Public hearing will be held: SS SCS SB 682, HB 2094
Executive session may be held on any matter referred to the committee.
AMENDED

SMALL BUSINESS
Wednesday, May 2, 2012, 12:00 PM House Hearing Room 7.
Public hearing will be held: HB 2103, HB 1412
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Thursday, May 3, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Executive session on previously referred bills

TOURISM AND NATURAL RESOURCES
Thursday, May 3, 2012, 8:30 AM House Hearing Room 7.
Public hearing will be held: SB 760
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-SIXTH DAY, WEDNESDAY, MAY 2, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
4 HCS HB 1049, HA 1 to HSA 1 for HA 2, *HSA 1 for HA 2, and HA 2, pending - Allen
5 HCS HB 1210, as amended - Gatschenberger
6 HCS HB 1795 - Ruzicka
7 HB 1966 - Burlison
8 HCS HB 1328 - Cox
9 HB 1779 - Flanigan
10 HCS HB 1794 - Grisamore
11 HCS HB 1854 - Grisamore
12 HCS HB 1754 - Cox
13 HCS HB 1815 - Pollock
14 HB 1842 - Lant
15 HCS HB 1922 - Molendorp
16 HCS HB 1935 - Franz
17 HB 2063 - Denison
18 HCS HB 2100 - Denison
19 HCS HB 1709 - Hough
20 HCS HBs 1076 & 1302 - Wyatt
21 HCS#2 HB 1358 - Gatschenberger
22 HCS HB 1397 - Gatschenberger
23 HCS HBs 1542 & 1101 - Koenig
24 HCS#2 HB 1213 - Franklin
25 HB 1357 - Gatschenberger
26 HCS HB 1526 - Dieckhaus
27 HCS HB 1846 - Long

28 HCS HB 1585 - Cross
29 HCS HB 1639 - Nolte
30 HCS HB 1971 - Schneider

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HCS HB 1988 - Brandom

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HB 1277 - Long
2 HCS HBs 1298 & 1180 - Parkinson
3 HB 1431 - Hoskins
4 HB 1066 - McGhee
5 HB 1455 - Gatschenberger

SENATE JOINT RESOLUTIONS FOR SECOND READING

SCS SJR 51

SENATE BILLS FOR THIRD READING

1 HCS SB 455, (Fiscal Review 4/26/12) - Thomson
2 HCS SS SCS SB 467, E.C. - Cox
3 HCS SCS SB 498, E.C. - Shumake
4 SCS SB 566 - Jones (117)
5 HCS SB 578 - Cox
6 SS SCS SB 699 - Fuhr
7 SCS SB 837 - Jones (117)

HOUSE BILLS WITH SENATE AMENDMENTS

1 SS HCS HB 1106, as amended - Dugger
2 HB 1188, SCA 1 - Allen
3 SCS HCS HB 1525 - Fuhr
4 SCS HCS HB 1495 - Nance
5 SCS HB 1112 - Gosen
6 SCS HCS HB 1042, as amended - Thomson
7 SCS HB 1504, as amended - Richardson

BILLS CARRYING REQUEST MESSAGES

SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6, HA 8 (request House recede/grant conference) - Davis

BILLS IN CONFERENCE

1 HCS SB 568, as amended, E.C. - Franz
2 SS SCS HCS HB 2002 - Silvey
3 SS SCS HCS HB 2003 - Silvey
4 SS SCS HCS HB 2004 - Silvey
5 SS SCS HCS HB 2005 - Silvey
6 SS SCS HCS HB 2006, as amended - Silvey
7 SS SCS HCS HB 2007 - Silvey
8 SS SCS HCS HB 2008 - Silvey
9 SS SCS HCS HB 2009 - Silvey
10 SS SCS HCS HB 2010 - Silvey
11 SS SCS HCS HB 2011, as amended - Silvey
12 SS SCS HCS HB 2012 - Silvey
13 SS SCS HCS HB 2013 - Silvey

SENATE CONCURRENT RESOLUTIONS

SCR 28 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-SIXTH DAY, WEDNESDAY, MAY 2, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

The Lord is my shepherd. (Psalm 23:1)

O shepherd of our souls, in days of doubt and in times of trouble, we realize anew our need for You. We need Your grace to cleanse us, Your love to strengthen us, Your power to heal us, and Your spirit to keep us free. Truly You are our shepherd, Your rod and Your staff are our sure supports. Strengthen our assurance that Your hand is upon us leading us in Your way and giving us the courage to walk in that way with You.

Bless our men and women in the Armed Forces of our country facing constant danger and death. Comfort the bereaved, sustain those who are wounded, strengthen those who face the ordeal of battle, and by Your spirit make us worthy of victory and ready to seek an enduring peace.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alexandra Licklider, Billy Sellers, Nita Jones, Cecilia Jones, Alexander Jones and Lauren Rogers.

The Journal of the sixty-fifth day was approved as printed.

SECOND READING OF SENATE JOINT RESOLUTION

SCS SJR 51 was read the second time.

PERFECTION OF HOUSE BILLS

HCS HB 1049, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2, House Substitute Amendment No. 1 for House Amendment No. 2, and House Amendment No. 2, pending, relating to bullying in schools, was taken up by Representative Allen.

Representative Scharnhorst moved that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2** be adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 014

Burlison	Dieckhaus	Franklin	Hough	Hughes
Jones 63	Kander	Lauer	May	McGhee
Parkinson	Sifton	Stream	Webber	

On motion of Representative Scharnhorst, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

On motion of Representative Lampe, **House Substitute Amendment No. 1 for House Amendment No. 2, as amended,** was adopted.

On motion of Representative Allen, **HCS HB 1049, as amended,** was adopted.

On motion of Representative Allen, **HCS HB 1049, as amended,** was ordered perfected and printed.

Speaker Pro Tem Schoeller assumed the Chair.

HB 2063, relating to ignition interlock devices, was taken up by Representative Denison.

Representative Denison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Bill No. 2063, Page 10, Section 577.600, Line 39, by after all of said line inserting the following:

"**5. Notwithstanding any other provision of law to the contrary, no person who has had installed an approved ignition interlock device pursuant to section 577.600, maintains such device and does not tamper with said device and shall have applied for a special driver's license as provided for in subsection 2 of section 577.606 shall not have their driving privileges suspended or revoked as a result of an alcohol related offense or the refusal to take a test pursuant to section 577.020 by any court or administrative agency.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 1** was adopted.

Representative Brown (50) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Bill No. 2063, Page 1, Section A, Line 3, by inserting after all of said line the following:

"300.390. 1. **Except as otherwise provided in subsection 4 of this section,** every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

3. The foregoing rules in this section have no application under the conditions stated in section 300.395 when pedestrians are prohibited from crossing at certain designated places.

4. In any home rule city with more than four hundred thousand inhabitants and located in more than one county, vehicles shall yield the right-of-way to all pedestrians and bicyclists crossing in an appropriate crosswalk on a city or neighborhood street. For purposes of this subsection, "yield" means slowing to a stop within forty feet of a pedestrian. A violation of this subsection shall be a class A misdemeanor."; and

Further amend said bill, Page 5, Section 302.304, Line 139, by inserting after all of said line the following:

"**304.900. 1. Except as provided in subsection 4 of this section, every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.**

2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

3. In any urbanized area as defined in section 304.010, vehicles shall yield the right-of-way to all pedestrians and bicyclists, even those crossing or operating in areas not designated as cross walks. For purposes of this subsection, "yield" means slowing to a stop within forty feet of a pedestrian. A violation of this subsection shall be a class A misdemeanor.

4. Nothing in this section shall be construed to prohibit a political subdivision from enacting laws restricting where a person shall or shall not cross a street within a jurisdiction. Notwithstanding any other law, a pedestrian's act of crossing in a prohibited area shall not preclude a cause of action against a driver who has struck a pedestrian."; and

Further amend said bill, Section 577.041, Page 9, Line 131, by inserting after all of said line the following:

"577.060. 1. A person commits the crime of leaving the scene of a motor vehicle accident when being the operator or driver of a vehicle on the highway or on any publicly or privately owned parking lot or parking facility generally open for use by the public and knowing that an injury has been caused to a person or damage has been caused to property, due to **[**his**] such person's** culpability or to accident, **[**he**] such person** leaves the place of the injury, damage or accident without stopping and giving his **or her** name, residence, including city and street number, motor vehicle number and driver's license number, if any, to the injured party or to a police officer, or if no police officer is in the vicinity, then to the nearest police station or judicial officer.

2. For the purposes of this section, all peace officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned parking lot or parking facility for the purpose of investigating an accident and performing all necessary duties regarding such accident.

3. Leaving the scene of a motor vehicle accident is a class A misdemeanor, except that it shall be a class D felony if the accident resulted in:

(1) Physical injury to another party; or

(2) Property damage in excess of one thousand dollars; or

(3) If the defendant has previously pled guilty to or been found guilty of a violation of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (50), **House Amendment No. 2** was adopted.

HB 2063, as amended, was laid over.

HCS HB 1854, relating to services for disabled individuals, was taken up by Representative Grisamore.

Representative Hoskins assumed the Chair.

Representative Grisamore offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1854, Page 2, Section 34.450, Line 30, by inserting after the word "**senate**" on said line the phrase "**or his or her designated representative**"; and

Further amend said bill, page, and section, Line 31, by inserting after the word "**representatives**" on said line the phrase "**or his or her designated representative**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 1** was adopted.

Representative Schoeller offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1854, Page 4, Section 34.450, Line 88, by inserting after all of said line the following:

"135.630. 1. As used in this section, the following terms mean:

(1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;

(2) "Director", the director of the department of social services;

(3) "Pregnancy resource center", a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and

(d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and

(e) Which provides its services at no cost to its clients; and

(f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and

(g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;

(4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

[9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

(1) For no less than seventy-five percent of the par value of such credits; and

(2) In an amount not to exceed one hundred percent of annual earned credits.

10. Pursuant to section 23.253 of the Missouri sunset act:

(1) Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 2** was adopted.

Speaker Pro Tem Schoeller resumed the Chair.

Representative Hoskins offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1854, Page 19, Section 208.152, Line 324, by inserting after all of said line the following:

"209.200. As used in sections 209.200 to 209.204, the following terms shall mean:

(1) "Disability", as defined in section 213.010;

(2) "Service dog", a dog that is being or has been specially trained to do work or perform tasks which benefit a particular person with a disability. Service dog includes:

(a) "Guide dog", a dog that is being or has been specially trained to assist a particular blind or visually impaired person;

(b) "Hearing dog", a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;

(c) "Medical alert or **[**respond**]** **response** dog", a dog that is being or has been trained to alert a person with a disability that a particular medical event is about to occur or to respond to a medical event that has occurred;

(d) "Mobility dog", a dog that is being or has been specially trained to assist a person with a disability caused by physical impairments**;**

(e) "Professional therapy dog", a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler's occupation or profession. Such dogs, with their handlers, perform such functions in

institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hoskins, **House Amendment No. 3** was adopted.

Representative Scharnhorst offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1854, Page 6, Section 135.1150, Line 78, by inserting after all of said section and line the following:

"**135.1220. 1. This section shall be known and may be cited as "Bryce's Law".**

2. As used in this section, the following terms mean:

(1) "Autism spectrum disorder", pervasive developmental disorder; Asperger syndrome; childhood disintegrative disorder; Rett syndrome; and autism;

(2) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;

(3) "Department", the department of elementary and secondary education;

(4) "Director", the director of the department of elementary and secondary education;

(5) "Educational scholarships", grants to students to cover all or part of the tuition and fees at either a qualified nonpublic school or a qualified public school, including transportation;

(6) "Eligible student", any elementary or secondary student who attended public school in Missouri the preceding semester, or who will be attending school in Missouri for the first time, who is diagnosed as having, or has an individualized education plan based on, a special needs condition;

(7) "Parent", includes a guardian, custodian, or other person with authority to act on behalf of the child;

(8) "Program", the program established in this section;

(9) "Qualified school", either an accredited public elementary or secondary school outside of the district in which a student resides or an accredited nonpublic elementary or secondary school in Missouri that complies with all of the requirements of the program and complies with all state laws that apply to nonpublic schools regarding criminal background checks for employees and excludes from employment any person not permitted by state law to work in a nonpublic school;

(10) "Scholarship granting organization", a charitable organization which is exempt from federal income tax that complies with the requirements of this program and provides education scholarships to students attending qualified schools of their parents' choice, and that does not accept contributions on behalf of any eligible student from any taxpayer with any obligation to provide any support for the eligible student;

(11) "Special needs", an autism spectrum disorder, Down syndrome, Angelman syndrome, or cerebral palsy;

(12) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer under chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer under chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(13) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state under chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

3. For all tax years beginning on or after January 1, 2012, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to eighty percent of the amount such taxpayer

contributed to a scholarship granting organization. No taxpayer shall be issued more than eight hundred thousand dollars in tax credits authorized under this section per tax year.

4. The amount of the tax credit claimed shall not exceed fifty percent of a taxpayer's state tax liability for the taxable year for which the credit is claimed. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

5. The director shall determine, at least annually, which organizations in this state may be classified as scholarship granting organizations. The director may require of an organization seeking to be classified as a scholarship granting organization whatever information which is reasonably necessary to make such a determination. The director shall classify an organization as a scholarship granting organization if such organization meets the definition set forth in this section.

6. The director shall establish a procedure by which a taxpayer can determine if an organization has been classified as a scholarship granting organization. Scholarship granting organizations shall be permitted to decline a contribution from a taxpayer.

7. Each scholarship granting organization shall provide information to the director concerning the identity of each taxpayer making a contribution to the scholarship granting organization who is claiming a tax credit under this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

8. The director shall annually make a determination on the number of students in Missouri with an individualized education program based upon special needs. The director shall determine ten percent of this number for students to receive a scholarship from a scholarship granting organization in that year, plus a number based on fifty percent of the number of students with special needs-based individualized education programs for scholarships to be granted to students with a medical diagnosis of a special need who do not have an individualized education program based on the special need. The director shall publicly announce the number of special needs scholarship opportunities available each year. Once a scholarship granting organization has decided to provide a student with a scholarship, it shall promptly notify the director. The director shall keep a running tally of the number of scholarships granted in the order in which they were reported. Once the tally reaches the annual limit of eligible students, the director shall notify all of the participating scholarship granting organizations that they may not issue any more scholarships and any more receipts for contributions. If the scholarship granting organizations have not expended all of their available scholarship funds in that year at the time when the limit is reached, the available scholarship funds may be carried over into the next year. These unexpended funds shall not be counted as part of the requirement in subdivision (3) of subsection 10 of this section for that year. Any receipt for a scholarship contribution issued by a scholarship granting organization before the director has publicly announced the student limit has been reached shall be valid for a taxpayer claiming a credit.

9. Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

(1) For no less than seventy-five percent of the par value of such credits; and

(2) In an amount not to exceed one hundred percent of annual earned credits.

10. Each scholarship granting organization participating in the program shall:

(1) Notify the department of its intent to provide educational scholarships to students attending qualified schools;

(2) Provide a department-approved receipt to taxpayers for contributions made to the organization;

(3) Ensure that at least ninety percent of its revenue from donations is spent on educational scholarships, and that all revenue from interest or investments is spent on educational scholarships;

(4) Distribute periodic scholarship payments as checks made out to a student's parent and mailed to the qualified school where the student is enrolled. The parent or guardian shall endorse the check before it can be deposited;

(5) Cooperate with the department to conduct criminal background checks on all of its employees and board members and exclude from employment or governance any individual who might reasonably pose a risk to the appropriate use of contributed funds;

(6) Ensure that scholarships are portable during the school year and can be used at any qualified school that accepts the eligible student according to a parent's wishes. If a student moves to a new qualified school during a school year, the scholarship amount may be prorated;

(7) Demonstrate its financial accountability by:

(a) Submitting a financial information report for the organization that complies with uniform financial accounting standards established by the department and conducted by a certified public accountant; and

(b) Having the auditor certify that the report is free of material misstatements;

(8) Demonstrate its financial viability, if the organization is to receive donations of fifty thousand dollars or more during the school year, by filing with the department prior to the start of the school year:

(a) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or

(b) Financial information that demonstrates the financial viability of the scholarship granting organization.

11. Each scholarship granting organization shall ensure that each participating school that accepts its scholarship students shall:

(1) Comply with all health and safety laws or codes that apply to nonpublic schools;

(2) Hold a valid occupancy permit if required by its municipality;

(3) Certify that it will comply with 42 U.S.C. Section 1981, as amended; and

(4) Provide academic accountability to parents of the students in the program by regularly reporting to the parent on the student's progress.

12. Scholarship granting organizations shall not provide educational scholarships for students to attend any school with paid staff or board members who are relatives within the first degree of consanguinity or affinity.

13. A scholarship granting organization shall publicly report to the department, by June first of each year, the following information prepared by a certified public accountant regarding its grants in the previous calendar year:

(1) The name and address of the scholarship granting organization;

(2) The total number and total dollar amount of contributions received during the previous calendar year; and

(3) The total number and total dollar amount of educational scholarships awarded during the previous calendar year, and the total number and total dollar amount of educational scholarships awarded during the previous year to students eligible for free and reduced lunch.

14. The department shall adopt rules and regulations consistent with this section as necessary to implement the program.

15. The department shall provide a standardized format for a receipt to be issued by a scholarship granting organization to a taxpayer to indicate the value of a contribution received. The department shall require a taxpayer to provide a copy of this receipt when claiming the Missouri special needs scholarship tax credit.

16. The department shall provide a standardized format for scholarship granting organizations to report the information in this section.

17. The department may conduct either a financial review or audit of a scholarship granting organization.

18. If the department believes that a scholarship granting organization has intentionally and substantially failed to comply with the requirements of this section, the department may hold a hearing before the director, or his or her designee, to bar a scholarship granting organization from participating in the program. The director, or his or her designee, shall issue a decision within thirty days. A scholarship granting organization may appeal the director's decision to the administrative hearing commission for a hearing in accordance with the provisions of chapter 621.

19. If the scholarship granting organization is barred from participating in the program, the department shall notify affected scholarship students and their parents of this decision within fifteen days.

20. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

21. The department shall conduct a study of the program with funds other than state funds. The department may contract with one or more qualified researchers who have previous experience evaluating similar programs. The department may accept grants to assist in funding this study.

22. The study shall assess:

(1) The level of participating students' satisfaction with the program;

(2) The level of parental satisfaction with the program;

(3) The percentage of participating students who were bullied or harassed because of their special needs status at their resident school district compared to the percentage so bullied or harassed at their qualified school;

(4) The percentage of participating students who exhibited behavioral problems at their resident school district compared to the percentage exhibiting behavioral problems at their qualified school;

(5) The class size experienced by participating students at their resident school district and at their qualified school; and

(6) The fiscal impact to the state and resident school districts of the program.

23. The study shall be completed using appropriate analytical and behavioral sciences methodologies to ensure public confidence in the study.

24. The department shall provide the general assembly with a final copy of the evaluation of the program by December 31, 2015.

25. The public and nonpublic participating schools from which students transfer to participate in the program shall cooperate with the research effort by providing student assessment instrument scores and any other data necessary to complete this study.

26. The general assembly may require periodic updates on the status of the study from the department. The individuals completing the study shall make their data and methodology available for public review while complying with the requirements of the Family Educational Rights and Privacy Act, as amended.

27. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Curtman	Davis	Day	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Smith 150	Solon	Sommer
Stream	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hughes
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Still	Swearingen
Swinger	Talboy	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 017

Bahr	Brown 50	Brown 116	Colona	Cross
Denison	Holsman	Keeney	Largent	McNary
Schad	Sifton	Silvey	Smith 71	Spreng
Webb	Webber			

Representative Scharnhorst moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Allen	Bahr	Barnes	Bernskoetter	Brandom
Brown 116	Burlison	Conway 14	Cookson	Cox
Curtman	Day	Dieckhaus	Diehl	Fisher
Fitzwater	Flanigan	Funderburk	Gatschenberger	Gosen
Higdon	Houghton	Jones 89	Jones 117	Koenig
Korman	Lair	Leach	McGhee	McNary
Nasheed	Neth	Nolte	Parkinson	Phillips
Richardson	Riddle	Schad	Scharnhorst	Schatz
Schoeller	Silvey	Smith 150	Sommer	Stream
Taylor	Wallingford	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 104

Anders	Asbury	Atkins	Aull	Berry
Black	Brattin	Brown 85	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 27
Crawford	Cross	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fraker	Franklin	Franz	Frederick	Fuhr
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Hoskins	Hough	Hubbard
Hughes	Hummel	Johnson	Kander	Kelley 126
Kelly 24	Kirkton	Klippenstein	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Newman	Nichols	Oxford
Pace	Pierson	Pollock	Quinn	Redmon

Reiboldt	Rizzo	Rowland	Ruzicka	Sater
Schieber	Schieffer	Schneider	Schupp	Shively
Shumake	Smith 71	Solon	Still	Swearingen
Swinger	Talboy	Thomson	Torpey	Walton Gray
Wells	Weter	White	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Holsman	Jones 63	Keeney	Sifton
Spreng	Webb	Webber		

Representative Guernsey offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1854, Page 19, Section 208.152, Line 324, by inserting after all of said line the following:

"**208.960. Health care professionals licensed under chapter 331 shall be reimbursed under the MO HealthNet program for providing services currently covered under section 208.152 and within the scope of practice under section 331.010.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 5** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Johnson	Jones 89	Jones 117	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 017

Conway 14	Denison	Dieckhaus	Diehl	Franz
Houghton	Jones 63	Keeney	Kelly 24	Leach
Scharnhorst	Sifton	Spreng	Webb	Webber
Wells	Weter			

On motion of Representative Grisamore, **HCS HB 1854, as amended,** was adopted.

On motion of Representative Grisamore, **HCS HB 1854, as amended,** was ordered perfected and printed.

THIRD READING OF SENATE BILL

HCS SCS SB 498, relating to charitable veterans' organizations, was taken up by Representative Shumake.

Representative Silvey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498, Page 1, In the Title, Lines 2 and 3, by striking the following: "retail businesses operated by charitable organizations" and inserting in lieu thereof the following:

"protecting the financial well being of vulnerable populations"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"42.300. 1. There is hereby created in the state treasury the "Veterans Commission Capital Improvement Trust Fund" which shall consist of money collected under section 313.835. The state treasurer shall administer the veterans commission capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans commission for:

(1) The construction, maintenance or renovation or equipment needs of veterans' homes in this state;

(2) The construction, maintenance, renovation, equipment needs and operation of veterans' cemeteries in this state;

(3) Fund transfers to Missouri veterans' homes fund established under the provisions of section 42.121, as necessary to maintain solvency of the fund;

(4) Fund transfers to any municipality with a population greater than four hundred thousand and located in part of a county with a population greater than six hundred thousand in this state which has established a fund for the sole purpose of the restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I. Appropriations from the veterans commission capital improvement trust fund to such memorial fund shall be provided only as a one-time match for other funds devoted to the project and shall not exceed five million dollars. Additional appropriations not to exceed ten million dollars total may be made from the veterans commission capital improvement trust fund as a match to other funds for the new construction or renovation of other facilities dedicated as veterans' memorials in the state. All appropriations for renovation, new construction, reconstruction, and maintenance of veterans' memorials shall be made only for applications received by the Missouri veterans commission prior to July 1, 2004;

(5) The issuance of matching fund grants for veterans' service officer programs to any federally chartered veterans' organization or municipal government agency that is certified by the Veterans Administration to process veteran claims within the Veterans Administration System; provided that such veterans' organization has maintained a veterans' service officer presence within the state of Missouri for the three-year period immediately preceding the issuance of any such grant. A total of one million five hundred thousand dollars in grants shall be made available annually for service officers and joint training and outreach between veterans' service organizations and the Missouri veterans commission with grants being issued in July of each year. Application for the matching grants shall be made through and approved by the Missouri veterans commission based on the requirements established by the commission;

(6) For payment of Missouri national guard and Missouri veterans commission expenses associated with providing medals, medallions and certificates in recognition of service in the armed forces of the United States during World War II, the Korean Conflict, and the Vietnam War under sections 42.170 to 42.226. Any funds remaining from the medals, medallions and certificates shall not be transferred to any other fund and shall only be utilized for the awarding of future medals, medallions, and certificates in recognition of service in the armed forces; **[**and**]**

(7) Fund transfers totaling ten million dollars to any municipality with a population greater than three hundred fifty thousand inhabitants and located in part in a county with a population greater than six hundred thousand inhabitants and with a charter form of government, for the sole purpose of the construction, restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I**; and**

(8) The administration of the Missouri veterans commission.

2. Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund under this section. Notwithstanding the provisions of section 33.080, to the contrary, moneys in the veterans commission capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

3. Upon request by the veterans commission, the general assembly may appropriate moneys from the veterans commission capital improvement trust fund to the Missouri national guard trust fund to support the activities described in section 41.958.

4. The state auditor shall conduct an audit of all moneys in the veterans commission capital improvement trust fund every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly, governor, and lieutenant governor no later than ten business days after the completion of such audit.

161.215. 1. There is hereby created in the state treasury the "Early Childhood Development, Education and Care Fund" **[**which shall consist of money collected under section 313.835 and**]** which is created to give parents meaningful choices and assistance in choosing the child-care and education arrangements that are appropriate for their family. All interest received on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Any moneys deposited in such fund shall be used to support programs that prepare children prior to the age in which they are eligible to enroll in kindergarten under section 160.053 to enter school ready to learn. All moneys deposited in the early childhood development, education and care fund shall be annually appropriated for voluntary, early childhood development, education and care programs serving children in every region of the state not yet enrolled in kindergarten. **For fiscal year 2013 and each subsequent fiscal year, at least thirty-five million dollars of the funds received from the master settlement agreement, as defined in section 196.1000, shall be deposited in the early childhood development, education and care fund.**

2. No less than sixty percent of moneys deposited in the early childhood development, education and care fund shall be appropriated as provided in this subsection to the department of elementary and secondary education and to the department of social services to provide early childhood development, education and care programs through competitive grants to, or contracts with, governmental or private agencies. Eighty percent of such moneys under the provisions of this subsection and additional moneys as appropriated by the general assembly shall be appropriated to the department

of elementary and secondary education and twenty percent of such moneys under the provisions of this subsection shall be appropriated to the department of social services. The departments shall provide public notice and information about the grant process to potential applicants:

(1) Grants or contracts may be provided for:

(a) Start-up funds for necessary materials, supplies, equipment and facilities; and

(b) Ongoing costs associated with the implementation of a sliding parental fee schedule based on income;

(2) Grant and contract applications shall, at a minimum, include:

(a) A funding plan which demonstrates funding from a variety of sources including parental fees;

(b) A child development, education and care plan that is appropriate to meet the needs of children;

(c) The identity of any partner agencies or contractual service providers;

(d) Documentation of community input into program development;

(e) Demonstration of financial and programmatic accountability on an annual basis;

(f) Commitment to state licensure within one year of the initial grant, if funding comes from the appropriation to the department of elementary and secondary education and commitment to compliance with the requirements of the department of social services, if funding comes from the department of social services; and

(g) With respect to applications by public schools, the establishment of a parent advisory committee within each public school program;

(3) In awarding grants and contracts under this subdivision, the departments may give preference to programs which:

(a) Are new or expanding programs which increase capacity;

(b) Target geographic areas of high need, namely where the ratio of program slots to children under the age of six in the area is less than the same ratio statewide;

(c) Are programs designed for special needs children;

(d) Are programs that offer services during nontraditional hours and weekends; or

(e) Are programs that serve a high concentration of low-income families.

3. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide early childhood development, education and care programs through child development, education and care certificates to families whose income does not exceed one hundred eighty-five percent of the federal poverty level in the manner pursuant to 42 U.S.C. Section 9858c(c)(2)(A) and 42 U.S.C. Section 9858n(2) for the purpose of funding early childhood development, education and care programs as approved by the department of social services. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. On February first of each year the department shall certify the total amount of child development, education and care certificates applied for and the unused balance of the funds shall be released to be used for supplementing the competitive grants and contracts program authorized under subsection 2 of this section.

4. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to increase reimbursements to child-care facilities for low-income children that are accredited by a recognized, early childhood accrediting organization.

5. No less than ten percent of the funds deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide assistance to eligible parents whose family income does not exceed one hundred eighty-five percent of the federal poverty level who wish to care for their children under three years of age in the home, to enable such parent to take advantage of early childhood development, education and care programs for such parent's child or children. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. The department of social services shall provide assistance to these parents in the effective use of early childhood development, education and care tools and methods.

6. In setting the value of parental certificates under subsection 3 of this section and payments under subsection 5 of this section, the department of social services may increase the value based on the following:

(1) The adult caretaker of the children successfully participates in the parents as teachers program under the provisions of sections 178.691 to 178.699, a training program provided by the department on early childhood development, education and care, the home-based Head Start program as defined in 42 U.S.C. Section 9832 or a similar program approved by the department;

(2) The adult caretaker consents to and clears a child abuse or neglect screening under subdivision (1) of subsection 2 of section 210.152; and

(3) The degree of economic need of the family.

7. The department of elementary and secondary education and the department of social services each shall by rule promulgated under chapter 536 establish guidelines for the implementation of the early childhood development, education and care programs as provided in subsections 2 to 6 of this section.

8. The state auditor shall conduct an audit of all moneys in the early childhood development, education and care fund created in subsection 1 of this section every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly no later than ten business days after the completion of such audit.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

313.835. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services provided by the commission and admission fees authorized pursuant to the provisions of sections 313.800 to 313.850, except that portion of the admission fee, not to exceed one cent, that may be appropriated to the compulsive gamblers fund as provided in section 313.820, shall be deposited in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for the sole purpose of funding the administrative costs of the commission, subject to appropriation. Moneys deposited into this fund shall not be considered proceeds of gambling operations. Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the gaming commission fund shall be credited to the gaming commission fund. In each fiscal year, total revenues to the gaming commission fund for the preceding fiscal year shall be compared to total expenditures and transfers from the gaming commission fund for the preceding fiscal year. The remaining net proceeds in the gaming commission fund shall be distributed in the following manner:

(1) The first five hundred thousand dollars shall be appropriated on a per capita basis to cities and counties that match the state portion and have demonstrated a need for funding community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) The remaining net proceeds in the gaming commission fund for fiscal year **[**1999**]** **2013** and each fiscal year thereafter shall be distributed as follows:

(a) The first **[**four and one-half**]** **five** million dollar portion shall be transferred to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107, and additional moneys as annually appropriated by the general assembly shall be appropriated to such fund;

(b) The second three million dollar portion shall be transferred to the veterans' commission capital improvement trust fund created in section 42.300;

(c) The third **[**three**]** **four** million dollar portion shall be transferred to the Missouri national guard trust fund created in section 41.214;

(d) Subject to appropriations, one hundred percent of remaining net proceeds in the gaming commission fund **[**except as provided in paragraphs (e) and (f) of this subdivision, and**],** after the appropriations **are** made pursuant to the provisions of paragraphs (a), (b), and (c) of this subdivision, shall be transferred to the **[**early childhood development, education and care fund created in section 161.215;

(e) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of this subdivision, in the gaming commission fund annually exceeds twenty-eight million dollars: one-half million dollars of such proceeds shall be transferred annually, subject to appropriation, to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107; three million dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans' commission capital improvement trust fund; and one million dollars of such proceeds shall be transferred annually, subject to appropriation, to the Missouri national guard trust fund created in section 41.214;

(f) Beginning in fiscal year 2011 and each fiscal year thereafter when the funding for early childhood education under paragraph (d) of this subdivision equals the funding level for early childhood education under paragraph (d) of this subdivision in fiscal year 2009, one-half of the next one million two hundred thousand dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans commission capital improvement trust fund for the purpose of funding veterans' service officer programs identified under subdivision (5) of subsection 1 of section 42.300, and the other half of the one million two hundred thousand dollars shall be transferred annually, subject to appropriation,

to the early childhood development, education and care fund created in section 161.215**] veterans' commission capital improvement trust fund created in section 42.300**."; and

Further amend said bill, Page 1, Section B, Line 1, by striking the following: "preserve the rights of veterans" and inserting in lieu thereof the following:

"protect the financial well being of vulnerable populations"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 1** was adopted by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Silvey	Smith 71	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brattin	Franz	Holsman	Lasater	Sifton
Spreng	Webber			

On motion of Representative Shumake, **HCS SCS SB 498, as amended,** was adopted.

On motion of Representative Shumake, **HCS SCS SB 498, as amended,** was read the third time and passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Franz	Funderburk	Holsman	Lasater	McNary
Molendorp	Scharnhorst	Sifton	Smith 71	Spreng
Webber				

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Bahr
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 71	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 001

Schupp

PRESENT: 000

ABSENT WITH LEAVE: 017

Aull	Barnes	Carter	Cierpiot	Franz
Holsman	Lasater	McGhee	McNary	Meadows
Nasheed	Schad	Scharnhorst	Sifton	Spreng
Webber	Zerr			

MOTION

Representative Jones (89) moved that Rule 23 be suspended.

Which motion was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Aull	Bernskoetter	Brattin	Cierpiot	Ellington
Funderburk	Gosen	Grisamore	Holsman	Hughes
Lasater	McGhee	McNary	Nance	Scharnhorst
Sifton	Spreng	Webber		

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1525, relating to the Justice Reinvestment Act, was taken up by Representative Fuhr.

Representative Fuhr offered **House Perfecting Amendment No. 1**.

House Perfecting Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1525, Page 6, Section 217.703, Line 98, by deleting the number "**4**" on said line and inserting in lieu thereof the number "**5**"; and

Further amend said bill, page, and section, Line 99, by deleting the number "**6**" on said line and inserting in lieu thereof the number "**7**"; and

Further amend said bill, Page 8, Section 221.105, Line 29, by deleting the first occurrence of the number "**7**" on said line and inserting in lieu thereof the number "**6**"; and

Further amend said bill, Page 10, Section 559.036, Line 23, by deleting the phrase "**subsection 3 of**" on said line; and

Further amend said bill, Page 11, Section 559.036, Line 66, by deleting the phrase "**subsection 2 of**" on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Fuhr, **SCS HCS HB 1525, as amended by House Perfecting Amendment No. 1,** was adopted by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford

Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Silvey
Smith 71	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Aull	Cierpiot	Holsman	Lasater	McGhee
McManus	McNary	Sifton	Spreng	Webber

On motion of Representative Fuhr, **SCS HCS HB 1525, as amended by House Perfecting Amendment No. 1,** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Cierpiot	Franklin	Holsman	Lasater
McGhee	McNary	Morgan	Sifton	Spreng
Taylor	Webber			

Speaker Pro Tem Schoeller declared the bill passed.

On motion of Representative Jones (89), the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2741 through House Resolution No. 2586

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1039.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1073 & HCS HB 1477**, entitled:

An act to repeal sections 142.031, 178.530, 256.400, 270.270, 270.400, and 276.401, RSMo, and to enact in lieu thereof eight new sections relating to agriculture, with an existing penalty provision.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 4, Senate Amendment No. 4, as amended, and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, by inserting after all of said line the following:

"350.015. After September 28, **[**1975**]** **2007**, no corporation not already engaged in farming shall engage in farming; nor shall any corporation, directly or indirectly, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to agricultural land in this state; provided, however, that the restrictions set forth in this section shall not apply to the following:

(1) A bona fide encumbrance taken for purposes of security;

(2) A family farm corporation or an authorized farm corporation as defined in section 350.010;

(3) Agricultural land and land capable of being used for farming owned by a corporation as of September 28, **[**1975**]** **2007**, including the normal expansion of such ownership at a rate not to exceed twenty percent, measured in acres, in any five-year period, or agricultural land and land capable of being used for farming which is leased by a corporation

in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of September 28, **[**1975**]** **2007**, and the additional acreage for normal expansion at a rate not to exceed twenty percent in any five-year period, and the additional acreage reasonably necessary, whether to be owned or leased by a corporation, to meet the requirements of pollution control regulations;

(4) A farm operated wholly for research or experimental purposes, including seed research and experimentation and seed stock production for genetic improvements, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation;

(5) Agricultural land operated by a corporation for the purposes of growing nursery plants, vegetables, grain or fruit used exclusively for brewing or winemaking or distilling purposes and not for resale, for forest cropland or for the production of poultry, poultry products, fish or mushroom farming, production of registered breeding stock for sale to farmers to improve their breeding herds, for the production of raw materials for pharmaceutical manufacture, chemical processing, food additives and related products, and not for resale;

(6) Agricultural land operated by a corporation for the purposes of alfalfa dehydration exclusively and only as to said lands lying within fifteen miles of a dehydrating plant, and provided further said crops raised thereon shall be used only for further processing and not for resale in its original form;

(7) Any interest, when acquired by an educational, religious, or charitable not-for-profit or pro forma corporation or association;

(8) Agricultural land or any interest therein acquired by a corporation other than a family farm corporation or authorized farm corporation, as defined in section 350.010, for immediate or potential use in nonfarming purposes. A corporation may hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit, a family farm corporation or an authorized farm corporation, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901-3914), as amended, or a subsidiary or assign of such a corporation;

(9) Agricultural lands acquired by a corporation by process of law or voluntary conveyance in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that any corporation may hold for ten years real estate acquired in payment of a debt, by foreclosure or otherwise, and for such longer period as may be provided by law;

(10) The provisions of sections 350.010 to 350.030 shall not apply to the raising of hybrid hogs in connection with operations designed to improve the quality, characteristics, profitability, or marketability of hybrid hogs through selective breeding and genetic improvement where the primary purpose of such livestock raising is to produce hybrid hogs to be used by farmers and livestock raisers for the improvement of the quality of their herds;

(11) A bank or trust company acting as administrator or executor under the terms of a will or trustee under the terms of a testamentary or inter vivos trust created by the owner of a family farm, or an inter vivos or testamentary trust, the principal of which is shares of a family farm corporation or authorized farm corporation and which trust is created by a shareholder of the family farm corporation or authorized farm corporation. However, a bank or trust company acting in the administration of an investment trust or a management trust formed with the primary purpose of making or managing investments or income-producing property and purchasing agricultural real estate with trust funds with the primary benefits accruing to investors or shareholders in the trust is not exempt from the provisions of sections 350.010 to 350.030;

(12) Agricultural land that on June 1, 1998, was in compliance with section 350.016."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1
to
Senate Amendment No. 4

AMEND Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Page 2, Section 516.105, Line 24, by inserting after the word "later." the following:

"**The provisions of this subdivision shall not apply when the person is bringing the action as the owner of the animal against a veterinarian.**".

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Page 18, Section 276.401, Line 16 of said page, by inserting immediately after all of said line the following:

"516.105. All actions against physicians, hospitals, dentists, registered or licensed practical nurses, optometrists, podiatrists, pharmacists, chiropractors, professional physical therapists, **veterinarians treating animals,** and any other entity providing health care services **or veterinary services for animals** and all employees of any of the foregoing acting in the course and scope of their employment, for damages for malpractice, negligence, error or mistake related to health care **or veterinary care of animals** shall be brought within two years from the date of occurrence of the act of neglect complained of, except that:

(1) In cases in which the act of neglect complained of is introducing and negligently permitting any foreign object to remain within the body of a living person **or living animal**, the action shall be brought within two years from the date of the discovery of such alleged negligence, or from the date on which the patient **or owner of an animal** in the exercise of ordinary care should have discovered such alleged negligence, whichever date first occurs; and

(2) In cases in which the act of neglect complained of is the negligent failure to inform the patient **or owner of the animal** of the results of medical tests, the action for failure to inform shall be brought within two years from the date of the discovery of such alleged negligent failure to inform, or from the date on which the patient **or owner of the animal** in the exercise of ordinary care should have discovered such alleged negligent failure to inform, whichever date first occurs; except that, no such action shall be brought for any negligent failure to inform about the results of medical tests performed more than two years before August 28, 1999. For purposes of this subdivision, the act of neglect based on the negligent failure to inform the patient **or owner of the animal** of the results of medical tests shall not include the act of informing the patient **or owner of the animal** of the results of negligently performed medical tests or the act of informing the patient **or owner of the animal** of erroneous test results; and

(3) In cases in which the person bringing the action is a minor less than eighteen years of age, such minor shall have until his or her twentieth birthday to bring such action. In no event shall any action for damages for malpractice, error, or mistake be commenced after the expiration of ten years from the date of the act of neglect complained of or for two years from a minor's eighteenth birthday, whichever is later."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, Page 8, Section 178.530, Lines 10-12, by striking all of said lines and inserting in lieu thereof the following:

"**department of elementary and secondary education. The provisions of this subsection shall not be construed to create eligibility for a private school to receive state or federal funding for agricultural vocational education, but shall not prohibit a private school from receiving state or federal funds for which such private school would otherwise be eligible for agricultural vocational education. Any such private school shall reimburse**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 569, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 788**, entitled:

An act to repeal section 483.015, RSMo, and to enact in lieu thereof one new section relating to the appointment of circuit clerks.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 835**, entitled:

An act to repeal sections 320.106, 320.131, and 320.136, RSMo, and to enact in lieu thereof three new sections relating to fireworks, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

PERFECTION OF HOUSE BILL

HCS HB 1639, relating to taxation, was taken up by Representative Nolte.

Representative Korman offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1639, Page 20, Section 144.055, Line 21, by inserting after all of said section and line, the following:

"**144.059. 1. As used in this section, the term "'Made in USA' product" means any new product that supports a claim to be made in the United States under the policy on "Made in USA" claims enforced by the Federal Trade Commission, and that is not already exempt from state sales taxes under any provision of state law.**

2. In each year beginning on or after January 1, 2013, but ending on or before December 31, 2014, there is hereby specifically exempted from state sales tax law all retail sales of any "Made in USA" product during a seven-day period beginning at 12:01 a.m. on July first and ending at midnight on July seventh, unless July first is a Sunday. If July first is a Sunday, the seven-day period shall begin on July second and end on July eighth. The exemption provided in this section shall apply only to the first fifteen thousand dollars of each purchase of a "Made in USA" product.

3. Any political subdivision may, by order or ordinance, allow the sales tax holiday established in this section to apply to its local sales taxes. A political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance applying the sales tax holiday to its local sales taxes.

4. After adopting an order or ordinance to apply the sales tax holiday established in this section to the political subdivision's local sales taxes, a political subdivision may, by order or ordinance, rescind the order or ordinance applying the sales tax holiday to its local sales taxes. The political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance rescinding an order or ordinance to apply the sales tax holiday to its local sales taxes.

5. This section shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

6. No sale of any motor vehicle, as defined in section 301.010, shall be exempt from any sales tax under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1** was adopted.

Representative Diehl assumed the Chair.

Speaker Tilley resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Houghton	Johnson	Jones 89	Keeney
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Loehner	Long	Marshall	McNary	Nance
Neth	Nolte	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Zerr
Mr Speaker				

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Colona	Ellington	Fuhr	Funderburk
Guernsey	Hough	Jones 117	Kelley 126	Lichtenegger
McCaherty	McGhee	Molendorp	Nasheed	Parkinson
Scharnhorst	Sifton	Webber	Wright	Wyatt

On motion of Representative Nolte, **HCS HB 1639, as amended,** was adopted.

On motion of Representative Nolte, **HCS HB 1639, as amended,** was ordered perfected and printed.

SENATE CONCURRENT RESOLUTION

SCR 28, relating to the Missouri criminal code, was taken up by Representative Diehl.

On motion of Representative Diehl, **SCR 28** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Ellinger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Wells	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Dugger	Elmer	Frederick	Guernsey
Jones 117	Molendorp	Schad	Schneider	Sifton
Thomson	Webber	Weter	Wyatt	

BILL CARRYING REQUEST MESSAGE

SB 564, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, House Amendment No. 4, House Amendment No. 6 and House Amendment No. 8, relating to motorcycle rider training, was taken up by Representative Davis.

Representative Davis moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, House Amendment No. 4, House Amendment No. 6 and House Amendment No. 8** to **SB 564** and grant the Senate a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILLS

HCS HB 1328, relating to controlled substances, was placed on the Informal Calendar.

HCS HB 1922, relating to the Department of Transportation and Highway Patrol Health Care Plan, was placed on the Informal Calendar.

HCS HBs 1076 & 1302, relating to renewable energy, was placed on the Informal Calendar.

THIRD READING OF HOUSE BILLS

HB 1277, relating to highway infrastructure improvement agreements, was placed on the Informal Calendar.

HB 1431, relating to aviation, was placed on the Informal Calendar.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HCS HB 1988, relating to real estate appraisal management, was taken up by Representative Brandom.

On motion of Representative Brandom, **HCS HB 1988** was adopted.

On motion of Representative Brandom, **HCS HB 1988** was ordered perfected and printed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1308.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1400**, entitled:

An act to repeal sections 67.085, 361.070, 361.080, 400.9-311, and 408.052, RSMo, and to enact in lieu thereof five new sections relating to financial transactions, with existing penalty provisions and an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HPA 1 to SCS HCS HB 1525** and has taken up and passed **SCS HCS HB 1525, as amended by HPA 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 to SB 611**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 to SS SCS SB 719**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

PERFECTION OF HOUSE BILL

HCS HB 1526, relating to school personnel, was taken up by Representative Dieckhaus.

Representative Elmer offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1526, Pages 1 to 4, Sections 160.045, 163.172, 168.101, 168.110, and 168.114, by striking all of said sections from the bill; and

Further amend said bill and section, Page 5, Section 168.124, Lines 12 to 14, by deleting all of said lines and inserting in lieu thereof the following:

"(4)**] Seniority, years of service, or the amount of an individual teacher's salary shall not be used as criteria for reduction in force;**

(2) Individual performance shall be the most heavily weighted factor, at not less than seventy percent, which shall include evidence of increased student achievement;

(3) Any record of misconduct, criminal conduct or excessive unexcused absences shall be considered as a negative factor;

(4) Significant, relevant contributions such as schoolwide contributions, creation and implementation of a tutoring program, and creation of a school enrichment program shall be considered as a positive factor;

(5) Relevant special training, certifications or licenses shall be considered as a positive factor; and

(6) Each teacher and principal contract and collective bargaining agreement shall authorize use of evaluation results as the basis for the decisions described in this section.

(7) No appointment of new teachers shall be made while there are available teachers on"; and

Further amend said page and section, Line 17, by deleting "**(3)**" and inserting in lieu thereof, "**(8)**"; and

Further amend said page and section, Line 19, by deleting "**(4)**" and inserting in lieu thereof, "**(9)**"; and

Further amend said page and section, Line 20, by deleting "**(5)**" and inserting in lieu thereof, "**(10)**"; and

Further amend said bill, Pages 5 to 7, Sections 168.126 and 168.211, by striking said sections from the bill; and

Further amend said bill, Page 8, Section 168.221, Line 11, by deleting "**[**April**]** **May**" and inserting in lieu thereof the following: "April"; and

Further amend said bill, Pages 10 to 14, Sections 168.251, 168.410, and 168.1032, by striking said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl resumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr				

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 013

Cierpiot	Day	Guernsey	McManus	Molendorp
Richardson	Schneider	Sifton	Silvey	Stream
Webber	Wright	Mr Speaker		

On motion of Representative Elmer, **House Amendment No. 1** was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hinson	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McGhee	McNary	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Smith 150	Solon	Sommer
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr

NOES: 059

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Curtman	Ellinger	Ellington	Fallert	Funderburk
Hampton	Harris	Higdon	Hodges	Holsman
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman

Nichols	Oxford	Pace	Pierson	Pollock
Quinn	Rizzo	Schieffer	Schupp	Shively
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 009

Day	Guernsey	Molendorp	Schneider	Sifton
Silvey	Stream	Webber	Mr Speaker	

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Spreng	Still	Swearingen	Swinger	Talboy
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bahr	Jones 63	Nolte	Scharnhorst	Schneider
Sifton	Smith 71	Taylor	Webber	

On motion of Representative Dieckhaus, **HCS HB 1526, as amended,** was adopted.

On motion of Representative Dieckhaus, **HCS HB 1526, as amended,** was ordered perfected and printed by the following vote:

AYES: 080

Allen	Bahr	Barnes	Bernskoetter	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Cierpiot	Conway 14	Cookson	Cox
Cross	Curtman	Davis	Day	Dieckhaus
Diehl	Elmer	Flanigan	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Higdon	Hinson	Hough	Hubbard
Hughes	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Leach	Leara	Lichtenegger	Loehner
Long	McGhee	McNary	Nasheed	Neth
Parkinson	Reiboldt	Richardson	Riddle	Rowland
Sater	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Silvey	Smith 150	Sommer	Stream
Talboy	Thomson	Torpey	Wallingford	Webb
Weter	White	Wyatt	Zerr	Mr Speaker

NOES: 078

Anders	Asbury	Atkins	Aull	Berry
Black	Carlson	Casey	Cauthorn	Colona
Conway 27	Crawford	Denison	Dugger	Ellinger
Ellington	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Frederick	Hampton	Harris
Hodges	Holsman	Hoskins	Houghton	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
Largent	Lasater	Lauer	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Newman	Nichols	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Rizzo	Ruzicka	Schieber	Schieffer
Schupp	Shively	Shumake	Smith 71	Solon
Spreng	Still	Swearingen	Swinger	Walton Gray
Wells	Wieland	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 005

Jones 63	Nolte	Sifton	Taylor	Webber

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1108.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1250**, entitled:

An act to repeal section 78.090, RSMo, and to enact in lieu thereof one new section relating to primary elections.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND House Bill No. 1250, Page 1, Section Title, Line 2, by striking the word "primary"; and

Further amend said bill, Page 2, Section 78.090, Line 23, by inserting immediately after said line the following:

"115.123. 1. All public elections shall be held on Tuesday. Except as provided in subsections 2**[**,**]** **and** 3**[**, and 4**]** of this section, and section 247.180, all public elections shall be held on the general election day, the primary election day, the general municipal election day, the first Tuesday after the first Monday in **[**February or**]** November, or on another day expressly provided by city or county charter, **[**the first Tuesday after the first Monday in June**]** and in nonprimary years on the first Tuesday after the first Monday in August. **Bond elections may be held on the first Tuesday after the first Monday in February but no other issue shall be included on the ballot for such election.**

2. Notwithstanding the provisions of subsection 1 of this section, an election for a presidential primary held pursuant to sections 115.755 to 115.785 shall be held on the first Tuesday after the first Monday in **[**March**]** **February** of each presidential election year.

3. The following elections shall be exempt from the provisions of subsection 1 of this section:

(1) Bond elections necessitated by fire, vandalism or natural disaster;

(2) Elections for which ownership of real property is required by law for voting; **[**and**]**

(3) Special elections to fill vacancies and to decide tie votes or election contests**; and**

(4) Tax elections necessitated by a financial hardship due to a five percent or greater decline in per-pupil state revenue to a school district from the previous year.

[4. No city or county shall adopt a charter or charter amendment which calls for elections to be held on dates other than those established in subsection 1 of this section.**]**

[5.**]** **4.** Nothing in this section prohibits a charter city or county from having its primary election in March if the charter provided for a March primary before August 28, 1999.

[6.**]** **5.** Nothing in this section shall prohibit elections held pursuant to section 65.600, but no other issues shall be on the March ballot except pursuant to this chapter."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Bill No. 1250, Page 1, Section Title, Line 2, by striking the word "primary"; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after all of said line the following:

"77.080. The style of the ordinances of the city shall be: "Be it ordained by the council of the city of ....., as follows:"**. Except as provided in section 77.085,** no ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the council shall vote therefor, and the ayes and nays shall be entered on the journal. Every **[**proposed ordinance**]** **bill** shall be introduced to the council in writing and shall be read by title or in full two times prior to passage, both readings may occur at a single meeting of the council.

If the **[**proposed ordinance**]** **bill** is read by title only, copies of the **[**proposed ordinance**]** **bill** shall be made available for public inspection prior to the time the bill is under consideration by the council. No bill shall become an ordinance until it shall have been signed by the officer presiding at the meeting of the council at which it shall have been passed. When so signed, it shall be delivered to the mayor for his approval and signature, or his veto.

77.085. 1. In any city of the third classification with more than fifteen thousand but fewer than seventeen thousand inhabitants and located in any county of the second classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants, voters in the city may propose an ordinance to prohibit smoking, as the term "smoking" is defined in subdivision (6) of section 191.765, in certain areas and establishments within such city by submitting a petition signed by at least the same number of voters that equals twenty-five percent of the votes cast for all candidates for mayor at the last preceding election. The petition shall contain, in addition to the requisite number of valid signatures, the full text of the ordinance sought to be passed and a request that the ordinance be submitted to a vote of the people if not passed by the council.

2. The signatures to the petition need not all be appended to one paper, but each signer shall provide with such person's signature the street and number of his or her place of residence. One of the signers of each such paper shall make oath before an officer competent to administer oaths that the statements therein made are true and that each signature to the paper appended is the genuine signature of the person whose name it purports to be.

3. Within ten days from the date of filing such petition, the city clerk shall examine and ascertain whether the petition contains signatures by the requisite number of voters. The council shall allow the clerk extra help for that purpose. The clerk shall attach a certificate of examination to the petition. If, by the clerk's certificate, the petition is shown to be insufficient, the petition may be amended within ten days from the date the clerk issued the certificate. The clerk shall, within ten days after such amendment is filed, examine the amended petition and issue another certificate. If the second certificate shows the petition to be insufficient, the petition shall be returned to the person filing it, without prejudice to the filing of a new petition to the same effect. If the petition is deemed to be sufficient, the clerk shall submit it to the city council without delay.

4. Upon receipt of the petition and certificate from the clerk, the city council shall either:

(1) Pass said ordinance without alteration within twenty days; or

(2) Submit the question without alteration at the next municipal election.

5. The question shall be submitted in substantially the following form:

Shall the following ordinance be (adopted) (repealed)? (Set out ordinance).

☐ YES ☐ NO

6. If a majority of the voters voting on the proposed ordinance vote in favor, such ordinance shall become a valid and binding ordinance of the city. Any ordinance regulating smoking that is proposed by petition and adopted by a vote of the people cannot be repealed or amended except by a vote of the people. The council may submit a proposition for the repeal or amendment of any such ordinance to be voted upon at any municipal election. If the proposition so submitted receives a majority of the votes cast thereon, such ordinance shall be repealed or amended accordingly."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1527.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SB 564 with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8**: Senators Brown, Wasson, Richard, McKenna and Wright-Jones.

THIRD READING OF SENATE BILL

HCS SS SCS SB 467, relating to the State Accountability Portal, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 37.850, Lines 15-20, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 37.850, Line 20, by inserting after all of said section and line, the following:

"**620.007. The department of economic development shall require start-up companies that apply for economic development incentives, where the incentive is provided up-front, to provide verification of financial information when an application for such incentives is submitted to the department. In complying with this section, the department shall define "start-up company".**

620.009. 1. The department of economic development shall share either by electronic copy of the original source or as close as a reproduction as possible all adverse information it has about a company seeking state and local economic development incentives with all local governments, local not-for-profit economic development organizations, and economic development officials competing for the company's business.

2. Local governments, local not-for-profit economic development organizations, and economic development officials working with a company seeking state or local economic development incentives shall also share with the department of economic development all adverse information received about a company.

3. In complying with the provisions of this section, all adverse information received about a company seeking state or local economic development incentives shall be subject to the provisions of section 620.014.

4. In working with local governments, local not-for-profit economic development organizations, and economic development officials on projects, the department of economic development shall designate one or more persons as the local contact for each project. The designated contacts shall be the persons through whom all information required in this section shall be provided. Such persons shall be required to sign a nondisclosure agreement agreeing not to divulge information, including company name, acquired about an applicant for economic development incentives to the general public.

5. In complying with the provisions of this section, no person or entity shall be required to violate terms of another nondisclosure agreement related to the project, except that the department of economic development shall not enter into a nondisclosure agreement that forbids sharing of adverse information under this section.

620.019. The department of economic development shall develop a rating system to apprise local governments of the department's opinion on proposals for discretionary economic development incentives that combine local and state resources.

Section 1. The department of economic development shall include a conflict of interest policy in all new consulting contracts for trade offices located in foreign countries."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Scharnhorst offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 1, Section A, Line 2, by inserting after all of said section, the following:

"32.057. 1. Except as otherwise specifically provided by law, it shall be unlawful for the director of revenue, any officer, employee, agent or deputy or former director, officer, employee, agent or deputy of the department of revenue, any person engaged or retained by the department of revenue on an independent contract basis, any person to whom authorized or unauthorized disclosure is made by the department of revenue, or any person who lawfully or unlawfully inspects any report or return filed with the department of revenue or to whom a copy, an abstract or a portion of any report or return is furnished by the department of revenue to make known in any manner, to permit the inspection or use of or to divulge to anyone any information relative to any such report or return, any information obtained by an investigation conducted by the department in the discharge of official duty, or any information received by the director in cooperation with the United States or other states in the enforcement of the revenue laws of this state. Such confidential information is limited to information received by the department in connection with the administration of the tax laws of this state.

2. Nothing in this section shall be construed to prohibit:

(1) The disclosure of information, returns, reports, or facts shown thereby, as described in subsection 1 of this section, by any officer, clerk or other employee of the department of revenue charged with the custody of such information:

(a) To a taxpayer or the taxpayer's duly authorized representative under regulations which the director of revenue may prescribe;

(b) In any action or proceeding, civil, criminal or mixed, brought to enforce the revenue laws of this state;

(c) To the state auditor or the auditor's duly authorized employees as required by subsection 4 of this section;

(d) To any city officer designated by ordinance of a city within this state to collect a city earnings tax, upon written request of such officer, which request states that the request is made for the purpose of determining or enforcing compliance with such city earnings tax ordinance and provided that such information disclosed shall be limited to that sufficient to identify the taxpayer, and further provided that in no event shall any information be disclosed that will result in the department of revenue being denied such information by the United States or any other state. The city officer requesting the identity of taxpayers filing state returns but not paying city earnings tax shall furnish to the director of revenue a list of taxpayers paying such earnings tax, and the director shall compare the list submitted with the director's records and return to such city official the name and address of any taxpayer who is a resident of such city who has filed a state tax return but who does not appear on the list furnished by such city. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information;

(e) To any employee of any county or other political subdivision imposing a sales tax which is administered by the state department of revenue whose office is authorized by the governing body of the county or other political subdivision to receive any and all records of the state director of revenue pertaining to the administration, collection and enforcement of its sales tax. The request for sales tax records and reports shall include a description of the type of report requested, the media form including electronic transfer, computer tape or disk, or printed form, and the frequency desired. The request shall be made by annual written application and shall be filed with the director of revenue. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information. Such city or county or any employee thereof shall be subject to the same standards for confidentiality as required for the department of revenue in using the information contained in the reports;

(f) To the director of the department of economic development or the director's duly authorized employees in discharging the director's official duties to certify taxpayers eligibility to claim state tax credits as prescribed by statutes;

(g) To any employee of any political subdivision, such records of the director of revenue pertaining to the administration, collection and enforcement of the tax imposed in chapter 149 as are necessary for ensuring compliance with any cigarette or tobacco tax imposed by such political subdivision. The request for such records shall be made in writing to the director of revenue, and shall include a description of the type of information requested and the desired frequency. The director of revenue may charge a fee to reimburse the department for costs reasonably incurred in providing such information;

(h) To the public only the aggregate number of cigarettes sold annually in Missouri by each tobacco product manufacturer; except that, such disclosure shall not contain any other information, returns, reports, or facts shown thereby, as described in subsection 1 of this section submitted to any state agency by stamping agents or persons selling cigarettes at retail;

(2) The publication by the director of revenue or of the state auditor in the audit reports relating to the department of revenue of:

(a) Statistics, statements or explanations so classified as to prevent the identification of any taxpayer or of any particular reports or returns and the items thereof;

(b) The names and addresses without any additional information of persons who filed returns and of persons whose tax refund checks have been returned undelivered by the United States Post Office;

(3) The director of revenue from permitting the Secretary of the Treasury of the United States or the Secretary's delegates, the proper officer of any state of the United States imposing a tax equivalent to any of the taxes administered by the department of revenue of the state of Missouri or the appropriate representative of the multistate tax commission to inspect any return or report required by the respective tax provision of this state, or may furnish to such officer an abstract of the return or report or supply the officer with information contained in the return or disclosed by the report of any authorized investigation. Such permission, however, shall be granted on condition that the corresponding revenue statute of the United States or of such other state, as the case may be, grants substantially similar privileges to the director of revenue and on further condition that such corresponding statute gives confidential status to the material with which it is concerned;

(4) The disclosure of information, returns, reports, or facts shown thereby, by any person on behalf of the director of revenue, in any action or proceeding to which the director is a party or on behalf of any party to any action or proceeding pursuant to the revenue laws of this state when such information is directly involved in the action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of such information as is pertinent to the action or proceeding and no more;

(5) The disclosure of information, returns, reports, or facts shown thereby, by any person to a state or federal prosecuting official, including, but not limited to, the state and federal attorneys general, or the official's designees involved in any criminal, quasi-criminal, or civil investigation, action or proceeding pursuant to the laws of this state or of the United States when such information is pertinent to an investigation, action or proceeding involving the administration of the revenue laws or duties of public office or employment connected therewith;

(6) Any school district from obtaining the aggregate amount of the financial institution tax paid pursuant to chapter 148 by financial institutions located partially or exclusively within the school district's boundaries, provided that the school district request such disclosure in writing to the department of revenue;

(7) The disclosure of records which identify all companies licensed by this state pursuant to the provisions of subsections 1 and 2 of section 149.035. The director of revenue may charge a fee to reimburse the department for the costs reasonably incurred in providing such records;

(8) The disclosure to the commissioner of administration pursuant to section 34.040 of a list of vendors and their affiliates who meet the conditions of section 144.635, but refuse to collect the use tax levied pursuant to chapter 144 on their sales delivered to this state;

(9) The disclosure to the public of any information, or facts shown thereby regarding the claiming of a state tax credit by a member of the Missouri general assembly or any statewide elected public official.

3. Any person violating any provision of subsection 1 or 2 of this section shall, upon conviction, be guilty of a class D felony.

4. The state auditor or the auditor's duly authorized employees who have taken the oath of confidentiality required by section 29.070 shall have the right to inspect any report or return filed with the department of revenue if such inspection is related to and for the purpose of auditing the department of revenue; except that, the state auditor or the auditor's duly authorized employees shall have no greater right of access to, use and publication of information, audit and related activities with respect to income tax information obtained by the department of revenue pursuant to chapter 143 or federal statute than specifically exists pursuant to the laws of the United States and of the income tax laws of the state of Missouri.”; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

Representative Scharnhorst moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Torpey offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 1, Title, Line 2, by inserting immediately after "RSMo," the following:

"and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session,"; and

Further amend said bill and page, Section A, Line 1, by inserting immediately after "RSMo," the following:

"and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session,"; and

Further amend said bill, Page 2, Section 37.850, Line 20, by inserting immediately after said section and line the following:

"141.210. Sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall be known by the short title of "Land Tax Collection Law".

141.220. The following words, terms and definitions, when used in sections 141.210 to 141.810 **and sections 141.980 to 141.1015**, shall have the meanings ascribed to them in this section, except where the text clearly indicates a different meaning:

(1) **"Ancillary parcel" shall mean a parcel of real estate acquired by a land bank agency other than:**

(a) Pursuant to a deemed sale under subsection 3 of section 141.560;

(b) By deed from a land trust under subsection 1 of section 141.984; or

(c) Pursuant to a sale under subdivision (2) of subsection 2 of section 141.550;

(2) "Appraiser" shall mean a state licensed or certified appraiser licensed or certified pursuant to chapter 339 who is not an employee of the collector or collection authority;

[(2)**] (3) "Board" or "board of commissioners" shall mean the board of commissioners of a land bank agency;**

(4) "Collector" shall mean the collector of the revenue in any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015**;

[(3)**] (5)** "County" shall mean any county **[**of the first class**]** in this state having a charter form of government, any county of the first class **[**not having a charter form of government**]** with a population of at least one hundred fifty thousand but less than one hundred sixty thousand and any county of the first class **[**not having a charter form of government**]** with a population of at least eighty-two thousand but less than eighty-five thousand;

[(4)**] (6)** "Court" shall mean the circuit court of any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015**;

[(5)**] (7)** "Delinquent land tax attorney" shall mean a licensed attorney-at-law, employed or designated by the collector as hereinafter provided;

[(6)**] (8) "Land bank agency", shall mean an agency created under section 141.980;**

(9) "Land taxes" shall mean taxes on real property or real estate and shall include the taxes both on land and the improvements thereon;

[(7)**] (10)** "Land trustees" and "land trust" shall mean the land trustees and land trust as the same are created by and described in section 141.700;

[(8)**] (11)** "Municipality" shall include any incorporated city or town, or a part thereof, located in whole or in part within a county of class one **or located in whole or in part within a county with a charter form of government**, which municipality now has or which may hereafter contain a population of two thousand five hundred inhabitants or more, according to the last preceding federal decennial census;

[(9)**] (12)** "Person" shall mean any individual, male or female, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver or trustee appointed by any state or federal court, trustee otherwise created, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

[(10)**] (13) "Political subdivision" shall mean any county, city, town, village, school district, library district, or any other public subdivision or public corporation having the power to tax;**

(14) "Reserve period taxes" shall mean land taxes assessed against any parcel of real estate sold or otherwise disposed of by a land bank agency for the first three tax years following such sale or disposition;

(15) "School district", "road district", "water district", "sewer district", "levee district", "drainage district", "special benefit district", "special assessment district", or "park district" shall include those located within a county as such county is described in **[**subdivision (3) of**]** this section;

[(11)**] (16)** "Sheriff" and "circuit clerk" shall mean the sheriff and circuit clerk, respectively, of any county affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015**;

[(12)**] (17)** "Tax bill" as used in sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall represent real estate taxes and the lien thereof, whether general or special, levied and assessed by any taxing authority;

[(13)**] (18)** "Tax district" shall mean the state of Missouri and any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, located in any municipality or county as herein described;

[(14)**] (19)** "Tax lien" shall mean the lien of any tax bill as defined in **[**subdivision (12) of**]** this section;

[(15)**] (20)** "Taxing authority" shall include any governmental, managing, administering or other lawful authority, now or hereafter empowered by law to issue tax bills, the state of Missouri or any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, affected by sections 141.210 to 141.810 **and sections 141.980 to 141.1015**.

141.250. 1. The respective liens of the tax bills for general taxes of the state of Missouri, the county, any municipality and any school district, for the same tax year, shall be equal and first liens upon the real estate described in the respective tax bills thereof; provided, however, that the liens of such tax bills for the latest year for which tax bills are unpaid shall take priority over the liens of tax bills levied and assessed for less recent years, and the lien of such tax bills shall rate in priority in the order of the years for which they are delinquent, the lien of the tax bill longest delinquent being junior in priority to the lien of the tax bill for the next most recent tax year.

2. All tax bills for other than general taxes shall constitute liens junior to the liens for general taxes upon the real estate described therein; provided, however, that a tax bill for other than general taxes, of the more recent issue shall likewise be senior to any such tax bill of less recent date.

3. The proceeds derived from the sale of any lands encumbered with a tax lien or liens, or held by the land trustees, **or acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550** shall be distributed to the owners of such liens in the order of the seniority of the liens, or their respective interests as shown by the records of the land trust **or the land bank agency**. Those holding liens of equal rank shall share in direct proportion to the amounts of their respective liens.

141.290. 1. The collector shall compile lists of all state, county, school, and other tax bills collectible by him which are delinquent according to his records and he shall combine such lists with the list filed by any taxing authority or tax bill owner.

2. The collector shall assign a serial number to each parcel of real estate in each list and if suit has been filed in the circuit court of the county on any delinquent tax bill included in any list, the collector shall give the court docket number of such suit and some appropriate designation of the place where such suit is pending, and such pending suit so listed in any petition filed pursuant to the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall, without further procedure or court order, be deemed to be consolidated with the suit brought under sections 141.210 to 141.810 **and sections 141.980 to 141.1015**, and such pending suit shall thereupon be abated.

3. The collector shall deliver such combined lists to the delinquent land tax attorney from time to time but not later than April the first of each year.

4. The delinquent land tax attorney shall incorporate such lists in petitions in the form prescribed in section 141.410, and shall file such petitions with the circuit clerk not later than June first of each year.

141.300. 1. The collector shall receipt for the aggregate amount of such delinquent tax bills appearing on the list or lists filed with him under the provisions of section 141.290, which receipt shall be held by the owner or holder of the tax bills or by the treasurer or other corresponding financial officer of the taxing authority so filing such list with the collector.

2. The collector shall, on or before the fifth day of each month, file with the owner or holder of any tax bill or with the treasurer or other corresponding financial officer of any taxing authority, a detailed statement, verified by affidavit, of all taxes collected by him during the preceding month which appear on the list or lists received by him, and shall, on or before the fifteenth day of the month, pay the same, less his commissions and costs payable to the county, to the tax bill owner or holder or to the treasurer or other corresponding financial officer of any taxing authority; provided, however, that the collector shall be given credit for the full amount of any tax bill which is bid in by the land trustees and where title to the real estate described in such tax bill is taken by the land trust**, or which is bid in by a land bank agency and where title to the real estate described in such tax bill is taken by such land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, or which is included in the bid of a land bank agency and where title to the real estate described in such tax bill is taken by such land bank agency pursuant to a sale under subdivision (2) of subsection 2 of section 141.550**.

141.320. 1. The collector shall at his option appoint a delinquent land tax attorney at a compensation of ten thousand dollars per year, or in counties having a county counselor, the collector shall at his option designate the county counselor and such of his assistants as shall appear necessary to act as the delinquent land tax attorney.

2. A delinquent land tax attorney who is not the county counselor, with the approval of the collector, may appoint one or more assistant delinquent land tax attorneys at salaries of not less than two hundred dollars and not more than four hundred dollars per month, and such clerical employees as may be necessary, at salaries to be fixed by the collector at not less than three hundred dollars and not more than four hundred dollars per month; and the appointed delinquent tax attorney may incur such reasonable expenses as are necessary for the performance of his duties.

3. The delinquent land tax attorney and his assistants shall perform legal services for the collector and shall act as attorney for him in the prosecution of all suits brought for the collection of land taxes; but they shall not perform legal services for the land trust **or any land bank agency**.

4. Salaries and expenses of a delinquent land tax attorney who is not also the county counselor, his assistants and his employees shall be paid monthly out of the treasury of the county from the same funds as employees of the collector whenever the funds provided for by sections 141.150, 141.270, and 141.620 are not sufficient for such purpose.

5. The compensation herein provided shall be the total compensation for a delinquent land tax attorney who is not also a county counselor, his assistants and employees, and when the compensation received by him or owing to him by the collector exceeds ten thousand dollars in any one calendar year by virtue of the sums charged and collected pursuant to the provisions of section 141.150, the surplus shall be credited and applied by the collector to the expense of the delinquent land tax attorney and to the compensation of his assistants and employees, and any sum then remaining shall be paid into the county treasury on or before the first day of March of each year and credited to the general revenue fund of the county.

6. A delinquent land tax attorney who is not also the county counselor shall make a return quarterly to the county commission of such county of all compensation received by him, and of all amounts owing to him by the collector, and of all salaries and expenses of any assistants and employees, stating the same in detail, and verifying such amounts by his affidavit.

141.410. 1. A suit for the foreclosure of the tax liens herein provided for shall be instituted by filing in the appropriate office of the circuit clerk a petition, which petition shall contain a caption, a copy of the list so furnished to the delinquent land tax attorney by the collector, and a prayer. Such petition without further allegation shall be deemed to be sufficient.

2. The caption shall be in the following form:

In the Circuit Court of . . . . . County, Missouri,

In the Matter of

Foreclosure of Liens for Delinquent Land Taxes

By Action in Rem.

Collector of Revenue of . . . . County, Missouri, Plaintiff

-vs.-

Parcels of Land Encumbered with Delinquent Tax Liens
Defendants.

3. The petition shall conclude with a prayer that all tax liens upon such real estate be foreclosed; that the court determine the amounts and priorities of all tax bills, together with interest, penalties, costs, and attorney's fees; that the court order such real estate to be sold by the sheriff at public sale as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.1015** and that thereafter a report of such sale be made by the sheriff to the court for further proceedings under sections 141.210 to 141.810 **and sections 141.980 to 141.1015**.

4. The delinquent land tax attorney within ten days after the filing of any such petition, shall forward by United States registered mail to each person or taxing authority having filed a list of delinquent tax bills with the collector as provided by sections 141.210 to 141.810 **and sections 141.980 to 141.1015** a notice of the time and place of the filing of such petition and of the newspaper in which the notice of publication has been or will be published.

5. The petition when so filed shall have the same force and effect with respect to each parcel of real estate therein described, as a separate suit instituted to foreclose the tax lien or liens against any one of said parcels of real estate.

141.480. 1. Upon the trial of the cause upon the question of foreclosure, the tax bill, whether general or special, issued by any taxing authority shall be prima facie proof that the tax described in the tax bill has been validly assessed at the time indicated by the tax bill and that the tax is unpaid. Absent any answer the court shall take the allegations of the petition as confessed. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon trial, affirmatively establish such defense.

2. Prior to formal hearing, the court may conduct an informal hearing for the purpose of clarifying issues, and shall attempt to reach an agreement with the parties upon a stipulated statement of facts. The court shall hear the evidence offered by the collector or relator as the case may be, and by all answering parties, and shall determine the amount of each and every tax bill proved by the collector or any answering party, together with the amount of interest, penalties, attorney's fees and costs accruing upon each tax bill and the date from which interest began to accrue upon each tax bill and the rate thereof. The court shall hear evidence and determine every issue of law and of fact necessary to a complete adjudication of all tax liens asserted by any and every pleading, and may also hear evidence and determine any other issue of law or fact affecting any other right, title, or interest in or to, or lien upon, such real estate, sought to be enforced by any party to the proceeding against any other party to the proceeding who has been served by process or publication as authorized by law, or who has voluntarily appeared, and shall determine the order and priority of the liens and of any other rights or interest put in issue by the pleadings.

3. After the court has first determined the validity of the tax liens of all tax bills affecting parcels of real estate described in the petition, the priorities of the respective tax bills and the amounts due thereon, including principal, interest, penalties, attorney's fees, and costs, the court shall thereupon enter judgment of foreclosure of such liens and fix the time and place of the foreclosure sale. The petition shall be dismissed as to any parcel of real estate redeemed prior to the time fixed for the sheriff's foreclosure sale as provided in sections 141.210 to 141.810 **and sections 141.980 to 141.1015**. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for a sum sufficient to fully pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and for no more, and such sale is confirmed by the court, then all other proceedings as to such parcels of real estate shall be finally dismissed as to all parties and interests other than tax bill owners or holders; provided, however, that any parties seeking relief other than an interest in or lien upon the real estate may continue with said suit to a final adjudication of such other issues; provided, further, an appeal may be had as to any claim attacking the validity of the tax bill or bills or the priorities as to payment of proceeds of foreclosure sale. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for a sum greater than the total amount necessary to pay the principal amount of all tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and such sale is confirmed by the court, and no appeal is taken by any person claiming any right, title or interest in or to or lien upon said parcel of real estate or by any person or taxing authority owning or holding or claiming any right, title or interest in or to any tax bills within the time fixed by law for the filing of notice of appeal, the court shall thereupon order the sheriff to make distribution to the owners or holders of the respective tax bills included in the judgment of the amounts found to be due and in the order of priorities. Thereafter all proceedings in the suit shall be ordered by the court to be dismissed as to such persons or taxing authorities owning, holding or claiming any right, title, or interest in any such tax bill or bills so paid, and the case shall proceed as to any parties claiming any right, title, or interest in or lien upon the parcel of real estate affected by such tax bill or bills as to their respective claims to such surplus funds then remaining in the hands of the sheriff.

4. Whenever an answer is filed to the petition, as herein provided, a severance of the action as to all parcels of real estate affected by such answer shall be granted, and the issues raised by the petition and such answer shall be tried separate and apart from the other issues in the suit, but the granting of such severance shall not delay the trial or other disposition of any other issue in the case. A separate appeal may be taken from any action of the court affecting any right, title, or interest in or to, or lien upon, such real estate, other than issues of law and fact affecting the amount or validity of the lien of tax bills, but the proceeding to foreclose the lien of any tax bills shall not be stayed by such appeal. The trial shall be conducted by the court without the aid of a jury and the suit shall be in equity. This action shall take precedence over and shall be triable before any other action in equity affecting the title to such real estate, upon motion of any interested party.

141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in any parcel of real estate, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments shall have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on his behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments shall have been made.

2. So long as such installments be paid according to the terms of the contract, the said six months waiting period shall be extended, but if any installment be not paid when due, the extension of said waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.

[3. No redemption contracts may be used under this section for residential property which has been vacant for at least six months in any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand.**]**

[141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as provided by this chapter. During such waiting period and at any time prior to the time of foreclosure sale by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a written redemption contract with any such party interested in any parcel of real estate, other than a residential property which has been vacant for at least six months, providing for payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties, attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance shall such installments exceed twelve in number or extend more than twenty-four months next after any agreement for such installment payments have been entered into; provided further, that upon good cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of improved real estate with an assessed valuation of not more than three thousand five hundred dollars, owned by an individual, the income from such property being a major factor in the total income of such individual, or by anyone on the individual's behalf, the court may, in its discretion, fix the time and terms of payment in such contract to permit all of such installments to be paid within not longer than forty-eight months after any order or agreement as to installment payments being made.

2. So long as such installments are paid according to the terms of the contract, the six-month waiting period shall be extended, but if any installment is not paid when due, the extension of such waiting period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in the next notice of sheriff's foreclosure sale.**]**

141.540. 1. In any county at a certain front door of whose courthouse sales of real estate are customarily made by the sheriff under execution, the sheriff shall advertise for sale and sell the respective parcels of real estate ordered sold by him or her pursuant to any judgment of foreclosure by any court pursuant to sections 141.210 to 141.810 at any

of such courthouses, but the sale of such parcels of real estate shall be held at the same front door as sales of real estate are customarily made by the sheriff under execution.

2. Such advertisements may include more than one parcel of real estate, and shall be in substantially the following form:

NOTICE OF SHERIFF'S SALE UNDER JUDGMENT OF FORECLOSURE OF LIENS FOR DELINQUENT LAND TAXES

No. . . . . In the Circuit Court of . . . . . .County, Missouri. In the Matter of Foreclosure of Liens for Delinquent Land Taxes Collector of Revenue of . . . . . .County, Missouri, Plaintiff, vs. Parcels of Land encumbered with Delinquent Tax Liens, Defendants.

WHEREAS, judgment has been rendered against parcels of real estate for taxes, interest, penalties, attorney's fees and costs with the serial numbers of each parcel of real estate, the description thereof, the name of the person appearing in the petition in the suit, and the total amount of the judgment against each such parcel for taxes, interest, penalties, attorney's fees and costs, all as set out in said judgment and described in each case, respectively, as follows: (Here set out the respective serial numbers, descriptions, names and total amounts of each judgment, next above referred to.) and,

WHEREAS, such judgment orders such real estate sold by the undersigned sheriff, to satisfy the total amount of such judgment, including interest, penalties, attorney's fees and costs,

NOW, THEREFORE,

Public Notice is hereby given that I . . . . . ., Sheriff of . . . . . County, Missouri, will sell such real estate, parcel by parcel, at public auction, to the highest bidder, for cash, between the hours of nine o'clock A.M. and five o'clock P.M., at the . . . . . front door of the . . . . . County Courthouse in . . . . . ., Missouri, on . . . . . ., the . . . . . day of . . . . . ., 20.., and continuing from day to day thereafter, to satisfy the judgment as to each respective parcel of real estate sold. If no acceptable bids are received as to any parcel of real estate, said parcel shall be sold to the Land Trust of . . . . . (insert name of County), Missouri **or Land Bank of the City of . . . . . (insert name of municipality), Missouri**.

Any bid received shall be subject to confirmation by the court. . . . . .Sheriff of . . . . . County, Missouri. . . . . Delinquent Land Tax Attorney Address: . . . . . .First Publication . . . . . ., 20. . .

3. Such advertisement shall be published four times, once a week, upon the same day of each week during successive weeks prior to the date of such sale, in a daily newspaper of general circulation regularly published in the county, qualified according to law for the publication of public notices and advertisements.

4. In addition to the provisions herein for notice and advertisement of sale, the county collector shall enter upon the property subject to foreclosure of these tax liens and post a written informational notice in any conspicuous location thereon. This notice shall describe the property and advise that it is the subject of delinquent land tax collection proceedings before the circuit court brought pursuant to sections 141.210 to 141.810 and that it may be sold for the payment of delinquent taxes at a sale to be held at ten o'clock a.m., date and place, and shall also contain a file number and the address and phone number of the collector. If the collector chooses to post such notices as authorized by this subsection, such posting must be made not later than the fourteenth day prior to the date of the sale.

5. The collector shall, concurrently with the beginning of the publication of sale, cause to be prepared and sent by restricted, registered or certified mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the persons named in the petition as being the last known persons in whose names tax bills affecting the respective parcels of real estate described in said petition were last billed or charged on the books of the collector, or the last known owner of record, if different, and to the addresses of said persons upon said records of the collector. The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail. If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive and receipt for the notice as shown by the return receipt, then the collector shall make a search of the records maintained by the county, including those kept by the recorder of deeds, to discern the name and address of any person who, from such records, appears as a successor to the person to whom the original notice was addressed, and to cause another notice to be mailed to such person. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected of any such notices of sale that are undeliverable because of an addressee's refusal to receive and receipt for the same, or of any notice otherwise nondeliverable by mail, or in the event that any name or address does not appear on the records of the collector, then of that fact. The affidavit in addition to the recitals set forth above shall also state reason for the nondelivery of such notice.

6. The collector may, at his or her option, concurrently with the beginning of the publication of sale, cause to be prepared and sent by restricted, registered or certified mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the mortgagee or security holder, if known, of the respective parcels of real estate described in said petition, and to the addressee of such mortgagee or security holder according to the records of the collector. The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail. If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive and receipt for the notice as shown by the return receipt, then the collector shall make a search of the records maintained by the county, including those kept by the recorder of deeds, to discern the name and address of any security holder who, from such records, appears as a successor to the security holder to whom the original notice was addressed, and to cause another notice to be mailed to such security holder. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected by any such notices of sale that are undeliverable because of an addressee's refusal to receive and receipt for the same, or of any notice otherwise nondeliverable by mail, and stating the reason for the nondelivery of such notice.

141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during the term of court or while the court is in session.

2. The following provisions shall apply to any sale pursuant to this section of property located within any municipality contained wholly or partially within a county with a population of over six hundred thousand and less than nine hundred thousand:

(1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective parcel of real estate sold;

(2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time of the sale unless such person has, no later than ten days before the sale date, demonstrated to the satisfaction of the official charged by law with conducting the sale that he or she is not the owner of any parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than six months and is not the owner of any parcel of real property with two or more violations of the municipality's building or housing codes. A prospective bidder may make such a demonstration by presenting statements from the appropriate collection and code enforcement officials of the municipality. **Notwithstanding this provision, any taxing authority or land bank agency shall be eligible to bid at any sale conducted under this section without making such a demonstration.**

3. Such sale shall convey the whole interest of every person having or claiming any right, title or interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of the United States of America.

4. The collector shall advance the sums necessary to pay for the publication of all advertisements required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the county. The collector shall give credit in such accounts for all such advances recovered by him or her. Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective parcels of real estate described in the judgment; provided, however, that none of the costs herein enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.

141.560. 1. If, when the sheriff offers the respective parcels of real estate for sale, there be no bidders for any parcel, or there be insufficient time or opportunity to sell all of the parcels of real estate so advertised, the sheriff shall adjourn such sale from day to day at the same place and commencing at the same hour as when first offered and shall announce that such real estate will be offered or reoffered for sale at such time and place.

2. **With respect to any parcel of real estate not located wholly within a municipality that is an appointing authority under section 141.981,** in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon shall be received at such sale after any parcel of real estate has been offered for sale on three different days, which need not be successive, the land trustees shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due, and if no other bid be then received by the sheriff in excess of the bid of the trustees, and the sheriff shall so announce at the

sale, then the bid of the trustees shall be announced as accepted. The sheriff shall report any such bid or bids so made by the land trustees in the same way as his report of other bids is made. **The land trust shall pay any penalties, attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trust. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.**

3. **[**The land trustees shall pay any penalties, attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land trustees, as herein provided. Upon confirmation by the court of such bid at such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.**] With respect to any parcel of real estate located wholly within a municipality that is an appointing authority under section 141.981, in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon shall be received at such sale after such parcel of real estate has been offered for sale on three different days, which need not be successive, the land bank agency for which said municipality is an appointing authority shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due, and the sheriff shall so announce at the sale, then the bid of the land bank agency shall be announced as accepted. The sheriff shall report any such bid or bids so made by such land bank agency in the same way as his report of other bids is made. Upon confirmation by the court of such bid at such sale by such land bank agency, the collector shall mark the tax bills so bid by such land bank agency as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.**

141.570. 1. The title to any real estate which shall vest in the land trust under the provisions of sections 141.210 to 141.810 **and sections 141.980 to 141.1015** shall be held by the land trust of such county in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure. **The title to any real estate acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 shall be held in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure.**

2. The title to any real estate which shall vest in any purchaser, upon confirmation of such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon of public utilities on which tax has been otherwise paid, and subject to any lien thereon of the United States of America, if any, and all persons, including the state of Missouri, infants, incapacitated and disabled persons as defined in chapter 475, and nonresidents who may have had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands, shall be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of redemption, and the court shall order immediate possession of such real estate be given to such purchaser; provided, however, that such title shall also be subject to the liens of any tax bills which may have attached to such parcel of real estate prior to the time of the filing of the petition affecting such parcel of real estate not then delinquent, or which may have attached after the filing of the petition and prior to sheriff's sale and not included in any answer to such petition, but if such parcel of real estate is **deemed** sold to the land trust **pursuant to subsection 2 of section 141.560, or deemed sold to a land bank agency pursuant to subsection 3 of section 141.560, or sold to a land bank agency pursuant to subdivision (2) of subsection 2 of section 141.550**, the title thereto shall be free of any such liens to the extent of the interest of any taxing authority in such real estate; provided further, that such title shall not be subject to the lien of special tax bills which have attached to the parcel of real estate prior to November 22, 1943, but the lien of such special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds of the ultimate sale of such parcel by the land trust **or land bank agency**.

141.580. 1. After the sheriff sells any parcel of real estate, the court shall, upon its own motion or upon motion of any interested party, set the cause down for hearing to confirm the foreclosure sale thereof, even though such parcels are not all of the parcels of real estate described in the notice of sheriff's foreclosure sale. At the time of such hearing, the sheriff shall make report of the sale, and the court shall hear evidence of the value of the property offered on behalf of any interested party to the suit, and shall forthwith determine whether an adequate consideration has been paid for each such parcel.

2. For this purpose the court shall have power to summon any city or county official or any private person to testify as to the reasonable value of the property, and if the court finds that adequate consideration has been paid, **[**he**]** **the court** shall confirm the sale and order the sheriff to issue a deed to the purchaser. If the court finds that the consideration paid is inadequate, **the court shall confirm the sale if** the purchaser **[**may increase**] increases** his bid to such amount as the court **[**may deem**] deems** to be adequate**[**, whereupon the court may confirm the sale. If, however,**] and makes such additional payment, or if all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon are not paid in full by one or more interested parties to the suit. If the court finds that the consideration is inadequate, but** the purchaser declines to increase his bid **to such amount as the court deems adequate** and make such additional payment, then the sale shall be disapproved **if all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon are paid in full by one or more interested parties to the suit**, the lien of the judgment continued, and such parcel of real estate shall be again advertised and offered for sale by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's foreclosure sale. Unless the court requires evidence of the value of the property conveyed to land trust **or a land bank agency**, none shall be required, and the amount bid by the land trustees **or such land bank agency** shall be deemed adequate consideration.

3. **Except as otherwise provided in subsection 6 of section 141.984,** if the sale is confirmed, the court shall order the proceeds of the sale applied in the following order:

(1) To the payment of the costs of the publication of the notice of foreclosure and of the sheriff's foreclosure sale;

(2) To the payment of all costs including appraiser's fee **[**not to exceed fifteen dollars**]** and attorney's fees;

(3) To the payment of all tax bills adjudged to be due in the order of their priority, including principal, interest and penalties thereon.

If, after such payment, there is any sum remaining of the proceeds of the sheriff's foreclosure sale, the court shall thereupon try and determine the other issues in the suit in accordance with section 141.480. If any answering parties have specially appealed as provided in section 141.570, the court shall retain the custody of such funds pending disposition of such appeal, and upon disposition of such appeal shall make such distribution. If there are not sufficient proceeds of the sale to pay all claims in any class described, the court shall order the same to be paid pro rata in accordance with the priorities.

4. If there are any funds remaining of the proceeds after the sheriff's sale and after the distribution of such funds as herein set out and no person entitled to any such funds, whether or not a party to the suit, shall, within two years after such sale, appear and claim the funds, they shall **[**escheat to the state as provided by law**] be distributed to the appropriate taxing authorities**.

141.720. 1. The land trust shall be composed of three members, one of whom shall be appointed by the county**, as directed by the county** executive, or if the county does not have a county executive, **as directed by** the county commission of the county, one of whom shall be appointed by **[**the city council of that city**] the municipality** in the county which **is not an appointing authority under section 141.981 and** then has the largest population according to the last preceding federal decennial census, and one of whom shall be appointed by **[**the board of directors of**]** the school district **in the county** which **is not an appointing authority under section 141.981 and** then has the largest population according to such census in the county. **If any appointing authority under this section fails to make any appointment of a land trustee after any term expires, then the appointment shall be made by the county.**

2. The terms of office of the land trustees shall be for four years each, except the terms of the first land trustees who shall be appointed by the foregoing appointing authorities, respectively, not sooner than twelve months and not later than eighteen months after sections 141.210 to 141.810 take effect**; provided, however, that the term of any land trustee appointed by a municipality or school district that becomes an appointing authority of a land bank agency under section 141.981 shall terminate and such municipality and such school district shall cease to be appointing authorities for such land trust under this section upon the completion of all transfers to the land bank agency from the land trust required under subsection 1 of section 141.984 or one year after the effective date of the ordinance or resolution establishing the land bank agency, whichever is the first to occur**.

3. Each land trustee shall have been a resident of the county for at least five years next prior to appointment, shall not hold other salaried or compensated public office by election or appointment during service as land trustee, the duties of which would in any way conflict with his duties as land trustee, and shall have had at least ten years experience in the management or sale of real estate.

4. Of the first land trustees appointed under sections 141.210 to 141.810, the land trustee appointed by the county commission shall serve for a term ending February 1, 1946, the land trustee appointed by the board of directors of the school district then having the largest population in the county shall serve for a term expiring February 1, 1947,

and the land trustee appointed by the city council of the city then having the largest population in the county shall serve for a term expiring February 1, 1948. Each land trustee shall serve until his successor has been appointed and qualified.

5. Any vacancy in the office of land trustee shall be filled for the unexpired term by the same appointing authority which made the original appointment. If any appointing authority fails to make any appointment of a land trustee within the time the first appointments are required by sections 141.210 to 141.810 to be made, or within thirty days after any term expires or vacancy occurs, then the appointment shall be made by the **[**mayor of that city in the**]** county **[**then having the largest population, according to the last preceding federal decennial census**]**.

6. The members shall receive for their services as land trustees a salary of two thousand four hundred dollars per year.

7. Each land trustee may be removed for cause by the respective appointing authority, after public hearing, if requested by the land trustee, and an opportunity to be represented by counsel and to present evidence is afforded the trustee.

141.770. 1. Each annual budget of the land trust shall be itemized as to objects and purposes of expenditure, prepared not later than **[**December tenth**]** **October first** of each year with copies delivered to the **[**county and city that appointed trustee members**]** **appointing authorities of such land trust under section 141.720**, and shall include therein only such appropriations as shall be deemed necessary to meet the reasonable expenses of the land trust during the forthcoming fiscal year. That budget shall not become the required annual budget of the land trust unless and until it has been approved by the governing bodies of the **[**county or city that appointed trustee members**]** **appointing authorities of such land trust under section 141.720**. If **[**either**]** **any** of the governing bodies of the **[**county and city that appointed trustee members**]** **appointing authorities of such land trust under section 141.720** fail to notify the land trust in writing of any objections to the proposed annual budget on or before **[**December**]** **November** twentieth, then such failure or failures to object shall be deemed approval. In the event objections have been made and a budget for the fiscal year beginning January first has not been approved by the governing bodies of the **[**county and city**]** **appointing authorities of such land trust under section 141.720** on or before January first, then the budget for the previous fiscal year shall become the approved budget for that fiscal year. Any unexpended funds from the preceding fiscal year shall be deducted from the amounts needed to meet the budget requirements of the forthcoming year.

2. Copies of the budget shall be made available to the public on or before **[**December**]** **October** tenth, and a public hearing shall be had thereon prior to **[**December**]** **October** twentieth, in each year. The approved and adopted budget may be amended by the trustee members only with the approval of the governing bodies of the **[**county and city that appointed trustee members**]** **appointing authorities of such land trust under section 141.720**.

3. If at any time there are not sufficient funds available to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any expenditures authorized by section 141.760, funds sufficient to pay such expenses shall be advanced and paid to the land trust upon its requisition therefor, **[**fifty**]** **seven** percent thereof by the county commission of **[**such**]** **the** county **in which such land trust operates**, and the other **[**fifty**]** **ninety-three** percent by all of the **[**municipalities in such county as defined in section 141.220**]** **taxing authorities in such county that are not appointing authorities for a land bank agency under section 141.981 and all municipalities and school districts in such county that are appointing authorities for a land bank agency under section 141.981 and are appointing authorities for such land trust under section 141.720**, in proportion to **[**their**]** **the product of their respective tax levy rates and the** assessed valuations **[**at the time of their last completed assessment for state and county purposes**]** **of the properties then in the land trust inventory located within their respective taxing jurisdictions**. The land trust shall have power to requisition such funds in an amount not to exceed twenty-five percent of the total annual budget of the land trust from such sources for that fiscal year of the land trust for which there are not sufficient funds otherwise available to pay the salaries and other expenses of the land trust, but any amount in excess of twenty-five percent of the total annual budget in any fiscal year may be requisitioned by and paid to the land trust only if such additional sums are agreed to and approved by the county **[**commission and the respective municipalities in such county so desiring to make such payment**]** **and such other taxing authorities**. All moneys so requisitioned shall be paid in a lump sum within thirty days after such requisition or the commencement of the fiscal year of the land trust for which such requisition is made, whichever is later, **by the county paying seven percent thereof due from the county under this section** and **advancing the remaining ninety-three percent due from other taxing authorities under this section on behalf of such other taxing authorities, and such amounts so paid** shall be deposited to the credit of the land trust in some bank or trust company, subject to withdrawal by warrant as herein provided. **Amounts advanced by the county on behalf of any taxing authority under this section shall be reimbursed to the county upon demand by the county or by the county withholding such amounts from distributions of tax moneys to such taxing authority.**

4. The fiscal year of the land trust shall commence on January first of each year. Such land trust shall audit all claims for the expenditure of money, and shall, acting by the chairman or vice chairman thereof, draw warrants therefor from time to time.

5. No warrant for the payment of any claim shall be drawn by such land trust until such claim shall have been approved by the land commissioner and shall bear the commissioner's certificate that there is a sufficient unencumbered balance in the proper appropriation and sufficient unexpended cash available for the payment thereof. For any certification contrary thereto, such land commissioner shall be liable personally and on the commissioner's official bond for the amounts so certified, and shall thereupon be promptly removed from office by the land trustees.

6. In addition to the annual audit provided for in section 141.760, the land trust may be performance audited at any time by the state auditor or by the auditor of any home rule city with more than four hundred thousand inhabitants and located in more than one county that is a member of the land trust. The cost of such audit shall be paid by the land trust, and copies shall be made available to the public within thirty days of the completion of the audit.

141.785. 1. The land trust shall be authorized to file an action to quiet title pursuant to section 527.150 as to any real property in which the land trust has an interest. For purposes of any and all such actions the land trust shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the land trust as adequate petitioner in such action.

2. Prior to the filing of an action to quiet title the land trust shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real property. Service of the petition to quiet title shall be provided to all such interested parties by the following methods:

(1) Registered or certified mail to such identity and address as reasonably ascertainable by an inspection of public records;

(2) In the case of occupied real property by first class mail, addressed to "Occupant";

(3) By posting a copy of the notice on the real property;

(4) By publication in a newspaper of general circulation in the municipality in which the property is located; and

(5) Such other methods as the court may order.

3. As part of the petition to quiet title the land trust shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

4. The court shall schedule a hearing on the petition within ninety days following filing of the petition, and as to all matters upon which an answer was not filed by an interested party, the court shall issue its final judgment within one hundred twenty days of the filing of the petition.

5. The land trust shall be authorized to join in a single petition to quiet title one or more parcels of real property.

141.790. When any parcel of real estate is sold or otherwise disposed of by the land trust, the proceeds therefrom shall be applied and distributed in the following order:

(1) **To the payment of amounts due from the land trust under subsection 2 of section 141.560 on the sale or other disposition of such parcel;**

(2) To the payment of the expenses of sale;

[(2)**] (3)** The balance to be retained by the land trust to pay the salaries and other expenses of such land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any expenditures authorized by section 141.760, as provided for in its annual budget;

[(3)**] (4)** Any funds in excess of those necessary to meet the expenses of the annual budget of the land trust in any fiscal year, and including a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, **[**may**] shall** be paid to the respective taxing authorities which, at the time of the distribution, are taxing the real property from which the proceeds are being distributed. The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities; distribution shall be made on January first and July first of each year, and at such other times as the land trustees in their discretion may determine.

141.980. 1. Any municipality located wholly or partially within a county in which a land trust created under section 141.700 was operating on January 1, 2012, may establish a land bank agency for the management, sale, transfer, and other disposition of interests in real estate owned by such land bank agency. Any such land bank agency created shall be created to foster the public purpose of returning land, including land that is in a nonrevenue-generating, nontax-producing status, to effective use in order to provide housing, new industry, and

jobs for citizens of the establishing municipality, and to create new revenues for such municipality. Such land bank agency shall be established by ordinance or resolution as applicable. Such land bank agency shall not own any interest in real estate that is located wholly or partially outside such establishing municipality.

2. The beneficiaries of the land bank agency shall be the taxing authorities that held or owned tax bills against the respective parcels of real estate acquired by such land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 included in the judgment of the court, and their respective interests in each parcel of real estate shall be to the extent and in the proportion and according to the priorities determined by the court on the basis that the principal amount of their respective tax bills bore to the total principal amount of all of the tax bills described in the judgment.

3. Each land bank agency created pursuant to this chapter shall be a public body corporate and politic, and shall have permanent and perpetual duration until terminated and dissolved in accordance with the provisions of section 141.1012.

141.981. 1. A land bank agency shall be composed of a board of commissioners which shall consist of five members, one of whom shall be appointed by the county, as directed by the county executive, or if the county does not have a county executive, as directed by the county commission of the county, one of whom shall be appointed by the school district that is wholly or partially located within such municipality and county and then has the largest population according to the last preceding federal decennial census, and the remainder shall be appointed by the municipality that established the land bank agency. The term of office of the members shall be for four years each. Members shall serve at the pleasure of the member's appointing authority, may be employees of the appointing authority, and shall serve without compensation. Any vacancy in the office of land bank commissioner shall be filled by the same appointing authority that made the original appointment. Members of the first board of a land bank agency shall be appointed within sixty days after the effective date of the ordinance or resolution passed establishing such land bank agency. If any appointing authority fails to make any appointment of a land bank commissioner within the time the first appointments are required, or within sixty days after any term expires, then the appointment shall be made by the municipality that established the land bank agency. Except as otherwise provided in subsection 2 of section 141.720, any municipality or school district that is an appointing authority under this section shall not be an appointing authority under section 141.720.

2. Notwithstanding any law to the contrary, any public officer shall be eligible to serve as a board member and the acceptance of the appointment shall neither terminate nor impair such public office. For purposes of this section, "public officer" shall mean a person who is elected to a political subdivision office. Any political subdivision employee shall be eligible to serve as a board member.

3. The members of the board shall select annually from among themselves a chair, a vice-chair, a treasurer, and such other officers as the board may determine, and shall establish their duties as may be regulated by rules adopted by the board.

4. The board shall have the power to organize and reorganize the executive, administrative, clerical, and other departments of the land bank agency and to fix the duties, powers, and compensation of all employees, agents, and consultants of the land bank agency. The board may cause the land bank agency to reimburse any member for expenses actually incurred in the performance of duties on behalf of the land bank agency.

5. The board shall meet in regular session according to a schedule adopted by the board, and shall meet in special session as convened by the chairman or upon written notice signed by a majority of the members. The presence of a majority of the board's total membership shall constitute a quorum to conduct business.

6. All actions of the board shall be approved by the affirmative vote of a majority of the members of the board present and voting; provided, however, that no action of the board shall be authorized on the following matters unless approved by a roll call vote of a majority of the entire board membership:

(1) Adoption of bylaws and other rules and regulations for conduct of the land bank agency's business;

(2) Hiring or firing of any employee or contractor of the land bank agency. This function may, by majority vote, be delegated by the board to a specified officer or committee of the land bank agency, under such terms and conditions, and to the extent, that the board may specify;

(3) The incurring of debt, including, without limitation, borrowing of money and the issuance of bonds, notes, or other obligations;

(4) Adoption or amendment of the annual budget;

(5) Sale of real property for a selling price that represents a consideration less than two-thirds of the appraised value of such property; and

(6) Lease, encumbrance, or alienation of real property, improvements, or personal property with a value of more than fifty thousand dollars.

7. The board members shall each furnish a surety bond, if such bond is not already covered by governmental surety bond, in a penal sum not to exceed twenty-five thousand dollars to be approved by the comptroller or director of finance of the municipality that established the land bank agency, issued by a surety company licensed to do business in this state, which bond shall be deposited with the county clerk of such county, and shall guarantee the faithful performance of such member's duties under sections 141.980 to 141.1015, and shall be written to cover all the commissioners.

8. Before entering upon the duties of office, each board member shall take and subscribe to the following oath:

State of Missouri,)
) ss
City of . . .)

I, . . . , do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Missouri; that I will faithfully and impartially discharge my duties as a member of the Land Bank of . . . , Missouri; that I will according to my best knowledge and judgment, administer such tax delinquent and other lands held by the land bank according to the laws of the State of Missouri and for the benefit of the public bodies and the tax bill owners which I represent, so help me God.

. . . . . .

Subscribed and sworn to this . . . day of . . . , 20 . .

My appointment expires: . . . . . .

. . . .

Notary Public

9. Members of the board shall not be liable personally on the bonds or other obligations of the land bank agency, and the rights of creditors of the land bank agency shall be solely against the assets of such land bank agency.

10. Vote by proxy shall not be permitted. Any member may request a recorded vote on any resolution or action of the land bank agency.

141.982. A land bank agency may employ a secretary, an executive director, its own counsel and legal staff, and such technical experts, and such other agents and employees, permanent or temporary, as it may require, and may determine the qualifications and fix the compensation and benefits of such persons. A land bank agency may also enter into contracts and agreements with political subdivisions for staffing services to be provided to the land bank agency by political subdivisions or agencies or departments thereof, or for a land bank agency to provide such staffing services to political subdivisions or agencies or departments thereof.

141.983. Subject to the other provisions of this chapter and all other applicable laws, a land bank agency established under this chapter shall have all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this chapter as they relate to a land bank agency, including the following powers in addition to those herein otherwise granted:

(1) To adopt, amend, and repeal bylaws for the regulation of its affairs and the conduct of its business;

(2) To sue and be sued, in its own name, and plead and be impleaded in all civil actions, including, but not limited to, actions to clear title to property of the land bank agency;

(3) To adopt a seal and to alter the same at pleasure;

(4) To receive funds as grants from or to borrow from political subdivisions, the state, the federal government, or any other public or private sources;

(5) To issue notes and other obligations according to the provisions of this chapter;

(6) To procure insurance or guarantees from political subdivisions, the state, the federal government, or any other public or private sources, of the payment of any bond, note, loan, or other obligation, or portion thereof, incurred by the land bank agency, and to pay any fees or premiums in connection therewith;

(7) To enter into contracts and other instruments necessary, incidental, or convenient to the performance of its duties and the exercise of its powers, including, but not limited to, agreements with other land bank agencies and with political subdivisions for the joint exercise of powers under this chapter;

(8) To enter into contracts and other instruments necessary, incidental, or convenient to the performance of functions by the land bank agency on behalf of political subdivisions, or agencies or departments of political

subdivisions, or the performance by political subdivisions, or agencies or departments of political subdivisions, of functions on behalf of the land bank agency;

(9) To make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the land bank agency; and any contract or instrument when signed by the chair or vice-chair of the land bank agency, or by an authorized use of their facsimile signatures, and by the secretary or assistant secretary, or, treasurer or assistant treasurer of the land bank agency, or by an authorized use of their facsimile signatures, shall be held to have been properly executed for and on its behalf;

(10) To procure insurance against losses in connection with the property, assets, or activities of the land bank agency;

(11) To invest the money of the land bank agency, including amounts deposited in reserve or sinking funds, at the discretion of the board, in instruments, obligations, securities, or property determined proper by the board, and name and use depositories for its money;

(12) To enter into contracts for the management of, the collection of rent from, or the sale of the property of the land bank agency;

(13) To design, develop, construct, demolish, reconstruct, rehabilitate, renovate, relocate, equip, furnish, and otherwise improve real property or rights or interests in real property held by the land bank agency;

(14) To fix, charge, and collect rents, fees, and charges for the use of the property of the land bank agency and for services provided by the land bank agency;

(15) Subject to the limitation set forth in subsection 1 of section 141.980, to acquire property, whether by purchase, exchange, gift, lease, or otherwise, to grant or acquire licenses and easements, and to sell, lease, grant an option with respect to, or otherwise dispose of, any property of the land bank agency;

(16) Subject to the limitation set forth in subsection 1 of section 141.980, to enter into partnership, joint ventures, and other collaborative relationships with political subdivisions and other public and private entities for the ownership, management, development, and disposition of real property; and

(17) Subject to the other provisions of this chapter and all other applicable laws, to do all other things necessary or convenient to achieve the objectives and purposes of the land bank agency or other laws that relate to the purposes and responsibility of the land bank agency.

141.984. 1. Within one year of the effective date of the ordinance or resolution passed establishing a land bank agency under this chapter, title to any real property held by a land trust created pursuant to section 141.700 that is located wholly within the municipality that created the land bank agency shall be transferred by deed to such land bank agency.

2. The income of a land bank agency shall be exempt from all taxation by the state and by any of its political subdivisions. Upon acquiring title to any real estate, a land bank agency shall immediately notify the county assessor and the collector of such ownership, and such real estate shall be exempt from all taxation during the land bank agency's ownership thereof, in the same manner and to the same extent as any other publicly owned real estate, and upon the sale or other disposition of any real estate held by it, such land bank agency shall immediately notify the county assessor and the collector of such change of ownership; provided however, that such tax exemption for improved and occupied real property held by such land bank agency as lessor pursuant to a ground lease shall terminate upon the first such occupancy, and such land bank agency shall immediately notify the county assessor and the collector of such occupancy.

3. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may acquire real property or interests in property by gift, devise, transfer, exchange, foreclosure, lease, purchase, or otherwise on terms and conditions and in a manner the land bank agency considers proper.

4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may acquire property by purchase contracts, lease purchase agreements, installment sales contracts, and land contacts, and may accept transfers from political subdivisions upon such terms and conditions as agreed to by the land bank agency and the political subdivision. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may bid on any parcel of real estate offered for sale at a sheriff's foreclosure sale held in accordance with section 141.550 provided that if the bid is not a deemed bid under subsection 3 of section 141.560, such parcel must be located within a low to moderate income area designated as a target area for revitalization by the municipality that created the land bank agency. Notwithstanding any other law to the contrary, but subject to the limitation set forth in subsection 1 of section 141.980, any political subdivision may transfer to the land bank agency real property and interests in real property of the political subdivision on such terms and conditions and according to such procedures as determined by the political subdivision.

5. A land bank agency shall maintain all of its real property in accordance with the laws and ordinances of the jurisdictions in which the real property is located.

6. Upon confirmation under section 141.580 of a sheriff's foreclosure sale of a parcel of real estate to a land bank agency under subdivision (2) of subsection 2 of section 141.550, said land bank agency shall pay the amount of the land bank agency's bid that exceeds the amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. Such excess shall be applied and distributed in accordance with subsections 3 and 4 of section 141.580, exclusive of subdivision (3) of subsection 3 thereof. Upon such confirmation by the court, the collector shall mark the tax bills included in the judgment as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.

141.985. 1. A land bank agency shall hold in its own name all real property acquired by such land bank agency irrespective of the identity of the transferor of such property.

2. A land bank agency shall maintain and make available for public review and inspection an inventory of all real property held by the land bank agency.

3. The land bank agency shall determine and set forth in policies and procedures of the board the general terms and conditions for consideration to be received by the land bank agency for the transfer of real property and interests in real property, which consideration may take the form of monetary payments and secured financial obligations, covenants, and conditions related to the present and future use of the property, contractual commitments of the transferee, and such other forms of consideration as determined by the board to be in the best interest of the land bank agency.

4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may convey, exchange, sell, transfer, lease, grant, release and demise, pledge and hypothecate any and all interests in, upon or to property of the land bank agency.

5. A municipality may, in its resolution or ordinance creating a land bank agency establish a hierarchical ranking of priorities for the use of real property conveyed by such land bank agency, subject to subsection 7 of this section, including but not limited to:

(1) Use for purely public spaces and places;

(2) Use for affordable housing;

(3) Use for retail, commercial and industrial activities;

(4) Use as wildlife conservation areas; and

(5) Such other uses and in such hierarchical order as determined by such municipality.

6. A municipality may, in its resolution or ordinance creating a land bank agency, require that any particular form of disposition of real property, or any disposition of real property located within specified geographical areas, be subject to specified voting and approval requirements of the board that are not inconsistent with section 141.981 or section 141.983. Except and unless restricted or constrained in this manner, the board may delegate to officers and employees the authority to enter into and execute agreements, instruments of conveyance and all others related documents pertaining to the conveyance of property by the land bank agency.

7. A land bank agency shall act expeditiously to return the real property acquired by it to the tax rolls and shall market and sell such real property using an open, public method that ensures the best possible price is realized while ensuring such real property is returned to a suitable, productive use for the betterment of the neighborhoods in which such real property is located.

8. When any parcel of real estate acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of the expenses of sale;

(2) To fulfill the requirements of the resolution, indenture or other financing documents adopted or entered into in connection with bonds, notes or other obligations of the land bank agency, to the extent that such requirements may apply with respect to such parcel of real estate;

(3) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees as provided for in its annual budget;

(4) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, exclusive of net profit from the sale of ancillary parcels, shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing

the real property from which the proceeds are being distributed. The distributions shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities. Distribution shall be made on January first and July first of each year, and at such other times as the board may determine.

9. When any ancillary parcel is sold or otherwise disposed of by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of all land taxes and related charges then due on such parcel;

(2) To the payment of the expenses of sale;

(3) To fulfill the requirements of the resolution, indenture or other financing documents adopted or entered into in connection with bonds, notes or other obligations of the land bank agency, to the extent that such requirements may apply with respect to such parcel of real estate;

(4) The balance to be retained by the land bank agency to pay the salaries and other expenses of such land bank agency and of its employees as provided for in its annual budget;

(5) Any funds in excess of those necessary to meet the expenses of the annual budget of the land bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that sufficient funds will be available to meet initial expenses for that next fiscal year, may be paid in accordance with subdivision (3) of subsection 8 of this section.

141.988. 1. A land bank agency may receive funding through grants and loans from political subdivisions, from the state, from the federal government, and from other public and private sources.

2. Except as otherwise provided in subsections 8 and 9 of section 141.985, a land bank agency may receive and retain payments for services rendered, for rents and leasehold payments received, for consideration for disposition of real and personal property, for proceeds of insurance coverage for losses incurred, for income from investments, and for any other asset and activity lawfully permitted to a land bank agency under this chapter.

3. If a land bank agency sells or otherwise disposes of a parcel of real estate held by it, any land taxes assessed against such parcel for the three tax years following such sale or disposition by such land bank agency that are collected by the collector in a calendar year and not refunded, less the fees provided under section 52.260 and subsection 4 of this section and less the amounts to be deducted under section 137.720, shall be distributed by the collector to such land bank agency no later than March 1 of the following calendar year; provided that land taxes impounded under section 139.031 or otherwise paid under protest shall not be subject to distribution under this subsection. Any amount required to be distributed to a land bank agency under this subsection shall be subject to offset for amounts previously distributed to such land bank agency that were assessed, collected or distributed in error.

4. In addition to any other provisions of law related to collection fees, the collector shall collect on behalf of the county a fee of four percent of reserve period taxes collected and such fees collected shall be deposited in the county general fund.

141.991. There shall be an annual audit of the affairs, accounts, expenses, and financial transactions of a land bank agency by certified public accountants as of April thirtieth of each year, which accountants shall be employed by the commissioners on or before March first of each year, and certified copies thereof shall be furnished to the appointing authorities described in section 141.981, and shall be available for public inspection at the office of the land bank agency. In addition to the annual audit provided for in this subdivision, the land bank agency may be performance audited at any time by the state auditor or by the auditor of the municipality that established the land bank agency. The cost of such audit shall be paid by the land bank agency, and copies shall be made available to the public within thirty days of the completion of the audit.

141.994. 1. A land bank agency shall have power to issue bonds, with approval of the municipality that created the land bank agency, for any of its corporate purposes, which bonds shall be special, limited obligations of the land bank agency, the principal of and interest on which shall be payable solely from the income and revenue derived from the sale, lease, or other disposition of the assets of the land bank agency, or such portion thereof as may be designated in the resolution, indenture or other financing documents relating to the issuance of the bonds. In the discretion of the land bank agency, any of such bonds may be secured by a pledge of additional revenues, including grants, contributions or guarantees from the state, the federal government, or any agency or instrumentality thereof, or by a mortgage or other security device covering all or part of the property from which the revenues so pledged may be derived.

2. Bonds issued by a land bank agency shall not be deemed to be an indebtedness within the meaning of any constitutional or statutory limitation upon the incurring of indebtedness. The bonds shall not constitute a debt, liability or obligation of the state or of any political subdivision thereof, except in accordance with subsection 4 of this section, or a pledge of the full faith and credit or the taxing power of the state or of any such political subdivision, and the bonds shall contain a recital to that effect. Neither the members of the board nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof.

3. Bonds issued by a land bank agency shall be authorized by resolution of the board and shall be issued in such form, shall be in such denominations, shall bear interest at such rate or rates, shall mature on such dates and in such manner, shall be subject to redemption at such times and on such terms, and shall be executed by one or more members of the board, as provided in the resolution authorizing the issuance thereof or as set out in the indenture or other financing document authorized and approved by such resolution. The board may sell such bonds in such manner, either at public or at private sale, and for such price as it may determine to be in the best interests of the land bank agency.

4. Any political subdivision may elect to guarantee, insure, or otherwise become primarily or secondarily obligated with respect to the bonds issued by a land bank agency subject, however, to the provisions of Missouri law applicable to the incurrence of indebtedness by such political subdivision. No political subdivision shall have any such obligation if it does not so elect.

5. A land bank agency may from time to time, as authorized by resolution of the board, issue refunding bonds for the purpose of refunding, extending and unifying all or any part of its valid outstanding bonds. Such refunding bonds may be payable from any of the sources identified in subsections 1 and 4 of this section, and from the investment of any of the proceeds of the refunding bonds.

6. The bonds issued by a land bank agency shall be negotiable instruments pursuant to the provisions of the uniform commercial code of the state of Missouri.

7. Bonds issued pursuant to this section and all income or interest thereon shall be exempt from all state taxes, except estate and transfer taxes.

8. A land bank agency shall have the power to issue temporary notes upon the same terms and subject to all provisions and restrictions applicable to bonds under this section. Such notes issued by a land bank agency may be refunded by notes or bonds authorized under this section.

141.997. Except as otherwise provided under Missouri law, all board meetings shall be open to the public and the board shall cause minutes and a record to be kept of all its proceedings. The land bank agency shall be subject to the provisions of chapter 610, chapter 109, and any other applicable provisions of law governing public records and public meetings.

141.1000. Neither the members of the board nor any salaried employee of a land bank agency shall receive any compensation, emolument, or other profit directly or indirectly from the rental, management, acquisition, sale, demolition, repair, rehabilitation, use, operation, ownership or disposition of any lands held by such land bank agency other than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.1015. Neither the members of the board nor any salaried employee of a land bank agency shall own, directly or indirectly, any legal or equitable interest in or to any lands held by such land bank agency other than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.1015. A violation of this section is a felony. Any person found guilty of violating this section shall be sentenced to a term of imprisonment of not less than two nor more than five years. The board of a land bank agency may adopt supplemental rules and regulations addressing potential conflicts of interest and ethical guidelines for members of the board and land bank agency employees, provided that such rules and regulations are not inconsistent with this chapter or any other applicable law.

141.1003. Except as otherwise expressly set forth in this chapter, in the exercise of its powers and duties under this chapter and its powers relating to property held by the land bank agency, the land bank agency shall have complete control of such property as fully and completely as if it were a private property owner.

141.1006. 1. Whenever any ancillary parcel is acquired by a land bank agency and is encumbered by a lien or claim for real property taxes owed to a taxing authority, such taxing authority may elect to contribute to the land bank agency all or any portion of such taxes that are distributed to and received by such taxing authority.

2. To the extent that a land bank agency receives payments or credits of any kind attributable to liens or claims for real property taxes owed to a taxing authority, the land bank agency shall remit the full amount of the payments to the collector for distribution to the appropriate taxing authority.

141.1009. 1. A land bank agency shall be authorized to file an action to quiet title pursuant to section 527.150 as to any real property in which the land bank agency has an interest. For purposes of any and all such actions the land bank agency shall be deemed to be the holder of sufficient legal and equitable interests, and possessory rights, so as to qualify the land bank agency as adequate petitioner in such action.

2. Prior to the filing of an action to quiet title the land bank agency shall conduct an examination of title to determine the identity of any and all persons and entities possessing a claim or interest in or to the real property. Service of the petition to quiet title shall be provided to all such interested parties by the following methods:

(1) Registered or certified mail to such identity and address as reasonably ascertainable by an inspection of public records;

(2) In the case of occupied real property by first class mail, addressed to "Occupant";

(3) By posting a copy of the notice on the real property;

(4) By publication in a newspaper of general circulation in the municipality in which the property is located; and

(5) Such other methods as the court may order.

3. As part of the petition to quiet title the land bank agency shall file an affidavit identifying all parties potentially having an interest in the real property, and the form of notice provided.

4. The court shall schedule a hearing on the petition within ninety days following filing of the petition, and as to all matters upon which an answer was not filed by an interested party the court shall issue its final judgment within one hundred twenty days of the filing of the petition.

5. A land bank agency shall be authorized to join in a single petition to quiet title one or more parcels of real property.

141.1012. A land bank agency may be dissolved as a public body corporate and politic not less than sixty calendar days after an ordinance or resolution for such dissolution is passed by the municipality that established the land bank agency. Not less than sixty calendar days advance written notice of consideration of such an ordinance or resolution of dissolution shall be given to the members of the board of the land bank agency, shall be published in a local newspaper of general circulation within such municipality, and shall be sent certified mail to each trustee of any outstanding bonds of the land bank agency. No land bank agency shall be dissolved while there remains outstanding any bonds, notes, or other obligations of the land bank agency unless such bonds, notes, or other obligations are paid or defeased pursuant to the resolution, indenture or other financing document under which such bonds, notes, or other obligations were issued prior to or simultaneously with such dissolution. Upon dissolution of a land bank agency pursuant to this section, all real property, personal property, and other assets of the land bank agency shall be transferred by appropriate written instrument to and shall become the assets of the municipality that established the land bank agency. Such municipality shall act expeditiously to return such real property to the tax rolls and shall market and sell such real property using an open, public method that ensures the best possible prices are realized while ensuring such real property is returned to a suitable, productive use for the betterment of the neighborhoods in which such real property is located. Any such real property that was acquired by the dissolved land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 shall be held by such municipality in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure, and upon the sale or other disposition of any such property by such municipality, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of the expenses of sale;

(2) To the reasonable costs incurred by such municipality in maintaining and marketing such property; and

(3) The balance shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing the real property from which the proceeds are being distributed.

141.1015. A land bank agency shall neither possess nor exercise the power of eminent domain. A land bank agency shall not have the power to tax."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schupp raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Diehl requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Torpey, **House Amendment No. 4** was adopted.

Representative Marshall offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 33.087, Line 28, by inserting after all of said section and line the following:

"**33.089. 1. Every department and division of this state that receives any grant of federal funds shall determine whether or not any or all of such funds can be used for the alternatives to abortion services program established in section 188.325 or the alternatives to abortion public awareness program established in section 188.335. Federal funds for which such determination shall be made shall include, but not be limited to: maternal and child health block grant; social services block grant; community development block grant; temporary assistance for needy families; community services block grant; head start; pregnancy assistance fund program; maternal, infant, and early childhood home visiting program; community-based child abuse prevention grants; child care and development block grant; promoting safe and stable families; abandoned infants; infant adoption awareness training; healthy start initiative; healthy marriage promotion and responsible fatherhood grants; and any successor funds.**

2. At least annually, and by a date or dates specified by the office of administration so as to assist in budgeting and planning for every fiscal year, each such department and division shall submit its determination to the office of administration on the use of such federal funds for the alternatives to abortion services program or the alternatives to abortion public awareness program. The office of administration shall compile this information and submit it to the chairman of the senate appropriations committee and the chairman of the house budget committee, and shall also make such information easily available to the public on the Missouri accountability portal established in section 37.850."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 5** was adopted.

Representative Smith (150) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 467, Page 2, Section 37.850, Line 20, by inserting after all of said section and line the following:

"**37.853. 1. The office of administration shall maintain municipal government, including any city not within a county, accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and**

comprehensive database of municipal government, including any city not within a county, financial information as a means of creating better public understanding of municipal government, including any city not within a county, practices and operations.

2. Individual municipal governmental, including any city not within a county, entities shall collect and transmit to the office of administration, by electronic mail or United States postal mail, the public information applicable to all municipal government, including any city not within a county, as provided in this section. Notwithstanding any other provision of law or rule to the contrary, municipal governmental, including any city not within a county, entities that provide the annual report required under section 105.145 to the office of administration are not required to provide a copy of the report to the state auditor.

3. Municipal governmental, including any city not within a county, entities shall annually provide to the office of administration a copy of the annual report of the financial transactions of the municipality that the municipality is required to provide to the state auditor under section 105.145.

4. This section shall become effective December 31, 2012.

37.855. 1. The office of administration shall maintain public school accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of school district and charter school financial information as a means of creating better public understanding of public school practices and operations.

2. The department of elementary and secondary education shall annually collect and transmit to the office of administration the public information regarding school districts and public charter schools as provided in this section.

3. School districts and public charter schools shall annually provide the department of elementary and secondary education with detailed compensation information for all school employees, including all extra duty compensation and all employee benefits, and the district's annual operating budget and bonded indebtedness. The department shall provide all information required under this subsection to the office of administration by electronic mail or United States postal mail.

4. This section shall become effective June 30, 2013.

37.857. 1. The office of administration shall maintain county government accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of county government financial information as a means of creating better public understanding of county government practices and operations.

2. Individual county governmental entities shall collect annually and transmit, by electronic mail or United States postal mail, to the office of administration the public information applicable to all county governments as provided in this section.

3. Specifically, the county government shall annually provide to the office of administration detailed compensation information for all elected county officials, including all extra duty compensation and all employee benefits, a copy of the detailed financial statement required under section 50.800, and any cash reserves. In addition to bonded debt, the county shall disclose any expenditures made pursuant to a real property lease, specifying the nature and duration of the lease. The office of administration may establish clear standards for budget format and detail, to ensure that all county government budgets contain all necessary information. Notwithstanding any other provision of law or rule to the contrary, any information reported annually to the office of administration under this section shall not be required to be reported to the state auditor.

4. This section shall become effective December 31, 2013." ; and

Further amend said bill and page, Section B, Line 2, by inserting immediately after the word "funds," the following:

"the enactment of section 33.087 and the repeal and reenactment of section 37.850 of"; and

Further amend said bill, Page 3, Section B, Line 4, by inserting immediately after the words "constitution, and" the following:

"the enactment of section 33.087 and the repeal and reenactment of section 37.850 of"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 6** was adopted.

Representative Dieckhaus moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 050

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Kratky	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 015

Asbury	Aull	Colona	Flanigan	Hampton
Jones 63	Lampe	Largent	Nasheed	Pollock
Shumake	Sifton	Webber	Wyatt	Mr Speaker

On motion of Representative Cox, **HCS SS SCS SB 467, as amended,** was adopted.

On motion of Representative Cox, **HCS SS SCS SB 467, as amended,** was read the third time and passed by the following vote:

AYES: 122

Allen	Anders	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McGhee	McManus	McNary	Molendorp
Montecillo	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr			

NOES: 029

Atkins	Carter	Conway 27	Ellinger	Hodges
Hubbard	Hummel	Kirkton	Lasater	May
McCreery	McDonald	McGeoghegan	McNeil	Meadows
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Scharnhorst	Schieffer	Schupp	Smith 71
Spreng	Swearingen	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Asbury	Aull	Brown 116	Colona	Flanigan
Hughes	Jones 63	Largent	Sifton	Webber
Wyatt	Mr Speaker			

Representative Diehl declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 105

Allen	Bahr	Barnes	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Holsman	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Lair
Lant	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McGhee	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 047

Anders	Atkins	Carlson	Carter	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Hughes	Hummel	Kirkton	Kratky
Lampe	Lasater	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Scharnhorst
Schieffer	Schupp	Shively	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 011

Asbury	Aull	Colona	Flanigan	Jones 63
Largent	McNary	Sifton	Webber	Wyatt
Mr Speaker				

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 1128**, entitled:

An act to amend chapters 9 and 41, RSMo, by adding thereto five new sections relating to military honors.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 & HB 1878**, entitled:

An act to repeal sections 143.1009, 301.3084, and 301.3161, RSMo, and to enact in lieu thereof twenty-four new sections relating to transportation.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1807, House Bill No. 1093, House Bill No. 1107, House Bill No. 1156, House Bill No. 1221, House Bill No. 1261, House Bill No. 1269, House Bill No. 1641, House Bill No. 1668, House Bill No. 1737, House Bill No. 1782, House Bill No. 1868 & House Bill No. 1878, Page 6, Section 227.514, Line 11, by inserting immediately after said line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest

products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor

vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is **[**sixty**]** **sixty-four** inches or less in width, with an unladen dry weight of **[**one**]** **two** thousand **[**eight hundred fifty**]** pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, Page 31, Section 301.4045, Line 26, by inserting after said line the following:

"**304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:**

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1807, House Bill No. 1093, House Bill No. 1107, House Bill No. 1156, House Bill No. 1221, House Bill No. 1261, House Bill No. 1269, House Bill No. 1641, House Bill No. 1668, House Bill No. 1737, House Bill No. 1782, House Bill No. 1868 & House Bill No. 1878, Page 6, Section 227.514, Line 11of said page, by inserting after all said line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number ....." (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be **[**displayed**] a plate, or,** on each side of such motor vehicle, **[**in**]** letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no. ....." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary

on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1807, House Bill No. 1093, House Bill No. 1107, House Bill No. 1156, House Bill No. 1221, House Bill No. 1261, House Bill No. 1269, House Bill No. 1641, House Bill No. 1668, House Bill No. 1737, House Bill No. 1782, House Bill No. 1868 & House Bill No. 1878, Page 16, Section 301.3161, Line 9, by inserting immediately after said line the following:

"301.3163. Any person may apply for **[**special**]** **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**]** **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**]** **director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**]** **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsen Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HB 1245 - Fiscal Review
HCS HB 1639 - Fiscal Review
HCS HB 1710 - Fiscal Review
HCS HB 1854 - Fiscal Review

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SCS SJR 51 - Special Standing Committee on Judicial Reform

REFERRAL OF SENATE BILL

HCS SCS SB 591 - Fiscal Review

COMMITTEE REPORTS

Committee on Downsizing State Government, Chairman McNary reporting:

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HCR 57**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 57

WHEREAS, the fiscal stability of the State of Missouri and its political subdivisions is dependent upon an efficient and productive use of available resources; and

WHEREAS, periodic review of the function, duties, and use of appropriations for state agencies and political subdivisions is necessary to ensure the best use of state and local revenues; and

WHEREAS, it is the duty and function of the General Assembly to evaluate the distribution of fiscal, capital, and personnel resources across state agencies and political subdivisions to determine if a realignment of functions of state agencies and political subdivisions would result in a fiscal benefit and a more efficient and productive use of personnel and resources:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby establish the "Committee on Fiscal Responsibility and Realignment of Political Subdivisions" to evaluate the distribution of fiscal, capital, and personnel resources across state agencies and political subdivisions to determine if any fiscal benefit would result from realignment of functions of state agencies and political subdivisions; and

BE IT FURTHER RESOLVED that the committee shall consist of eight voting members, including four members appointed from the house of representatives, with two members selected from each political party, and four members appointed from the senate, with two members selected from each political party; and five nonvoting members, including the commissioner of the office of administration, and two former representatives and two former senators, all whom have experience serving on appropriation committees while members of the general assembly. Both voting and nonvoting members shall be appointed by the governor with the advice and consent of the senate. Each member of the committee shall be a citizen of the United States and a resident of this state; and

BE IT FURTHER RESOLVED that the committee shall:

(1) Determine relevant data and create a method of evaluation;

(2) Evaluate potential benefits and detriments of realignment of resources of state agencies and political subdivisions identified; suggest methods to achieve benefits through policy changes and state law; and

BE IT FURTHER RESOLVED that the committee shall report its findings each year in the month of December to the general assembly and the governor; and

BE IT FURTHER RESOLVED that each member of the committee shall be reimbursed for necessary and actual expenses incurred in the performance of his or her official duties. All staff for the committee shall be provided by the research offices of both chambers of the general assembly and the joint committee on legislative research.

Mr. Speaker: Your Committee on Downsizing State Government, to which was referred **HB 2106**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SS SCS SB 576**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 668**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Professional Registration and Licensing, Chairman Brandom reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SS SCS SB 682**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation, Chairman Denison reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCR 24**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 480**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 504**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 648**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 701**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **SS SB 769**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Utilities, Chairman Pollock reporting:

Mr. Speaker: Your Committee on Utilities, to which was referred **SCS SBs 484, 477 & 606**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Governmental Affairs, Chairman Schneider reporting:

Mr. Speaker: Your Special Standing Committee on Governmental Affairs, to which was referred **SCS SB 510**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, May 3, 2012.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE
Thursday, May 3, 2012, 8:00 AM House Lounge.
Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Thursday, May 3, 2012, 9:00 AM South Gallery.
Public hearing will be held: HCS SB 455
Executive session will be held: HCS SB 455
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

GENERAL LAWS
Thursday, May 3, 2012, 9:30 AM North Gallery.
Executive session may be held on any matter referred to the committee.
Executive session will be held

HEALTH CARE POLICY
Thursday, May 3, 2012, 12:00 PM or Upon Adjournment House Hearing Room 3.
Executive session will be held: SS SB 742
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION
Tuesday, May 8, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Monday, May 7, 2012, Upon Evening Adjournment, 516 S. Country Club Drive.
Executive session may be held on any matter referred to the committee.

RETIREMENT
Tuesday, May 8, 2012, 9:00 AM House Hearing Room 1.
Public hearing will be held: SCS SB 625
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, May 3, 2012, 11:30 AM or Upon Morning Adjournment North Gallery.
Executive session will be held: HB 1144, HB 1394, HB 1456, HCS HB 1609, HCS HB 1612, HB 2038, HCS SCS SB 485, HCS SCS SB 563, SB 599, HCS SCS SB 631, HCS SB 667, HCS SCS SB 673, SCS SB 715, HCS SCS SB 729, HCS SB 813, HCS SCS SB 856, SCS SB 789
Executive session may be held on any or all bills referred to this committee

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Thursday, May 3, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Executive session on previously referred bills

TOURISM AND NATURAL RESOURCES
Thursday, May 3, 2012, 8:30 AM House Hearing Room 7.
Public hearing will be held: SB 760
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-SEVENTH DAY, THURSDAY, MAY 3, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
4 HCS HB 1210, as amended - Gatschenberger
5 HCS HB 1795 - Ruzicka
6 HB 1966 - Burlison
7 HB 1779 - Flanigan
8 HCS HB 1794 - Grisamore
9 HCS HB 1754 - Cox
10 HCS HB 1815 - Pollock
11 HB 1842 - Lant
12 HCS HB 1935 - Franz
13 HB 2063, as amended - Denison
14 HCS HB 2100 - Denison
15 HCS HB 1709 - Hough
16 HCS#2 HB 1358 - Gatschenberger
17 HCS HB 1397 - Gatschenberger
18 HCS HBs 1542 & 1101 - Koenig
19 HCS#2 HB 1213 - Franklin
20 HB 1357 - Gatschenberger
21 HCS HB 1846 - Long
22 HCS HB 1585 - Cross
23 HCS HB 1971 - Schneider
24 HB 1690 - May

25 HB 1728 - Johnson
26 HB 1790 - Torpey
27 HCS HB 1970 - Jones (117)

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1328 - Cox
2 HCS HB 1922 - Molendorp
3 HCS HB 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HCS HB 1298 & 1180 - Parkinson
2 HB 1066 - McGhee
3 HB 1455 - Gatschenberger
4 HCS HB 1803 - Korman
5 HCS HB 1900 - Redmon
6 HCS HB 1710, (Fiscal Review 5/2/12) - Hough
7 HCS HB 1245, (Fiscal Review 5/2/12) - Lauer
8 HCS HB 1049 - Allen
9 HCS HB 1854, (Fiscal Review 5/2/12) - Grisamore
10 HCS HB 1639, (Fiscal Review 5/2/12), E.C. - Nolte
11 HCS HB 1526 - Dieckhaus

HOUSE BILLS FOR THIRD READING - INFORMAL

1 HB 1277 - Long
2 HB 1431 - Hoskins

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HCS HB 1988 - Brandom

SENATE BILLS FOR SECOND READING

1 SCS SB 788
2 SCS SB 835

SENATE BILLS FOR THIRD READING

1 HCS SB 455, (Fiscal Review 4/26/12) - Thomson
2 SCS SB 566 - Jones (117)
3 HCS SB 578 - Cox
4 SS SCS SB 699 - Fuhr
5 SCS SB 837 - Jones (117)
6 HCS SS SCS SB 469 - Smith (150)
7 HCS SS SCS SB 470 - Burlison
8 HCS SS SCS SB 595, E.C. - Torpey
9 HCS SCS SB 591, (Fiscal Review 5/2/12) - Franz
10 HCS SB 620 - Gosen
11 HCS SB 628 - Kelly (24)
12 HCS SCS SB 635 - Phillips
13 HCS SB 636 - Diehl
14 SS SB 665 - Asbury
15 HCS SCS SB 726 - Wells
16 SS SCS SB 689 - Schad

HOUSE BILLS WITH SENATE AMENDMENTS

1 SS HCS HB 1106, as amended - Dugger
2 HB 1188, SCA 1 - Allen
3 SCS HCS HB 1495 - Nance
4 SCS HB 1112 - Gosen
5 SCS HCS HB 1042, as amended - Thomson
6 SCS HB 1504, as amended - Richardson
7 SS SCS HB 1073 and HCS HB 1477, as amended - Sater
8 SS SCS HCS HB 1400, E.C. - Richardson
9 HB 1250, SA 1 & SA 2 - Ruzicka
10 SS SCS HB 1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 & HB 1878, as amended - Marshall
11 SS HB 1128 - Largent

BILLS CARRYING REQUEST MESSAGES

1 HCS SCS SB 569, as amended, (request House recede/grant conference) - Dugger
2 SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 (request House recede/grant conference) - Stream
3 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 (request House recede/grant conference, E.C. - Brown (116)

BILLS IN CONFERENCE

1 HCS SB 568, as amended, E.C. - Franz
2 SS SCS HCS HB 2002 - Silvey
3 SS SCS HCS HB 2003 - Silvey
4 SS SCS HCS HB 2004 - Silvey
5 SS SCS HCS HB 2005 - Silvey
6 SS SCS HCS HB 2006, as amended - Silvey
7 SS SCS HCS HB 2007 - Silvey
8 SS SCS HCS HB 2008 - Silvey
9 SS SCS HCS HB 2009 - Silvey
10 SS SCS HCS HB 2010 - Silvey
11 SS SCS HCS HB 2011, as amended - Silvey
12 SS SCS HCS HB 2012 - Silvey
13 SS SCS HCS HB 2013 - Silvey
14 SB 564, with HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis

SENATE CONCURRENT RESOLUTIONS

1 SS SCR 16 - Asbury
2 SCS SCR 17 - Diehl
3 SCR 25 - Hampton

HOUSE RESOLUTIONS

HR 1880 - Burlison

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-SEVENTH DAY, THURSDAY, MAY 3, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Cantor Seth Warner, Congregation Shar'are Emith, St. Louis, MO.

Eternal God, God of all generations, God of the past, the present and our future, we are humbled by the miracles of the world that is in our care. We know well that You have placed within each of us the strong and yearning desire to affect change in our world and we accept that challenge with great joy. We also know well that You have placed within us different perspectives, different values and different priorities. As we struggle to find the balance in our own lives and in our state government, help us, God, be ever mindful of those who disagree with us, those who look at the same situation through a different lens. Given that we are all Your humble servants, our disagreements and different points of view can serve to strengthen our government, our laws, our great State of Missouri and our individual households. When we struggle with difficult decisions, we are aware that while there may be differences of opinion – and sometimes diametrically opposing ones – we are a part of a society that values good, justice and peace and that our differences are what makes democracy and our government the pinnacle and envy of the world.

Let the trust that You have put in us be our guide so that we continue to strive for wholeness and peace. May the work of this body find Your holiness in the struggle to find balance in Missouri's government such that fairness, equality and responsibility wrap and encircle each discourse, discussion and decision.

Guide these fine men and women in making decisions that are ever worthy of Your blessing and let their hearts and minds be free to use the good and wholesome soul that You have placed within us.

The Pledge of Allegiance to the flag was recited.

Cantor Warner sang "God Bless America".

U.S. Senator Roy Blunt addressed the House.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kaylin Rose, Nicklaus Martin, Alexandria Karnes and Corbin David Schaffter.

The Journal of the sixty-sixth day was approved as corrected.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2857 through House Resolution No. 2916

SECOND READING OF SENATE BILLS

SCS SB 788 and **SCS SB 835** were read the second time.

COMMITTEE REPORTS

Committee on Fiscal Review, Acting Chairman Wells reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1245**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1639**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1710**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SB 455**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILL

HCS HB 1245, relating to the Tax Credits and Quality Jobs Act, was taken up by Representative Zerr.

On motion of Representative Zerr, **HCS HB 1245** was read the third time and passed by the following vote:

AYES: 134

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cox
Cross	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Kelley 126
Kelly 24	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer

Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 017

Asbury	Bahr	Barnes	Brattin	Conway 14
Curtman	Franklin	Keeney	Kirkton	Koenig
Lasater	Marshall	McCreery	Newman	Oxford
Schieber	White			

PRESENT: 000

ABSENT WITH LEAVE: 012

Cookson	Crawford	Ellington	Frederick	Jones 63
Lauer	Leach	McGhee	Nolte	Parkinson
Sifton	Webber			

Speaker Tilley declared the bill passed.

THIRD READING OF SENATE BILL

SCS SB 837, relating to liquor wholesaler franchises, was taken up by Representative Jones (117).

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Day	Denison
Dieckhaus	Diehl	Dugger	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Hughes	Hummel	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Davis	Elmer	Frederick	Funderburk
Holsman	Jones 63	Kelley 126	Lauer	McGhee
Schneider	Sifton	Stream	Wells	

On motion of Representative Jones (117), **SCS SB 837** was truly agreed to and finally passed by the following vote:

AYES: 095

Allen	Atkins	Barnes	Bernskoetter	Berry
Brandom	Brown 50	Brown 116	Burlison	Carlson
Carter	Casey	Cierpiot	Conway 27	Cookson
Cox	Cross	Day	Diehl	Ellinger
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Fuhr	Funderburk	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hodges
Hoskins	Hough	Hubbard	Hughes	Hummel
Jones 89	Jones 117	Kander	Keeney	Kratky
Lair	Lampe	Largent	Lichtenegger	Long
May	McCann Beatty	McDonald	McManus	McNary
Meadows	Molendorp	Montecillo	Morgan	Nasheed
Neth	Nichols	Nolte	Oxford	Pace
Pierson	Quinn	Redmon	Richardson	Rizzo
Rowland	Scharnhorst	Schoeller	Schupp	Shively
Silvey	Smith 71	Smith 150	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Torpey	Wallingford	Walton Gray	Webb
Webber	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Asbury	Aull	Bahr	Black
Brattin	Brown 85	Cauthorn	Colona	Conway 14
Crawford	Curtman	Davis	Dieckhaus	Dugger
Entlicher	Fallert	Franz	Harris	Houghton
Johnson	Kirkton	Klippenstein	Koenig	Korman
Lant	Lasater	Leach	Leara	Loehner
Marshall	McCaherty	McCreery	McGeoghegan	McNeil
Nance	Newman	Phillips	Pollock	Reiboldt

Riddle	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Solon	Thomson	Weter
White				

PRESENT: 002

Gosen	Kelly 24

ABSENT WITH LEAVE: 015

Denison	Ellington	Elmer	Frederick	Holsman
Jones 63	Kelley 126	Lauer	McGhee	Parkinson
Schneider	Shumake	Sifton	Wells	Wright

Speaker Tilley declared the bill passed.

Representative Keeney assumed the Chair.

THIRD READING OF HOUSE BILL

HCS HB 1526, relating to school personnel, was taken up by Representative Dieckhaus.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 105

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman

Hubbard	Hughes	Hummel	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 005

Brown 50	Jones 63	Lauer	Sifton	Webber

Speaker Tilley resumed the Chair.

On motion of Representative Dieckhaus, **HCS HB 1526** was read the third time and passed by the following vote:

AYES: 083

Allen	Bahr	Barnes	Bernskoetter	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carter	Cierpiot	Conway 14	Cookson	Cox
Cross	Curtman	Davis	Day	Dieckhaus
Diehl	Elmer	Flanigan	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Higdon	Hinson	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Klippenstein	Koenig	Korman	Lair	Lant
Leach	Leara	Lichtenegger	Loehner	Long
McGhee	McNary	Nasheed	Neth	Nolte
Parkinson	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Sommer	Stream	Talboy
Thomson	Torpey	Wallingford	Webb	White
Wyatt	Zerr	Mr Speaker		

NOES: 076

Anders	Asbury	Atkins	Aull	Berry
Black	Carlson	Casey	Cauthorn	Colona
Conway 27	Crawford	Denison	Dugger	Ellinger
Ellington	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Frederick	Hampton	Harris
Hodges	Holsman	Hoskins	Hughes	Hummel
Kander	Kelley 126	Kelly 24	Kirkton	Kratky
Lampe	Largent	Lasater	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Newman	Nichols	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71

Solon	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Wells	Weter	Wieland
Wright				

PRESENT: 000

ABSENT WITH LEAVE: 004

Jones 63	Lauer	Sifton	Webber

Speaker Tilley declared the bill passed.

RECESS

On motion of Representative Jones (89), the House recessed until 12:50 p.m.

The hour of recess having expired, the House was called to order by Representative Diehl.

THIRD READING OF HOUSE BILLS

HCS HB 1803, relating to certified school social workers, was taken up by Representative Korman.

On motion of Representative Korman, **HCS HB 1803** was read the third time and passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 116	Burlison	Carlson	Casey
Cauthorn	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fitzwater	Flanigan
Fraker	Franklin	Franz	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Hubbard	Hughes	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lampe
Lant	Lasater	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still

Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 007

Brown 85	Cierpiot	Fisher	Fuhr	Kirkton
Lair	Pollock			

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 50	Carter	Curtman	Day
Frederick	Guernsey	Holsman	Houghton	Jones 63
Largent	Lauer	May	McNary	Redmon
Riddle	Sifton	Walton Gray	Webb	Webber
Zerr				

Representative Diehl declared the bill passed.

HB 1455, relating to economic development, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 1455** was read the third time and passed by the following vote:

AYES: 116

Anders	Atkins	Aull	Bernskoetter	Berry
Black	Brandom	Brown 116	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 89
Kander	Kelley 126	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leara
Long	McCaherty	McCann Beatty	McDonald	McGeoghegan
McGhee	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Phillips
Pierson	Quinn	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Walton Gray	Weter	White	Wieland	Wright
Mr Speaker				

NOES: 030

Asbury	Bahr	Barnes	Brattin	Brown 85
Burlison	Conway 14	Curtman	Dugger	Franklin
Franz	Fuhr	Guernsey	Keeney	Kirkton
Klippenstein	Koenig	Leach	Lichtenegger	Marshall
McCreery	Oxford	Parkinson	Pollock	Sater
Schad	Schieber	Wallingford	Wells	Wyatt

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Brown 50	Carter	Day	Frederick
Jones 63	Jones 117	Kelly 24	Lauer	Loehner
May	McNary	Redmon	Sifton	Webb
Webber	Zerr			

Representative Diehl declared the bill passed.

HCS HB 1710, relating to tax credits and work training, was taken up by Representative Hough.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Atkins	Bahr	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Nance	Neth
Parkinson	Phillips	Pollock	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 048

Anders	Aull	Black	Carlson	Casey
Colona	Conway 27	Ellinger	Fallert	Harris
Hodges	Holsman	Hubbard	Hughes	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe

McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Carter	Day	Dieckhaus	Ellington
Fitzwater	Frederick	Jones 63	Largent	Lauer
May	McNary	Molendorp	Nolte	Redmon
Schieber	Sifton	Webb	Webber	Zerr
Mr Speaker				

On motion of Representative Hough, **HCS HB 1710** was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cox	Crawford	Cross
Davis	Denison	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 89	Jones 117	Kander
Kelley 126	Kelly 24	Klippenstein	Korman	Kratky
Lair	Lampe	Lant	Largent	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Weter	Wieland	Wright		

NOES: 021

Asbury	Bahr	Barnes	Brattin	Conway 14
Cookson	Curtman	Dugger	Guernsey	Keeney
Kirkton	Koenig	Lasater	Leach	Marshall
Oxford	Sommer	Still	Wells	White
Wyatt				

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 018

Brown 50	Carter	Day	Dieckhaus	Frederick
Jones 63	Lauer	May	McNary	McNeil
Parkinson	Redmon	Schieber	Sifton	Webb
Webber	Zerr	Mr Speaker		

Representative Diehl declared the bill passed.

HCS HB 1049, relating to bullying in schools, was taken up by Representative Allen.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Carter	Day	Dieckhaus	Frederick
Jones 63	Lauer	May	McGhee	McNary
McNeil	Parkinson	Redmon	Scharnhorst	Sifton
Webb	Webber	Zerr	Mr Speaker	

On motion of Representative Allen, **HCS HB 1049** was read the third time and passed by the following vote:

AYES: 120

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Burlison	Carlson	Casey	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Davis	Denison	Dieckhaus	Diehl
Ellinger	Ellington	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Korman	Kratky
Lair	Lampe	Lant	Largent	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Molendorp	Montecillo	Morgan	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Quinn	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Scharnhorst
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Walton Gray	Weter	Wieland	Wright	Wyatt

NOES: 023

Asbury	Bahr	Brattin	Cauthorn	Cox
Curtman	Dugger	Entlicher	Franz	Funderburk
Hampton	Houghton	Klippenstein	Koenig	Lasater
Marshall	Nance	Pollock	Sater	Schatz
Schieber	Wells	White		

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Carter	Day	Frederick	Jones 63
Lauer	May	McGhee	McNary	Meadows
Parkinson	Redmon	Riddle	Schad	Sifton
Wallingford	Webb	Webber	Zerr	Mr Speaker

Representative Diehl declared the bill passed.

HCS HB 1639, relating to taxation, was taken up by Representative Nolte.

On motion of Representative Nolte, **HCS HB 1639** was read the third time and passed by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Hughes
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Mr Speaker			

NOES: 046

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Franz	Harris	Hodges	Holsman	Hummel
Kelly 24	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Carter	Cox	Cross	Day
Frederick	Jones 63	Lant	Largent	Lasater
Lauer	May	McCaherty	Redmon	Schneider
Sifton	Webb	Webber	Wyatt	Zerr

Representative Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Montecillo
Morgan	Nance	Neth	Newman	Nolte
Oxford	Parkinson	Phillips	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 71	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	

NOES: 014

Carlson	Ellinger	Ellington	Franz	Lasater
Marshall	McDonald	Nichols	Pace	Pierson
Pollock	Schieffer	Schupp	Spreng	

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Carter	Cox	Day	Frederick
Jones 63	Jones 117	Lant	Largent	Lauer
May	Molendorp	Nasheed	Redmon	Sifton
Webb	Webber	Wyatt	Zerr	Mr Speaker

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HCS HB 1988, relating to real estate appraisal management, was taken up by Representative Brandom.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Mr Speaker				

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Carter	Cox	Day	Frederick
Jones 63	Lant	Largent	Lasater	Lauer
May	Nasheed	Redmon	Sifton	Webb
Webber	Wyatt	Zerr		

On motion of Representative Brandom, **HCS HB 1988** was read the third time and passed by the following vote:

AYES: 132

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Crawford	Cross	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Largent	Lasater	Leara	Lichtenegger
Loehner	Long	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Mr Speaker			

NOES: 011

Asbury	Brattin	Curtman	Davis	Jones 89
Koenig	Leach	Marshall	McCaherty	Parkinson
Schatz				

PRESENT: 002

Ellington	Molendorp

ABSENT WITH LEAVE: 018

Brown 50	Brown 116	Carter	Cox	Day
Frederick	Hughes	Jones 63	Lant	Lauer
May	Nasheed	Redmon	Sifton	Webb
Webber	Wyatt	Zerr		

Representative Diehl declared the bill passed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 2062 - Agri-Business

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 788 - Special Standing Committee on Judicial Reform
SCS SB 835 - General Laws
SS SB 854 - Special Standing Committee on Government Oversight and Accountability
SB 893 - Crime Prevention and Public Safety

COMMITTEE REPORTS

Committee on Children and Families, Chairman Largent reporting:

Mr. Speaker: Your Committee on Children and Families, to which was referred **HB 1877**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SS SCS SB 448**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Children and Families, to which was referred **SCS SB 758**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Elementary and Secondary Education, Chairman Dieckhaus reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1834**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **HJR 64**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SCS SBs 489 & 637**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SS SCS SB 633**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 722**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Health Care Policy, Chairman Sater reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SB 742**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on International Trade and Job Creation, Chairman Nolte reporting:

Mr. Speaker: Your Committee on International Trade and Job Creation, to which was referred **HCR 55**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 55

WHEREAS, the Missouri General Assembly recognizes the critical importance of information technology to the economic growth and competitiveness of Missouri's manufacturing sector; and

WHEREAS, the information technology industry is one of the most vibrant and growing sectors of Missouri's economy, creating new job opportunities every day; and

WHEREAS, the illegal use of unlicensed computer software reduces the profitability of Missouri's information technology industry and leads directly to the loss of jobs; and

WHEREAS, the illegal use of unlicensed computer software undermines the competitiveness of law-abiding Missouri manufacturers that pay for the software they use; and

WHEREAS, software piracy is particularly pervasive in countries with a poor record of enforcing intellectual property laws and other safeguards against unfair competition; and

WHEREAS, Missouri manufacturers deserve to compete on a level playing field in the global marketplace where there is respect for the rule of law and it is enforced:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the President of the United States, the United States Congress, and the Federal Trade Commission to strictly enforce United States trade laws to protect the domestic information technology and manufacturing industries; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly urges the Missouri Attorney General to use whatever power is at his disposal to protect Missouri manufacturers from the unfair conditions that result when they are forced to compete against unscrupulous manufacturers that use stolen information technology in their business operations; and

BE IT FURTHER RESOLVED that the Missouri General Assembly strongly urges the Governor of the State of Missouri to use whatever power is at his disposal to ensure that state governmental agencies are not doing business with contractors or suppliers that obtain or use illegal software; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Majority and Minority Leaders of the United States Senate and House of Representatives, the Federal Trade Commission, the Missouri Attorney General, the Governor of the State of Missouri, and each member of the Missouri Congressional delegation.

Committee on Judiciary, Chairman Cox reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 739**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 692**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Judicial Reform, Chairman Smith (150) reporting:

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **SJR 37**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **SS#2 SJR 48**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1144**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1394**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1456**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1609**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1612**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2038**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 485**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 563**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 599**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 631**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 667**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 673**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 715**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 729**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin as SCS SB 729**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 789**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 813**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 856**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 36.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1103**, entitled:

An act to repeal section 339.1115, RSMo, and to enact in lieu thereof one new section relating to certain notices required by the Missouri appraisal management company registration and regulation act.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND House Bill No. 1103, Page 1, Section title, Lines 3-4 of the Title, by striking said lines and inserting in lieu thereof the following:

"real estate appraising, with penalty provisions."; and

Further amend said bill, Pages 1 and 2, Section 339.1115, by striking all of said section and inserting in lieu thereof the following:

"339.500. This act shall be known and may be cited as the "Missouri Certified and Licensed Real Estate Appraisers **and Appraisal Management Company Regulation** Act".

339.501. 1. Beginning July 1, 1999, it shall be unlawful for any person in this state to act as a real estate appraiser, or to directly or indirectly, engage or assume to engage in the business of real estate appraisal or to advertise or hold himself or herself out as engaging in or conducting such business without first obtaining a license or certificate issued by the Missouri real estate appraisers commission as provided in sections 339.500 to 339.549.

2. **Except for licenses issued to appraisal management companies under section 339.511,** no license or certificate shall be issued pursuant to sections 339.500 to 339.549 to a partnership, association, corporation, firm or group; except that, nothing in this section shall preclude a state-licensed or state-certified real estate appraiser from rendering appraisals for, or on behalf of, a partnership, association, corporation, firm or group, provided the appraisal report is prepared by, or under the immediate personal direction of the state-licensed or state-certified real estate appraiser and is reviewed and signed by such state-licensed or state-certified appraiser.

3. Any person who is not state licensed or state certified pursuant to sections 339.500 to 339.549 may assist a state-licensed or state-certified real estate appraiser in the performance of an appraisal; provided that, such person is personally supervised by a state-licensed or state-certified appraiser and provided further that any appraisal report rendered in connection with the appraisal is reviewed and signed by the state-licensed or state-certified real estate appraiser.

4. Nothing in sections 339.500 to 339.549 shall abridge, infringe upon or otherwise restrict the right to use the term "certified ad valorem tax appraiser" or any similar term by persons performing ad valorem tax appraisals.

5. The provisions of sections 339.500 to 339.549 shall not be construed to require a license or certificate for:

(1) Any person, partnership, association or corporation who, as owner, performs appraisals of property owned by such person, partnership, association or corporation;

(2) Any licensed real estate broker or salesperson who prepares a comparative market analysis or a broker price opinion;

(3) Any employee of a local, state or federal agency who performs appraisal services within the scope of his or her employment; except that, this exemption shall not apply where any local, state or federal agency requires an employee to be registered, licensed or certified to perform appraisal services;

(4) Any employee of a federal or state-regulated lending agency or institution;

(5) Any agent of a federal or state-regulated lending agency or institution in a county of third or fourth classification.

339.503. As used in sections 339.500 to 339.549, the following words and phrases mean, unless the context clearly indicates otherwise:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal assignment", an engagement for which a person is employed or retained to act as a disinterested third party in rendering an objective appraisal;

(3) **"Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work produced or certified by persons licensed under sections 339.500 to 339.549 who produces appraisals;**

(4) "Appraisal foundation", the organization of the same name that was incorporated as an Illinois not-for-profit corporation on November 20, 1987, whose operative boards are the appraisal standards board and the appraiser qualifications board;

(5) "Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;

(6) "Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:

(a) Administer an appraiser panel;

(b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;

(c) Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;

(d) Track and determine the status of orders for appraisals performed by appraisers who are part of an appraisal panel;

(e) Conduct quality control of a completed appraisal performed by an appraiser who is part of an appraisal panel prior to the delivery of the appraisal to the person who ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser who is part of an appraisal panel to one or more persons who have ordered an appraisal;

[(4)**] (7)** "Appraisal report", any communication, written or oral, of an appraisal. The purpose of an appraisal is immaterial, therefore valuation reports, real estate counseling reports, real estate tax counseling reports, real estate offering memoranda, mortgage banking offers, highest and best use studies, market demand and economic feasibility studies and all other reports communicating an appraisal analysis, opinion or conclusion are appraisal reports, regardless of title;

[(5)**] (8)** "Appraisal standards board (ASB)", the independent board of the appraisal foundation which promulgates the generally accepted standards of the appraisal profession and the uniform standards of professional appraisal practices;

(9) "Appraiser", an individual who holds a license as a state-licensed real estate appraiser or certification as a state-certified real estate appraiser under sections 339.500 to 339.549;

(10) "Appraiser panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons who have ordered appraisals through the appraisal management company, or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company, or to perform appraisals for the appraisal management company directly;

[(6)**] (11)** "Appraiser qualifications board (AQB)", the independent board of the appraisal foundation which establishes minimum experience, education and examination criteria for state licensing of appraisers;

[(7)**] (12)** "Boat dock", a structure for loading and unloading boats and connecting real property to water, public or private. A boat dock is real property and has riparian rights, provided:

(a) The lender includes the boat dock as a fixture both in the lender's deed of trust and a uniform commercial code fixture filing under section 400.9-502;

(b) The boat dock is attached to the real property by steel cable, bar, or chain that is permanently imbedded in concrete or rock, and otherwise securely attached to the dock; and

(c) The owner of the dock has riparian rights by means of real estate rights bordering the body of water, including such rights by license, grant, or other means allowing access to the body of water, which access may be seasonal because the water may be reduced for electric power production or flood control;

[(8)**] (13)** "Boat slip" or "watercraft slip", a defined area of water, including the riparian rights to use such area, whether by grant, lease, or license, in accordance with all applicable laws and regulations, which is a part of a boat dock serving a common interest community, including by way of example and not of limitation condominiums and villas; and the exclusive right to such use being allocated as a limited common element or being assigned to an owner of real estate in the common interest community in which the boat dock is located, whether by grant, lease, or otherwise. The rights of the real estate owner in such slip are included as collateral in any deed of trust and uniform commercial code filings of a lender, if any, taking a security interest in the owner's real estate;

[(9)**] (14)** "Broker price opinion", an opinion of value, prepared by a real estate licensee for a fee, that includes, but is not limited to, analysis of competing properties, comparable sold properties, recommended repairs and costs or suggested marketing techniques. A broker price opinion is not an appraisal and shall specifically state it is not an appraisal;

[(10)**] (15)** "Certificate", the document issued by the Missouri real estate appraisers commission evidencing that the person named therein has satisfied the requirements for certification as a state-certified real estate appraiser and bearing a certificate number assigned by the commission;

[(11)**] (16)** "Certificate holder", a person certified by the commission pursuant to the provisions of sections 339.500 to 339.549;

[(12)**] (17)** "Certified appraisal report", an appraisal prepared or signed by a state-certified real estate appraiser. A certified appraisal report represents to the public that it meets the appraisal standards defined in sections 339.500 to 339.549;

[(13)**] (18)** "Commission", the Missouri real estate appraisers commission, created in section 339.507;

[(14)**] (19)** "Comparative market analysis", the analysis of sales of similar recently sold properties in order to derive an indication of the probable sales price of a particular property undertaken by a licensed real estate broker or agent, for his or her principal. A comparative market analysis is not an appraisal and shall specifically state it is not an appraisal;

(20) "Controlling person":

(a) An owner, officer, or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

[(15)**] (21)** "Disinterested third party" shall not exclude any state-certified real estate appraiser or state-licensed real estate appraiser employed or retained by any bank, savings association, credit union, mortgage banker or other lender to perform appraisal assignments, provided that the appraisal assignments are rendered with respect to loans to be extended by the bank, savings association, credit union, mortgage banker or other lender, and provided further that the state-certified real estate appraiser or state-licensed real estate appraiser is not requested or required to report a predetermined analysis or opinion of value;

[(16)**] (22)** "License" or "licensure", a license or licensure issued pursuant to the provisions of sections 339.500 to 339.549 evidencing that the person **or other legal entity** named therein has satisfied the requirements for licensure as a state-licensed real estate appraiser **or licensed appraisal management company** and bearing a license number assigned by the commission;

(23) "Licensed appraisal management company", a person or other legal entity who holds a current valid license as a licensed appraisal management company under sections 339.500 to 339.549;

[(17)**] (24)** "Real estate", an identified parcel or tract of land, including improvements, if any;

[(18)**] (25)** "Real estate appraiser" or "appraiser", a person who for a fee or valuable consideration develops and communicates real estate appraisals or otherwise gives an opinion of the value of real estate or any interest therein;

[(19)**] (26)** "Real estate appraising", the practice of developing and communicating real estate appraisals;

[(20)**] (27)** "Real property", the interests, benefits and rights inherent in the ownership of real estate;

[(21)**] (28)** "Residential real estate", any parcel of real estate, improved or unimproved, that is primarily residential in nature and that includes or is intended to include a residential structure containing not more than four dwelling units and no other improvements except those which are typical residential improvements that support the

residential use for the location and property type. A residential unit is a condominium, town house or cooperative complex, or a planned unit development is considered to be residential real estate. Subdivisions are not considered residential real estate. Individual parcels of property located within a residential subdivision shall be considered residential property;

[(22)**] (29)** "Specialized appraisal services", appraisal services which do not fall within the definition of appraisal assignment. The term "specialized services" may include valuation work and analysis work. Regardless of the intention of the client or employer, if the appraiser is acting as a disinterested third party in rendering an unbiased analysis, opinion or conclusion, the work is classified as an appraisal assignment and not specialized services;

(30) "State-certified general appraiser trainee", a person who holds a current valid certificate as a state-certified general appraiser trainee issued under sections 339.500 to 339.539;

[(23)**] (31)** "State-certified general real estate appraiser", a person who holds a current, valid certificate as a state-certified general real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;

(32) "State-certified residential appraiser trainee", a person who holds a current valid certificate as a state-certified residential appraiser trainee under sections 339.500 to 339.539;

[(24)**] (33)** "State-certified residential real estate appraiser", a person who holds a current, valid certificate as a state-certified residential real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;

(34) "State-licensed appraiser trainee", a person who holds a current valid license as a state-licensed appraiser trainee under sections 339.500 to 339.549;

[(25)**] (35)** "State-licensed real estate appraiser", a person who holds a current, valid license as a state-licensed real estate appraiser pursuant to the provisions of sections 339.500 to 339.549;

[(26)**] (36)** "Subdivision", a tract of land that has been divided into blocks or plots with streets, roadways, open areas and other facilities appropriate to its development as residential, commercial or industrial sites;

[(27)**] (37)** "Temporary appraiser licensure or certification", the issuance of a temporary license or certificate by the commission to a person licensed or certified in another state who enters this state for the purpose of completing a particular appraisal assignment.

339.505. 1. It shall be unlawful for any person in this state to assume or use the title "state-licensed real estate appraiser" or "state-certified real estate appraiser", or any title, designation or abbreviation likely to create the impression of licensure or certification by the state of Missouri as a real estate appraiser, unless the person has first been licensed or certified by the Missouri real estate appraisers commission pursuant to the provisions of sections 339.500 to 339.549. The commission may adopt for the exclusive use of persons licensed or certified pursuant to sections 339.500 to 339.549, a seal, symbol or other mark identifying the user as a state-licensed or state-certified real estate appraiser.

2. Any person certified as a real estate appraiser by an appraisal trade organization, on August 28, 1998, shall retain the right to use the term "certified" or any similar term in identifying himself or herself to the public; provided that, in each instance wherein such term is used, the name of the certifying organization or body is prominently and conspicuously displayed immediately adjacent to such term, and provided further that the use of such term does not create the impression of certification by the state of Missouri. Nothing in this section shall entitle any person certified only by a trade organization, and not certified or licensed by the state, the right to conduct any appraisal.

3. The term "state-licensed real estate appraiser", "state-certified real estate appraiser" or any similar term shall not be used following or immediately in connection with the name of a partnership, association, corporation or other firm or group or in such manner that it might create the impression of licensure or certification by the state of Missouri as a real estate appraiser.

4. No person shall, directly or indirectly, engage or attempt to engage in the business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.500 to 339.549; except for:

(1) The performance of services as an appraisal firm;

(2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the Missouri department of insurance, financial institutions and professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution;

(3) An appraisal management company that is a subsidiary owned and controlled by a financial institution and regulated by a federal institution regulatory agency;

(4) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing

the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;

(5) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;

(6) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.

339.509. The commission shall have the following powers and duties:

(1) To establish educational programs and research projects related to the appraisal of real estate;

(2) To establish administrative procedures for processing applications and issuing **trainee licenses,** certificates of state-certified real estate appraisers **[**and**],** licenses of state-licensed real estate appraisers**, and licenses of appraisal management companies,** and for conducting disciplinary proceedings pursuant to the provisions of sections 339.500 to 339.549 **or as required by federal law or regulation**; and shall have authority to determine who meets the criteria for certification and licensure, and shall have authority to renew, censure, suspend or revoke certifications and licenses;

(3) To further define by regulation, with respect to each category of **trainee,** state-certified real estate appraiser, and for state-licensed real estate appraisers **and for appraisal management companies**, the type of educational experience, appraisal experience and equivalent experience**, and other criteria** that will meet the statutory requirements of sections 339.500 to 339.549 **or as required by federal law or regulation**; provided that such standards shall be equivalent to the minimum criteria for certification and licensure issued by the appraiser qualifications board of the appraisal foundation and the provisions of section 339.517 **or as required by federal law or regulation**;

(4) To further define by regulation, with respect to each category of **trainee,** state-certified real estate appraiser, and for state-licensed real estate appraisers, the continuing education requirements for the renewal of certification and licensure that will meet the statutory requirements provided in section 339.530 **or as required by federal law or regulation**;

(5) To adopt standards for the development and communication of real estate appraisals and to adopt regulations explaining and interpreting the standards; provided that such standards shall meet the standards specified by the appraisal standards board of the appraisal foundation **or as required by federal law or regulation**;

(6) To establish an examination for each category of state-certified real estate appraiser, and for state-licensed real estate appraisers, to provide or procure appropriate examination questions and answers, and to establish procedures for grading examinations; provided that such standards for examinations for certification shall meet the minimum criteria specified by the appraiser qualifications board of the appraisal foundation **or as required by federal law or regulation**;

(7) To maintain a registry of the names and addresses of **trainees,** state-certified real estate appraisers **[**and**],** state-licensed real estate appraisers**, and appraisal management companies**; **[**and**]**

(8) To perform such other functions and duties as may be necessary to carry out the provisions of sections 339.500 to 339.549 **or to comply with the requirements of federal law or regulation; and**

(9) To establish by rule the standards of practice for appraisal management companies.

339.511. 1. There shall be **[**three**] six** classes of licensure for individuals including:

(1) **[**State licensed real estate appraiser**] State-licensed appraiser trainee**;

(2) **[**Certified residential real estate appraiser; and**] State-licensed real estate appraiser;**

(3) **[**Certified general real estate appraiser**] State-certified residential appraiser trainee;**

(4) State-certified residential real estate appraiser;

(5) State-certified general appraiser trainee; and

(6) State-certified general real estate appraiser.

2. **There shall be one class of license for appraisal management companies.**

3. Persons desiring to obtain licensure as a **state-licensed appraiser trainee,** state-licensed real estate appraiser **[**or**], state-certified residential appraiser trainee,** certification as a **[**certified**] state-certified** residential **real estate appraiser, state-certified general appraiser trainee,** or **[**certified**] state-certified** general real estate appraiser shall make written application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure or certification and present to the commission satisfactory proof that the person is of good moral character and bears a good reputation for honesty, integrity and fair dealing.

[3.**] 4.** Each applicant for licensure as a **state-licensed appraiser trainee,** state-licensed real estate appraiser, **a state-certified residential appraiser trainee,** a state-certified residential real estate appraiser**, a state-certified general appraiser trainee,** or a state-certified general real estate appraiser shall have demonstrated the knowledge and competence necessary to perform appraisals of residential and other real estate as the commission may prescribe by rule

not inconsistent with any requirements imposed by the appraiser qualifications board. The commission shall prescribe by rule procedures for obtaining and maintaining approved courses of instruction. The commission shall, also, prescribe the hours of training in real estate appraisal practices and the minimum level of experience acceptable for licensure or certification.

[4.**]** **5.** Persons who receive certification after March 30, 1991, or who have a state license or certificate to engage in business as a real estate appraiser issued by the commission, shall receive the same license or certificate from the commission as such persons are currently holding without further education, experience, examination or application fee, but shall be required to meet all continuing education requirements prescribed by the commission.

6. Appraisal management companies desiring to obtain licensure shall:

(1) Make application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure;

(2) Remit the fee or fees as established by rule;

(3) Post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars as further promulgated by rule; and

(4) Submit to the commission satisfactory proof that any controlling person, defined in section 339.503, is of good moral character and bears a good reputation for honesty, integrity, and fair dealing.

339.513. 1. Applications for examination, original certification and licensure, and renewal certification and licensure shall be made in writing to the commission on forms provided by the commission. The application shall specify the classification of certification, or licensure, for which application is being made.

2. Appropriate fees shall accompany all applications for examination, original certification or licensure, and renewal certification or licensure; provided that such fees shall be in amounts set by the commission in order to offset the cost and expense of administering sections 339.500 to 339.549, and in amounts to be determined by the commission with reference to the requirements of Section 1109 of the United States Public Law 101-73, as later codified and as may be amended. All fees collected pursuant to this subsection shall be collected by the commission and deposited with the state treasurer into a fund to be known as the "Missouri Real Estate Appraisers **and Appraisal Management Company** Fund". The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year. In any proceeding in which a remedy provided by subsection 1 or 2 of section 339.532 is imposed, the commission may also require the respondent licensee to pay the costs of the proceeding if the commission is a prevailing party or in settlement. The moneys shall be placed in the state treasury to the credit of the Missouri real estate appraisers fund.

3. At the time of filing an application for certification or licensure, each applicant shall sign a pledge to comply with the standards set forth in sections 339.500 to 339.549 and state that he or she understands the types of misconduct for which disciplinary proceedings may be initiated **[**against a state-certified real estate appraiser or a state-licensed real estate appraiser**]**.

339.515. 1. An original certification as a state-certified real estate appraiser may be issued to any person who meets the qualification requirements for certification and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state certification examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

2. An original license as a state-licensed real estate appraiser may be issued to any person who meets the qualification .requirements for licensure and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state licensure examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

3. If an applicant**, other than an appraisal management company,** is not certified or licensed within two years after passing an examination given pursuant to the provisions of this section, he or she shall be required to retake the examination prior to certification or licensure.

4. An applicant**, other than an appraisal management company,** who has failed an examination taken pursuant to this section may apply for reexamination by submitting an application with the appropriate examination fee within ninety days after the date of having last taken and failed the examination.

339.517. 1. Any person who files with the commission an application for state licensure or certification as a real estate appraiser shall be required to pass an examination to demonstrate his or her competence. The commission shall, also, make such investigation as is required to verify such qualifications. If the results of the investigation are satisfactory to the commission and the applicant is otherwise qualified, then the commission shall issue to the applicant a license or certificate authorizing the applicant to act as a state-licensed real estate appraiser or a state-certified real estate appraiser in Missouri. If the results of the investigation are unsatisfactory, action on the application may be deferred pending a hearing before the real estate appraisal commission.

2. The commission shall promulgate and adopt regulations which prescribe and define the subjects related to real estate appraisal and the experience in real estate appraisal that will satisfy the qualification requirements for licensure or certification. The commission may approve courses of instruction in an accredited college or university relating to the appraisal of real estate and related disciplines including, but not limited to, economics, finance, statistics, principles of capitalization, real estate and such other areas deemed relevant by the commission. The commission may also approve similar courses of instruction offered by recognized professional appraisal organizations and real estate organizations and agencies of the state and federal government, and other qualified providers which may be approved by the commission. The commission may require by rule that some or all of an applicant's qualifying experience in real estate appraising be obtained on appraisals of real estate located in this state.

3. Each applicant for certification or licensure**, except for appraisal management companies,** shall furnish under oath a detailed statement of the real estate appraisal assignments or file memoranda for each year in which real estate appraisal experience is claimed by the applicant. Upon request, the applicant shall furnish to the commission a sample of appraisal reports or file memoranda which the applicant has prepared in the course of his or her appraisal practice.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

339.525. 1. To obtain a renewal certificate or license, a state certified real estate appraiser or state licensed real estate appraiser shall make application and pay the prescribed fee to the commission not earlier than one hundred twenty days nor later than thirty days prior to the expiration date of the certificate or license then held. With the application for renewal, the state certified real estate appraiser or state licensed real estate appraiser shall present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530.

2. **[**If the commission determines that a state certified real estate appraiser or state licensed real estate appraiser has failed to meet the requirements for renewal of certification or licensure through mistake, misunderstanding, or circumstances beyond the appraiser's control, the commission may extend the term of the certificate or license for good cause shown for a period not to exceed six months, upon payment of a prescribed fee for the extension.

3.**]** If a person is otherwise eligible to renew the person's certification or license, the person may renew an expired certification or license within two years from the date of expiration. To renew such expired certification or license, the person shall submit an application for renewal, pay the renewal fee, pay a delinquent renewal fee as established by the commission, and present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530. Upon a finding of extenuating circumstances, the commission may waive the payment of the delinquent fee.

[4.**]** **3.** If a person has failed to renew the person's license within two years of its expiration, the license shall be void.

[5.**]** **4.** The commission is authorized to issue an inactive certificate or license to **[**any licensee**]** **a state-certified real estate appraiser or a state-licensed real estate appraiser** who makes written application for such on a form provided by the commission and remits the fee for an inactive certificate or license established by the commission. An inactive certificate or license may be issued only to a person who has previously been issued a certificate or license to practice as a real estate appraiser in this state, who is no longer regularly engaged in such practice, and who does not hold himself or herself out to the public as being professionally engaged in such practice in this state. Each inactive certificate or license shall be subject to all provisions of this chapter, except as otherwise specifically provided. Each inactive certificate or license may be renewed by the commission subject to all provisions of this section and all other provisions of this chapter. An inactive licensee may apply for a certificate or license to regularly engage in the practice of real estate appraising upon filing a written application on a form provided by the commission, submitting the

reactivation fee established by the commission and submitting satisfactory proof of current competency as established by the commission.

5. To obtain a renewal license, an appraisal management company shall make application on a form prescribed by the commission and pay the prescribed fee.

6. To obtain a renewal license, a state-licensed appraiser trainee, state-certified residential appraiser trainee, or state-certified general appraiser trainee shall request an extension in writing at least thirty days prior to the expiration date as required by rule.

339.527. 1. **[**A certificate or license issued pursuant to sections 339.500 to 339.549 shall bear the signature or facsimile signature of the chairman of the commission and a certificate or license number assigned by the commission.

2.**]** A state-certified real estate appraiser may designate or identify an appraisal report rendered by him or her as a certified appraisal for the type of property included in his or her certification.

[3.**] 2.** Each state-certified real estate appraiser or state-licensed real estate appraiser shall place the certificate or license number adjacent to or immediately below the designation "Missouri State-certified (Residential/General) Real Estate Appraiser" or "Missouri State-licensed Real Estate Appraiser" when used in an appraisal report or in a contract or other instrument used by the holder of the certificate or license in conducting an appraisal assignment or specialized appraisal services. **A state-licensed real estate appraiser trainee, state-certified residential appraiser trainee, and state-certified general appraiser trainee shall place his or her license number adjacent to or immediately below the title "state-licensed appraiser trainee", "state-certified residential appraiser trainee", or "state-certified general appraiser trainee".**

3. Each appraisal management company shall be required to disclose its license number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.

4. The terms "Missouri State-certified (Residential/General) Real Estate Appraiser" **[**and**],** "Missouri State-licensed Real Estate Appraiser"**, "Missouri State-licensed Appraiser Trainee", "Missouri State-certified Residential Appraiser Trainee", and "Missouri State-certified General Appraiser Trainee"** may only be used to refer to individuals who hold a certificate or license and may not be used following or immediately in connection with the name or signature of a firm, partnership, corporation, or group or in such manner that it might be interpreted as referring to certification or licensure of the firm, partnership, corporation, group, or to certification or licensure of anyone other than an individual holder of the certificate or license.

5. **Except for licensed appraisal management companies,** a certificate or license shall be issued pursuant to sections 339.500 to 339.549 only to a natural person. However, nothing in this section shall preclude a state-certified real estate appraiser or state-licensed real estate appraiser from rendering appraisals for or on behalf of a corporation, partnership or association, provided that the appraisal report is prepared by, or under the immediate direction of, a state-certified real estate appraiser or state-licensed real estate appraiser, and further provided that the appraisal report is signed by the state-certified real estate appraiser or state-licensed real estate appraiser.

339.529. 1. Each state-certified real estate appraiser**, state-certified appraiser trainee, state-licensed appraiser trainee,** and state-licensed real estate appraiser shall advise the commission of the address of his or her principal place of residence, business and all other addresses at which he or she is currently engaged in the business of preparing real property appraisal reports.

2. Whenever a state-certified real estate appraiser**, state-certified appraiser trainee, state-licensed appraiser trainee,** or state-licensed real estate appraiser changes the location of his or her place of business, he or she shall amend the certificate or license issued by the commission to reflect the change and shall give written notification of the change to the commission within thirty working days of the change.

3. Whenever a state-certified real estate appraiser or state-licensed real estate appraiser changes the location of his or her residence, he or she shall notify the commission of the new residence address within thirty working days of the change.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling person, agent of record, ownership composition, or address.

339.532. 1. The commission may refuse to issue or renew any certificate or license issued pursuant to sections 339.500 to 339.549 for one or any combination of causes stated in subsection 2 of this section. The commission shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any state-certified real estate appraiser, state-licensed real estate appraiser, **state-licensed appraiser trainee, state-certified residential appraiser trainee, state-certified general appraiser trainee, state-licensed appraisal management company that is a legal entity other than a natural person, any person who is a controlling person as defined in this chapter,** or any person who has failed to renew or has surrendered his or her certificate or license for any one or any combination of the following causes:

(1) Procuring or attempting to procure a certificate or license pursuant to section 339.513 by knowingly making a false statement, submitting false information, refusing to provide complete information in response to a question in an application for certification or licensure, or through any form of fraud or misrepresentation;

(2) Failing to meet the minimum qualifications for certification or licensure or renewal established by sections 339.500 to 339.549;

(3) Paying money or other valuable consideration, other than as provided for by section 339.513, to any member or employee of the commission to procure a certificate or license pursuant to sections 339.500 to 339.549;

(4) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to sections 339.500 to 339.549 for any offense of which an essential element is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(5) Incompetency, misconduct, gross negligence, dishonesty, fraud, or misrepresentation in the performance of the functions or duties of any profession licensed or regulated by sections 339.500 to 339.549;

(6) Violation of any of the standards for the development or communication of real estate appraisals as provided in or pursuant to sections 339.500 to 339.549;

(7) Failure to comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation;

(8) Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal;

(9) Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal;

(10) Violating, assisting or enabling any person to willfully disregard any of the provisions of sections 339.500 to 339.549 or the regulations of the commission for the administration and enforcement of the provisions of sections 339.500 to 339.549;

(11) Accepting an appraisal assignment when the employment itself is contingent upon the appraiser's reporting a predetermined analysis or opinion or where the fee to be paid for the performance of the appraisal assignment is contingent upon the opinion, conclusion, or valuation reached or upon the consequences resulting from the appraisal assignment;

(12) Violating the confidential nature of governmental records to which the person gained access through employment or engagement to perform an appraisal assignment or specialized appraisal services for a governmental agency;

(13) Violating any term or condition of a certificate or license issued by the commission pursuant to the authority of sections 339.500 to 339.549;

(14) Violation of any professional trust or confidence;

(15) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(16) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 339.500 to 339.549 who is not licensed or certified and currently eligible to practice pursuant to sections 339.500 to 339.549;

(17) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(18) Disciplinary action against the holder of a license, certificate or other right to practice any profession regulated pursuant to sections 339.500 to 339.549, imposed by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(19) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or certification, or for license or certification renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(20) Engaging in or committing, or assisting any person in engaging in or committing, any practice or act of mortgage fraud, as defined in section 443.930**;**

(21) Influencing or attempting to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, or bribery.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the commission may, singly or in combination, publicly censure or place the person named in the complaint on probation on such terms and conditions as the commission deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke, the certificate or license. The holder of a certificate or license**, or the legal entity and any controlling person in the case of an appraisal management company,** revoked pursuant to this section may not obtain certification as a state-certified real estate appraiser **[**or**],** licensure as a state-licensed real estate appraiser**, or licensure as an appraisal management company** for at least five years after the date of revocation.

4. Notwithstanding other provisions of this section, a real estate appraiser license or certification **or an appraisal management company license** shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant**, or any controlling person in the case of an appraisal management company,** has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of mortgage fraud as defined in section 570.310. The commission shall notify the individual **or legal entity** of the reasons for the revocation in writing, by certified mail.

5. A person**, or the legal entity or controlling person in the case of an appraisal management company,** whose license is revoked under subsection 4 of this section may appeal such revocation to the administrative hearing commission, as provided by chapter 621, within ninety days from the time the commission mails the notice of revocation. A person who fails to do so waives all rights to appeal the revocation.

6. A certification of a state-certified real estate appraiser **[**or**],** a license of a state-licensed real estate appraiser**, or a license of an appraisal management company** that has been suspended as a result of disciplinary action by the commission shall not be reinstated, and a person**, controlling person, or legal entity** may not obtain certification as a state-certified real estate appraiser **[**or**],** licensure as a state-licensed real estate appraiser**, or licensure as an appraisal management company** subsequent to revocation, unless the applicant presents evidence of completion of the continuing education required by section 339.530 during the period of suspension or revocation as well as fulfillment of any other conditions imposed by the commission. Applicants for recertification, relicensure or reinstatement also shall be required to successfully complete the examination for original certification or licensure required by section 339.515 as a condition to reinstatement of certification or licensure, or recertification or relicensure subsequent to revocation.

339.533. 1. The chairperson of the commission may administer oaths, issue subpoenas, and issue subpoenas duces tecum requiring the production of documents and records. Subpoenas and subpoenas duces tecum shall be served by a person authorized to serve subpoenas of courts of record. In lieu of requiring attendance of a person**, controlling person, or other legal entity** to produce original documents in response to a subpoena duces tecum, the commission may require sworn copies of such documents to be filed with it or delivered to its designated representative.

2. The commission may enforce its subpoenas and subpoenas duces tecum by applying to the circuit court of Cole County; the county of the investigation, hearing, or proceeding; or any county where the person**, controlling person, or other legal entity** subpoenaed resides or may be found for an order to show cause why such subpoena should not be enforced, such order and a copy of the application therefor to be served upon the person in the same manner as a summons in a civil action, and if the circuit court shall, after a hearing, determine that the subpoena should be sustained and enforced, such court shall proceed to enforce the subpoena in the same manner as though the subpoena had been issued in a civil case in the circuit court.

339.535. **[**State certified**] State-certified** real estate appraisers **[**and state licensed**], state-licensed** real estate appraisers**, state-licensed appraiser trainees, and state-certified appraiser trainees** shall comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation.

339.537. **1.** State-certified real estate appraisers and state licensed real estate appraisers shall retain originals or true copies of contracts engaging an appraiser's services for appraisal assignments, specialized appraisal services, appraisal reports, and supporting data assembled and formulated in preparing appraisal reports, for five years. The period for retention of the records applicable to each engagement of the services of the state-certified real estate appraiser or state-licensed real estate appraiser shall run from the date of the submission of the appraisal report to the client. Upon requests by the commission, these records shall be made available by the state-certified real estate appraiser or state-licensed real estate appraiser for inspection and copying at his or her expense, by the commission on reasonable notice to the state-certified real estate appraiser or state-licensed real estate appraiser. When litigation is contemplated at any time, reports and records shall be retained for two years after the final disposition.

2. All appraisal management company records shall be retained by the appraisal management company for five years. Upon request by the commission, such records shall promptly be made available to the commission for inspection and copying at the expense of the appraisal management company.

339.541. **1.** It shall be a class B misdemeanor for any person to practice any deception or fraud with respect to his **or her** identity in connection with an application for certification or licensure or in the taking of an examination for certification as a state certified real estate appraiser or licensure as a state licensed real estate appraiser or by holding himself **or herself** out to any member of the public or representing himself **or herself** as a state certified real estate appraiser or a state licensed real estate appraiser when, in fact, he **or she** is not so.

2. It shall be a class B misdemeanor for any corporation, business, or controlling person to practice any deception or fraud in its identity in connection with an application or holding out to any member of the public or representation as a licensed appraisal management company when in fact it is not so.

339.543. 1. If the commission believes that an appraiser**, business, corporation, or controlling person** has engaged in, is engaging in, or has willfully taken a substantial step toward engaging in an act, practice, omission, or course of business constituting mortgage fraud, as defined in section 443.930, or that a person**, business, corporation, or controlling person** has materially aided or is materially aiding any such act, practice, omission, or course of business, the commission may maintain an action in the circuit court of any county of the state or any city not within a county to enjoin the person**, business, corporation, or controlling person**. Upon a proper showing, the court may issue a permanent or temporary injunction, restraining order, or declaratory judgment.

2. The court may impose a civil penalty against the person**, business, corporation, or controlling person** not to exceed two thousand five hundred dollars for each violation and may grant any other relief the court determines is just and proper in the circumstances including, but not limited to, a temporary suspension of any license issued by the commission.

3. The commission may initiate an investigation and take all measures necessary to find the facts of any potential violation of this section, including issuing subpoenas to compel the attendance and testimony of witnesses and the production of documents and other evidence. The commission may conduct joint investigations, enter into confidentiality agreements, and share information obtained relating to an investigation under this section with other governmental agencies.

4. The enforcement authority of the commission under this section is cumulative to any other statutory authority of the commission.

339.545. **1.** The commission shall take such action as is necessary to be able to issue general certificates, residential certificates and licenses to qualified persons.

2. The commission shall take action as is necessary to be able to issue licenses to qualified applicants seeking licensure as an appraisal management company.

339.549. 1. It is unlawful for any person**, business, corporation, or controlling person** not certified or licensed pursuant to sections 339.500 to 339.549 to perform any act for which certification or licensure is required. Upon application by the commission, and the necessary burden having been met, a court may grant an injunction, restraining order or other order as may be appropriate to enjoin a person**, business, corporation, or controlling person** from:

(1) Offering to engage or engaging in the performance of any acts or practices for which a certificate or license is required by sections 339.500 to 339.549 upon a showing that such acts or practices were performed or offered to be performed without a certificate or license; or

(2) Engaging in any practice or business authorized by a certificate or license issued pursuant to sections 339.500 to 339.549 upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client of the certificate holder or licensee.

2. Any such action shall be commenced in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any actions brought pursuant to this section shall be in addition to and not in lieu of any penalty provided by sections 339.500 to 339.549 and may be brought concurrently with other actions to enforce the provisions of this chapter.

[339.1100. Sections 339.1100 to 339.1240 shall be known and may be cited as the "Missouri Appraisal Management Company Registration and Regulation Act".**]**

[339.1105. As used in sections 339.1100 to 339.1240, unless the context otherwise requires, the following terms shall mean:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work produced or certified by persons licensed under sections 339.500 to 339.549 who produce appraisals;

(3) "Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;

(4) "Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:

(a) Administer an appraiser panel;

(b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;

(c) Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;

(d) Track and determine the status of orders for appraisals;

(e) Conduct quality control of a completed appraisal prior to the delivery of the appraisal to the person that ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser to one or more persons who have ordered an appraisal;

(5) "Appraisal review", the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal assignment, except that an examination of an appraisal for grammatical, typographical, or other similar errors shall not be an appraisal review;

(6) "Appraiser", an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter;

(7) "Appraiser panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons that have ordered appraisals through the appraisal management company or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company that has ordered an appraisal through the appraisal management company or to perform appraisals for the appraisal management company directly;

(8) "Commission", the Missouri real estate appraisers commission created in section 339.507;

(9) "Controlling person":

(a) An owner, officer or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

(10) "State certified real estate appraiser", a person who develops and communicates real estate appraisals and who holds a current valid certificate issued to the person for either general or residential real estate under this chapter;

(11) "State licensed real estate appraiser", a person who holds a current valid real estate appraiser license issued under this chapter.**]**

[339.1110. 1. No person shall directly or indirectly engage or attempt to engage in business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.1100 to 339.1240.

2. The registration required by subsection 1 of this section shall, at a minimum, include the following:

(1) Name of the entity seeking registration;

(2) Business address of the entity seeking registration, which shall be located and maintained within this state;

(3) Phone contact information of the entity seeking registration;

(4) If the entity is not a corporation that is domiciled in this state, the name and contact information for the company's agent for service of process in this state;

(5) The name, address, and contact information for any individual or any corporation, partnership, or other business entity that owns ten percent or more of the appraisal management company;

(6) The name, address, and contact information for a designated controlling person to be the primary communication source for the commission;

(7) A certification that the entity has a system and process in place to verify that a person being added to the appraiser panel of the appraisal management company for appraisal services to be performed in Missouri holds a license in good standing in Missouri, if a license or certification is required to perform appraisals under section 339.1180;

(8) A certification that the entity has a system in place to review the work of all appraisers who are performing real estate appraisal services for the appraisal management company on a periodic basis to validate that the real estate appraisal services are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP) under section 339.1185;

(9) A certification that the entity maintains a detailed record of each service request that it receives for appraisal services within the state of Missouri and the appraiser who performs the real estate appraisal services for the appraisal management company under section 339.1190;

(10) An irrevocable uniform consent to service of process under section 339.1130; and

(11) Any other reasonable information required by the commission to complete the registration process.**]**

[339.1115. Sections 339.1100 to 339.1240 shall not apply to:

(1) The performance of services as an appraisal firm;

(2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the department of insurance, financial institutions or professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution. An entity exempt as provided in this subdivision shall file a notice with the commission containing the information required in section 339.1110;

(3) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;

(4) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;

(5) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.**]**

[339.1120. An applicant for a registration as an appraisal management company shall submit to the commission an application containing the information required in subsection 2 of section 339.1110 on a form prescribed by the commission.**]**

[339.1125. Registration shall be valid for two years from its issuance.**]**

[339.1130. Each entity applying for a registration as an appraisal management company in Missouri shall complete an irrevocable uniform consent to service of process, as prescribed by the commission.**]**

[339.1135. 1. The commission shall establish by rule the fee to be paid by each appraisal management company seeking registration under sections 339.1100 to 339.1240, such that the sum of the fees paid by all appraisal management companies seeking registration under this section shall be sufficient for the administration of sections 339.1100 to 339.1240. The commission shall charge and collect fees to be utilized to fund activities that may be necessary to carry out the provisions of this chapter.

2. Each applicant for registration shall post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars. The details of the bond shall be prescribed by rule of the commission, however, the bond shall not be used to assist appraisers in collection efforts of credit extended by the appraiser.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 339.1100 to 339.1240 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 339.1100 to 339.1240 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.**]**

[339.1140. 1. An appraisal management company applying for a registration in Missouri shall not be more than ten percent owned by:

(1) A person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) An entity that is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state.

2. Each person who owns more than ten percent of an appraisal management company in this state shall:

(1) Be of good moral character, as determined by the commission; and

(2) Submit to a background investigation, as determined by the commission.

3. Each appraisal management company applying for registration shall certify to the commission that it has reviewed each entity that owns more than ten percent of the appraisal management company and that no entity that owns more than ten percent of the appraisal management company is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling principal, agent of record, or ownership composition.**]**

[339.1145. 1. Each appraisal management company applying to the commission for a registration in this state shall designate one compliance manager who will be the main contact for all communication between the commission and the appraisal management company.

2. The designated controlling person under subsection 1 of this section shall:

(1) Have never had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) Be of good moral character, as determined by the commission; and

(3) Submit to a background investigation, as determined by the commission.**]**

[339.1150. An appraisal management company that applies to the commission for registration to do business in this state as an appraisal management company under subdivision (1) of section 339.1115 shall not:

(1) Employ any person directly involved in appraisal management services who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(2) Knowingly enter into any independent contractor arrangement, whether in verbal, written, or other form, with any person who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(3) Knowingly enter into any contract, agreement, or other business relationship directly involved with the performance of real estate appraisal or appraisal management services, whether in verbal, written, or any other form, with any entity that employs, has entered into an independent contract arrangement, or has entered into any contract, agreement, or other business relationship, whether in verbal, written, or any other form, with any person who has ever had a license or certificate to act as an appraiser in Missouri or in any other state, refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.**]**

[339.1155. Prior to placing an assignment for real estate appraisal services within the state of Missouri with an appraiser on the appraiser panel of an appraisal management company, the appraisal management company shall have a system in place to verify that the appraiser receiving the assignment holds a credential in good standing in the state of Missouri. Letters of engagement shall include instructions to the appraiser to decline the assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.**]**

[339.1160. Any employee or independent contractor of the appraisal management company who performs an appraisal review shall be an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter. Letters of engagement shall include instructions to the appraiser to decline the appraisal review assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.**]**

[339.1170. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system and process in place to verify that an individual being added to the appraiser panel of the appraisal management company holds a license in good standing in this state under this chapter.**]**

[339.1175. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system in place to verify that an individual to whom the appraisal management company is making an assignment for the completion of an appraisal has not had a license or certification as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation on a regular basis.**]**

[339.1180. Each registered appraisal management company shall certify to the commission on a biannual basis that it has a system in place to perform an appraisal review on a periodic basis of the work of all appraisers who are performing appraisals for the appraisal management company to validate that the appraisals are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP). An appraisal management company shall report to the commission the results of any appraisal reviews in which an appraisal is found to be substantially noncompliant with USPAP or state or federal laws pertaining to appraisals.**]**

[339.1185. 1. Each appraisal management company seeking to be registered shall certify to the commission biannually that it maintains a detailed record of each service request for appraisal services within the state of Missouri and that it receives of each appraiser who performs an appraisal for the appraisal management company in the state of Missouri.

2. All appraisal management company records shall be retained for five years.**]**

[339.1190. 1. An appraisal management company shall not prohibit its appraiser who is part of an appraiser panel from recording the fee that the appraiser was paid by the appraisal management company for the performance of the appraisal within the appraisal report that is submitted by the appraiser to the appraisal management company.

2. An appraisal management company shall separately state to the client the fees paid to an appraiser for appraisal services and the fees charged by the appraisal management company for services associated with the management of the appraisal process, including procurement of the appraiser's services.**]**

[339.1200. 1. No employee, director, officer, or agent of an appraisal management company shall influence or attempt to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or in any other manner, including but not limited to:

(1) Withholding or threatening to withhold timely payment for an appraisal, except in cases of substandard performance or noncompliance with conditions of engagement;

(2) Withholding or threatening to withhold future business, or demoting, terminating, or threatening to demote or terminate an appraiser;

(3) Expressly or impliedly promising future business, promotions, or increased compensation for an appraiser;

(4) Conditioning the request for an appraisal or the payment of an appraisal fee or salary or bonus on the opinion, conclusion, or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;

(5) Requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;

(6) Providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for purchase transactions may be provided;

(7) Providing to an appraiser, or any entity or person related to the appraiser, stock or other financial or nonfinancial benefits;

(8) Allowing the removal of an appraiser from an appraiser panel without prior written notice to such appraiser;

(9) Any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, objectivity, or impartiality;

(10) Requiring an appraiser to collect an appraisal fee on behalf of the appraisal management company from the borrower, homeowner, or other third party; or

(11) Requiring an appraiser to indemnify an appraisal management company or hold an appraisal management company harmless for any liability, damage, losses, or claims arising out of the services performed by the appraisal management company, and not the services performed by the appraiser.

2. Nothing in subsection 1 of this section shall prohibit the appraisal management company from requesting that an appraiser:

(1) Provide additional information about the basis for a valuation; or

(2) Correct objective factual errors in an appraisal report; or

(3) Provide additional information with the appraisal regarding additional sales provided through an established dispute process.**]**

[339.1205. An appraisal management company shall not:

(1) Require an appraiser to modify any aspect of an appraisal report unless the modification complies with section 339.1200;

(2) Require an appraiser to prepare an appraisal report if the appraiser, in the appraiser's own professional judgment, believes the appraiser does not have the necessary expertise for the assignment or for the specific geographic area, and has notified the appraisal management company and declined the assignment;

(3) Require an appraiser to prepare an appraisal under a time frame that the appraiser, in the appraiser's own professional judgment, believes does not afford the appraiser the ability to meet all

the relevant legal and professional obligations, and has notified the appraisal management company and declined the assignment;

(4) Prohibit or inhibit legal or other allowable communication between the appraiser and:

(a) The lender;

(b) A real estate licensee; or

(c) Any other person from whom the appraiser, in the appraiser's own professional judgment, believes information would be relevant;

(5) Knowingly require the appraiser to do anything that does not comply with:

(a) Uniformed Standards of Professional Appraisal Practice (USPAP);

(b) The Missouri certified and licensed real estate appraisers act established under this chapter; or

(c) Any assignment conditions and certifications required by the client;

(6) Make any portion of the appraiser's fee or the appraisal management company's fee contingent on a predetermined or favorable outcome, including but not limited to:

(a) A loan closing; or

(b) Specific dollar amount being achieved by the appraiser in the appraisal report.**]**

[339.1210. Each appraisal management company shall, except in cases of breach of contract or substandard performance of services, make payment to an appraiser for the completion of an appraisal or valuation assignment within thirty days, unless a mutually agreed upon alternate payment schedule exists, from when the appraiser transmits or otherwise provides the completed appraisal or valuation study to the appraisal management company or its assignee.**]**

[339.1215. 1. An appraisal management company shall not alter, modify, or otherwise change a completed appraisal report submitted by an appraiser by:

(1) Permanently removing the appraiser's signature or seal; or

(2) Adding information to, or removing information from, the appraisal report with an intent to change the valuation conclusion.

2. No registered appraisal management company shall require an appraiser to provide the appraisal management company with the appraiser's digital signature or seal.**]**

[339.1220. 1. The commission shall issue a unique registration number to each appraisal management company.

2. The commission shall publish a list of the appraisal management companies that have registered under sections 339.1100 to 339.1240 and have been issued a registration number.

3. An appraisal management company shall be required to disclose the registration number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.**]**

[339.1230. 1. Except within the first thirty days after an appraiser is first added to the appraiser panel of an appraisal management company, an appraisal management company shall not remove an appraiser from its appraiser panel or otherwise refuse to assign requests for real estate appraisal services to an appraiser without:

(1) Notifying the appraiser in writing of the reasons why the appraiser is being removed from the appraiser panel of the appraisal management company;

(2) If the appraiser is being removed from the panel for illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, describing the nature of the alleged conduct or violation; and

(3) Providing an opportunity for the appraiser to respond to the notification of the appraisal management company.

2. An appraiser who is removed from the appraiser panel of an appraisal management company for alleged illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or violation of state licensing standards may file a complaint with the commission for a review of the decision of the appraisal management company; except that, in no case shall the commission make any determination regarding the nature of the business relationship between the

appraiser and the appraisal management company which is unrelated to the actions specified in subsection 1 of this section.

3. If after notice and an opportunity for hearing and review, the commission determines that an appraiser did not commit a violation of law, a violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, the commission shall order that such appraiser be added to the appraiser panel of the appraisal management company.

4. If the commission has found that the appraisal management company acted improperly in removing the appraiser from the appraiser panel, an appraisal management company shall not refuse to make assignments for real estate appraisal services to an appraiser, or reduce the number of assignments, or otherwise penalize the appraiser.**]**

[339.1235. The commission may censure an appraisal management company, conditionally or unconditionally suspend or revoke any registration issued under sections 339.1100 to 339.1240, or impose civil penalties not to exceed one thousand dollars for each offense. Each day of a continued violation constitutes a separate offense, with a maximum penalty of ten thousand dollars. In determining the amount of penalty to be imposed, the commission may consider if an appraisal management company is:

(1) Knowingly committing any act in violation of sections 339.1100 to 339.1240;

(2) Violating any rule adopted by the commission; or

(3) Procuring a license by fraud, misrepresentation, or deceit.**]**

[339.1240. The conduct of adjudicatory proceedings for violations of this section is vested in the commission, provided:

(1) Before censuring any registrant, or suspending or revoking any registration, the commission shall notify the registrant in writing of any charges made at least twenty days before the hearing and shall afford the registrant an opportunity to be heard in person or by counsel; and

(2) Written notice shall be satisfied by personal service on the controlling person of the registrant, or the registrant's agent for service of process in this state, or by sending the notice by certified mail, return receipt requested to the controlling person of the registrant to the registrant's address on file with the commission.**]**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Bill No. 1103, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**228.341. For purposes of sections 228.341 to 228.374, "private road" with regard to a proceeding to obtain a maintenance order means any private road established under this chapter or any easement of access, regardless of how created, which provides a means of ingress and egress by motor vehicle for any owner or owners of residences from such homes to a public road. A private road does not include any road owned by the United States or any agency or instrumentality thereof, or the state of Missouri, or any county, municipality, political subdivision, special district, instrumentality, or agency of the state of Missouri. Nothing in sections 228.341 to 228.374 shall be deemed to apply to any road created by or included in any recorded plat referencing or referenced in an indenture or declaration creating an owner's association, regardless of whether such road is designated as a common element. Nothing in sections 228.341 to 228.374 shall be deemed to apply to any land or property owned or operated by any railroad regulated by the Federal Railroad Administration.**

228.368. The costs of the proceedings **to establish or widen a private road** incurred up to and including the filing of the commissioners' report shall be paid by the plaintiff; and the court, as to any costs incurred in proceedings subsequent thereto, including the costs of the jury trial, may make such order as in its discretion may be deemed just**, including, in the case of a proceeding to obtain a maintenance order, assessing the costs to all benefitted homeowners**.

228.369. 1. For any private road subject to the use of more than one homeowner, in the absence of a prior order or written agreement for the maintenance of the private road, including covenants contained in deeds

or state or local permits providing for the maintenance of a private road, when adjoining homeowners who are benefitted by the use of an abutting private road, or homeowners who have an easement to use a private road, collectively owners or benefitted owners are unable to agree in writing upon a plan of maintenance for the maintenance, repair, or improvement of the private road and including the assessment and apportionment of costs for the plan of maintenance, one or more of the owners may petition the circuit court for an order establishing a plan of maintenance.

2. The cost of a plan of maintenance for a private road shall be apportioned among the owners of residences abutting the private road and holders of easements to use the private road, with the cost apportioned commensurate with the use and benefit to residences benefitted by the access, as mutually agreed by the benefitted homeowners or as ordered by the court with such method of apportionment as agreed by the homeowners or ordered by the court, including, but not limited to, equal division, or proportionate to the residential assessed value, or to front footage, or to usage or benefit.

3. The court may implement the same procedures to order and subsequently determine a plan of maintenance for a private road as provided in this chapter for establishing or widening a private road, including the appointment and compensation of disinterested commissioners to determine the plan and the apportionment of costs.

4. Where the homeowners who are benefitted by the private road are not able to agree upon the designation of a supervisor to complete the plan of maintenance, the commissioners appointed by the court shall designate a supervisor who shall be compensated for his or her services in the same manner as the commissioners.

5. Any agreement executed by all the homeowners, or final order approving, a plan of maintenance for a private road shall be recorded with the county recorder of deeds.

6. One or more adjoining homeowners or holders of any easement to use a private road may bring an action to enforce the plan of maintenance for a private road, whether as mutually agreed or as ordered by the court.

228.374. 1. A prior agreement or court order establishing a plan of maintenance may be amended or modified and may be restated at any time by a recorded agreement signed by all the homeowners or other benefitted owners.

2. No court proceeding under section 228.369 to amend, modify, or restate a plan of maintenance may be filed sooner than seven years from the entry of a prior order, except upon a prima facie showing that the real property benefitted by the private road has been developed or divided in a manner rendering the plan of maintenance obsolete or showing that the existing apportionment of the use and benefit to residences benefitted by the access to the private road is no longer equitable."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1105.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1135**, entitled:

An act to repeal sections 536.041 and 536.325, RSMo, and to enact in lieu thereof four new sections relating to administrative procedures and review.

With Senate Amendment No. 2.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 1135, Page 1, Section A, Line 3, by inserting after all of said line the following:

"161.092. The state board of education shall:

(1) Adopt rules governing its own proceedings and formulate policies for the guidance of the commissioner of education and the department of elementary and secondary education;

(2) Carry out the educational policies of the state relating to public schools that are provided by law and supervise instruction in the public schools;

(3) Direct the investment of all moneys received by the state to be applied to the capital of any permanent fund established for the support of public education within the jurisdiction of the department of elementary and secondary education and see that the funds are applied to the branches of educational interest of the state that by grant, gift, devise or law they were originally intended, and if necessary institute suit for and collect the funds and return them to their legitimate channels;

(4) Cause to be assembled information which will reflect continuously the condition and management of the public schools of the state;

(5) Require of county clerks or treasurers, boards of education or other school officers, recorders and treasurers of cities, towns and villages, copies of all records required to be made by them and all other information in relation to the funds and condition of schools and the management thereof that is deemed necessary;

(6) Provide blanks suitable for use by officials in reporting the information required by the board;

(7) When conditions demand, cause the laws relating to schools to be published in a separate volume, with pertinent notes and comments, for the guidance of those charged with the execution of the laws;

(8) Grant, without fee except as provided in section 168.021, certificates of qualification and licenses to teach in any of the public schools of the state, establish requirements therefor, formulate regulations governing the issuance thereof, and cause the certificates to be revoked for the reasons and in the manner provided in section 168.071;

(9) Classify the public schools of the state, subject to limitations provided by law **and subdivision (14) of this section**, establish requirements for the schools of each class, and formulate rules governing the inspection and accreditation of schools preparatory to classification, with such requirements taking effect not less than two years from the date of adoption of the proposed rule by the state board of education, provided that this condition shall not apply to any requirement for which a time line for adoption is mandated in either federal or state law;

(10) Make an annual report on or before the first Wednesday after the first day of January to the general assembly or, when it is not in session, to the governor for publication and transmission to the general assembly. The report shall be for the last preceding school year, and shall include:

(a) A statement of the number of public schools in the state, the number of pupils attending the schools, their sex, and the branches taught;

(b) A statement of the number of teachers employed, their sex, their professional training, and their average salary;

(c) A statement of the receipts and disbursements of public school funds of every description, their sources, and the purposes for which they were disbursed;

(d) Suggestions for the improvement of public schools; and

(e) Any other information relative to the educational interests of the state that the law requires or the board deems important;

(11) Make an annual report to the general assembly and the governor concerning coordination with other agencies and departments of government that support family literacy programs and other services which influence educational attainment of children of all ages;

(12) Require from the chief officer of each division of the department of elementary and secondary education, on or before the thirty-first day of August of each year, reports containing information the board deems important and desires for publication;

(13) Cause fifty copies of its annual report to be reserved for the use of each division of the state department of elementary and secondary education, and ten copies for preservation in the state library;

(14) **Promulgate rules under which the board shall classify the public schools of the state. Said rules shall include but not be limited to the standards, appropriate scoring guides, forms, instruments, and procedures used in determining the accreditation status of a district. The board shall make classification and accreditation determinations consistent with said rules, and shall not deviate from said rules without properly promulgating such rules pursuant to the provisions of chapter 536;**

(15) Have other powers and duties prescribed by law."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1236.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1340.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1460**, entitled:

An act to repeal section 476.055, RSMo, and to enact in lieu thereof one new section relating to the statewide court automation fund, with existing penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS#2 HB 1462.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 26.**

SENATE CONCURRENT RESOLUTION NO. 26

WHEREAS, the State of Missouri is currently facing a budget crisis and has limited resources for state spending; and

WHEREAS, the General Assembly is a co-equal branch of state government and is responsible for the appropriation of state funds for various governmental entities; and

WHEREAS, the public expects and requires the General Assembly to ensure that state resources are being used as efficiently and effectively as possible; and

WHEREAS, the Missouri Department of Transportation's statewide construction program has averaged $1.2 billion in the immediate past and moving forward it will be about approximately half that amount; and

WHEREAS, the Department of Transportation has entered into maintenance mode, which means it will have to direct all available resources to taking care of highways and bridges the state currently owns and not build new projects; and

WHEREAS, the good highways and bridges Missourians have enjoyed since the passage of Amendment 3 will start to deteriorate without more money for transportation projects; and

WHEREAS, the General Assembly understands the importance of finding innovative ways to fund the transportation infrastructure needs of this state:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Sixth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby establish the Joint Interim Committee on Transportation Needs in Missouri; and

BE IT FURTHER RESOLVED that the Committee shall be composed of four majority party members to be appointed by the President Pro Tempore of the Senate and three minority party members to be appointed by the Minority Leader of the Senate, and four majority party members to be appointed by the Speaker of the House of Representatives of the House of Representatives, and three minority party members to be appointed by the Minority Leader of the House of Representatives; and

BE IT FURTHER RESOLVED that the Committee shall conduct a comprehensive analysis of the transportation infrastructure needs of this state, examine any other issues that the Committee deems relevant, and make any recommendations for improving the efficiency and effectiveness of funding Missouri's transportation needs; and

BE IT FURTHER RESOLVED that the Committee be authorized to hold hearings as it deems advisable, and may solicit any input or information necessary to fulfill its obligations; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research and the Committee on Legislative Research shall provide such legal, research, clerical, technical and bill drafting services as the Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the Committee, its members, and any staff personnel assigned to the Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Committee or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the actual expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingency Fund; and

BE IT FURTHER RESOLVED that the Joint Interim Committee is authorized to function during the legislative interim between the Second Regular Session of the Ninety-Sixth General Assembly and the First Regular Session of the Ninety-Seventh General Assembly through December 31, 2012, as authorized by **State v. Atterburry**, 300 S.W. 2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the Committee report its recommendations and findings to the Missouri General Assembly by January 1, 2013, and the authority of such Committee shall terminate on December 31, 2012.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 562** and has taken up and passed **HCS SCS SB 562**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 to SB 736**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 3:00 p.m., Monday, May 7, 2012.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixty-sixth Day, Wednesday, May 2, 2012, Page 1461, Line 14, by deleting the number “2586" and inserting in lieu thereof the number “2856.”

COMMITTEE MEETINGS

AGRI-BUSINESS
Tuesday, May 8, 2012, 8:00 AM House Hearing Room 4.
Public hearing will be held: HB 2062, HB 2067
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, May 9, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continued discussion of DHSS, DMH, & DSS policies and procedures

CONFERENCE COMMITTEE
Monday, May 7, 2012, 10:00 AM House Lounge.
Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013
Executive session may be held on any matter referred to the committee.

CRIME PREVENTION AND PUBLIC SAFETY
Monday, May 7, 2012, 2:00 PM House Hearing Room 5.
Public hearing will be held: SB 893
Executive session may be held on any matter referred to the committee.
CORRECTED

FISCAL REVIEW
Monday, May 7, 2012, 2:00 PM South Gallery.
Public hearing will be held: HCS HB 1854, HCS SCS SB 591
Executive session will be held: HCS HB 1854, HCS SCS SB 591
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee
CORRECTED

HEALTH INSURANCE
Tuesday, May 8, 2012, 12:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION
Tuesday, May 8, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Monday, May 7, 2012, Upon Evening Adjournment, 516 S. Country Club Drive.
Executive session may be held on any matter referred to the committee.

RETIREMENT
Tuesday, May 8, 2012, 9:00 AM House Hearing Room 1.
Public hearing will be held: SCS SB 625
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON GOVERNMENT OVERSIGHT AND ACCOUNTABILITY
Monday, May 7, 2012, 12:00 PM House Hearing Room 5.
Public hearing will be held: SS SB 854
Executive session may be held on any matter referred to the committee.

SPECIAL STANDING COMMITTEE ON JUDICIAL REFORM
Monday, May 7, 2012, 1:00 PM House Hearing Room 6.
Public hearing will be held: SCS SJR 51, SCS SB 788
Executive session may be held on any matter referred to the committee.
Possible executive session

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Tuesday, May 8, 2012, Upon Morning Recess House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Informational meeting, presentation by Ram Diagnostics

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Tuesday, May 8, 2012, 9:30 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-EIGHTH DAY, MONDAY, MAY 7, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
4 HCS HB 1210, as amended - Gatschenberger
5 HCS HB 1795 - Ruzicka
6 HB 1966 - Burlison
7 HB 1779 - Flanigan
8 HCS HB 1794 - Grisamore
9 HCS HB 1754 - Cox
10 HCS HB 1815 - Pollock
11 HB 1842 - Lant

12 HCS HB 1935 - Franz
13 HB 2063, as amended - Denison
14 HCS HB 2100 - Denison
15 HCS HB 1709 - Hough
16 HCS#2 HB 1358 - Gatschenberger
17 HCS HB 1397 - Gatschenberger
18 HCS HBs 1542 & 1101 - Koenig
19 HCS#2 HB 1213 - Franklin
20 HB 1357 - Gatschenberger
21 HCS HB 1846 - Long
22 HCS HB 1585 - Cross
23 HCS HB 1971 - Schneider
24 HB 1690 - May
25 HB 1728 - Johnson
26 HB 1790 - Torpey
27 HCS HB 1970 - Jones (117)

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1328 - Cox
2 HCS HB 1922 - Molendorp
3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HCS HBs 1298 & 1180 - Parkinson
2 HB 1066 - McGhee
3 HCS HB 1900 - Redmon
4 HCS HB 1854, (Fiscal Review 5/2/12) - Grisamore

HOUSE BILLS FOR THIRD READING - INFORMAL

1 HB 1277 - Long
2 HB 1431 - Hoskins

SENATE BILLS FOR THIRD READING

1 HCS SB 455 - Thomson
2 SCS SB 566 - Jones (117)
3 HCS SB 578 - Cox
4 SS SCS SB 699 - Fuhr
5 HCS SS SCS SB 469 - Smith (150)
6 HCS SS SCS SB 470 - Burlison

7 HCS SS SCS SB 595, E.C. - Torpey
8 HCS SCS SB 591, (Fiscal Review 5/2/12) - Franz
9 HCS SB 620 - Gosen
10 HCS SB 628 - Kelly (24)
11 HCS SCS SB 635 - Phillips
12 HCS SB 636 - Diehl
13 SS SB 665 - Asbury
14 HCS SCS SB 726 - Wells
15 SS SCS SB 689 - Schad
16 SS SB 607 - Burlison

HOUSE BILLS WITH SENATE AMENDMENTS

1 SS HCS HB 1106, as amended - Dugger
2 HB 1188, SCA 1 - Allen
3 SCS HCS HB 1495 - Nance
4 SCS HB 1112 - Gosen
5 SCS HCS HB 1042, as amended - Thomson
6 SCS HB 1504, as amended - Richardson
7 SS SCS HB 1073 and HCS HB 1477, as amended - Sater
8 SS SCS HCS HB 1400, E.C. - Richardson
9 HB 1250, with SA 1 & SA 2 - Ruzicka
10 SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB, as amended - Marshall
11 SS HB 1128 - Largent
12 SCS HB 1135, as amended - Smith (150)
13 HB 1103, with SA 1 & SA 2 - Crawford
14 SCS HB 1460 - Jones (117)

BILLS CARRYING REQUEST MESSAGES

1 HCS SCS SB 569, as amended, (request House recede/grant conference) - Dugger
2 SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 (request House recede/grant conference) - Stream
3 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 (request House recede/grand conference, E.C. - Brown (116)
4 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger

BILLS IN CONFERENCE

1 HCS SB 568, as amended, E.C. - Franz
2 SS SCS HCS HB 2002 - Silvey
3 SS SCS HCS HB 2003 - Silvey
4 SS SCS HCS HB 2004 - Silvey
5 SS SCS HCS HB 2005 - Silvey
6 SS SCS HCS HB 2006, as amended - Silvey
7 SS SCS HCS HB 2007 - Silvey

SS SCS HCS HB 2008 - Silvey
SS SCS HCS HB 2009 - Silvey
SS SCS HCS HB 2010 - Silvey
SS SCS HCS HB 2011, as amended - Silvey
SS SCS HCS HB 2012 - Silvey
SS SCS HCS HB 2013 - Silvey
SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis

SENATE CONCURRENT RESOLUTIONS

SS SCR 16 - Asbury
SCS SCR 17 - Diehl
SCR 25 - Hampton

HOUSE RESOLUTIONS

HR 1880 - Burlison

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-EIGHTH DAY, MONDAY, MAY 7, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

O LORD our God, there is much to know, much to learn and there is much to pray for each one of us from the Proverbs of your servant, King Solomon.

I pray, O Father, that each one will be humble in heart for, "It is not good to eat much honey, nor is it glory to search out one's own glory". *(Proverbs 25:27)*

I pray that each will surround himself or herself with good counselors as "He who walks with wise men will be wise, but the companion of fools will suffer harm" *(Proverbs 13:20)*, and "If a ruler listens to falsehood, all his officials will become wicked". *(Proverbs 29:12)*

Lord, may each guard his or her words. May truth be spoken, for "Excellent speech is not fitting for a fool, much less are lying lips to a prince". *(Proverbs 17:7)* And may each of us speak with much gentleness: "A gentle answer turns away wrath, but a harsh word stirs up anger. The tongue of the wise makes knowledge acceptable, but the mouth of fools spouts folly". *(Proverbs 15:1-2)*

May we all seek wisdom, for You have commanded us to "Acquire wisdom! Acquire understanding! Do not forsake her, and she will guard you; love her and she will watch over you". *(Proverbs 4:5a-6)*

I pray that we will all pursue righteousness, for "Righteousness exalts a nation…" *(Proverbs 14:34a)*, and "It is an abomination for kings to commit wicked acts for a throne is established on righteousness". *(Proverbs 16:12)*

May we fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixty-seventh day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2917 through House Resolution No. 2974

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1854**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 591**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

HCS SB 620, relating to insurance, was taken up by Representative Gosen.

HCS SB 620 was laid over.

HCS SB 628, relating to judicial procedures, was taken up by Representative Kelly (24).

HCS SB 628 was laid over.

Representative Fuhr assumed the chair.

THIRD READING OF HOUSE BILLS

HCS HB 1900, relating to executive branch reorganizations, was taken up by Representative Redmon.

On motion of Representative Redmon, **HCS HB 1900** was read the third time and passed by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance

Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Brown 50	Brown 116	Carter	Diehl
Franz	Funderburk	Holsman	Hughes	Lauer
Molendorp	Nolte			

Representative Fuhr declared the bill passed.

HCS HB 1854, relating to services for individuals, was taken up by Representative Grisamore.

On motion of Representative Grisamore, **HCS HB 1854** was read the third time and passed by the following vote:

AYES: 115

Allen	Anders	Barnes	Bernskoetter	Berry
Black	Brandom	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Kratky
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McDonald	McGeoghegan	McGhee	McManus
McNary	Meadows	Nance	Nasheed	Neth
Nichols	Parkinson	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 150	Solon	Sommer

Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Weter	Wieland	Wright	Wyatt	Zerr

NOES: 028

Asbury	Atkins	Brattin	Colona	Conway 14
Curtman	Ellington	Franklin	Frederick	Hubbard
Kirkton	Koenig	Marshall	May	McCann Beatty
McNeil	Montecillo	Morgan	Newman	Pace
Pollock	Schatz	Sifton	Smith 71	Spreng
Walton Gray	Webb	White		

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 019

Aull	Bahr	Carter	Dieckhaus	Diehl
Dugger	Franz	Funderburk	Holsman	Hough
Hughes	Korman	Lauer	McCreery	Molendorp
Nolte	Sater	Wells	Mr Speaker	

Representative Fuhr declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

SB 611, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, and **House Amendment No. 8** to **SB 611**, relating to yellow light change interval times, was taken up by Representative Stream.

Representative Stream moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7**, and **House Amendment No. 8** to **SB 611** and grant the Senate a conference.

Which motion was adopted.

SS SCS SB 719, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and **House Amendment No. 6**, relating to boating safety identification cards, was taken up by Representative Brown (116).

Representative Brown (116) moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5** and **House Amendment No. 6** to **SS SCS SB 719** and grant the Senate a conference.

Which motion was adopted.

Speaker Tilley resumed the Chair.

SB 736, with House Amendment No. 1, relating to St. Francois County special road tax, was taken up by Representative Gatschenberger.

Representative Gatschenberger moved that the House refuse to recede from its position on **House Amendment No. 1** to **SB 736** and grant the Senate a conference.

Which motion was withdrawn.

SB 736, with House Amendment No. 1, was laid over.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 1073 and HCS HB 1477, as amended, relating to the Missouri Grain Dealer Law, was taken up by Representative Sater.

Representative Sater moved that the House refuse to adopt **SS SCS HB 1073 and HCS HB 1477, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 1135, as amended, relating to a state administrative rules review, was taken up by Representative Smith (150).

Representative Smith (150) moved that the House refuse to adopt **SCS HB 1135, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

HCS SCS SB 569, as amended, relating to elections, was taken up by Representative Dugger.

Representative Dugger moved that the House refuse to recede from its position on **HCS SCS SB 569, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SB 455, relating to the Board of Higher Education, was taken up by Representative Thomson.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 455, In the Title, Lines 3 and 4, by deleting from said lines the phrase:

"duties prescribed to the coordinating board for"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"**67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**

(1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of revenue;

(6) "Eligible costs", shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the

United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated

in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Speaker Pro Tem Schoeller assumed the Chair.

Representative Thomson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 455, Page 9, Section 173.612, Line 33, by deleting the word "**must**" and inserting in lieu thereof the following:

"**shall**"; and

Further amend said bill, Page 11, Section 173.616, Line 13, by deleting "(11)" and inserting in lieu thereof the following:

"**[**(11)**] (12)**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Thomson, **House Amendment No. 2** was adopted.

Representative Johnson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 455, Page 12, Section 173.618, Line 9, by inserting after all of said section and line the following:

"**620.2450. 1. There is hereby established the "Missouri Jobs for Education Program". The program is established for the purpose of providing credit toward tuition to award Missouri and out-of-state business owners and companies responsible for the creation of new jobs in the state. Credit toward tuition awarded under this section entitle the credit holder to credit toward tuition at any public institution of higher education in the state.**

2. Under the Missouri jobs for education program, business owners and companies may apply for credit toward tuition, redeemable for study at public institutions of higher education in the state. A qualifying business owner or company shall receive one credit toward tuition for every qualifying job created. In order to qualify for credit toward tuition under this section, the new job shall:

(1) Pay wages that meet or exceed the county average wage;

(2) Be maintained for at least one year before the claimant is eligible to receive the credit toward tuition; and

(3) Be a full-time position, including at a minimum two thousand hours per year, with one hundred sixty hours per month for ten of the twelve calendar months.

3. Credit toward tuition awarded under this section may be used by employees of the business owner or company, by any relatives of the business owner, or may be gifted to any person of the business owner's choosing. Credit toward tuition received shall expire if not used within ten years of the date awarded. Unused credit toward tuition shall not be refunded and shall be deposited into general revenue.

4. There is hereby created in the state treasury the "Missouri Jobs for Education Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely for the administration of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of economic development shall administer the program established in this section. The department of revenue shall create an employer application process, and withhold state employee taxes and deposit the money into the Missouri jobs for education fund established in subsection 4 of this section. Funding for credit toward tuition shall begin on the day the new job is created. The department of economic development shall track employer contributions and ensure that the credit toward tuition granted does not exceed the amount that has been deposited by the employer. If an employee tax withheld is more than the cost of tuition, no money shall be refunded.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 3** was adopted.

Representative Hough offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 455, Page 12, Section 173.618, Line 9, by inserting after all of said section and line the following:

"174.450. 1. Except as provided in subsection 2 and subsection 6 of this section, the governing board of **the University of** Central Missouri **[**State University**]**, Missouri State University, Missouri Southern State University, Missouri Western State University, and of each other public institution of higher education which, through the procedures established in subdivision (7) or (8) of section 173.030, is charged with a statewide mission shall be a board of governors consisting of eight members, composed of seven voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party. The appointed members of the board of regents serving on the date of the statutory mission change shall become members of the board of governors on the effective date of the statutory mission change and serve until the expiration of the terms for which they were appointed. The board of regents of any such institution shall be abolished on the effective date of the statutory mission change, as prescribed in subdivision (7) or (8) of section 173.030.

2. The governing board of Missouri State University, a public institution of higher education charged with a statewide mission in public affairs, shall be a board of governors of ten members, composed of nine voting members and one nonvoting member, who shall be appointed by the governor, by and with the advice and consent of the senate. The nonvoting member shall be a student selected in the same manner as prescribed in section 174.055. At least one but no more than two voting members shall be appointed to the board from each congressional district, and every member of the board shall be a citizen of the United States, and a resident of this state for at least two years prior to his or her appointment. No more than five voting members shall belong to any one political party. The term of office of the governors shall be six years**, except as provided in this subsection**. **[**The voting members of the board of governors serving on August 28, 2005, shall serve until the expiration of the terms for which they were appointed. For those voting members appointed after August 28, 2005, the term of office will be established in a manner where no more than three terms shall expire in a given year.**]** The term of office for those appointed hereafter shall end January first in years ending in an odd number. **For the six voting members' terms that expired in 2011, the successors shall be appointed in the following manner:**

(1) Of the five voting members' terms that expired on August 28, 2011, one successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2013;

(2) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to terms that shall expire on January 1, 2015;

(3) Of the five voting members' terms that expired on August 28, 2011, two successor members shall be appointed, or the existing members shall be reappointed, to a term that shall expire on January 1, 2017; and

(4) For the voting member's term that expired on January 1, 2011, the successor member shall be appointed, or the existing member shall be reappointed, to a term that shall expire on January 1, 2017.

Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term.

3. If a voting member of the board of governors of Missouri State University is found by unanimous vote of the other governors to have moved such governor's residence from the district from which such governor was appointed, then the office of such governor shall be forfeited and considered vacant.

4. Should the total number of Missouri congressional districts be altered, all members of the board of governors of Missouri State University shall be allowed to serve the remainder of the term for which they were appointed.

5. Should the boundaries of any congressional districts be altered in a manner that displaces a member of the board of governors of Missouri State University from the congressional district from which the member was appointed, the member shall be allowed to serve the remainder of the term for which the member was appointed.

6. The governing board of Missouri Southern State University shall be a board of governors consisting of nine members, composed of eight voting members and one nonvoting member as provided in sections 174.453 and 174.455, who shall be appointed by the governor of Missouri, by and with the advice and consent of the senate. No person shall be appointed a voting member who is not a citizen of the United States and who has not been a resident of the state of Missouri for at least two years immediately prior to such appointment. Not more than four voting members shall belong to any one political party.

Section B. Because of the importance of appointing members to the governing board of Missouri State University in a timely manner, section 174.450 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 174.450 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 4** was adopted.

Representative Sifton offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 455, Page 7, Section 173.040, Line 19, by inserting after all of said line the following:

"173.300. The Compact for Education is hereby entered into and enacted into law with all jurisdictions legally joining therein, in the form substantially as follows:

Article I Purpose and Policy

A. It is the purpose of this compact to:

1. Establish and maintain close cooperation and understanding among the executive, legislative, professional, educational and lay leadership on a nationwide basis at the state and local levels.

2. Provide a forum for the discussion, development, crystallization and recommendation of public policy alternatives in the field of education.

3. Provide a clearing house of information on matters relating to educational problems and how they are being met in different places throughout the nation, so that the executive and legislative branches of state government and of local communities may have ready access to the experience and record of the entire country, and so that both lay and professional groups in the field of education may have additional avenues for the sharing of experience and the interchange of ideas in the formation of public policy in education.

4. Facilitate the improvement of state and local educational systems so that all of them will be able to meet adequate and desirable goals in a society which requires continuous qualitative and quantitative advance in educational opportunities, methods and facilities.

B. It is the policy of this compact to encourage and promote local and state initiative in the development, maintenance, improvement and administration of educational systems and institutions in a manner which will accord with the needs and advantages of diversity among localities and states.

C. The party states recognize that each of them has an interest in the quality and quantity of education furnished in each of the other states, as well as in the excellence of its own educational systems and institutions, because of the highly mobile character of individuals within the nation, and because the products and services contributing to the health, welfare and economic advancement of each state are supplied in significant part by persons educated in other states.

Article II State Defined

As used in this compact, "state" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

Article III The Commission

A. The **[**Educational**]** **Education** Commission of the States, hereinafter called "the commission", is hereby established. The commission shall consist of seven members representing each party state. One of such members shall be the governor; two shall be members of the state legislature selected by its respective houses and serving in such manner as the legislature may determine; and four shall be appointed by and serve at the pleasure of the governor, unless the laws of the state otherwise provide. If the laws of a state prevent legislators from serving on the commission, six members shall be appointed and serve at the pleasure of the governor, unless the laws of the state otherwise provide. In addition to any other principles or requirements which a state may establish for the appointment and service of its members of the commission, the guiding principle for the composition of the membership on the commission from each party state shall be that the members representing such state shall, by virtue of their training, experience, knowledge or affiliations be in a position collectively to reflect broadly the interests of the state government, higher education, the state education system, local education, lay and professional, public and non-public educational leadership. Of those appointees, one shall be the head of a state agency or institution, designated by the governor, having responsibility for one or more programs of public education. In addition to the members of the commission representing the party states, there may be not to exceed ten non-voting commissioners selected by the steering committee for terms of one year. Such commissioners shall represent leading national organizations of professional educators or persons concerned with educational administration.

B. The members of the commission shall be entitled to one vote each on the commission. No action of the commission shall be binding unless taken at a meeting at which a majority of the total number of votes on the commission are cast in favor thereof. Action of the commission shall be only at a meeting at which a majority of the commissioners are present. The commission shall meet at least once a year. In its bylaws, and subject to such directions and limitations as may be contained therein, the commission may delegate the exercise of any of its powers to the steering committee or the executive director, except for the power to approve budgets or requests for appropriations, the power to make policy recommendations pursuant to Article IV and adoption of the annual report pursuant to Article III(J).

C. The commission shall have a seal.

D. The commission shall elect annually, from among its members, a chairman, who shall be a governor, a vice chairman and a treasurer. The commission shall provide for the appointment of an executive director. Such executive director shall serve at the pleasure of the commission, and together with the treasurer and such other personnel as the commission may deem appropriate shall be bonded in such amount as the commission shall determine. The executive director shall be secretary.

E. Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director subject to the approval of the steering committee shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the commission, and shall fix the duties and compensation of such personnel. The commission in its bylaws shall provide for the personnel policies and programs of the commission.

F. The commission may borrow, accept or contract for the services of personnel from any party jurisdiction, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of two or more of the party jurisdictions or their subdivisions.

G. The commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States, or any other governmental agency, or from any person, firm, association, foundation, or corporation, and may receive, utilize and dispose of the same. Any donation or grant accepted by the commission pursuant to this paragraph or services borrowed pursuant to paragraph (F) of this article shall be reported in the annual report of the commission. Such report shall include the nature, amount and conditions, if any, of the donation, grant, or services borrowed, and the identity of the donor or lender.

H. The commission may establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.

I. The commission shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The commission shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states.

J. The commission annually shall make to the governor and legislature of each party state a report covering the activities of the commission for the preceding year. The commission may make such additional reports as it may deem desirable.

Article IV Powers

In addition to authority conferred on the commission by other provisions of the compact, the commission shall have authority to:

1. Collect, correlate, analyze and interpret information and data concerning educational needs and resources.

2. Encourage and foster research in all aspects of education, but with special reference to the desirable scope of instruction, organization, administration, and instructional methods and standards employed or suitable for employment in public educational systems.

3. Develop proposals for adequate financing of education as a whole and at each of its many levels.

4. Conduct or participate in research of the types referred to in this article in any instance where the commission finds that such research is necessary for the advancement of the purposes and policies of this compact, utilizing fully the resources of national associations, regional compact organizations for higher education, and other agencies and institutions, both public and private.

5. Formulate suggested policies and plans for the improvement of public education as a whole or for any segment thereof, and make recommendations with respect thereto available to the appropriate governmental units, agencies and public officials.

6. Do such other things as may be necessary or incidental to the administration of any of its authority or functions pursuant to this compact.

Article V Cooperation With Federal Government

A. If the laws of the United States specifically so provide, or if administrative provision is made therefor within the federal government, the United States may be represented on the commission by not to exceed ten representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law, and may be drawn from any one or more branches of the federal government, but no such representative shall have a vote on the commission.

B. The commission may provide information and make recommendations to any executive or legislative agency or officer of the federal government concerning the common educational policies of the states, and may advise with any such agencies or officers concerning any matter of mutual interest.

Article VI Committees

A. To assist in the expeditious conduct of its business when the full commission is not meeting, the commission shall elect a steering committee of thirty-two members which, subject to the provisions of this compact and consistent with the policies of the commission, shall be constituted and function as provided in the bylaws of the commission. Eight of the voting membership of the steering committee shall consist of governors, eight shall be legislators, and the remainder shall consist of other members of the commission. A federal representative on the commission may serve with the steering committee, but without vote. The voting members of the steering committee shall serve for terms of two years, except that members elected to the first steering committee of the commission shall be elected as follows: sixteen for one year and sixteen for two years. The chairman, vice chairman, and treasurer of the commission shall be members of the steering committee and, anything in this paragraph to the contrary notwithstanding, shall serve during their continuance in these offices. Vacancies in the steering committee shall not affect its authority to act, but the commission at its next regularly ensuing meeting following the occurrence of any vacancy shall fill it for the unexpired term. No person shall serve more than two terms as a member of the steering committee; provided that service for a partial term of one year or less shall not be counted toward the two term limitation.

B. The commission may establish advisory and technical committees composed of state, local and federal officials, and private persons to advise it with respect to any one or more of its functions. Any advisory or technical committee may, on request of the states concerned, be established to consider any matter of special concern to two or more of the party states.

C. The commission may establish such additional committees as its bylaws may provide.

Article VII Finance

A. The commission shall advise the governor or designated officer or officers of each party state of its budget and estimated expenditures for such period as may be required by the laws of that party state. Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states.

B. The total amount of appropriation requests under any budget shall be apportioned among the party states. In making such apportionment, the commission shall devise and employ a formula which takes equitable account of the populations and per capita income levels of the party states.

C. The commission shall not pledge the credit of any party states. The commission may meet any of its obligations in whole or in part with funds available to it pursuant to Article III(G) of this compact, provided that the commission takes specific action setting aside such funds prior to incurring an obligation to be met in whole or in part in such manner. Except

where the commission makes use of funds available to it pursuant to Article III(G) thereof, the commission shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.

D. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established by its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant, and the report of the audit shall be included in and become part of the annual reports of the commission.

E. The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the party states and by any person authorized by the commission.

F. Nothing contained herein shall be construed to prevent commission compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

Article VIII Eligible Parties; Entry Into and Withdrawal

A. This compact shall have as eligible parties all states, territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. In respect of any such jurisdiction not having a governor, the term "governor", as used in this compact, shall mean the closest equivalent official of such jurisdiction.

B. Any state or other eligible jurisdiction may enter into this compact and it shall become binding thereon when it has adopted the same; provided that in order to enter into initial effect, adoption by at least ten eligible party jurisdictions shall be required.

C. Adoption of the compact may be either by enactment thereof or by adherence thereto by the governor; provided that in the absence of enactment, adherence by the governor shall be sufficient to make his state a party only until December 31, 1967. During any period when a state is participating in this compact through gubernatorial action, the governor shall appoint those persons who, in addition to himself, shall serve as the members of the commission from his state, and shall provide to the commission an equitable share of the financial support of the commission from any source available to him.

D. Except for a withdrawal effective on December 31, 1967 in accordance with paragraph C of this article, any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.

Article IX Construction and Severability

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States, or the application thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the state affected as to all severable matters."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Sifton, **House Amendment No. 5** was adopted.

Representative Long offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 455, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"160.545. 1. There is hereby established within the department of elementary and secondary education the "A+ Schools Program" to be administered by the commissioner of education. The program shall consist of grant awards made to public secondary schools that demonstrate a commitment to ensure that:

(1) All students be graduated from school;

(2) All students complete a selection of high school studies that is challenging and for which there are identified learning expectations; and

(3) All students proceed from high school graduation to a college or postsecondary vocational or technical school or high-wage job with work place skill development opportunities.

2. The state board of education shall promulgate rules and regulations for the approval of grants made under the program to schools that:

(1) Establish measurable districtwide performance standards for the goals of the program outlined in subsection 1 of this section; and

(2) Specify the knowledge, skills and competencies, in measurable terms, that students must demonstrate to successfully complete any individual course offered by the school, and any course of studies which will qualify a student for graduation from the school; and

(3) Do not offer a general track of courses that, upon completion, can lead to a high school diploma; and

(4) Require rigorous coursework with standards of competency in basic academic subjects for students pursuing vocational and technical education as prescribed by rule and regulation of the state board of education; and

(5) Have a partnership plan developed in cooperation and with the advice of local business persons, labor leaders, parents, and representatives of college and postsecondary vocational and technical school representatives, with the plan then approved by the local board of education. The plan shall specify a mechanism to receive information on an annual basis from those who developed the plan in addition to senior citizens, community leaders, and teachers to update the plan in order to best meet the goals of the program as provided in subsection 1 of this section. Further, the plan shall detail the procedures used in the school to identify students that may drop out of school and the intervention services to be used to meet the needs of such students. The plan shall outline counseling and mentoring services provided to students who will enter the work force upon graduation from high school, address apprenticeship and intern programs, and shall contain procedures for the recruitment of volunteers from the community of the school to serve in schools receiving program grants.

3. A school district may participate in the program irrespective of its accreditation classification by the state board of education, provided it meets all other requirements.

4. By rule and regulation, the state board of education may determine a local school district variable fund match requirement in order for a school or schools in the district to receive a grant under the program. However, no school in any district shall receive a grant under the program unless the district designates a salaried employee to serve as the program coordinator, with the district assuming a minimum of one-half the cost of the salary and other benefits provided to the coordinator. Further, no school in any district shall receive a grant under the program unless the district makes available facilities and services for adult literacy training as specified by rule of the state board of education.

5. For any school that meets the requirements for the approval of the grants authorized by this section and specified in subsection 2 of this section for three successive school years, by August first following the third such school year, the commissioner of education shall present a plan to the superintendent of the school district in which such school is located for the waiver of rules and regulations to promote flexibility in the operations of the school and to enhance and encourage efficiency in the delivery of instructional services in the school. The provisions of other law to the contrary notwithstanding, the plan presented to the superintendent shall provide a summary waiver, with no conditions, for the pupil testing requirements pursuant to section 160.257 in the school. Further, the provisions of other law to the contrary notwithstanding, the plan shall detail a means for the waiver of requirements otherwise imposed on the school related to the authority of the state board of education to classify school districts pursuant to subdivision (9) of section 161.092 and such other rules and regulations as determined by the commissioner of education, except such waivers shall be confined to the school and not other schools in the school district unless such other schools meet the requirements of this subsection. However, any waiver provided to any school as outlined in this subsection shall be void on June thirtieth of any school year in which the school fails to meet the requirements for the approval of the grants authorized by this section as specified in subsection 2 of this section.

6. For any school year, grants authorized by subsections 1 to 3 of this section shall be funded with the amount appropriated for this program, less those funds necessary to reimburse eligible students pursuant to subsection 7 of this section.

7. The commissioner of education shall, by rule and regulation of the state board of education and with the advice of the coordinating board for higher education, establish a procedure for the reimbursement of the cost of tuition, books and fees to any public community college or vocational or technical school or within the limits established in subsection 9 of this section for any two-year private vocational or technical school for any student:

(1) Who has attended a public high school in the state for at least three years immediately prior to graduation that meets the requirements of subsection 2 of this section, except that students who are active duty military dependents, and students who are dependants of retired military who relocate to Missouri within one year of the date of the parent's retirement from active duty, who, in the school year immediately preceding graduation, meet all other requirements of this subsection and are attending a school that meets the requirements of subsection 2 of this section shall be exempt from the three-year attendance requirement of this subdivision; and

(2) Who has made a good faith effort to first secure all available federal sources of funding that could be applied to the reimbursement described in this subsection; and

(3) Who has earned a minimal grade average while in high school as determined by rule of the state board of education, and other requirements for the reimbursement authorized by this subsection as determined by rule and regulation of said board.

8. **(1) Notwithstanding the provisions of subsection 7 of this section, the commissioner of education shall establish a process, with the advice of the commissioner of higher education, by which any student enrolled in a public high school in a district that has been declared unaccredited by the state board of education, who otherwise qualifies for reimbursement under subsection 7 of this section but whose high school does not qualify under subsection 2 of this section, may apply for and receive reimbursement under this section.**

(2) The commissioner of education shall designate school officers, such as but not limited to guidance counselors, who shall be authorized to validate a student's eligibility under this subsection.

(3) The commissioner of education shall monitor the accuracy of eligibility validation under this section and may, if ineligible students beyond a reasonable margin of error are validated, revoke an individual's authority to validate eligibility and may further require the school district to repay reimbursements made for ineligible students.

9. The commissioner of education shall develop a procedure for evaluating the effectiveness of the program described in this section. Such evaluation shall be conducted annually with the results of the evaluation provided to the governor, speaker of the house, and president pro tempore of the senate.

[9.**] 10.** For a two-year private vocational or technical school to obtain reimbursements under **[**subsection 7**] subsections 7 and 8** of this section, the following requirements shall be satisfied:

(1) Such two-year private vocational or technical school shall be a member of the North Central Association and be accredited by the Higher Learning Commission as of July 1, 2008, and maintain such accreditation;

(2) Such two-year private vocational or technical school shall be designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended;

(3) No two-year private vocational or technical school shall receive tuition reimbursements in excess of the tuition rate charged by a public community college for course work offered by the private vocational or technical school within the service area of such college; and

(4) The reimbursements provided to any two-year private vocational or technical school shall not violate the provisions of article IX, section 8, or article I, section 7, of the Missouri Constitution or the first amendment of the United States Constitution."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Long, **House Amendment No. 6** was adopted.

Representative Richardson offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 455, Page 12, Section 173.618, Line 9, by inserting after all of said section and line the following:

"177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Allen offered **House Amendment No. 1 to House Amendment No. 7**.

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Bill No. 455, Page 1, Line 17, by inserting after all of said line the following:

'Further amend said bill, Page 12, Section 173.618, Line 9, by inserting after all of said line the following:

"**Section 1. 1. No public institution of higher education, or campus thereof, political subdivision, quasi-governmental entity, or governmental entity shall operate the Sue Shear Institute for Women in Public Life, any successor entity to the Sue Shear Institute for Women in Public Life, or utilize public funds for any other institute that engages in political activity.**

2. Any taxpayer of this state or any member of the general assembly shall have standing to bring suit against the state of Missouri or any official, department, division, agency, board, commission, committee, council, political subdivision of this state, public officer, or quasi-governmental entity which is in violation of this section in any court with jurisdiction to enforce the provisions of this section.

Section B. Because immediate action is necessary to protect the financial well-being of vulnerable populations the repeal and reenactment of sections 42.300, 161.215, 313.835 and 407.489 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 42.300, 161.215, 313.835 and 407.489 of this act shall be in full force and effect upon its passage and approval."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HCS SB 455, as amended, with House Amendment No. 1 to House Amendment No. 7 and **House Amendment No. 7, pending**, was laid over.

SUPPLEMENTAL CALENDAR

MAY 7, 2012

SENATE BILLS FOR THIRD READING

SCS SB 715 - Day

On motion of Representative Jones (89), the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Jones (89).

HOUSE BILL WITH SENATE AMENDMENTS

SCS HB 1504, as amended, relating to sales taxes, was taken up by Representative Richardson.

On motion of Representative Richardson, **SCS HB 1504, as amended**, was adopted by the following vote:

AYES: 113

Allen	Atkins	Barnes	Berry	Black
Brandom	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McGeoghegan	McGhee	McManus
McNary	Montecillo	Nance	Neth	Nichols
Pace	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer
Shively	Shumake	Silvey	Smith 71	Solon
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 028

Anders	Asbury	Bahr	Brown 85	Carlson
Conway 14	Curtman	Dieckhaus	Fuhr	Kirkton
Koenig	Lasater	Leach	Marshall	McCreery
McDonald	McNeil	Morgan	Nasheed	Newman
Oxford	Parkinson	Quinn	Schieber	Schupp
Smith 150	Swearingen	Walton Gray		

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 021

Aull	Bernskoetter	Brattin	Brown 50	Carter
Day	Gatschenberger	Guernsey	Holsman	Hughes
Lauer	May	Meadows	Molendorp	Nolte
Pierson	Schneider	Schoeller	Sifton	Sommer
Wallingford				

On motion of Representative Richardson, **SCS HB 1504, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 112

Allen	Atkins	Barnes	Bernskoetter	Berry
Black	Brandom	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Crawford	Cross	Davis	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGeoghegan	McManus
McNary	Montecillo	Nance	Nasheed	Neth
Nichols	Pace	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieffer
Shively	Shumake	Silvey	Smith 71	Solon
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wright
Zerr	Mr Speaker			

NOES: 029

Anders	Asbury	Bahr	Brown 85	Carlson
Conway 14	Curtman	Dieckhaus	Fuhr	Kirkton
Koenig	Lasater	Leach	Marshall	McCreery
McDonald	McNeil	Morgan	Newman	Oxford
Parkinson	Quinn	Schieber	Schupp	Smith 150
Sommer	Walton Gray	Wieland	Wyatt	

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 021

Aull	Brattin	Brown 50	Carter	Cox
Day	Guernsey	Holsman	Hughes	Lauer
May	McGhee	Meadows	Molendorp	Nolte
Pierson	Sater	Schneider	Schoeller	Sifton
Swearingen				

Representative Jones (89) declared the bill passed.

THIRD READING OF SENATE BILL

HCS SB 455, as amended, with House Amendment No. 1 to House Amendment No. 7 and **House Amendment No. 7, pending**, relating to the Board of Higher Education, was again taken up by Representative Thomson.

Representative Zerr assumed the Chair.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 011

Aull	Brown 50	Diehl	Holsman	Hughes
Lauer	Meadows	Molendorp	Nolte	Schneider
Silvey				

On motion of Representative Allen, **House Amendment No. 1 to House Amendment No. 7** was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	Nance	Neth	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 059

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Gosen	Harris	Hodges	Hough
Hubbard	Hummel	Jones 63	Jones 117	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Sater	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber	Weter	

PRESENT: 000

ABSENT WITH LEAVE: 011

Aull	Brown 50	Diehl	Holsman	Hughes
Lauer	Meadows	Molendorp	Nolte	Schneider
Silvey				

On motion of Representative Richardson, **House Amendment No. 7, as amended**, was adopted.

On motion of Representative Thomson, **HCS SB 455, as amended**, was adopted.

On motion of Representative Thomson, **HCS SB 455, as amended**, was read the third time and passed by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schoeller	Shumake
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 056

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	Lasater	Leach	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Brown 50	Day	Diehl	Holsman
Hughes	Lauer	Meadows	Molendorp	Nolte
Schneider	Silvey			

Representative Zerr declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 054

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	Lasater	Marshall	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Brown 50	Day	Diehl	Flanigan
Holsman	Hughes	Lauer	Meadows	Molendorp
Nolte	Schneider	Silvey		

Speaker Tilley resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SB 564: Representatives Davis, Day, Long, Meadows and Fallert
HCS SCS SB 569: Representatives Dugger, Smith (150), Neth, Fallert and Conway (27)
SB 611: Representatives Stream, Silvey, Flanigan, Kelly (24) and Lampe
SS SCS SB 719: Representatives Brown (116), Jones (117), Ruzicka, Meadows and McDonald

THIRD READING OF SENATE BILL

HCS SS SCS SB 470, relating to transportation, was taken up by Representative Burlison.

Representative Burlison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Pages 2 through 6, Section 260.392, by deleting said section and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each **[**cask transported**]** **truck transporting** through or within the state **[**by truck of**]** high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All **[**casks**]** **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments **[**transported by truck**]** are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering

the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Keeney assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 050

Anders	Atkins	Black	Carlson	Carter
Casey	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Brattin	Brown 50	Colona	Day
Funderburk	Holsman	Hoskins	Hughes	Kratky
Lauer	McGhee	Meadows	Nolte	Wyatt

On motion of Representative Burlison, **House Amendment No. 1** was adopted.

Representative Silvey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 6, Section 260.392, Line 143, by inserting after said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. **[**Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the

motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5.**] The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase.** The temporary permit **[**shall be made available by the director of revenue and**] authorized under this section** may be purchased **by the purchaser of a motor vehicle or trailer** from the **central office of the** department of revenue **or from an authorized agent of the department of revenue** upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a **motor vehicle** dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer**, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates**. The director **[**shall**] of the department of revenue or a producer authorized by the director of the department of revenue may** make temporary permits available to registered dealers in this state **[**or**],** authorized agents of the department of revenue **[**in sets of ten permits**] or the department of revenue**. The **[**fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued**] price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190**. No **motor vehicle** dealer **[**or**],** authorized agent **or the department of revenue** shall charge more than **[**seven dollars and fifty cents**] five dollars** for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a **motor vehicle** dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. **Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.**

[6.**] 5.** The permit shall be issued on a form prescribed by the director **of the department of revenue** and issued only for the applicant's **[**use in the**] temporary** operation of the motor vehicle or trailer purchased to enable the applicant to **[**legally**] temporarily** operate the **motor** vehicle while proper title and registration **[**plate**] plates** are being obtained**, or while awaiting receipt of registration plates**, and shall be displayed on no other **motor** vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director **of the department of revenue** shall determine the size **[**and**], material, design,** numbering configuration, construction, and color of the permit. **The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.**

[7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit.**]**

6. Every **motor vehicle** dealer that issues **[**a**]** temporary **[**permit**] permits** shall keep, for inspection **[**of**] by** proper officers, **[**a correct**] an accurate** record of each permit issued by recording the permit **[**or plate**]** number, **the motor vehicle dealer's number,** buyer's name and address, **the motor vehicle's** year, make, **and** manufacturer's vehicle identification number **[**on which the permit is to be used**]**, and the **permit's** date of issuance **and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information**

associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri.

[8.**] 7.** Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of **motor** vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

9. The provisions of this section shall become effective no later than July 1, 2013."; and

Further amend the title, enacting clause and intersectional references accordingly.

Representative Tilley offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 4, Line 10, by inserting after all of said line, the following:

' "**8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.**"; and

Further amend said section by renumbering said section accordingly; and

Further amend said amendment, Page 4, Lines 19-20, by deleting all of said lines and inserting in lieu thereof the following:

"**void.**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Webber raised a point of order that **House Amendment No. 1 to House Amendment No. 2** is dilatory.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Tilley, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Wells offered **House Amendment No. 2 to House Amendment No. 2**.

Representative Silvey raised a point of order that **House Amendment No. 2 to House Amendment No. 2** is dilatory, amends previously amended material, is not germane and goes beyond the scope of the bill.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the fourth point of order well taken.

On motion of Representative Silvey, **House Amendment No. 2, as amended**, was adopted.

Representative Burlison offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 15, Section 302.768, Line 56, by inserting after all of said section and line the following:

"303.200. After consultation with insurance companies authorized to issue automobile liability policies in this state, the director of the department of insurance, financial institutions and professional registration shall approve a reasonable plan or plans for the equitable apportionment among such companies of applicants for such policies and for motor vehicle liability policies who are in good faith entitled to but are unable to procure such policies through ordinary methods. When any such plan has been approved, all such insurance companies shall subscribe thereto and participate therein. **Any such plan shall contract with an entity or entities to accept and service applicants and policies for any company that does not elect to accept and service applicants and policies. By October 1 of each year any company that elects to accept and service applicants and policies for the next calendar year for any such plan shall so notify the plan. Any company that does not so notify a plan shall be excused from accepting and servicing applicants and policies for the next calendar year for such plan and shall pay a fee to the plan or servicing entity for providing such services. The fee shall be based on the company's market share on the kinds of insurance offered by the plan.** Any applicant for any such policy, any person insured under any such plan, and any insurance company affected, may appeal to the director from any ruling or decision of the manager or committee designated to operate such plan. Any person aggrieved hereunder by any order or act of the director may, within ten days after notice thereof, file a petition in the circuit court of the county of Cole for a review thereof. The court shall summarily hear the petition and may make any appropriate order or decree."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 3** was adopted.

Representative Riddle offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"144.030. 1. There is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525 such retail sales as may be made in commerce between this state and any other state of the United States, or between this state and any foreign country, and any retail sale which the state of Missouri is prohibited from taxing pursuant to the Constitution or laws of the United States of America, and such retail sales of tangible personal property which the general assembly of the state of Missouri is prohibited from taxing or further taxing by the constitution of this state.

2. There are also specifically exempted from the provisions of the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.761 and from the computation of the tax levied,

assessed or payable pursuant to the local sales tax law as defined in section 32.085, section 238.235, and sections 144.010 to 144.525 and 144.600 to 144.745:

(1) Motor fuel or special fuel subject to an excise tax of this state, unless all or part of such excise tax is refunded pursuant to section 142.824; or upon the sale at retail of fuel to be consumed in manufacturing or creating gas, power, steam, electrical current or in furnishing water to be sold ultimately at retail; or feed for livestock or poultry; or grain to be converted into foodstuffs which are to be sold ultimately in processed form at retail; or seed, limestone or fertilizer which is to be used for seeding, liming or fertilizing crops which when harvested will be sold at retail or will be fed to livestock or poultry to be sold ultimately in processed form at retail; economic poisons registered pursuant to the provisions of the Missouri pesticide registration law (sections 281.220 to 281.310) which are to be used in connection with the growth or production of crops, fruit trees or orchards applied before, during, or after planting, the crop of which when harvested will be sold at retail or will be converted into foodstuffs which are to be sold ultimately in processed form at retail;

(2) Materials, manufactured goods, machinery and parts which when used in manufacturing, processing, compounding, mining, producing or fabricating become a component part or ingredient of the new personal property resulting from such manufacturing, processing, compounding, mining, producing or fabricating and which new personal property is intended to be sold ultimately for final use or consumption; and materials, including without limitation, gases and manufactured goods, including without limitation slagging materials and firebrick, which are ultimately consumed in the manufacturing process by blending, reacting or interacting with or by becoming, in whole or in part, component parts or ingredients of steel products intended to be sold ultimately for final use or consumption;

(3) Materials, replacement parts and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of, motor vehicles, watercraft, railroad rolling stock or aircraft engaged as common carriers of persons or property;

(4) **Motor vehicles registered in excess of fifty-four thousand pounds, and the trailers pulled by such motor vehicles, that are actually used in the normal course of business to haul property on the public highways of the state, and that are capable of hauling loads commensurate with the motor vehicle's registered weight; and the materials, replacement parts, and equipment purchased for use directly upon, and for the repair and maintenance or manufacture of such vehicles. For purposes of this subsection "motor vehicle" and "public highway" shall have the meaning as ascribed in section 390.020;**

(5) Replacement machinery, equipment, and parts and the materials and supplies solely required for the installation or construction of such replacement machinery, equipment, and parts, used directly in manufacturing, mining, fabricating or producing a product which is intended to be sold ultimately for final use or consumption; and machinery and equipment, and the materials and supplies required solely for the operation, installation or construction of such machinery and equipment, purchased and used to establish new, or to replace or expand existing, material recovery processing plants in this state. For the purposes of this subdivision, a "material recovery processing plant" means a facility that has as its primary purpose the recovery of materials into a useable product or a different form which is used in producing a new product and shall include a facility or equipment which are used exclusively for the collection of recovered materials for delivery to a material recovery processing plant but shall not include motor vehicles used on highways. For purposes of this section, the terms motor vehicle and highway shall have the same meaning pursuant to section 301.010. Material recovery is not the reuse of materials within a manufacturing process or the use of a product previously recovered. The material recovery processing plant shall qualify under the provisions of this section regardless of ownership of the material being recovered;

[(5)**] (6)** Machinery and equipment, and parts and the materials and supplies solely required for the installation or construction of such machinery and equipment, purchased and used to establish new or to expand existing manufacturing, mining or fabricating plants in the state**, including any titled manufacturing or mining equipment,** if such machinery and equipment is used directly in manufacturing, mining or fabricating a product which is intended to be sold ultimately for final use or consumption;

[(6)**] (7)** Tangible personal property which is used exclusively in the manufacturing, processing, modification or assembling of products sold to the United States government or to any agency of the United States government;

[(7)**] (8)** Animals or poultry used for breeding or feeding purposes, or captive wildlife;

[(8)**] (9)** Newsprint, ink, computers, photosensitive paper and film, toner, printing plates and other machinery, equipment, replacement parts and supplies used in producing newspapers published for dissemination of news to the general public;

[(9)**] (10)** The rentals of films, records or any type of sound or picture transcriptions for public commercial display;

[(10)**] (11)** Pumping machinery and equipment used to propel products delivered by pipelines engaged as common carriers;

[(11)**] (12)** Railroad rolling stock for use in transporting persons or property in interstate commerce and motor vehicles licensed for a gross weight of twenty-four thousand pounds or more or trailers used by common carriers, as defined in section 390.020, in the transportation of persons or property;

[(12)**] (13)** Electrical energy used in the actual primary manufacture, processing, compounding, mining or producing of a product, or electrical energy used in the actual secondary processing or fabricating of the product, or a material recovery processing plant as defined in subdivision (4) of this subsection, in facilities owned or leased by the taxpayer, if the total cost of electrical energy so used exceeds ten percent of the total cost of production, either primary or secondary, exclusive of the cost of electrical energy so used or if the raw materials used in such processing contain at least twenty-five percent recovered materials as defined in section 260.200. There shall be a rebuttable presumption that the raw materials used in the primary manufacture of automobiles contain at least twenty-five percent recovered materials. For purposes of this subdivision, "processing" means any mode of treatment, act or series of acts performed upon materials to transform and reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

[(13)**] (14)** Anodes which are used or consumed in manufacturing, processing, compounding, mining, producing or fabricating and which have a useful life of less than one year;

[(14)**] (15)** Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring air pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

[(15)**] (16)** Machinery, equipment, appliances and devices purchased or leased and used solely for the purpose of preventing, abating or monitoring water pollution, and materials and supplies solely required for the installation, construction or reconstruction of such machinery, equipment, appliances and devices;

[(16)**] (17)** Tangible personal property purchased by a rural water district;

[(17)**] (18)** All amounts paid or charged for admission or participation or other fees paid by or other charges to individuals in or for any place of amusement, entertainment or recreation, games or athletic events, including museums, fairs, zoos and planetariums, owned or operated by a municipality or other political subdivision where all the proceeds derived therefrom benefit the municipality or other political subdivision and do not inure to any private person, firm, or corporation;

[(18)**] (19)** All sales of insulin and prosthetic or orthopedic devices as defined on January 1, 1980, by the federal Medicare program pursuant to Title XVIII of the Social Security Act of 1965, including the items specified in Section 1862(a)(12) of that act, and also specifically including hearing aids and hearing aid supplies and all sales of drugs which may be legally dispensed by a licensed pharmacist only upon a lawful prescription of a practitioner licensed to administer those items, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples and all sales or rental of medical oxygen, home respiratory equipment and accessories, hospital beds and accessories and ambulatory aids, all sales or rental of manual and powered wheelchairs, stairway lifts, Braille writers, electronic Braille equipment and, if purchased or rented by or on behalf of a person with one or more physical or mental disabilities to enable them to function more independently, all sales or rental of scooters, reading machines, electronic print enlargers and magnifiers, electronic alternative and augmentative communication devices, and items used solely to modify motor vehicles to permit the use of such motor vehicles by individuals with disabilities or sales of over-the-counter or nonprescription drugs to individuals with disabilities, and drugs required by the Food and Drug Administration to meet the over-the-counter drug product labeling requirements in 21 CFR 201.66, or its successor, as prescribed by a health care practitioner licensed to prescribe;

[(19)**] (20)** All sales made by or to religious and charitable organizations and institutions in their religious, charitable or educational functions and activities and all sales made by or to all elementary and secondary schools operated at public expense in their educational functions and activities;

[(20)**] (21)** All sales of aircraft to common carriers for storage or for use in interstate commerce and all sales made by or to not-for-profit civic, social, service or fraternal organizations, including fraternal organizations which have been declared tax-exempt organizations pursuant to Section 501(c)(8) or (10) of the 1986 Internal Revenue Code, as amended, in their civic or charitable functions and activities and all sales made to eleemosynary and penal institutions and industries of the state, and all sales made to any private not-for-profit institution of higher education not otherwise excluded pursuant to subdivision (19) of this subsection or any institution of higher education supported by public funds, and all sales made to a state relief agency in the exercise of relief functions and activities;

[(21)**] (22)** All ticket sales made by benevolent, scientific and educational associations which are formed to foster, encourage, and promote progress and improvement in the science of agriculture and in the raising and breeding of animals, and by nonprofit summer theater organizations if such organizations are exempt from federal tax pursuant to the provisions of the Internal Revenue Code and all admission charges and entry fees to the Missouri state fair or any fair conducted by a county agricultural and mechanical society organized and operated pursuant to sections 262.290 to 262.530;

[(22)**] (23)** All sales made to any private not-for-profit elementary or secondary school, all sales of feed additives, medications or vaccines administered to livestock or poultry in the production of food or fiber, all sales of pesticides used in the production of crops, livestock or poultry for food or fiber, all sales of bedding used in the production of livestock or

poultry for food or fiber, all sales of propane or natural gas, electricity or diesel fuel used exclusively for drying agricultural crops, natural gas used in the primary manufacture or processing of fuel ethanol as defined in section 142.028, natural gas, propane, and electricity used by an eligible new generation cooperative or an eligible new generation processing entity as defined in section 348.432, and all sales of farm machinery and equipment, other than airplanes, motor vehicles and trailers, and any freight charges on any exempt item. As used in this subdivision, the term "feed additives" means tangible personal property which, when mixed with feed for livestock or poultry, is to be used in the feeding of livestock or poultry. As used in this subdivision, the term "pesticides" includes adjuvants such as crop oils, surfactants, wetting agents and other assorted pesticide carriers used to improve or enhance the effect of a pesticide and the foam used to mark the application of pesticides and herbicides for the production of crops, livestock or poultry. As used in this subdivision, the term "farm machinery and equipment" means new or used farm tractors and such other new or used farm machinery and equipment and repair or replacement parts thereon and any accessories for and upgrades to such farm machinery and equipment, rotary mowers used exclusively for agricultural purposes, and supplies and lubricants used exclusively, solely, and directly for producing crops, raising and feeding livestock, fish, poultry, pheasants, chukar, quail, or for producing milk for ultimate sale at retail, including field drain tile, and one-half of each purchaser's purchase of diesel fuel therefor which is:

(a) Used exclusively for agricultural purposes;

(b) Used on land owned or leased for the purpose of producing farm products; and

(c) Used directly in producing farm products to be sold ultimately in processed form or otherwise at retail or in producing farm products to be fed to livestock or poultry to be sold ultimately in processed form at retail;

[(23)**]** **(24)** Except as otherwise provided in section 144.032, all sales of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil for domestic use and in any city not within a county, all sales of metered or unmetered water service for domestic use:

(a) "Domestic use" means that portion of metered water service, electricity, electrical current, natural, artificial or propane gas, wood, coal or home heating oil, and in any city not within a county, metered or unmetered water service, which an individual occupant of a residential premises uses for nonbusiness, noncommercial or nonindustrial purposes. Utility service through a single or master meter for residential apartments or condominiums, including service for common areas and facilities and vacant units, shall be deemed to be for domestic use. Each seller shall establish and maintain a system whereby individual purchases are determined as exempt or nonexempt;

(b) Regulated utility sellers shall determine whether individual purchases are exempt or nonexempt based upon the seller's utility service rate classifications as contained in tariffs on file with and approved by the Missouri public service commission. Sales and purchases made pursuant to the rate classification "residential" and sales to and purchases made by or on behalf of the occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, shall be considered as sales made for domestic use and such sales shall be exempt from sales tax. Sellers shall charge sales tax upon the entire amount of purchases classified as nondomestic use. The seller's utility service rate classification and the provision of service thereunder shall be conclusive as to whether or not the utility must charge sales tax;

(c) Each person making domestic use purchases of services or property and who uses any portion of the services or property so purchased for a nondomestic use shall, by the fifteenth day of the fourth month following the year of purchase, and without assessment, notice or demand, file a return and pay sales tax on that portion of nondomestic purchases. Each person making nondomestic purchases of services or property and who uses any portion of the services or property so purchased for domestic use, and each person making domestic purchases on behalf of occupants of residential apartments or condominiums through a single or master meter, including service for common areas and facilities and vacant units, under a nonresidential utility service rate classification may, between the first day of the first month and the fifteenth day of the fourth month following the year of purchase, apply for credit or refund to the director of revenue and the director shall give credit or make refund for taxes paid on the domestic use portion of the purchase. The person making such purchases on behalf of occupants of residential apartments or condominiums shall have standing to apply to the director of revenue for such credit or refund;

[(24)**]** **(25)** All sales of handicraft items made by the seller or the seller's spouse if the seller or the seller's spouse is at least sixty-five years of age, and if the total gross proceeds from such sales do not constitute a majority of the annual gross income of the seller;

[(25)**]** **(26)** Excise taxes, collected on sales at retail, imposed by Sections 4041, 4061, 4071, 4081, 4091, 4161, 4181, 4251, 4261 and 4271 of Title 26, United States Code. The director of revenue shall promulgate rules pursuant to chapter 536 to eliminate all state and local sales taxes on such excise taxes;

[(26)**]** **(27)** Sales of fuel consumed or used in the operation of ships, barges, or waterborne vessels which are used primarily in or for the transportation of property or cargo, or the conveyance of persons for hire, on navigable rivers bordering on or located in part in this state, if such fuel is delivered by the seller to the purchaser's barge, ship, or waterborne vessel while it is afloat upon such river;

[(27)**] (28)** All sales made to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100 in the exercise of the functions and activities of such agency as provided pursuant to the compact;

[(28)**] (29)** Computers, computer software and computer security systems purchased for use by architectural or engineering firms headquartered in this state. For the purposes of this subdivision, "headquartered in this state" means the office for the administrative management of at least four integrated facilities operated by the taxpayer is located in the state of Missouri;

[(29)**] (30)** All livestock sales when either the seller is engaged in the growing, producing or feeding of such livestock, or the seller is engaged in the business of buying and selling, bartering or leasing of such livestock;

[(30)**] (31)** All sales of barges which are to be used primarily in the transportation of property or cargo on interstate waterways;

[(31)**] (32)** Electrical energy or gas, whether natural, artificial or propane, water, or other utilities which are ultimately consumed in connection with the manufacturing of cellular glass products or in any material recovery processing plant as defined in subdivision (4) of this subsection;

[(32)**] (33)** Notwithstanding other provisions of law to the contrary, all sales of pesticides or herbicides used in the production of crops, aquaculture, livestock or poultry;

[(33)**] (34)** Tangible personal property and utilities purchased for use or consumption directly or exclusively in the research and development of agricultural/biotechnology and plant genomics products and prescription pharmaceuticals consumed by humans or animals;

[(34)**] (35)** All sales of grain bins for storage of grain for resale;

[(35)**] (36)** All sales of feed which are developed for and used in the feeding of pets owned by a commercial breeder when such sales are made to a commercial breeder, as defined in section 273.325, and licensed pursuant to sections 273.325 to 273.357;

[(36)**] (37)** All purchases by a contractor on behalf of an entity located in another state, provided that the entity is authorized to issue a certificate of exemption for purchases to a contractor under the provisions of that state's laws. For purposes of this subdivision, the term "certificate of exemption" shall mean any document evidencing that the entity is exempt from sales and use taxes on purchases pursuant to the laws of the state in which the entity is located. Any contractor making purchases on behalf of such entity shall maintain a copy of the entity's exemption certificate as evidence of the exemption. If the exemption certificate issued by the exempt entity to the contractor is later determined by the director of revenue to be invalid for any reason and the contractor has accepted the certificate in good faith, neither the contractor or the exempt entity shall be liable for the payment of any taxes, interest and penalty due as the result of use of the invalid exemption certificate. Materials shall be exempt from all state and local sales and use taxes when purchased by a contractor for the purpose of fabricating tangible personal property which is used in fulfilling a contract for the purpose of constructing, repairing or remodeling facilities for the following:

(a) An exempt entity located in this state, if the entity is one of those entities able to issue project exemption certificates in accordance with the provisions of section 144.062; or

(b) An exempt entity located outside the state if the exempt entity is authorized to issue an exemption certificate to contractors in accordance with the provisions of that state's law and the applicable provisions of this section;

[(37)**] (38)** All sales or other transfers of tangible personal property to a lessor who leases the property under a lease of one year or longer executed or in effect at the time of the sale or other transfer to an interstate compact agency created pursuant to sections 70.370 to 70.441 or sections 238.010 to 238.100;

[(38)**] (39)** Sales of tickets to any collegiate athletic championship event that is held in a facility owned or operated by a governmental authority or commission, a quasi-governmental agency, a state university or college or by the state or any political subdivision thereof, including a municipality, and that is played on a neutral site and may reasonably be played at a site located outside the state of Missouri. For purposes of this subdivision, "neutral site" means any site that is not located on the campus of a conference member institution participating in the event;

[(39)**] (40)** All purchases by a sports complex authority created under section 64.920, and all sales of utilities by such authority at the authority's cost that are consumed in connection with the operation of a sports complex leased to a professional sports team;

[(40)**] (41)** Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories;

[(41)**] (42)** Sales of sporting clays, wobble, skeet, and trap targets to any shooting range or similar places of business for use in the normal course of business and money received by a shooting range or similar places of business from patrons and held by a shooting range or similar place of business for redistribution to patrons at the conclusion of a shooting event.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Riddle, **House Amendment No. 4** was adopted.

Representative Guernsey offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 6, Section 260.392, Line 143, by inserting after all of said section and line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is **[**sixty**]** **sixty-four** inches or less in width, with an unladen dry weight of **[**one**]** **two** thousand **[**eight hundred fifty**]** pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before

it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, Page 17, Section 304.022, Line 67, by inserting after all of said section and line the following:

"**304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:**

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guernsey, **House Amendment No. 5** was adopted.

Representative Schieffer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 6, Section 260.392, Line 143, by inserting immediately after said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant

to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 5 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 5 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieffer, **House Amendment No. 6** was adopted.

Representative Denison offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 18 through 20, Section 304.154, Line 1 through 62, by deleting all of said section and inserting in lieu thereof the following:

"304.154. 1. Beginning **[**January 1, 2005**]** **August 28, 2012**, a towing company operating a tow truck **[**pursuant to the authority granted in section 304.155 or 304.157 shall**]** **as defined in section 301.010 shall be licensed by the division of professional registration as provided in subsection 2 of this section and**:

(1) Have and occupy a verifiable business address **and display such address in a location visible from the street**;

(2) Have a fenced, secure, and lighted storage lot or an enclosed, secure building for the storage of motor vehicles**, with a total area for storing vehicles, either inside or outside, of at least two thousand square feet, and fencing a minimum of six feet high**;

(3) **Maintain regular business hours for the business office of 8:00 a.m. to 5:00 p.m., Monday through Friday, for customers or their authorized agent to view and retrieve vehicles, with no additional fees charged to view or retrieve a vehicle during these regular business hours;**

(4) Be available twenty-four hours a day, seven days a week. Availability shall mean that an employee of the towing company or an answering service answered by a person is able to respond to a tow request;

(5) Have and maintain a phone number which is published in the local phone book and accessible through directory assistance;

[(4)**] (6)** Maintain a valid insurance policy issued by an insurer authorized to do business in this state, or a bond or other acceptable surety providing coverage for the death of, or injury to, persons and damage to property for each accident or occurrence in the amount **[**of at least five hundred thousand dollars per incident**] prescribed by the United States Department of Transportation**;

(7) Maintain liability insurance as follows: garage coverage liability of one million dollars per occurrence with an aggregate of two million dollars or greater, garage keeper policy with a fifty thousand dollar minimum, and hook and cargo insurance with a one hundred fifty thousand dollar minimum;

[(5)**] (8)** Provide workers' compensation insurance for all employees of the towing company if required by chapter 287; **[**and**]**

[(6)**] (9)** Maintain current motor vehicle registrations on all tow trucks currently operated within the towing company fleet**;**

(10) Provide a twenty-five thousand dollar surety bond by a company licensed to do business in the state, or provide an irrevocable letter of credit from a financial institution licensed to do business in the state; and

(11) Require tow drivers to be certified by the Towing and Recovery Association of America (TRAA), or any state or federally funded program, as follows:

(a) Beginning August 28, 2013, light-duty operators shall have at least TRAA Level 1 Certification or equivalent;

(b) Beginning March 1, 2014, medium-duty operators shall have at least TRAA Level 2 Certification or equivalent; and

(c) Beginning August 28, 2014, there shall be at least one TRAA Level 3 certified operator per company engaged in heavy-duty towing. Anyone who provides a five-year employment history with a towing or wrecking service shall be exempt from the provisions of this subdivision.

2. **Notwithstanding any other law, in order to operate a towing or wrecker service within this state, operators shall be licensed by the division of professional registration. Applicants for licensure shall provide proof of compliance with requirements of subsection 1 of this section to the division and upon presentation of satisfactory proof shall be granted documentation issued by the division indicating that the towing or wrecker service has met state licensing requirements. Local governmental entities shall not contract with any towing or wrecker service not licensed with the division under this section. The provisions of this section may be enforced by local law enforcement and the highway patrol.**

3. The director of the division of professional registration may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

4. Counties may adopt ordinances with respect to towing company standards in addition to the minimum standards contained in this section. A towing company located in a county of the second, third, and fourth classification is exempt from the provisions of this section.

5. A towing or wrecker service licensed by the state under this section shall not be required to pay a duplicative fee, or obtain a duplicative permit or license under Section 301.344."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kelley (126) offered **House Amendment No. 1 to House Amendment No. 7**.

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 3, Line 23, by inserting after all of said line the following:

'Further amend said bill, Page 23, Section 304.180, Line 128, by inserting after all of said line the following:

"**11. Notwithstanding any provision of this section or any other law to the contrary, the department of transportation shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The department of transportation shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelley (126), **House Amendment No. 1 to House Amendment No. 7** was adopted.

Representative Brown (116) offered **House Amendment No. 2 to House Amendment No. 7**.

House Amendment No. 2 to House Amendment No. 7 was withdrawn.

Representative Black offered **House Amendment No. 3 to House Amendment No. 7**.

House Amendment No. 3
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 3, Line 23, by inserting after said line the following:

'Further amend said bill, Page 8, Section 302.341, Line 25, by inserting after said line the following:

"**The provisions of this subsection shall not apply to revocations resulting from an alcohol related offense.**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Lasater	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 047

Atkins	Black	Carlson	Casey	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 001

Nasheed

ABSENT WITH LEAVE: 015

Anders	Aull	Brattin	Brown 50	Carter
Colona	Day	Holsman	Hughes	Largent
Lauer	Meadows	Nolte	Webb	Wyatt

On motion of Representative Black, **House Amendment No. 3 to House Amendment No. 7** was adopted.

On motion of Representative Denison, **House Amendment No. 7, as amended**, was adopted.

Representative Wright offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 7, Section 301.147, Line 29, by inserting after all of said section and line the following:

"**301.580. 1. The department of revenue may issue special event motor vehicle auction licenses under the provisions of this section. For purposes of this section, a "special event motor vehicle auction" is a motor vehicle auction which:**

(1) Ninety percent of the vehicles being auctioned are at least ten years old or older;

(2) The licensee shall auction no more than three percent of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners; and

(3) The duration is no more than three consecutive calendar days and is held no more than three times in a calendar year by a licensee.

2. A special event motor vehicle auction shall be considered a public motor vehicle auction for purposes of sections 301.559 and 301.564.

3. Special event motor vehicle auction licensees shall be exempt from the requirements of section 301.560, with the exception of subdivision (4) of subsection 1 of section 301.560.

4. An application for a special event motor vehicle auction license must be received by the department at least ninety days prior to the beginning of the special event auction.

5. Applicants for a special motor vehicle auction are limited to no more than three special event auctions in any calendar year. A separate application is required for each special event motor vehicle auction.

6. At least ninety percent of the vehicles being auctioned at a special event motor vehicle auction shall be ten years old or older. The licensee shall, within ten days of the conclusion of a special event motor vehicle auction, submit a report in the form approved by the director to the department that includes the make, model, year, and vehicle identification number of each vehicle included in the auction. Every vehicle included in the special event auction shall be listed, including those vehicles that were auctioned and sold and those vehicles that were auctioned but did not sell. Violation of this subsection is a class A misdemeanor.

7. The applicant for the special event motor vehicle auction shall be responsible for ensuring that a sales tax license or special event sales tax license is obtained for the event if one is required.

8. The fee for a special event motor vehicle auction license shall be one thousand dollars. For every vehicle auctioned in violation of subsection 6 of this section, an administrative fee of five hundred dollars shall be paid to the department. Such fees shall be deposited in like manner as other license fees of this section.

9. In addition to the causes set forth in section 301.562, the department may promulgate rules that establish additional causes to refuse to issue or to revoke a special event license.

10. A special motor vehicle auction shall last no more than three consecutive days.

11. The applicant for a special event motor vehicle auction shall be registered to conduct business in this state.

12. Every applicant for a special event motor vehicle auction license shall furnish with the application a corporate surety bond or an irrevocable letter of credit as defined in section 400.5-102 issued by any state or federal financial institution in the penal sum of one hundred thousand dollars on a form approved by the department. The bond or irrevocable letter of credit shall be conditioned upon the applicant complying with the provisions of the statutes applicable to a special event auction license holder and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the revocation or denial of a special event auction license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary. The aggregate liability of the surety or financial institution to the aggrieved parties shall not exceed the amount of the bond or irrevocable letter of credit. The proceeds of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party.

13. No dealer, driveaway, auction, or wholesale plates, or temporary permit booklets, shall be issued in conjunction with a special event motor vehicle auction license.

14. Any person or entity who sells a vehicle at a special event motor vehicle auction shall provide, to the buyer, current contact information including, but not limited to, name, address, and telephone number.

15. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the

powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wright, **House Amendment No. 8** was adopted.

Representative Schad offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 25, Section 304.190, Line 57, by inserting after all of said section and line, the following:

"**304.890. As used in sections 304.890 to 304.894, the term "active emergency zone" is defined as any area upon or around any highway as defined in section 302.010 which is visibly marked by emergency personnel performing work for the purpose of emergency response as an area where an active emergency or incident removal, is temporarily occurring. The term "active emergency zone" also includes the lanes of highway leading up to the area upon which an activity described in this subsection is being performed, beginning at the point where appropriate signs or traffic control devices are posted or placed. As used in sections 304.890 to 304.894, the term "active emergency" means any incident occurring on a public highway or the right-of-way of a public highway that requires emergency services from police or highway patrol officers, firefighters, first responders, emergency medical workers, tow truck operators, or other emergency personnel. The terms "emergency personnel" or "emergency responder" as used in sections 304.890 to 304.894 shall mean any police officer, firefighter, highway patrol officer, first responder, emergency medical worker, tow truck operator or other emergency personnel responding to an emergency on a public highway or the right-of-way of a public highway.**

304.892. 1. Upon the first conviction or plea of guilty by any person for a moving violation as defined in section 302.010 or any offense listed in section 302.302, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized to be imposed by law, if the offense occurred within an active emergency zone. Upon a second or subsequent such conviction or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized to be imposed by law.

2. Upon the first conviction or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 4 of this section, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law if the offense occurred within an active emergency zone and at the time the speeding or passing violation occurred there were any emergency personnel or emergency responders in such zone. Upon a second or subsequent such conviction or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section, and no person shall be assessed an additional fine under this subsection if the area is not visibly marked by emergency personnel under subsection 3 of this section.

3. The penalty authorized by subsection 2 of this section shall only be assessed by the court if the emergency personnel or emergency responder has visibly marked the active emergency zone.

4. The driver of a motor vehicle may not overtake or pass another motor vehicle within an active emergency zone as provided in this subsection. Violation of this subsection is a class C misdemeanor.

5. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person shall be deemed to commit the offense of endangerment of emergency personnel or emergency responder upon conviction for any of the following when the offense occurs within an active emergency zone, as defined in section 304.890:

(1) Exceeding the posted speed limit by fifteen miles per hour or more;

(2) Passing in violation of subsection 4 of section 304.892;

(3) Failure to stop for an active emergency zone flagman or emergency personnel, or failure to obey traffic control devices erected or personnel posted in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;

(4) Driving through or around an active emergency zone by any lane not clearly designated to motorists for the flow of traffic through or around the active emergency zone;

(5) Physically assaulting, or attempting to assault, or threatening to assault an emergency responder in an active emergency zone, with a motor vehicle or other instrument;

(6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists in the active emergency zone for a reason other than avoidance of an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or

(7) Committing any of the following offenses for which points may be assessed under section 302.302:

(a) Leaving the scene of an accident in violation of section 577.060;

(b) Careless and imprudent driving in violation of subsection 4 of section 304.016;

(c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;

(d) Operating with a suspended or revoked license in violation of section 302.321;

(e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content in violation of sections 577.010 and 577.012;

(f) Any felony involving the use of a motor vehicle.

2. Upon conviction or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section if no injury or death to an emergency responder resulted from the offense, in addition to any other penalty authorized by law, the person shall be subject to a fine of not more than one thousand dollars and shall have four points assessed to his or her driver's license under section 302.302.

3. A person shall be deemed to commit the offense of aggravated endangerment of an emergency responder upon conviction or a plea of guilty for any offense under subsection 1 of this section when such offense occurs in an active emergency zone as defined in section 304.890 and results in the injury or death of an emergency responder. Upon conviction or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the person shall be subject to a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder and ten thousand dollars if the offense resulted in death to an emergency responder. In addition, such person shall have twelve points assessed to their driver's license under section 302.302 and shall be subject to the provisions of section 302.304 regarding the revocation of the person's license and driving privileges.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to commit the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency as defined in section 304.890.

5. No person shall be cited or convicted for endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle or from the negligence of another person or emergency responder."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 9** was adopted.

Representative Smith (150) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Pages 20-24, Section 304.180, Lines 1-128, by deleting all of said section and inserting in lieu thereof, the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a

greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000

41	60,000	69,500	73,500	78,500
42	60,000	70,000	74,000	79,000
43	60,000	70,500	75,000	80,000
44	60,000	71,500	75,500	80,000
45	60,000	72,000	76,000	80,000
46	60,000	72,500	76,500	80,000
47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in **[**subsection**] subsections** 9 **and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. **(1)** Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log trucks as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds **[**while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36**]**. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**

(2) Any vehicle hauling greater than eighty thousand pounds under the provisions of this subsection, shall apply yearly to the department of transportation for a permit and upon payment of a twenty-five dollar fee, the department shall grant the applicant a permit. Upon renewal of the permit, an applicant shall submit to the department a list of roads traveled and the number of miles traveled on each road during the year.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 10** was adopted.

Representative Shumake offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 7, Section 301.147, Line 29, by inserting immediately after said line the following:

"302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed **or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license**, but not where **[**the**]** **a** license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license.

302.188. 1. A person may apply to the department of revenue to obtain a veteran designation on a driver's license or identification card issued under this chapter by providing:

(1) A United States Department of Defense discharge document, otherwise known as a DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States; and

(2) Payment of the fee for the driver's license or identification card authorized under this chapter.

2. If the person is seeking a duplicate driver's license with the veteran designation and his or her driver's license has not expired, the fee shall be as provided under section 302.185.

3. The department of revenue may determine the appropriate placement of the veteran designation on the driver's licenses and identification cards authorized under this section and may promulgate the necessary rules for administration of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shumake, **House Amendment No. 11** was adopted.

Representative Solon offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"260.247. 1. Any city or political subdivision which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.

3. If the services to be provided under a contract with the city or political subdivision pursuant to subsection 2 of this section are substantially the same as the services rendered in the area prior to the decision of the city to annex the area or to enter into or expand its solid waste collection services into the area, the amount paid by the city shall be at least equal to the amount the private entity or entities would have received for providing such services during that period.

4. Any private entity or entities which provide collection service in the area which the city or political subdivision has decided to annex or enter into or expand its solid waste collection services into shall make available upon written request by the city not later than thirty days following such request all information in its possession or control which pertains to its activity in the area necessary for the city to determine the nature and scope of the potential contract.

5. **If a city or political subdivision intends to expand solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities such intent shall be put to a vote of the people in the area where the city or political subdivision intends to expand.**

6. The provisions of this section shall apply to private entities that service fifty or more residential accounts or any commercial accounts in the area in question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hough offered **House Substitute Amendment No. 1 for House Amendment No. 12**.

House Substitute Amendment No. 1
for
House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"260.247. 1. Any city or political subdivision which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.

3. If the services to be provided under a contract with the city or political subdivision pursuant to subsection 2 of this section are substantially the same as the services rendered in the area prior to the decision of the city to annex the area

or to enter into or expand its solid waste collection services into the area, the amount paid by the city shall be at least equal to the amount the private entity or entities would have received for providing such services during that period.

4. Any private entity or entities which provide collection service in the area which the city or political subdivision has decided to annex or enter into or expand its solid waste collection services into shall make available upon written request by the city not later than thirty days following such request all information in its possession or control which pertains to its activity in the area necessary for the city to determine the nature and scope of the potential contract.

5. **If a home rule city with more than fifty-two thousand but fewer than sixty-four thousand inhabitants located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants intends to expand solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities such intent shall be put to a vote of the people in the area where the city or political subdivision intends to expand.**

6. The provisions of this section shall apply to private entities that service fifty or more residential accounts or any commercial accounts in the area in question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Substitute Amendment No. 1 for House Amendment No. 12** was adopted.

Representative Pollock offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, Page 35, Section 537.293, Line 13, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 13** was adopted.

On motion of Representative Burlison, **HCS SS SCS SB 470, as amended**, was adopted.

On motion of Representative Burlison, **HCS SS SCS SB 470, as amended**, was read the third time and passed by the following vote:

AYES: 107

Allen	Anders	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gosen	Grisamore	Guernsey	Haefner

Hampton	Harris	Higdon	Hinson	Hoskins
Hough	Houghton	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lant	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McDonald	McGhee	McNary	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Swinger	Talboy	Thomson	Wallingford
Webber	Wells	Weter	White	Wright
Zerr	Mr Speaker			

NOES: 040

Asbury	Atkins	Brown 85	Carlson	Carter
Ellinger	Ellington	Fuhr	Hodges	Hubbard
Hummel	Jones 63	Kirkton	Lampe	Marshall
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Smith 71	Spreng	Still	Swearingen
Taylor	Torpey	Walton Gray	Webb	Wieland

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 015

Aull	Brattin	Brown 50	Colona	Day
Gatschenberger	Holsman	Hughes	Largent	Lauer
Meadows	Nolte	Schad	Stream	Wyatt

Representative Keeney declared the bill passed.

COMMITTEE REPORTS

Committee on Crime Prevention and Public Safety, Chairman Schad reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 893**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Government Oversight and Accountability, Chairman Barnes reporting:

Mr. Speaker: Your Special Standing Committee on Government Oversight and Accountability, to which was referred **SS SB 854**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Special Standing Committee on Judicial Reform, Chairman Smith (150) reporting:

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **SCS SJR 51**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Standing Committee on Judicial Reform, to which was referred **SCS SB 788**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 480**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS#2 SCS SB 480 - Fiscal Review
HCS SCS SB 563 - Fiscal Review
HCS SCS SB 631 - Fiscal Review
HCS SCS SB 673 - Fiscal Review
SCS SB 789 - Fiscal Review

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 568

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 568, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 2 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment No. 6 and House Amendment No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 568, as amended;

2. The Senate recede from its position on Senate Bill No. 568;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 568, as amended be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Mike Parson	/s/ Ward Franz
/s/ Bill Stouffer	/s/ Ryan Silvey
/s/ Ron Richard	/s/ Wanda Brown
/s/ Ryan McKenna	/s/ Tim Meadows
/s/ Robin Wright-Jones	

ADJOURNMENT

On motion of Representative Riddle, the House adjourned until 10:00 a.m., Tuesday, May 8, 2012.

COMMITTEE MEETINGS

AGRI-BUSINESS
Tuesday, May 8, 2012, 8:00 AM House Hearing Room 4.
Public hearing will be held: HB 2062, HB 2067
Executive session may be held on any matter referred to the committee.

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, May 9, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continued discussion of DHSS, DMH, & DSS policies and procedures

CONFERENCE COMMITTEE
Tuesday, May 8, 2012, 12:00 PM House Lounge.
Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013
Executive session may be held on any matter referred to the committee.

CONFERENCE COMMITTEE
Wednesday, May 9, 2012, 8:30 AM House Lounge.
Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, May 9, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: SS SCS SB 677
Executive session will be held: SS SCS SB 677
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Wednesday, May 9, 2012, 9:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW
Thursday, May 10, 2012, 9:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

GENERAL LAWS
Tuesday, May 8, 2012, 12:00 PM House Hearing Room 4.
Public hearing will be held: SCS SB 835
Executive session will be held: SCS SB 835
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Tuesday, May 8, 2012, 12:00 PM House Hearing Room 5.
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Wednesday, May 9, 2012, Upon Morning Recess House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION
Tuesday, May 8, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

LOCAL GOVERNMENT
Wednesday, May 9, 2012, 8:00 AM House Hearing Room 7.
Executive session will be held: HCS SCS SB 729
Executive session may be held on any matter referred to the committee.

RETIREMENT
Tuesday, May 8, 2012, 9:00 AM House Hearing Room 1.
Public hearing will be held: SCS SB 625
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Tuesday, May 8, 2012, 4:00 PM or Upon Afternoon Recess or Afternoon Adjournment, whichever the case may be, House Hearing Room 6.
Executive session will be held: HCR 55, HCR 57, HCS HJR 64, SS SCS SBs 489 & 637, SS SCS SB 576, SS SCS SB 633, HCS SS SCS SB 682, HCS SCS SB 711, HCS SB 739, HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, SCS SB 788, SCR 24, SCS SJR 51
Executive session may be held on any or all bills which have been referred to this committee.

SPECIAL STANDING COMMITTEE ON RENEWABLE ENERGY
Tuesday, May 8, 2012, Upon Morning Recess House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Informational meeting, presentation by Ram Diagnostics

WAYS AND MEANS
Wednesday, May 9, 2012, 6:30 PM or Upon Evening Adjournment, whichever is later, Domenico's Restaurant & Lounge.
CORRECTED

WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY
Tuesday, May 8, 2012, 9:30 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SIXTY-NINTH DAY, TUESDAY, MAY 8, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
4 HCS HB 1210, as amended - Gatschenberger
5 HCS HB 1795 - Ruzicka
6 HB 1966 - Burlison
7 HB 1779 - Flanigan
8 HCS HB 1794 - Grisamore
9 HCS HB 1754 - Cox
10 HCS HB 1815 - Pollock
11 HB 1842 - Lant
12 HCS HB 1935 - Franz
13 HB 2063, as amended - Denison
14 HCS HB 2100 - Denison
15 HCS HB 1709 - Hough

16 HCS#2 HB 1358 - Gatschenberger
17 HCS HB 1397 - Gatschenberger
18 HCS HBs 1542 & 1101 - Koenig
19 HCS#2 HB 1213 - Franklin
20 HB 1357 - Gatschenberger
21 HCS HB 1846 - Long
22 HCS HB 1585 - Cross
23 HCS HB 1971 - Schneider
24 HB 1690 - May
25 HB 1728 - Johnson
26 HB 1790 - Torpey
27 HCS HB 1970 - Jones (117)
28 HB 1144 - Gatschenberger
29 HB 1394 - Brandom
30 HB 1456 - Black
31 HCS HB 1609 - Nasheed
32 HCS HB 1612 - Burlison
33 HB 2038 - Wallingford

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1328 - Cox
2 HCS HB 1922 - Molendorp
3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HCS HBs 1298 & 1180 - Parkinson
2 HB 1066 - McGhee

HOUSE BILLS FOR THIRD READING - INFORMAL

1 HB 1277 - Long
2 HB 1431 - Hoskins

SENATE BILLS FOR THIRD READING

1 SCS SB 566 - Jones (117)
2 HCS SB 578 - Cox
3 SS SCS SB 699 - Fuhr
4 HCS SS SCS SB 469 - Smith (150)
5 HCS SS SCS SB 595, E.C. - Torpey
6 HCS SCS SB 591 - Franz

7 HCS SB 620 - Gosen
8 HCS SB 628 - Kelly (24)
9 HCS SCS SB 635 - Phillips
10 HCS SB 636 - Diehl
11 SS SB 665 - Asbury
12 HCS SCS SB 726 - Wells
13 SS SCS SB 689 - Schad
14 SS SB 607 - Burlison
15 SCS SB 715 - Day
16 HCS#2 SCS SB 480, (Fiscal Review 5/7/12) - Riddle
17 HCS SCS SB 485 - Kelly (24)
18 HCS SCS SB 563, (Fiscal Review 5/7/12), E.C. - Leach
19 SB 599 - Dieckhaus
20 HCS SCS SB 631, (Fiscal Review 5/7/12) - Reiboldt
21 HCS SCS SB 673, (Fiscal Review 5/7/12) - Day
22 SCS SB 789, (Fiscal Review 5/7/12) - Cox
23 HCS SB 813 - Brandom
24 HCS SCS SB 856 - Barnes

HOUSE BILLS WITH SENATE AMENDMENTS

1 SS HCS HB 1106, as amended - Dugger
2 HB 1188, SCA 1 - Allen
3 SCS HCS HB 1495 - Nance
4 SCS HB 1112 - Gosen
5 SCS HCS HB 1042, as amended - Thomson
6 SS SCS HCS HB 1400, E.C. - Richardson
7 HB 1250, with SA 1 & SA 2 - Ruzicka
8 SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended - Marshall
9 SS HB 1128 - Largent
10 HB 1103, with SA 1 & SA 2 - Crawford
11 SCS HB 1460 - Jones (117)

BILLS CARRYING REQUEST MESSAGES

1 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
2 SS SCS HB 1073 and HCS HB 1477, as amended, (request Senate recede/grant conference) - Sater
3 SCS HB 1135, as amended, (request Senate recede/grant conference) - Smith (150)

BILLS IN CONFERENCE

1 CCR HCS SB 568, as amended, E.C. - Franz
2 SS SCS HCS HB 2002 - Silvey
3 SS SCS HCS HB 2003 - Silvey
4 SS SCS HCS HB 2004 - Silvey
5 SS SCS HCS HB 2005 - Silvey
6 SS SCS HCS HB 2006, as amended - Silvey
7 SS SCS HCS HB 2007 - Silvey
8 SS SCS HCS HB 2008 - Silvey
9 SS SCS HCS HB 2009 - Silvey
10 SS SCS HCS HB 2010 - Silvey
11 SS SCS HCS HB 2011, as amended - Silvey
12 SS SCS HCS HB 2012 - Silvey
13 SS SCS HCS HB 2013 - Silvey
14 SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
15 SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
16 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. - Brown (116)
17 HCS SCS SB 569, as amended - Dugger

SENATE CONCURRENT RESOLUTIONS

1 SS SCR 16 - Asbury
2 SCS SCR 17 - Diehl
3 SCR 25 - Hampton

HOUSE RESOLUTIONS

HR 1880 - Burlison

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SIXTY-NINTH DAY, TUESDAY, MAY 8, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

He that doeth the will of God abideth forever. (John 2:17)

God of Grace and God of Glory, pour Your power upon us as we wait upon You in prayer on this beautiful May morning. In days of darkness we have no light but Yours, in times of trouble no refuge but in You, in periods of perplexity no strength but the strength You bestow upon the believing heart. To You do we commit ourselves and our state praying that in weakness we may be made strong, restless may we find rest in You, and when confused may we be aware of Your presence.

Grant us the courage to walk in the way of Your commandments, the confidence to do Your will and the consciousness that You are with us every moment of every day. So may we live as we pray and as we pray so may we live.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Matthew Maas.

The Journal of the sixty-eighth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2975 through House Resolution No. 3023

THIRD READING OF SENATE BILL

SS SB 607, relating to outdoor advertising, was taken up by Representative Burlison.

SS SB 607 was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 569, as amended**: Senators Kraus, Engler, Ridgeway, Justus and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SB 611, as amended**: Senators Lembke, Stouffer, Kehoe, McKenna and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS SB 719, as amended**: Senators Kehoe, Schmitt, Goodman, McKenna and Wright-Jones.

RECESS

On motion of Representative Jones (89), the House recessed until 11:30 a.m.

The hour of recess having expired, the House was called to order by Speaker Pro Tem Schoeller.

THIRD READING OF SENATE BILL

SCS SB 715, relating to members of the state militia, was taken up by Representative Day.

Representative Allen offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 715, Page 1, the Title, by deleting the words "the state militia" and inserting in lieu thereof the following:

"entities receiving state funds"; and

Further amend said substitute, Page 1, Section 41.050, Line 12, by inserting immediately after said line the following:

"42.300. 1. There is hereby created in the state treasury the "Veterans Commission Capital Improvement Trust Fund" which shall consist of money collected under section 313.835. The state treasurer shall administer the veterans commission capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans commission for:

(1) The construction, maintenance or renovation or equipment needs of veterans' homes in this state;

(2) The construction, maintenance, renovation, equipment needs and operation of veterans' cemeteries in this state;

(3) Fund transfers to Missouri veterans' homes fund established under the provisions of section 42.121, as necessary to maintain solvency of the fund;

(4) Fund transfers to any municipality with a population greater than four hundred thousand and located in part of a county with a population greater than six hundred thousand in this state which has established a fund for the sole purpose of the restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I. Appropriations from the veterans commission capital improvement trust fund to such memorial fund shall be provided only as a one-time match for other funds devoted to the project and shall not exceed five million dollars. Additional appropriations not to exceed ten million dollars total may be made from the veterans commission capital improvement trust fund as a match to other funds for the new construction or renovation of other facilities dedicated as veterans' memorials in the state. All appropriations for renovation, new construction, reconstruction, and maintenance of veterans' memorials shall be made only for applications received by the Missouri veterans commission prior to July 1, 2004;

(5) The issuance of matching fund grants for veterans' service officer programs to any federally chartered veterans' organization or municipal government agency that is certified by the Veterans Administration to process veteran claims within the Veterans Administration System; provided that such veterans' organization has maintained a veterans' service officer presence within the state of Missouri for the three-year period immediately preceding the issuance of any such grant. A total of one million five hundred thousand dollars in grants shall be made available annually for service officers and joint training and outreach between veterans' service organizations and the Missouri veterans commission with grants being issued in July of each year. Application for the matching grants shall be made through and approved by the Missouri veterans commission based on the requirements established by the commission;

(6) For payment of Missouri national guard and Missouri veterans commission expenses associated with providing medals, medallions and certificates in recognition of service in the armed forces of the United States during World War II, the Korean Conflict, and the Vietnam War under sections 42.170 to 42.226. Any funds remaining from the medals, medallions and certificates shall not be transferred to any other fund and shall only be utilized for the awarding of future medals, medallions, and certificates in recognition of service in the armed forces; **[**and**]**

(7) Fund transfers totaling ten million dollars to any municipality with a population greater than three hundred fifty thousand inhabitants and located in part in a county with a population greater than six hundred thousand inhabitants and with a charter form of government, for the sole purpose of the construction, restoration, renovation and maintenance of a memorial or museum or both dedicated to World War I**; and**

(8) The administration of the Missouri veterans commission.

2. Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund under this section. Notwithstanding the provisions of section 33.080, to the contrary, moneys in the veterans commission capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.

3. Upon request by the veterans commission, the general assembly may appropriate moneys from the veterans commission capital improvement trust fund to the Missouri national guard trust fund to support the activities described in section 41.958.

4. The state auditor shall conduct an audit of all moneys in the veterans commission capital improvement trust fund every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly, governor, and lieutenant governor no later than ten business days after the completion of such audit.

161.215. 1. There is hereby created in the state treasury the "Early Childhood Development, Education and Care Fund" **[**which shall consist of money collected under section 313.835 and**]** which is created to give parents meaningful choices and assistance in choosing the child-care and education arrangements that are appropriate for their family. All interest received on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Any moneys deposited in such fund shall be used to support programs that prepare children prior to the age in which they are eligible to enroll in kindergarten under section 160.053 to enter school ready to learn. All moneys deposited in the early childhood development, education and care fund shall be annually appropriated for voluntary, early childhood development, education and care programs serving children in every region of the state not yet enrolled in kindergarten. **For fiscal year 2013 and each subsequent fiscal year, at least thirty-five million dollars of the funds received from the master settlement agreement, as defined in section 196.1000, shall be deposited in the early childhood development, education and care fund.**

2. No less than sixty percent of moneys deposited in the early childhood development, education and care fund shall be appropriated as provided in this subsection to the department of elementary and secondary education and to the department of social services to provide early childhood development, education and care programs through competitive grants to, or contracts with, governmental or private agencies. Eighty percent of such moneys under the provisions of this subsection and additional moneys as appropriated by the general assembly shall be appropriated to the department

of elementary and secondary education and twenty percent of such moneys under the provisions of this subsection shall be appropriated to the department of social services. The departments shall provide public notice and information about the grant process to potential applicants:

(1) Grants or contracts may be provided for:

(a) Start-up funds for necessary materials, supplies, equipment and facilities; and

(b) Ongoing costs associated with the implementation of a sliding parental fee schedule based on income;

(2) Grant and contract applications shall, at a minimum, include:

(a) A funding plan which demonstrates funding from a variety of sources including parental fees;

(b) A child development, education and care plan that is appropriate to meet the needs of children;

(c) The identity of any partner agencies or contractual service providers;

(d) Documentation of community input into program development;

(e) Demonstration of financial and programmatic accountability on an annual basis;

(f) Commitment to state licensure within one year of the initial grant, if funding comes from the appropriation to the department of elementary and secondary education and commitment to compliance with the requirements of the department of social services, if funding comes from the department of social services; and

(g) With respect to applications by public schools, the establishment of a parent advisory committee within each public school program;

(3) In awarding grants and contracts under this subdivision, the departments may give preference to programs which:

(a) Are new or expanding programs which increase capacity;

(b) Target geographic areas of high need, namely where the ratio of program slots to children under the age of six in the area is less than the same ratio statewide;

(c) Are programs designed for special needs children;

(d) Are programs that offer services during nontraditional hours and weekends; or

(e) Are programs that serve a high concentration of low-income families.

3. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide early childhood development, education and care programs through child development, education and care certificates to families whose income does not exceed one hundred eighty-five percent of the federal poverty level in the manner pursuant to 42 U.S.C. Section 9858c(c)(2)(A) and 42 U.S.C. Section 9858n(2) for the purpose of funding early childhood development, education and care programs as approved by the department of social services. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. On February first of each year the department shall certify the total amount of child development, education and care certificates applied for and the unused balance of the funds shall be released to be used for supplementing the competitive grants and contracts program authorized under subsection 2 of this section.

4. No less than ten percent of moneys deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to increase reimbursements to child-care facilities for low-income children that are accredited by a recognized, early childhood accrediting organization.

5. No less than ten percent of the funds deposited in the early childhood development, education and care fund shall be appropriated to the department of social services to provide assistance to eligible parents whose family income does not exceed one hundred eighty-five percent of the federal poverty level who wish to care for their children under three years of age in the home, to enable such parent to take advantage of early childhood development, education and care programs for such parent's child or children. At a minimum, the certificate shall be of a value per child which is commensurate with the per-child payment under paragraph (b) of subdivision (1) of subsection 2 of this section pertaining to the grants or contracts. The department of social services shall provide assistance to these parents in the effective use of early childhood development, education and care tools and methods.

6. In setting the value of parental certificates under subsection 3 of this section and payments under subsection 5 of this section, the department of social services may increase the value based on the following:

(1) The adult caretaker of the children successfully participates in the parents as teachers program under the provisions of sections 178.691 to 178.699, a training program provided by the department on early childhood development, education and care, the home-based Head Start program as defined in 42 U.S.C. Section 9832 or a similar program approved by the department;

(2) The adult caretaker consents to and clears a child abuse or neglect screening under subdivision (1) of subsection 2 of section 210.152; and

(3) The degree of economic need of the family.

7. The department of elementary and secondary education and the department of social services each shall by rule promulgated under chapter 536 establish guidelines for the implementation of the early childhood development, education and care programs as provided in subsections 2 to 6 of this section.

8. The state auditor shall conduct an audit of all moneys in the early childhood development, education and care fund created in subsection 1 of this section every year beginning January 1, 2011, and ending on December 31, 2013. The findings of each audit shall be distributed to the general assembly no later than ten business days after the completion of such audit.

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.

161.216. 1. No quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education or its successor, or any training or credentialing may be established, created, or operated within this state, unless the authority to create or operate such a quality rating system is enacted into law by the federal government or through:

(1) A bill as prescribed by article III of the Missouri Constitution;

(2) An initiative petition as prescribed by section 50 of article III of the Missouri Constitution; or

(3) A referendum as prescribed by section 52(a) of article III of the Missouri Constitution.

No quality rating system, improvement system, evaluation system, training quality assurance system or its successor for early childhood education shall be enacted under this section unless

such system allows for ratings or evaluations to be conducted by no fewer than three nationally or regionally recognized organizations that reflect the composition and diversity of the early childhood program market.

2. In no case shall the authority for establishing, administering, or operating a quality rating system, improvement system, evaluation system, or training quality assurance system

for early childhood education in Missouri be based upon an executive order issued by the governor of Missouri.

3. No department, board, commission, committee, council, agency, instrumentality, quasi-governmental entity, or political subdivision of the state of Missouri shall promulgate any rule or establish any program, policy, guideline, or plan or change any rule, program, policy, guideline, or plan to implement, establish, create, administer, or otherwise operate a quality

rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such department, board, commission, committee, council, agency, instrumentality, or political subdivision has received statutory authority to do so in a manner consistent with subsection 1 of this section.

4. No department, board, commission, committee, council, agency, instrumentality, political subdivision of this state, public officer, or quasi-governmental entity shall apply for, accept, or expend any moneys directly or indirectly related to the creation, implementation, or operation of a quality rating system,

improvement system, evaluation system, or training quality assurance system for early childhood education unless such acceptance or expenditure is authorized by statute or an appropriations bill, irrespective of the source of such moneys.

5. No department, board, commission, committee, council, agency, instrumentality, political subdivision of this state, public officer, or quasi-governmental entity shall accept or expend any moneys from the gaming commission fund created in section 313.835 for anything directly or indirectly related to the creation, implementation, or operation of a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such acceptance or expenditure is authorized by statute or an appropriations bill.

6. No department, board, commission, committee, council, agency, instrumentality, political subdivision, public officer, or quasi-governmental entity, shall enter into any agreement or any obligation to establish, administer, or operate a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such department, board, commission, committee, council, agency, instrumentality, political subdivision, public officer, or quasi-governmental entity has received statutory authority to enter into such agreements or obligations. No department, board, commission, committee, council, agency, instrumentality, political subdivision, public officer, or quasi-governmental entity shall provide assistance or resources of any kind, directly or indirectly, to any department, agency, or public official related to the creation or operation of a quality rating system, improvement system, evaluation system, or training quality assurance

system for early childhood education unless such assistance or resources are authorized by state statute or such assistance or resources are specifically required by law.

7. Any taxpayer of this state or any member of the general assembly shall have standing to bring suit against the state of Missouri or any official, department, division, agency, board, commission, committee, council, political subdivision of this state, public officer, or quasi-governmental entity which is in violation of this section in any court with jurisdiction to enforce the provisions of this section.

313.835. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services provided by the commission and admission fees authorized pursuant to the provisions of sections 313.800 to 313.850, except that portion of the admission fee, not to exceed one cent, that may be appropriated to the compulsive gamblers fund as provided in section 313.820, shall be deposited in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for the sole purpose of funding the administrative costs of the commission, subject to appropriation. Moneys deposited into this fund shall not be considered proceeds of gambling operations. Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the gaming commission fund shall be credited to the gaming commission fund. In each fiscal year, total revenues to the gaming commission fund for the preceding fiscal year shall be compared to total expenditures and transfers from the gaming commission fund for the preceding fiscal year. The remaining net proceeds in the gaming commission fund shall be distributed in the following manner:

(1) The first five hundred thousand dollars shall be appropriated on a per capita basis to cities and counties that match the state portion and have demonstrated a need for funding community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) The remaining net proceeds in the gaming commission fund for fiscal year **[**1999**]** **2013** and each fiscal year thereafter shall be distributed as follows:

(a) The first **[**four and one-half**]** **five** million dollar portion shall be transferred to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107, and additional moneys as annually appropriated by the general assembly shall be appropriated to such fund;

(b) The second three million dollar portion shall be transferred to the veterans' commission capital improvement trust fund created in section 42.300;

(c) The third **[**three**]** **four** million dollar portion shall be transferred to the Missouri national guard trust fund created in section 41.214;

(d) Subject to appropriations, one hundred percent of remaining net proceeds in the gaming commission fund **[**except as provided in paragraphs (e) and (f) of this subdivision, and**],** after the appropriations **are** made pursuant to the provisions of paragraphs (a), (b), and (c) of this subdivision, shall be transferred to the **[**early childhood development, education and care fund created in section 161.215;

(e) When the remaining net proceeds, as such term is used pursuant to paragraph (d) of this subdivision, in the gaming commission fund annually exceeds twenty-eight million dollars: one-half million dollars of such proceeds shall be transferred annually, subject to appropriation, to the access Missouri financial assistance fund, established pursuant to the provisions of sections 173.1101 to 173.1107; three million dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans' commission capital improvement trust fund; and one million dollars of such proceeds shall be transferred annually, subject to appropriation, to the Missouri national guard trust fund created in section 41.214;

(f) Beginning in fiscal year 2011 and each fiscal year thereafter when the funding for early childhood education under paragraph (d) of this subdivision equals the funding level for early childhood education under paragraph (d) of this subdivision in fiscal year 2009, one-half of the next one million two hundred thousand dollars of such proceeds shall be transferred annually, subject to appropriation, to the veterans commission capital improvement trust fund for the purpose of funding veterans' service officer programs identified under subdivision (5) of subsection 1 of section 42.300, and the other half of the one million two hundred thousand dollars shall be transferred annually, subject to appropriation, to the early childhood development, education and care fund created in section 161.215**] veterans' commission capital improvement trust fund created in section 42.300**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 010

Asbury	Brown 50	Elmer	Franklin	Hinson
Hughes	Lasater	Meadows	Nance	Scharnhorst

On motion of Representative Allen, **House Amendment No. 1** was adopted by the following vote:

AYES: 124

Allen	Anders	Aull	Bahr	Barnes
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison

Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McDonald	McGhee	McManus	McNary	Molendorp
Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 029

Atkins	Carlson	Carter	Colona	Ellinger
Ellington	Holsman	Hummel	Kirkton	May
McCann Beatty	McCreery	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Oxford	Pace	Pierson
Schupp	Smith 71	Spreng	Still	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 010

Asbury	Bernskoetter	Brown 50	Franklin	Hinson
Hughes	Jones 63	Lasater	Meadows	Scharnhorst

Representative Webber offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 715, Page 1, Section 41.050, Line 12, by adding all of said section and line the following:

"**Section 1. 1. This section shall be known as "Clark's Law."**

2. No public institution of higher education shall require a member of the national guard to take any test or assessment within twenty-four hours of such member returning from active duty or national guard training."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Webber, **House Amendment No. 2** was adopted.

On motion of Representative Day, **SCS SB 715, as amended,** was read the third time and passed by the following vote:

AYES: 153

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 009

Asbury	Brown 50	Hinson	Hughes	Largent
Lasater	McGhee	Meadows	Taylor	

Speaker Pro Tem Schoeller declared the bill passed.

PERFECTION OF HOUSE BILL

HB 1357, relating to alternatives-to-abortion agencies, was taken up by Representative Gatschenberger.

Representative Smith (150) assumed the Chair.

On motion of Representative Gatschenberger, **HB 1357** was ordered perfected and printed.

SENATE CONCURRENT RESOLUTION

SCR 25, relating to Mississippi River flooding, was taken up by Representative Hampton.

On motion of Representative Hampton, **SCR 25** was adopted by the following vote:

AYES: 136

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Cross	Curtman	Davis
Denison	Diehl	Ellinger	Ellington	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Ruzicka	Sater	Schad
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 027

Asbury	Bernskoetter	Brown 50	Cauthorn	Crawford
Day	Dieckhaus	Dugger	Elmer	Entlicher
Franklin	Fuhr	Grisamore	Hinson	Hughes
Jones 117	Kander	Largent	Lasater	McCaherty
Meadows	Rowland	Scharnhorst	Schatz	Talboy
Webber	Wyatt			

HOUSE RESOLUTION

HR 1880, relating to fish, wildlife and natural resources, was taken up by Representative Burlison.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Bahr	Barnes	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cierpiot
Conway 14	Cookson	Cox	Cross	Curtman
Davis	Denison	Diehl	Elmer	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 023

Asbury	Bernskoetter	Brown 50	Carter	Cauthorn
Conway 27	Crawford	Day	Dieckhaus	Dugger
Entlicher	Franklin	Hinson	Hubbard	Hughes
Largent	Lasater	McNary	Meadows	Pollock
Rowland	Webb	Wells		

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Burlison, **HR 1880** was adopted by the following vote:

AYES: 140

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cierpiot	Colona	Conway 14	Cookson
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Ellinger	Ellington	Elmer	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Cox	Schad

PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Bernskoetter	Brown 50	Cauthorn	Conway 27
Crawford	Day	Dugger	Entlicher	Franklin
Hinson	Hubbard	Hughes	Largent	Lasater
McNary	Meadows	Pollock	Rowland	Webb
Wells				

THIRD READING OF SENATE BILL

HCS SCS SB 591, relating to state and local revenues, was taken up by Representative Franz.

Representative Franz offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 10, Section 34.057, Line 152, by inserting after all of said section and line, the following:

"94.700. The following words, as used in sections 94.700 to 94.755, shall have the following meaning unless a different meaning clearly appears from the context:

(1) "City" shall mean any incorporated city, town, or village in the state of Missouri with a population of one hundred or more, but the term "city" does not include any city not within a county or any city of over four hundred thousand inhabitants wholly or partially within a first class county;

(2) "City transit authority" shall mean a commission or board created by city charter provision or by ordinance of a city, and which operates a public mass transportation system;

(3) "City utilities board" shall mean a board or commission created by city charter provision or by ordinance of a city, which controls and operates city-owned utilities including a public mass transportation system;

(4) "Director of revenue" shall mean the director of revenue of the state of Missouri;

(5) "Interstate transportation authority" shall mean any political subdivision created by compact between this state and another state, which is a body corporate and politic and a political subdivision of both contracting states, and which operates a public mass transportation system;

(6) "Interstate transportation district" shall mean that geographical area set forth and defined in the particular compact between this state and another state;

(7) "Person" shall mean an individual, corporation, partnership, or other entity;

(8) "Public mass transportation system" shall mean a transportation system or systems owned and operated by an interstate transportation authority, a municipality, a city transit authority, or a city utilities board, employing motor buses, rails or any other means of conveyance, by whatsoever type or power, operated for public use in the conveyance of persons, mainly providing local transportation service within an interstate transportation district or municipality;

(9) "Transportation purposes" shall mean financial support of a "public mass transportation system"; the construction, reconstruction, repair and maintenance of streets, roads**, sidewalks, trails, community-owned parking lots,** and bridges within a municipality; the construction, reconstruction, repair and maintenance of airports owned and operated by municipalities; the acquisition of lands and rights-of-way for streets, roads, **sidewalks, trails, community-owned parking lots,** bridges**,** and airports; and planning and feasibility studies for streets, roads, **sidewalks, trails, community-owned parking lots,** bridges, and airports. "Bridges" shall include bridges connecting a municipality with another municipality either within or without the state, with an unincorporated area of the state, or with another state or an unincorporated area thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Silvey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 23, Section 287.745, Line 14, by inserting after said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. **[**Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5.**] The director of the department of revenue shall have authority to produce or allow others to produce a weather resistant, nontearing temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days from the date of purchase.** The temporary permit **[**shall be made available by the director of revenue and**] authorized under this section** may be purchased **by the purchaser of a motor vehicle or trailer** from the **central office of the** department of revenue **or from an authorized agent of the department of revenue** upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a **motor vehicle** dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer**, or from a motor vehicle dealer upon purchase of a motor vehicle or trailer for which the buyer has registered and is awaiting receipt of registration plates**. The director **[**shall**] of the department of revenue or a producer authorized by the director of the department of revenue may** make temporary permits available to registered dealers in this state **[**or**],** authorized agents of the department of revenue **[**in sets of ten permits**] or the department of revenue**. The **[**fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued**] price paid by a motor vehicle dealer, an authorized agent of the department of revenue or the department of revenue for a temporary permit shall not exceed five dollars for each permit. The director of the department of revenue shall direct motor vehicle dealers**

and authorized agents to obtain temporary permits from an authorized producer. Amounts received by the director of the department of revenue for temporary permits shall constitute state revenue; however, amounts received by an authorized producer other than the director of the department of revenue shall not constitute state revenue and any amounts received by motor vehicle dealers or authorized agents for temporary permits purchased from a producer other than the director of the department of revenue shall not constitute state revenue. In no event shall revenues from the general revenue fund or any other state fund be utilized to compensate motor vehicle dealers or other producers for their role in producing temporary permits as authorized under this section. Amounts that do not constitute state revenue under this section shall also not constitute fees for registration or certificates of title to be collected by the director of the department of revenue under section 301.190. No **motor vehicle** dealer **[**or**],** authorized agent **or the department of revenue** shall charge more than **[**seven dollars and fifty cents**] five dollars** for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a **motor vehicle** dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility. **Each temporary permit issued shall be securely fastened to the back or rear of the motor vehicle in a manner and place on the motor vehicle consistent with registration plates so that all parts and qualities of the temporary permit thereof shall be plainly and clearly visible, reasonably clean and are not impaired in any way.**

[6.**] 5.** The permit shall be issued on a form prescribed by the director **of the department of revenue** and issued only for the applicant's **[**use in the**] temporary** operation of the motor vehicle or trailer purchased to enable the applicant to **[**legally**] temporarily** operate the **motor** vehicle while proper title and registration **[**plate**] plates** are being obtained**, or while awaiting receipt of registration plates**, and shall be displayed on no other **motor** vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director **of the department of revenue** shall determine the size **[**and**], material, design,** numbering configuration, construction, and color of the permit. **The director of the department of revenue, at his or her discretion, shall have the authority to reissue, and thereby extend the use of, a temporary permit previously and legally issued for a motor vehicle or trailer while proper title and registration are being obtained.**

[7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit.**]**

6. Every **motor vehicle** dealer that issues **[**a**]** temporary **[**permit**] permits** shall keep, for inspection **[**of**] by** proper officers, **[**a correct**] an accurate** record of each permit issued by recording the permit **[**or plate**]** number, **the motor vehicle dealer's number,** buyer's name and address, **the motor vehicle's** year, make, **and** manufacturer's vehicle identification number **[**on which the permit is to be used**]**, and the **permit's** date of issuance **and expiration date. Upon the issuance of a temporary permit by either the central office of the department of revenue, a motor vehicle dealer or an authorized agent of the department of revenue, the director of the department of revenue shall make the information associated with the issued temporary permit immediately available to the law enforcement community of the state of Missouri**.

[8.**] 7.** Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of **motor** vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

8. The provisions of subsections 4, 5, and 6 of this section shall expire July 1, 2019.

9. The director of the department of revenue may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 2** was adopted.

Representative Flanigan offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 1, Section A, Line 7, by inserting after all of said section, the following:

"32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address."; and

Further amend said bill, Page 2, Section 32.087, Line 33, by inserting after the words, "local sales tax law." the following:

"**The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.**"; and

Further amend said bill, Page 5, section, Line 128, by inserting after all of said section, the following:

"**32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.**

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due

to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department."; and

Further amend said bill, Page 10, Section 34.057, Line 152, by inserting after all of said section, the following:

"105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment."; and

Further amend said bill, Page 18, Section 137.115, Line 173, by inserting after all of said section, the following:

"144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall

be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**]** **8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**]** **9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**]** **10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend said bill, Page 40, Section 643.079, Line 102, by inserting after all of said section, the following:

"Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 3** was adopted.

Representative Diehl offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 24, Section 321.228, Line 26, by inserting after the word "**construction**" on said line, the following:

"**. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 4** was adopted.

Representative Jones (117) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 2, Section 32.087, Lines 25 and 26, by deleting all of said lines from the substitute and inserting in lieu thereof:

"**and outboard motors if they are required to be registered with the department of revenue.** The rate of the tax"; and

Further amend said substitute, Page 18, Section 137.115, Line 173, by inserting immediately after said section the following:

"**144.069. All sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the address of the owner thereof on the date of registration with the department of revenue, and all leases of over sixty-day duration of motor vehicles, trailers, boats and outboard motors subject to sales taxes under this chapter shall be deemed to be consummated unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement at the address of the lessee thereof on the date the lease is consummated, and all applicable sales taxes levied by any political subdivision shall be collected on such sales by the department of revenue on that basis and such sales whether within the boundaries of the state or outside the boundaries of the state shall be deemed consummated at the address of the owner thereof.**

144.072. In repealing sections 32.087, 144.010, 144.069, and 144.757, an enacting five new sections in lieu thereof, it is the intent of the legislature to reject and abrogate that portion of the holding in *Craig A. Street v. Director of Revenue*, Mo. SC91371 (Mo. banc Jan. 31, 2012), interpreting local sales taxes to be inapplicable to out-of-state purchases of motor vehicles, trailers, boats and outboard motors. The legislature hereby declares its reasonable expectations and intent in enacting the taxing statutes for motor vehicles, trailers, boats and outboard motors sales is and has been that all such sales, regardless of the location of the seller, are deemed to

be consummated and take place when the motor vehicles, trailers, boats and outboard motors is registered with the department of revenue, and restores, retroactively and prospectively, the application of Missouri's local sales tax law so that local sales taxes shall continue to be imposed and collected on the sale of all motor vehicles, trailers, boats and outboard motors, regardless of where the motor vehicles, trailers, boats and outboard motors was purchased, upon registration with the department of revenue. This act is remedial and retroactive, and applies to all transactions involving motor vehicles, trailers, boats and outboard motors to the maximum extent permissible by law, but shall not apply to any taxpayer having received a final adjudication of non-taxibility if such application would violate the state constitution."; and

Further amend said substitute, Page 18, Section 144.757, Lines 19-22, by deleting all of said lines from the substitute and inserting in lieu thereof the following:

"**state, unless such purchases are not deemed to be consummated at the residence of the purchaser under subdivision (2) of subsection 12 of section 32.087 and therefore subject to the local sales taxes levied by the appropriate political subdivisions under subsection 5 of section 32.087.**"; and

Further amend said substitute, Page 40, Section 643.079, Line 102, by inserting immediately after said line the following:

"**Section 1. The provisions of sections 32.087, 144.010, 144.069, and 144.757, RSMo, are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment of the merits that is not subject to appeal and that declares any provision or part of said sections unconstitutional or unenforceable, then sections 32.087, 144.010, 144.069, and 144.757, RSMo in their entirity are invalid and shall have no legal effect as of the date of such judgment. In such event, all affected parties shall have the same rights as existed before the enactment of said sections, but shall not be entitled to reimbursement, or required to pay reimbursement, for any sums paid in the good faith belief in the validity and constitutionality of this bill.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591, Page 2, Line 26, by inserting after all of said line the following:

"Further amend said bill, Pages 22-23, Section 287.160, Lines 1-41, by deleting all of said section and lines; and

Further amend said bill, Pages 24-26, Section 408.040, Lines 1-42, by deleting all of said section and lines; and

Further amend said bill, Pages 26-28, Section 409.5-509, Lines 1-104, by deleting all of said section and lines; and

Further amend said bill, Pages 29-30, Section 409.6-604, Lines 1-60, by deleting all of said section and lines"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Jones (117), **House Amendment No. 5, as amended,** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	Molendorp	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Sifton	Smith 71	Spreng	Still
Swinger	Talboy	Taylor	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 023

Bernskoetter	Brown 50	Cauthorn	Colona	Day
Elmer	Entlicher	Franklin	Hinson	Hughes
Largent	Lasater	McGhee	McNary	Meadows
Nance	Schneider	Shively	Swearingen	Walton Gray
Webb	Wyatt	Mr Speaker		

On motion of Representative Franz, **HCS SCS SB 591, as amended,** was adopted.

On motion of Representative Franz, **HCS SCS SB 591, as amended,** was read the third time and passed by the following vote:

AYES: 122

Anders	Aull	Bahr	Barnes	Berry
Black	Brandom	Brown 85	Brown 116	Carlson
Carter	Casey	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Dieckhaus	Diehl	Ellinger
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieffer	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Weter	White
Wright	Zerr			

NOES: 021

Asbury	Atkins	Brattin	Burlison	Curtman
Dugger	Ellington	Fuhr	Higdon	Koenig
Leach	Marshall	Oxford	Pace	Pollock
Schad	Schieber	Schoeller	Smith 150	Wells
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 020

Allen	Bernskoetter	Brown 50	Cauthorn	Day
Elmer	Entlicher	Franz	Hinson	Hughes
Largent	Lasater	McGhee	McNary	Meadows
Schneider	Swearingen	Webb	Wyatt	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 128

Allen	Anders	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Carlson	Carter	Casey
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Ellinger	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Newman
Nichols	Nolte	Oxford	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieffer	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Weter	White
Wieland	Wright	Zerr		

NOES: 015

Asbury	Burlison	Dugger	Ellington	Franz
Leach	Marshall	May	Pace	Pollock
Schad	Schieber	Schoeller	Smith 150	Wells

PRESENT: 000

ABSENT WITH LEAVE: 020

Bernskoetter	Brown 50	Cauthorn	Day	Elmer
Entlicher	Grisamore	Hinson	Hughes	Hummel
Largent	Lasater	McGhee	McNary	Meadows
Neth	Schneider	Swearingen	Wyatt	Mr Speaker

On motion of Representative Jones (89), the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Davis.

COMMITTEE REPORTS

Committee on Retirement, Chairman Leara reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SCS SB 625**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Tourism and Natural Resources, Chairman Ruzicka reporting:

Mr. Speaker: Your Committee on Tourism and Natural Resources, to which was referred **SB 760**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Workforce Development and Workplace Safety, Chairman Fisher reporting:

Mr. Speaker: Your Committee on Workforce Development and Workplace Safety, to which was referred **HB 1240**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 655**, begs leave to report it has examined the same and recommends that it **Do Pass**.

The following member's presence was noted: Lasater.

ADJOURNMENT

On motion of Representative Brown (85), the House adjourned until 10:00 a.m., Wednesday, May 9, 2012.

COMMITTEE MEETINGS

APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES
Wednesday, May 9, 2012, 8:00 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Continued discussion of DHSS, DMH, & DSS policies and procedures

CONFERENCE COMMITTEE
Wednesday, May 9, 2012, 8:30 AM House Lounge.
Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013
Executive session may be held on any matter referred to the committee.

ELEMENTARY AND SECONDARY EDUCATION
Wednesday, May 9, 2012, 8:00 AM House Hearing Room 6.
Public hearing will be held: SS SCS SB 677
Executive session will be held: SS SCS SB 677
Executive session may be held on any matter referred to the committee.

FISCAL REVIEW
Wednesday, May 9, 2012, 9:00 AM South Gallery.
Public hearing will be held: HCS SCS SB 673, HCS SCS SB 631, HCS SCS SB 563, HCS#2 SCS SB 480, SCS SB 789
Executive session will be held: HCS SCS SB 673, HCS SCS SB 631, HCS SCS SB 563, HCS#2 SCS SB 480, SCS SB 789
Executive session may be held on any matter referred to the committee.
AMENDED

FISCAL REVIEW
Thursday, May 10, 2012, 9:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Thursday, May 10, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: SCS SB 835
Executive session may be held on any matter referred to the committee.

HEALTH INSURANCE
Wednesday, May 9, 2012, Upon Morning Recess House Hearing Room 3.
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION
Tuesday, May 15, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Election of Chairman and Vice-Chairman

LOCAL GOVERNMENT
Wednesday, May 9, 2012, 8:00 AM House Hearing Room 7.
Executive session will be held: HCS SCS SB 729
Executive session may be held on any matter referred to the committee.

RULES - PURSUANT TO RULE 25(32)(F)
Wednesday, May 9, 2012, 5:30 PM South Gallery.
Executive session will be held: HCR 55, HCR 57, HCS HJR 64, SS SCS SBs 489 & 637, SS SCS SB 576, SS SCS SB 633, HCS SS SCS SB 682, HCS SCS SB 711, HCS SB 739, HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, SCS SB 788, SCR 24, SCS SJR 51
Executive session may be held on any matter referred to the committee.

WAYS AND MEANS
Wednesday, May 9, 2012, 6:30 PM or Upon Evening Adjournment, whichever is later, Domenico's Restaurant & Lounge.
CORRECTED

HOUSE CALENDAR

SEVENTIETH DAY, WEDNESDAY, MAY 9, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HCS HJR 89 - Schoeller

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
4 HCS HB 1210, as amended - Gatschenberger
5 HCS HB 1795 - Ruzicka
6 HB 1966 - Burlison
7 HB 1779 - Flanigan
8 HCS HB 1794 - Grisamore
9 HCS HB 1754 - Cox
10 HCS HB 1815 - Pollock
11 HB 1842 - Lant
12 HCS HB 1935 - Franz
13 HB 2063, as amended - Denison
14 HCS HB 2100 - Denison
15 HCS HB 1709 - Hough
16 HCS#2 HB 1358 - Gatschenberger
17 HCS HB 1397 - Gatschenberger
18 HCS HBs 1542 & 1101 - Koenig
19 HCS#2 HB 1213 - Franklin
20 HCS HB 1846 - Long

21 HCS HB 1585 - Cross
22 HCS HB 1971 - Schneider
23 HB 1690 - May
24 HB 1728 - Johnson
25 HB 1790 - Torpey
26 HCS HB 1970 - Jones (117)
27 HB 1144 - Gatschenberger
28 HB 1394 - Brandom
29 HB 1456 - Black
30 HCS HB 1609 - Nasheed
31 HCS HB 1612 - Burlison
32 HB 2038 - Wallingford

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1328 - Cox
2 HCS HB 1922 - Molendorp
3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HCS HBs 1298 & 1180 - Parkinson
2 HB 1066 - McGhee

HOUSE BILLS FOR THIRD READING - INFORMAL

1 HB 1277 - Long
2 HB 1431 - Hoskins

SENATE BILLS FOR THIRD READING

1 SCS SB 566 - Jones (117)
2 HCS SB 578 - Cox
3 SS SCS SB 699 - Fuhr
4 HCS SS SCS SB 469 - Smith (150)
5 HCS SS SCS SB 595, E.C. - Torpey
6 HCS SB 620 - Gosen
7 HCS SB 628 - Kelly (24)
8 HCS SCS SB 635 - Phillips
9 HCS SB 636 - Diehl
10 SS SB 665 - Asbury
11 HCS SCS SB 726 - Wells
12 SS SCS SB 689 - Schad

13 SS SB 607 - Burlison
14 HCS#2 SCS SB 480, (Fiscal Review 5/7/12) - Riddle
15 HCS SCS SB 485 - Kelly (24)
16 HCS SCS SB 563, (Fiscal Review 5/7/12), E.C. - Leach
17 SB 599 - Dieckhaus
18 HCS SCS SB 631, (Fiscal Review 5/7/12) - Reiboldt
19 HCS SCS SB 673, (Fiscal Review 5/7/12) - Day
20 SCS SB 789, (Fiscal Review 5/7/12) - Cox
21 HCS SB 813 - Brandom
22 HCS SCS SB 856 - Barnes

HOUSE BILLS WITH SENATE AMENDMENTS

1 SS HCS HB 1106, as amended - Dugger
2 HB 1188, SCA 1 - Allen
3 SCS HCS HB 1495 - Nance
4 SCS HB 1112 - Gosen
5 SCS HCS HB 1042, as amended - Thomson
6 SS SCS HCS HB 1400, E.C. - Richardson
7 HB 1250, with SA 1 & SA 2 - Ruzicka
8 SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 & HB 1878, as amended - Marshall
9 SS HB 1128 - Largent
10 HB 1103, with SA 1 & SA 2 - Crawford
11 SCS HB 1460 - Jones (117)

BILLS CARRYING REQUEST MESSAGES

1 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
2 SS SCS HB 1073 and HCS HB 1477, as amended, (request Senate recede/grant conference) - Sater
3 SCS HB 1135, as amended, (request Senate recede/grant conference) - Smith (150)

BILLS IN CONFERENCE

1 CCR HCS SB 568, as amended, E.C. - Franz
2 SS SCS HCS HB 2002 - Silvey
3 SS SCS HCS HB 2003 - Silvey
4 SS SCS HCS HB 2004 - Silvey
5 SS SCS HCS HB 2005 - Silvey
6 SS SCS HCS HB 2006, as amended - Silvey
7 SS SCS HCS HB 2007 - Silvey
8 SS SCS HCS HB 2008 - Silvey
9 SS SCS HCS HB 2009 - Silvey
10 SS SCS HCS HB 2010 - Silvey
11 SS SCS HCS HB 2011, as amended - Silvey
12 SS SCS HCS HB 2012 - Silvey

13 SS SCS HCS HB 2013 - Silvey
14 SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
15 SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
16 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. - Brown (116)
17 HCS SCS SB 569, as amended - Dugger

SENATE CONCURRENT RESOLUTIONS

1 SS SCR 16 - Asbury
2 SCS SCR 17 - Diehl

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTIETH DAY, WEDNESDAY, MAY 9, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Lord, who shall abide in Thy tabernacle? Who shall dwell on Thy holy hill? He that walketh uprightly and worketh righteousness, and speaketh the truth in his heart. (Psalm 15:1-2)

O God, Who is never far from any one of us, for in You we live and move and have our being, help us to be aware of Your presence, to walk in the way of our faith and to receive Your love which daily is offered to us. Give to us such a regard for truth, such a desire for guidance, and such a readiness to love that we may go beyond all doubt and discouragement and center our minds on You for You will keep us in perfect peace whose minds are stayed on You.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Thomas Beckwith, Reagan Inman, John Pope, Maxine Pope, Maddy Stewart and Jake Stewart.

The Journal of the sixty-ninth day was approved as printed.

SPECIAL RECOGNITION

Trooper David Crank, Sergeant Richard Sanders and Corporal Shane Stewart, Troop E, Missouri State Highway Patrol, were introduced by Representative Keeney and recognized as Outstanding Missourians.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3024 through House Resolution No. 3101

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SCS SB 480**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 563**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 631**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 673**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SB 789**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 1106, as amended, relating to county collectors, was taken up by Representative Dugger.

On motion of Representative Dugger, **SS HCS HB 1106, as amended**, was adopted by the following vote:

AYES: 154

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson

Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Cox	Hodges	Hughes	Meadows
Nasheed	Smith 150	Webb	Webber	

On motion of Representative Dugger, **SS HCS HB 1106, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Brown 50	Brown 116	Dieckhaus	Fitzwater
Frederick	Holsman	Hughes	Meadows	Nasheed
Ruzicka	Swearingen	Webb	Webber	

Speaker Tilley declared the bill passed.

HB 1188, with Senate Committee Amendment No. 1, relating to administration of asthma medication, was taken up by Representative Allen.

On motion of Representative Allen, the House concurred in **Senate Committee Amendment No. 1** by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 50	Cierpiot	Dieckhaus	Ellinger	Franz
Guernsey	Holsman	Hubbard	Hughes	Meadows
Nasheed	Webb	Webber		

On motion of Representative Allen, **HB 1188, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 152

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Dieckhaus	Franz	Hughes	Lair
Meadows	Nasheed	Scharnhorst	Webb	Webber
Wyatt				

Speaker Tilley declared the bill passed.

THIRD READING OF SENATE BILL

SCS SB 566, relating to rabies vaccinations, was taken up by Representative Jones (117).

Representative Loehner offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 566, Page 1, Section 322.005, Lines 10-17, by deleting all of said lines and inserting in lieu there of the following:

"**(6) "Vaccinated against rabies", in receipt of a primary rabies**"; and

Further amend said bill and section, Page 2, by deleting the number "**(7)**" and inserting in lieu thereof the number "**(6)**"; and

Further amend said bill, page and section, Lines 24-35, by deleting all of said lines and inserting in lieu thereof the following:

"**2. If there is a reasonable suspicion that a person may have been exposed to rabies from contact with a dog or cat, the owner of the dog or cat shall provide documentation that the animal has been vaccinated against rabies or the owner shall surrender the animal to the proper authorities, including but not limited to law enforcement, a public health official, or a licensed veterinarian. A licensed veterinarian shall determine the proper course of action for examining the dog or cat. If a licensed veterinarian deems it necessary for the immediate health of the injured person, the dog or cat may be euthanized.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McCaherty assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey

Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Brown 50	Day	Franz	Haefner
Hughes	Largent	Meadows	Riddle	Scharnhorst
Talboy	Webber			

On motion of Representative Loehner, **House Amendment No. 1** was adopted.

Representative Jones (117) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 566, Page 1, Section 322.005, Line 5, by deleting all of said line and inserting in lieu thereof the following:

"**(3) "Harbor", to feed or shelter an animal at the same location for fourteen or more consecutive days;**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig

Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Brown 50	Cross	Day	Denison
Hughes	Kelly 24	Meadows	Nasheed	Scharnhorst
Talboy	Webber			

On motion of Representative Jones (117), **House Amendment No. 2** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle

Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 050

Anders	Atkins	Black	Carlson	Carter
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Brattin	Brown 50	Day	Denison
Hughes	Keeney	Leach	Meadows	Pace
Schneider	Webb	Webber	Wyatt	Mr Speaker

On motion of Representative Jones (117), **SCS SB 566, as amended**, was read the third time and passed by the following vote:

AYES: 092

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brown 85	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cross	Dieckhaus	Diehl	Ellinger
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Frederick	Funderburk	Gatschenberger	Grisamore
Harris	Hinson	Hodges	Holsman	Hough
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kelley 126	Kelly 24	Klippenstein	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leara	Lichtenegger	Loehner	Long	May
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Montecillo	Nasheed	Neth
Nichols	Phillips	Redmon	Reiboldt	Riddle
Rizzo	Sater	Scharnhorst	Schatz	Schieffer
Schupp	Shively	Shumake	Sifton	Silvey
Solon	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Torpey	Wallingford	Wright
Zerr	Mr Speaker			

NOES: 061

Asbury	Bahr	Barnes	Brown 116	Burlison
Conway 14	Cookson	Cox	Crawford	Curtman
Davis	Dugger	Ellington	Elmer	Franklin

Franz	Fuhr	Gosen	Guernsey	Hampton
Higdon	Hoskins	Houghton	Kander	Kirkton
Koenig	Korman	Lasater	Leach	Marshall
McCaherty	McCreery	Molendorp	Morgan	Nance
Newman	Nolte	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Richardson	Rowland
Ruzicka	Schad	Schieber	Schneider	Schoeller
Smith 71	Smith 150	Sommer	Spreng	Thomson
Walton Gray	Wells	Weter	White	Wieland
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brattin	Brown 50	Day	Denison	Haefner
Hughes	Keeney	Meadows	Webb	Webber

Representative McCaherty declared the bill passed.

BILL IN CONFERENCE

SS SCS HCS HB 2003, relating to appropriations, was taken up by Representative Silvey.

Representative Silvey moved that the House conferees be allowed to exceed the differences on **SS SCS HCS HB 2003**.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SB 578, relating to state property, was taken up by Representative Cox.

Representative Cox offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

"**Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in property in Farmington, St. Francois County, Missouri, described as follows:**

TRACT A

(Property north of cemetery and south of Doubet Road)
Part of Lots 85 and 94 of U.S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri, more particularly described as follows:

From the southeast corner of said Lot 85; thence N82°17'32"W, along the southerly line of said Lot 85, 1134.20 feet; thence N8°01'10"E, 181.95 feet to the POINT OF BEGINNING for this description; thence N82°17'57"W, 537.96 feet to the easterly line of a 30 foot road; thence N7°08'47"E, 1166.91 feet; thence S81°30'19"E, 260.68 feet; thence N9°01'04"E, 206.03 feet to

the northerly line of said Lot 94; thence S82°11'48"E, along the northerly line of said Lots 94 and 85, 291.47 feet; thence S8°01'10"W, 1368.72 feet to the point of beginning. Containing 16.00 acres.

EXCEPT all that part of right-of-way of DOUBET ROAD

TRACT B

Part of Lot 94 of U.S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri, more particularly described as follows:

From the southeast corner of Lot 85 of said U.S. Survey 2969; thence N82°17'32"W, along the southerly line of said Lot 85, 1134.20 feet; thence N8°01'10"E, 181.95 feet; thence N82°17'57"W, 537.96 feet to the easterly line of a 30 foot road; thence N7°08'47"E, 320.10 feet to the POINT OF BEGINNING for this description; thence N81°42'19"W, 330.73 feet to the westerly line of a tract of land described by deed of record in Book 1164, page 627, St. Francois County Recorder's Office; thence N7°02'28"E, along the easterly line of said tract, 218.13 feet to the southwesterly corner of a tract of land described by deed of record in Book 834, page 413, St. Francois County Recorder's Office; thence S82°21'13"E, along the southerly line of said tract, described in Book 834, page 413, 331.08 feet to the southeasterly corner thereof also being the easterly line of a 30 foot wide roadway; thence S7°08'47"W, along the easterly line of said roadway, 221.87 feet to the point of beginning. Containing 1.67 acres.

EXCEPT a roadway 30 foot wide off the east side of the above described tract identified as Pullan Road in plats of record.

TRACT C

Part of Lot 94 of U.S. Survey 2969, Township 35 North, Range 5 East, St. Francois County, Missouri, more particularly described as follows:

From the southeast corner of Lot 85 of said U.S. Survey 2969; thence N82°17'32"W, along the southerly line of Lot 85 and the southerly line of Lot 94, 1669.38 feet to the POINT OF BEGINNING for this description; thence continuing N82°17'32"W, along the southerly line of said Lot 94, 329.75 feet to the southeasterly corner of a tract of land described by deed of record in Book 1164, page 627, St. Francois County Recorder's Office; thence N7°02'28"E, along the easterly line of said tract, 505.39 feet; thence S81°42'19"E, 330.73 feet to the easterly line of a 30 foot road; thence S7°08'47"W, along the easterly line of said road, 501.99 feet to the point of beginning. Containing 3.81 acres.

EXCEPT a roadway 30 foot wide off the east side of the above described tract identified as Pullan Road in plats of record.

The property hereby authorized to be conveyed by the governor shall be verified by a survey. Such survey shall be authorized by the division of facilities, management, design and construction of the office of administration pursuant to this section.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 1** was adopted.

Representative Richardson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 578, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 2** was adopted.

Representative Korman offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

"**Section 13. If the state highways and transportation commission transfers, sells, or conveys the property contained in sections 1 through 12 of section A of this act within two years of August 28, 2012, it shall use a public auction method except for transfers, sales, or conveyances to an adjacent property owner, public institution, political subdivision, or utility.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 3** was adopted.

Representative Cox offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting immediately after said line the following:

"**Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in property located at the Farmington Correctional Center in Farmington, St. Francois County, Missouri, described as follows:**

INGRESS AND EGRESS EASEMENT

A strip of land 30 feet wide across part of Lot 70 and 71 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois County, Missouri, said 30 foot strip lying 15.00 feet each side of and adjacent to the following described centerline:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S06°20'17"W, 216.36 feet; thence S57°50'37"E, 82.27 feet to the POINT OF BEGINNING for this centerline description; thence northeasterly, on a curve to the right having a radius of 246.00 feet, an arc length of 187.61 feet, (the chord of said curve being N61°05'42"E, 183.10 feet); thence N82°56'37"E, 29.02 feet; thence easterly, on a curve to the right having a radius of 350.00 feet, an arc length of 87.32 feet, (the chord of said curve being S89°54'34"E, 87.09 feet); thence S82°45'45"E, 257.95 feet; thence easterly, on a curve to the right having a radius of 400.00 feet, an arc length of 91.45 feet, (the chord of said curve being S76°12'46"E, 91.25 feet); thence S69°39'46"E, 36.75 feet; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 177.87 feet, (the chord of said curve being S49°16'50"E, 174.14 feet); thence S28°53'54"E, 29.12 feet; thence southerly, on a curve to the right having a radius of 150.00 feet, an arc length of 85.38 feet, (the chord of said curve being S12°35'32"E, 84.23 feet); thence S03°42'50"W, 143.95 feet; thence S82°45'45"E, 51.95 feet to the point of termination.

Except all that part of Lot 2 of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office, St. Francois County, Missouri.

Except all that part of Perrine Road right-of-way.

TRACT 1

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

BEGINNING at a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence northwesterly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 91.45 feet (the chord of said curve being N76°12'46"W, 91.25 feet); thence N82°45'45"W, 257.95 feet; thence westerly on a curve to the left having a radius of 350.00 feet, an arc length of 87.32 feet (the chord of said curve being N89°54'34"W, 87.09 feet); thence S82°56'37"W, 29.02 feet; thence southwesterly on a curve to the left having a radius of 246.00 feet, an arc length of 187.61 feet (the chord of said curve being S61°05'42"W, 183.10 feet); thence N57°50'37"W, 82.27 feet; thence N06°20'17"E, 216.36 feet to the point of beginning. Containing 2.67 acres.

Subject to the northerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 2

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof, and the POINT OF BEGINNING for this description; thence S82°45'45"E, along the southerly boundary of said Habitat for Humanity Subdivision, 167.67 feet to the southeasterly corner thereof; thence S06°25'52"W, 321.27 feet; thence N82°45'45"W, 24.78 feet; thence N03°42'50"E, 128.92 feet; thence northerly, on a curve to the left having a radius of 150.00 feet, an arc length of 85.38 feet (the chord of said curve being N12°35'32"W, 84.23 feet); thence N28°53'54"W, 29.12 feet; thence northwesterly on a curve to the left having a radius of 250.00 feet, an arc length of 128.08 feet (the chord of said curve being N43°34'33"W, 126.69 feet); thence N31°44'48"E, 10.73 feet to the point of beginning. Containing 0.44 acres.

Subject to the northeasterly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 3

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S82°45'45"E, along the southerly boundary of said Habitat for Humanity Subdivision, 167.67 feet to the southeasterly corner thereof; thence S06°25'52"W, 321.27 feet; thence N82°45'45"W, 24.78 feet to the POINT OF BEGINNING for this description; thence N82°45'45"W, 160.55 feet; thence N17°45'13"W, 148.11 feet; thence N40°06'01"E, 190.20 feet; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 91.64 feet (the chord of said curve being S39°23'56"E, 91.12 feet); thence S28°53'54"E, 29.12 feet; thence southerly, on a curve to the right having a radius of 150.00 feet, an arc length of 85.38 feet (the chord of said curve being S12°35'32"E, 84.23 feet); thence S03°42'50"W, 128.92 feet to the point of beginning. Containing 1.03 acres.

Subject to the westerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 4

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet to the POINT OF BEGINNING for this description; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 36.45 feet (the chord of said curve

being S54°04'35"E, 36.42 feet); thence S40°06'01"W, 190.20 feet; thence N82°45'45"W, 100.00 feet; thence N19°19'50"E, 213.97 feet; thence easterly, on a curve to the right having a radius of 400.00 feet, an arc length of 44.27 feet (the chord of said curve being S72°50'00"E, 44.25 feet); thence S69°39'46"E, 36.75 feet; thence southeasterly, on a curve to the right having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being S63°57'29"E, 49.70 feet) to the point of beginning. Containing 0.61 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 5

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence westerly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 44.27 feet (the chord of said curve being N72°50'00"W, 44.25 feet) to the POINT OF BEGINNING for this description; thence S19°19'50"W, 213.97 feet; thence N82°45'45"W, 128.00 feet; thence N07°14'15"E, 212.00 feet; thence S82°45'45"E, 125.75 feet; thence easterly on a curve to the right having a radius of 400.00 feet, an arc length of 47.18 feet (the chord of said curve being S79°23'00"E, 47.15 feet) to the point of beginning. Containing 0.73 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 6

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence westerly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 91.45 feet (the chord of said curve being N76°12'46"W, 91.25 feet); thence N82°45'45"W, 125.75 feet to the POINT OF BEGINNING for this description; thence S07°14'15"W, 212.00 feet; thence N82°45'45"W, 125.00 feet; thence N05°17'10"W, 214.89 feet; thence easterly, on a curve to the right having a radius of 350.00 feet, an arc length of 39.49 feet (the chord of said curve being S85°59'40"E, 39.47 feet); thence N82°45'45"W, 132.20 feet to the point of beginning. Containing 0.72 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

TRACT 7

Part of Lot 70 of United States Survey Number 2969, Township 35 North, Range 5 East, in the City of Farmington, St. Francois, County, Missouri, more particularly described as follows:

From a stone marking the northwest corner of said Lot 70, also being the southwest corner of Crosswinds Plat 2 as per plat of record in Plat Book 15, page 163, St. Francois County Recorder's Office; thence S82°45'45"E, along the northerly line of said Lot 70, also being the southerly boundary of said Crosswinds Plat 2, 775.91 feet to the northwest corner of Habitat for Humanity Subdivision, as per plat of record in Plat Book 16, page 473, St. Francois County Recorder's Office; thence S07°05'05"W, along the westerly boundary of said Habitat for Humanity Subdivision, 150.00 feet to the southwesterly corner thereof; thence S31°44'48"W, 10.73 feet; thence westerly on a curve to the left having a radius of 250.00 feet, an arc length of 49.78 feet, (the chord of said curve being N63°57'29"W, 49.70 feet); thence N69°39'46"W, 36.75 feet; thence westerly on a curve to the left having a radius of 400.00 feet, an arc length of 91.45 feet, (the chord of said curve being N76°12'46"W, 91.25 feet); thence N82°45'45"W, 257.95 feet; thence westerly, on a curve to the left having a radius of 350.00 feet, an arc length of 39.49 feet, (the chord of said curve being N85°59'40"W, 39.47 feet) to the POINT OF BEGINNING for this description; thence S05°17'10"E, 214.89 feet; thence N82°45'45"W, 84.46 feet; thence N57°50'37"W, 204.13 feet; thence northeasterly, on a curve to the right having a radius of 246.00 feet, an arc length of 187.61 feet, (the chord of said curve being N61°05'42"E, 183.10 feet); thence N82°56'37"E, 29.02 feet; thence easterly, on a curve to the right having a radius of 350.00 feet, an arc length of 47.83 feet, (the chord of said curve being N86°51'30"E, 47.79 feet) to the point of beginning. Containing 0.80 acres.

Subject to the southerly 15 feet of a 30 foot wide Ingress and Egress Easement.

The property hereby authorized to be conveyed by the governor shall be verified by a survey. Such survey shall be authorized by the division of facilities, management, design and construction of the office of administration pursuant to this section.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 4** was adopted.

Representative Pollock offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

"**Section 13. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 14. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 5** was adopted.

Representative Black offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 578, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**227.505. The portion of highway 8 in St. Francois County from the intersection of Hunt Street east for a distance of one mile shall be designated the "Chief of Police Jerry E. Hicks Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 6** was adopted.

Representative Burlison offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said line the following:

"**Section 13. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a perpetual street right of way in property owned by Missouri State University to the city of Springfield. The property to be conveyed is located at National Avenue and Monroe Street and is more particularly described as follows:**

TRACT A

BEING A PART OF LOT 60 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2339, PAGE 519 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THE NORTH 1.05 FEET OF THE EAST 15.78 FEET OF LOT 60, BIGGS AND GRAY'S ADDITION.

CONTAINING 17 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

TRACT B

BEING A PART OF LOTS 54 AND 55 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2276, PAGE 383 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 54, AND BEING ON THE SOUTH RIGHT-OF-WAY LINE OF MONROE STREET; THENCE S88°54'15"E, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 174.58 FEET TO THE SOUTHEAST CORNER OF SAID LOT 53, AND THE EXISTING WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE S01°46'06"W, A DISTANCE OF 96.51 FEET; THENCE

N04°37'20"W, A DISTANCE OF 48.84 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 64°00'22", WITH A RADIUS OF 34.00 FEET, AN ARC DISTANCE OF 37.98 FEET; THENCE N68°37'42"W, A DISTANCE OF 12.98 FEET; THENCE NORTHWESTERLY, ALONG A CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 14°33'47", WITH A RADIUS OF 204.00 FEET, AN ARC DISTANCE OF 51.85 FEET; THENCE N83°11'29"W, A DISTANCE OF 22.38 FEET; THENCE N88°54'15"W, A DISTANCE OF 61.71 FEET TO THE WEST LINE OF SAID LOT 54; THENCE N01°51'49"E, ALONG SAID WEST LINE, A DISTANCE OF 1.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,745 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

TRACT C

BEING A PART OF LOTS 52 AND 53 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2066, PAGE 1451 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 53, AND BEING ON THE NORTH RIGHT-OF-WAY LINE OF MONROE STREET; THENCE S88°54'15"E, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 113.19 FEET TO THE POINT OF BEGINNING; THENCE N85°24'56"E, A DISTANCE OF 37.53 FEET; THENCE N38°05'58"E, A DISTANCE OF 28.41 FEET; THENCE N01°48'27"E, A DISTANCE OF 60.76 FEET; THENCE N06°10'00"E, A DISTANCE OF 18.99 FEET TO THE NORTH LINE OF SAID LOT 52; THENCE S88°07'56"E, A DISTANCE OF 6.25 FEET TO THE EXISTING WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE S01°48'26"W, A DISTANCE OF 106.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 53, AND THE NORTH RIGHT-OF-WAY LINE OF EXISTING MONROE STREET; THENCE N88°54'15"W, ALONG THE SAID RIGHT-OF-WAY LINE, A DISTANCE OF 61.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,131 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

TRACT D

BEING A PART OF LOTS 50 AND 51 OF BIGGS AND GRAY'S ADDITION, BEING A RECORDED SUBDIVISION IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, BEING A PART OF GRANTOR'S LAND AS DESCRIBED IN BOOK 2858, PAGE 1698 OF THE GREENE COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 51, AND BEING ON THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE; THENCE N88°07'56"W, ALONG THE SOUTH LINE OF SAID LOT 50, A DISTANCE OF 6.25 FEET; THENCE N06°10'00"E, A DISTANCE OF 82.23 FEET TO THE WEST RIGHT-OF-WAY NATIONAL AVENUE; THENCE S01°48'26"W, A DISTANCE OF 82.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 256 SQUARE FEET OF NEW PERPETUAL STREET RIGHT OF WAY.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required and the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 14. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a perpetual street right of way in property owned by Missouri State University to the City of Springfield. The property is located at National Avenue and Grand Street and is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO

BEING ON THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE NORTH 47°19'44" EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 200.02 FEET; THENCE NORTH 10°09'58" EAST, A DISTANCE OF 101.26 FEET; THENCE NORTH 03°55'23" EAST, A DISTANCE OF 198.90 FEET; THENCE SOUTH 88°11'49" EAST, A DISTANCE OF 4.08 FEET TO THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE AS IT NOW EXISTS; THENCE SOUTH 01°49'53" WEST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 520.78 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET; THENCE NORTH 88°54'53" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 50.61 FEET TO THE POINT OF BEGINNING.

ALSO COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE NORTH 88°54'53" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 71.13 FEET; THENCE ON A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,215.58 FEET, AN ARC LENGTH OF 103.01 FEET, A CENTRAL ANGLE OF 04°51'19" AND A LONG CHORD OF 102.98 FEET WHICH BEARS NORTH 84°45'54" WEST FOR A POINT OF BEGINNING; THENCE CONTINUING ON A NON-TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,525.50 FEET, AN ARC LENGTH OF 93.30 FEET, A CENTRAL ANGLE OF 03°30'15" AND A LONG CHORD OF 93.29 FEET WHICH BEARS NORTH 84°24'43" WEST; THENCE SOUTH 79°53'22" WEST, A DISTANCE OF 76.10 FEET TO THE NORTH RIGHT-OF-WAY LINE OF GRAND STREET; THENCE SOUTH 88°54'53" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 12.10 FEET; THENCE NORTH 87°16'17" EAST, A DISTANCE OF 120.27 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,215.58 FEET, AN ARC LENGTH OF 35.55 FEET, A CENTRAL ANGLE OF 01°40'32" AND A LONG CHORD OF 35.55 FEET WHICH BEARS SOUTH 88°01 '50" EAST TO THE POINT OF BEGINNING, CONTAINING 10,515 SQUARE FEET, (0.24 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

ALSO, A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE NORTH LINE OF SAID SECTION, A DISTANCE OF 525.86 FEET; THENCE SOUTH 01°05'07" WEST, A DISTANCE OF 29.94 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF GRAND STREET AS IT NOW EXISTS; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID GRAND STREET THE FOLLOWING FIVE (5) COURSES: SOUTH 88°53'44" EAST, A DISTANCE OF 195.52 FEET; THENCE SOUTH 01°44'15" WEST, A DISTANCE OF 7.99 FEET; THENCE SOUTH 88°54'53" EAST, A DISTANCE OF 70.00 FEET; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1,139.58 FEET, AN ARC LENGTH OF 237.05, A CENTRAL ANGLE OF 11°55'06" AND A LONG CHORD OF 236.62 FEET WHICH BEARS SOUTH 82°56'51" EAST; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 28.47 FEET, A CENTRAL ANGLE OF 54°22'10" AND A LONG CHORD OF 27.41 FEET WHICH BEARS SOUTH 49°30'54" EAST TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE AS IT NOW EXISTS; THENCE ON A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 13.85 FEET, A CENTRAL ANGLE OF 26°26'42" AND A LONG CHORD OF 13.72 FEET WHICH BEARS SOUTH 10°53'17" EAST; THENCE CONTINUING ALONG THE WEST RIGHT-OF-WAY LINE OF NATIONAL AVENUE SOUTH 01°44'15" WEST, A DISTANCE OF 364.11 FEET; THENCE NORTH 02°04'10" WEST, A DISTANCE OF 243.50 FEET; THENCE NORTH 01°53'46" EAST, A DISTANCE OF 34.34 FEET; THENCE NORTH 07°33'58" WEST, A

DISTANCE OF 43.48 FEET; THENCE NORTH 44°34'02" WEST, A DISTANCE OF 67.88 FEET; THENCE NORTH 81°34'05" WEST, A DISTANCE OF 233.60 FEET; THENCE NORTH 71°13'31" WEST, A DISTANCE OF 69.94 FEET; THENCE ON A NON-TANGENT TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1,490.50 FEET, AN ARC LENGTH OF 154.62 FEET, A CENTRAL ANGLE OF 05°56'37" AND A LONG CHORD OF 154.55 FEET WHICH BEARS NORTH 85°56'09" WEST; THENCE NORTH 01°05'32" EAST, A DISTANCE OF 0.51 FEET TO THE POINT OF BEGINNING, CONTAINING 16,700 SQUARE FEET, (0.38 Acres). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 15. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a drainage easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. The easement to be conveyed is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET; THENCE NORTH 47°19'44" EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 189.10 FEET FOR A POINT OF BEGINNING; THENCE NORTH 87°40'16" WEST, A DISTANCE OF 19.36 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 87°40'16" EAST, A DISTANCE OF 20.61 FEET; THENCE SOUTH 10°09'58" WEST, A DISTANCE OF 9.17 FEET; THENCE SOUTH 02°19'44" WEST, A DISTANCE OF 10.92 FEET TO THE POINT OF BEGINNING, CONTAINING 393 SQUARE FEET, (0.01 Acres). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29, THENCE SOUTH 01°44'15" WEST ALONG THE EAST LINE OF SAID SECTION 29, A DISTANCE OF 457.53 FEET FOR THE POINT OF BEGINNING, THENCE NORTH 88°06'14" WEST, A DISTANCE OF 15.25 FEET; THENCE NORTH 03°01'24" EAST, A DISTANCE OF 171.43 FEET; THENCE SOUTH 02°04'10" EAST, A DISTANCE OF 171.81 FEET TO THE POINT OF BEGINNING. ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29, THENCE NORTH 88°54'53" WEST ALONG THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 47.36 FEET; THENCE SOUTH 01°05'07" WEST, A DISTANCE OF 11 4.87 FEET FOR A POINT OF BEGINNING, THENCE SOUTH 35°36'30" WEST, A DISTANCE OF 42.70 FEET; THENCE NORTH 67°27'15" WEST, A DISTANCE OF 27.08 FEET; THENCE NORTH 10°19'44" EAST, A DISTANCE OF 53.16 FEET; THENCE SOUTH 81°34'05" EAST, A DISTANCE OF 15.14 FEET; THENCE SOUTH 44°34'02" EAST, A DISTANCE OF 36.15 FEET TO THE POINT OF BEGINNING.

ALSO A PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 22 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 29, THENCE NORTH 88°54'53" WEST ALONG THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 241.90 FEET; THENCE SOUTH 01°05'07" WEST, A

DISTANCE OF 67.85 FEET FOR A POINT OF BEGINNING, THENCE SOUTH 25°16'58" EAST, A DISTANCE OF 55.15 FEET; THENCE SOUTH 64°43'02" WEST, A DISTANCE OF 15.00 FEET; THENCE NORTH 25°16'58" WEST, A DISTANCE OF 65.16 FEET; THENCE SOUTH 81°34'05" EAST, A DISTANCE OF 18.03 FEET TO THE POINT OF BEGINNING, CONTAINING 4,125 SQUARE FEET (0.09 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 16. 1. The board of governors of Missouri State University is hereby authorized and empowered to sell, transfer, grant, and convey a sanitary sewer easement over, on, and under property owned by Missouri State University located at National Avenue and Grand Street to the City of Springfield. The easement to be conveyed is more particularly described as follows:

A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 22 WEST, THENCE NORTH 88°54'53" WEST ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 50.22 FEET; THENCE NORTH 01°05'07" EAST, A DISTANCE OF 30.00 FEET; THENCE NORTH 47°19'44" EAST, A DISTANCE OF 32.05 FEET; THENCE NORTH 02°19'44" EAST, A DISTANCE OF 98.23 FEET FOR A POINT OF BEGINNING; THENCE NORTH 25°37'05" WEST, A DISTANCE OF 32.30 FEET; THENCE NORTH 05°29'44" EAST, A DISTANCE OF 120.31 FEET; THENCE SOUTH 88°11 '49" EAST, A DISTANCE OF 14.96 FEET; THENCE SOUTH 10°09'58" WEST, A DISTANCE OF 47.46 FEET; THENCE SOUTH 02°19'44" WEST, A DISTANCE OF 101.79 FEET TO THE POINT OF BEGINNING, CONTAINING 1,788 SQUARE FEET, (0.04 ACRES). ALL LYING IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI.

2. The parties shall negotiate and set the terms and conditions for the conveyance. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 7** was adopted.

HCS SB 578, as amended, was laid over.

On motion of Representative Jones (89), the House recessed until 1:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Schad.

THIRD READING OF SENATE BILLS

HCS SB 578, as amended, relating to state property, was again taken up by Representative Cox.

Representative Jones (89) offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 578, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"8.010. 1. The governor, attorney general**, [**and**]** lieutenant governor**, speaker of the house of representatives; and the president pro tempore of the senate shall** constitute the board of public buildings. The governor is chairman and the lieutenant governor, secretary. **[**The speaker of the house of representatives and the president pro tempore of the senate shall serve as ex officio members of the board but shall not have the power to vote.**]** The board shall constitute a body corporate and politic. The board has general supervision and charge of the public property of the state at the seat of government and other duties imposed on it by law.

2. The commissioner of administration shall provide staff support to the board."; and

Further amend said substitute, Page 13, Section 12, Line 18, by inserting immediately after said line the following:

"**Section 13. The rotunda on the third floor of the state capitol building and all furniture, equipment and supplies therein, are reserved for the exclusive use of the members and officers of the legislature. This space, together with the furniture, equipment and supplies therein, are in the direct charge and control of the house accounts committee and the senate accounts committee. No use of any of said quarters other than by the legislature, its members, or its officers shall be made except with the written consent of the legislature and upon the order of the accounts committee of both the house and the senate.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (117) offered **House Amendment No. 1 to House Amendment No. 8**.

House Amendment No. 1
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Bill No. 578, Page 1, Line 20, by inserting after all of said line the following:

'Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and

(2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; **[**and**]**

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

(a) The state of Missouri over the previous twelve months; or

(b) The county or city not within a county over the previous twelve months**; and**

(5) No finding of blight under this chapter shall be used to meet the conditions for blight under any other statute of this state.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

(1) The potential to create sustainable jobs in a targeted industry; or

(2) A demonstrated impact on local industry cluster development.

5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950.”; and’; and

Further amend said amendment, Page 1, Line 20, by inserting after all of said line the following:

‘Further amend said bill, Page 13, Section 12, Line 18, by inserting after all of said line the following:

“**Section 13. Whenever the fiscal body of one (1) or more eligible entities, acting individually or jointly, adopts an ordinance or a resolution in favor of the establishment of an airport authority under this chapter, there is established an airport authority. The authority has jurisdiction over a district with boundaries conterminous with the jurisdictional boundaries of the entity or entities adopting the ordinance or resolution. The authority must have a name including the words “airport authority.”**”; and’; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1 to House Amendment No. 8** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117

Keeney	Kelley 126	Klippenstein	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	Wieland	Wright	Wyatt	Zerr

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 020

Bahr	Brown 50	Carter	Day	Dieckhaus
Ellinger	Fraker	Haefner	Jones 63	Koenig
McDonald	McNary	Meadows	Sater	Schatz
Schieffer	Spreng	Webber	White	Mr Speaker

On motion of Representative Jones (89), **House Amendment No 8, as amended**, was adopted by the following vote:

AYES: 106

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer

Still	Stream	Thomson	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Wyatt
Zerr				

NOES: 040

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Ellington	Fallert	Harris
Hodges	Holsman	Hummel	Kirkton	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 017

Bahr	Brown 50	Carter	Dieckhaus	Ellinger
Fraker	Hughes	Jones 63	Koenig	McNary
Meadows	Sater	Schatz	Schieffer	Webber
White	Mr Speaker			

Representative Hummel offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

"**Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release all interest of the state of Missouri in an easement located near the Chouteau State Owned Office Building, in the City of St. Louis, described as follows:**

Ingress/Egress Easement Vacation
Book 1696M, Page 2270

A tract of land being part of Lots 2 and 4 of Chouteau-Compton Subdivision No. 3, a subdivision according to the plat thereof as recorded in Plat Book 12242003, Page 132 of the City of St. Louis Records, being more particularly described as follows:

Beginning at the southeastern corner of above said Lot 4, said point also being the southwestern corner of Lot 2, said point also being located on the northern right-of-way line of Chouteau Avenue, 80 feet wide; thence along said right-of-way line, North 75 degrees 00 minutes 00 seconds West, 25.32 feet to the western line of an Ingress/Egress Easement as established by instrument recorded in Book 1696M, Page 2270; thence departing last said right-of-way line along said western line the following courses and distances: North 15 degrees 32 minutes 58 seconds East, 78.61 feet to a point on a non-tangent curve to the right having a radius of 75.51 feet; along said curve with an arc length of 47.00 feet, and a chord which bears North 44 degrees 16 minutes 16 seconds East, 46.24 feet; North 59 degrees 59 minutes 10 seconds East, 53.47 feet to a point on a non-tangent curve to the left having a radius of 81.83 feet; thence along said curve with an arc length of 57.03 feet, and a chord which bears North 36 degrees 21 minutes 43 seconds East, 55.88 feet to a point of tangency and North 16 degrees 23 minutes 52 seconds East, 21.30 feet to the northern line of above said Lot 4; thence along said north line South 75 degrees 00 minutes 00 seconds East, 12.52 feet to the northeastern corner of above said Lot 4, said point also being the northwestern corner of above said Lot 2; thence along the northern line of said

Lot 2, South 75 degrees 00 minutes 00 seconds East, 11.21 feet to the northeastern corner of above said Ingress/Egress Easement; thence along the eastern line of said Ingress/Egress Easement the following courses and distances: South 14 degrees 42 minutes 17 seconds West, 25.31 feet to a point on a non-tangent curve to the right having a radius of 80.19 feet; along said curve with an arc length of 66.36 feet, and a chord which bears South 36 degrees 23 minutes 48 seconds West, 64.48 feet; South 60 degrees 06 minutes 17 seconds West, 45.35 feet to a point on a non-tangent curve to the left having a radius of 63.36 feet; along said curve with an arc length of 42.86 feet, and a chord which bears South 34 degrees 36 minutes 23 seconds West, 42.05 feet to a point of tangency and South 15 degrees 13 minutes 43 seconds West, 73.14 feet to the northern right-of-way line of above said Chouteau Avenue; thence along said northern right-of-way line, North 75 degrees 00 minutes 00 seconds West, 10.53 feet to the Point of Beginning and containing 7,348 square feet or 0.168 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc on March 15, 2012.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance.

Section B. Because immediate action is necessary to convey the property located near the Chouteau State Owned Office Building, the enactment of section 13 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution and the enactment of section 13 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 9** was adopted.

Representative Hummel offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 578, Page 13, Section 12, Line 18, by inserting after all of said section and line the following:

"**Section 13. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release and forever quitclaim all interest of the state of Missouri in a tract of land located in the City of St. Louis, to The Special Administrative Board of the Transitional School District of The City of St. Louis (d/b/a The Board of Education of the City of St. Louis) described as follows:**

Lots 10, 11, 12, and 13 in Block 3 of Evans Place, a subdivision in Block 3730 of the City of St. Louis, Missouri.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but need not be limited to, the number of appraisals required, and the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 10** was adopted.

On motion of Representative Cox, **HCS SB 578, as amended**, was adopted.

On motion of Representative Cox, **HCS SB 578, as amended**, was read the third time and passed by the following vote:

AYES: 106

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Curtman	Day	Diehl	Dugger
Elmer	Entlicher	Fisher	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Harris
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Korman	Kratky	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Thomson	Torpey	Wallingford
Webb	Wells	Weter	Wieland	Wright
Zerr				

NOES: 036

Anders	Carlson	Carter	Casey	Colona
Ellinger	Ellington	Fallert	Hodges	Holsman
Hughes	Kirkton	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Cross	Davis	Denison	Dieckhaus
Fitzwater	Franklin	Haefner	Jones 63	Koenig
Lampe	Long	McNary	Meadows	Nolte
Sater	Schatz	Webber	White	Wyatt
Mr Speaker				

Representative Schad declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Korman	Kratky
Lair	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNeil	Montecillo	Morgan	Nance	Nasheed
Neth	Oxford	Parkinson	Phillips	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Smith 150	Solon	Sommer	Still
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
Wieland	Wright	Zerr		

NOES: 015

Brattin	Cauthorn	Ellinger	Ellington	Kirkton
Marshall	May	McCreery	Molendorp	Nichols
Pace	Pierson	Smith 71	Spreng	Talboy

PRESENT: 000

ABSENT WITH LEAVE: 025

Brown 50	Cross	Day	Denison	Dieckhaus
Fitzwater	Grisamore	Jones 63	Koenig	Lampe
Largent	McNary	Meadows	Newman	Nolte
Redmon	Sater	Schatz	Schieber	Silvey
Swearingen	Webber	White	Wyatt	Mr Speaker

SS SCS SB 699, relating to crime, was taken up by Representative Fuhr.

Representative Fuhr offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 6, Section 217.703, Line 98, by deleting the number "**4**" on said line and inserting in lieu thereof the number "**5**"; and

Further amend said bill, page, and section, Line 99, by deleting the number "**6**" on said line and inserting in lieu thereof the number "**7**"; and

Further amend said bill, Page 8, Section 221.105, Line 29, by deleting the first occurrence of the number "**7**" on said line and inserting in lieu thereof the number "**6**"; and

Further amend said bill, Page 10, Section 559.036, Line 23, by deleting the phrase "**subsection 3 of**" on said line; and

Further amend said bill, Page 12, Section 559.036, Line 66, by deleting the phrase "**subsection 2 of**" on said line; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 1** was adopted.

Representative Talboy offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, Title, Lines 3-4, by deleting the phrase "under the supervision of the department of corrections"; and

Further amend said bill, Page 9, Section 221.105, Line 42, by inserting after all of said section and line, the following:

"491.075. 1. A statement made by a child under the age of fourteen**, or a vulnerable person,** relating to an offense under chapter 565, 566, 568 or 573, performed **[**with or on a child**]** by another, not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings in the courts of this state as substantive evidence to prove the truth of the matter asserted if:

(1) The court finds, in a hearing conducted outside the presence of the jury that the time, content and circumstances of the statement provide sufficient indicia of reliability; and

(2) (a) The child **or vulnerable person** testifies at the proceedings; or

(b) The child **or vulnerable person** is unavailable as a witness; or

(c) The child **or vulnerable person** is otherwise physically available as a witness but the court finds that the significant emotional or psychological trauma which would result from testifying in the personal presence of the defendant makes the child **or vulnerable person** unavailable as a witness at the time of the criminal proceeding.

2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence requiring corroboration of statements, admissions or confessions of the defendant, and notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of fourteen**, or a vulnerable person,** who is alleged to be victim of an offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless of whether or not the child **or vulnerable person** is available to testify regarding the offense.

3. A statement may not be admitted under this section unless the prosecuting attorney makes known to the accused or the accused's counsel his or her intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the accused or the accused's counsel with a fair opportunity to prepare to meet the statement.

4. Nothing in this section shall be construed to limit the admissibility of statements, admissions or confessions otherwise admissible by law.

5. For the purposes of this section, "vulnerable person" shall mean a person who, as a result of an inadequately developed or impaired intelligence or a psychiatric disorder that materially affects ability to function, lacks the mental capacity to consent, or whose developmental level does not exceed that of an ordinary child of fourteen years of age."; and

Further amend said bill, Page 15, Section 559.115, Line 82, by inserting after all of said section and line, the following:

"565.072. 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010.

2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim or has previously pleaded guilty to or been found guilty of committing this crime, in which case it is a class A felony.

565.073. 1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, and he or she:

(1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or

(2) Recklessly causes serious physical injury to such family or household member; or

(3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.

2. Domestic assault in the second degree is a class C felony.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010 and:

(1) The person attempts to cause or recklessly causes physical injury to such family or household member; or

(2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or

(3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or

(5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members.

568.060. 1. **[**A person commits the crime of abuse of a child if such person:

(1) Knowingly inflicts cruel and inhuman punishment upon a child less than seventeen years old; or

(2) Photographs or films a child less than eighteen years old engaging in a prohibited sexual act or in the simulation of such an act or who causes or knowingly permits a child to engage in a prohibited sexual act or in the simulation of such an act for the purpose of photographing or filming the act.

2. As used in this section "prohibited sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism, fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Abuse of a child is a class C felony, unless:

(1) In the course thereof the person inflicts serious emotional injury on the child, or the offense is committed as part of a ritual or ceremony in which case the crime is a class B felony; or

(2) A child dies as a result of injuries sustained from conduct chargeable pursuant to the provisions of this section, in which case the crime is a class A felony.

4. As used in this section, the word "fetishism" means a condition in which erotic feelings are excited by an object or body part whose presence is psychologically necessary for sexual stimulation or gratification**] As used in this section, the following terms shall mean:**

(1) "Abuse", the infliction of physical, sexual, or mental injury against a child by any person eighteen years of age or older. For purposes of this section, abuse shall not include injury inflicted on a child by accidental means by a person with care, custody, or control of the child, or discipline of a child by a person with care, custody, or control of the child, including spanking, in a reasonable manner;

(2) "Abusive head trauma", a serious physical injury to the head or brain caused by any means, including but not limited to shaking, jerking, pushing, pulling, slamming, hitting, or kicking;

(3) "Mental injury", an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior;

(4) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result;

(5) "Physical injury", physical pain, illness, or any impairment of physical condition, including but not limited to bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ;

(6) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive, or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(7) "Serious physical injury", a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. A person commits the offense of abuse or neglect of a child if such person knowingly causes a child who is less than eighteen years of age:

(1) To suffer physical or mental injury as a result of abuse or neglect; or

(2) To be placed in a situation in which the child may suffer physical or mental injury as the result of abuse or neglect.

3. A person commits the offense of abuse or neglect of a child if such person recklessly causes a child who is less than eighteen years of age to suffer from abusive head trauma.

4. A person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person delivers or allows the delivery of child to a provider of emergency services.

5. The offense of abuse or neglect of a child is a class C felony, without eligibility for probation or parole until the defendant has served no less than one year of such sentence, unless the person has previously been found guilty of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct or the injury inflicted on the child is a serious emotional injury or a serious physical injury, in which case abuse or neglect of a child is a class B felony, without eligibility for probation or parole until the defendant has served not less than five years of such sentence.

6. Notwithstanding subsection 5 of this section to the contrary, the offense of abuse or neglect of a child is a class A felony, without eligibility for probation or parole until the defendant has served not less than fifteen years of such sentence, if:

(1) The injury is a serious emotional injury or a serious physical injury;

(2) The child is less than fourteen years of age; and

(3) The injury is the result of sexual abuse as defined under section 566.100 or sexual exploitation of a minor as defined under section 573.023.

7. The circuit or prosecuting attorney may refer a person who is suspected of abuse or neglect of a child to an appropriate public or private agency for treatment or counseling so long as the agency has consented to taking such referrals. Nothing in this subsection shall limit the discretion of the circuit or prosecuting attorney to prosecute a person who has been referred for treatment or counseling pursuant to this subsection.

8. Nothing in this section shall be construed to alter the requirement that every element of any crime referred to herein must be proven beyond a reasonable doubt.

9. Discipline, including spanking administered in a reasonable manner, shall not be construed to be abuse under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller assumed the Chair.

On motion of Representative Talboy, **House Amendment No. 2** was adopted.

Representative Denison offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 9, Section 221.105, Line 42, by after all of said section and line inserting the following:

"544.455. 1. Any person charged with a bailable offense, at his or her appearance before an associate circuit judge or judge may be ordered released pending trial, appeal, or other stage of the proceedings against him on his personal recognizance, unless the associate circuit judge or judge determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the associate circuit judge or judge may either in lieu of or in addition to the above methods of release, impose any or any combination of the following conditions of release which will reasonably assure the appearance of the person for trial:

(1) Place the person in the custody of a designated person or organization agreeing to supervise him;

(2) Place restriction on the travel, association, or place of abode of the person during the period of release;

(3) Require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof **by a defendant or a third party; however, under article I, section 20 of the Missouri Constitution, the court shall accept in lieu of a cash only bond a guarantee from any surety who is in compliance with general laws regulating such profession**;

(4) Require the person to report regularly to some officer of the court, or peace officer, in such manner as the associate circuit judge or judge directs;

(5) **[**Require the execution of a bond in a given sum and the deposit in the registry of the court of ten percent, or such lesser percent as the judge directs, of the sum in cash or negotiable bonds of the United States or of the state of Missouri or any political subdivision thereof;

(6)**]** Place the person on house arrest with electronic monitoring, except that all costs associated with the electronic monitoring shall be charged to the person on house arrest. If the judge finds the person unable to afford the costs associated with electronic monitoring, then the judge shall not order that the person be placed on house arrest with electronic monitoring;

[(7)**] (6)** Impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

2. In determining which conditions of release will reasonably assure appearance, the associate circuit judge or judge shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or flight to avoid prosecution or failure to appear at court proceedings.

3. An associate circuit judge or judge authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

4. A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the condition reviewed by the associate circuit judge or judge who imposed them. The motion shall be determined promptly.

5. An associate circuit judge or judge ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release; except that, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection 4 **of this section** shall apply.

6. Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

7. Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

8. Persons charged with violations of municipal ordinances may be released by a municipal judge or other judge who hears and determines municipal ordinance violation cases of the municipality involved under the same conditions and in the same manner as provided in this section for release by an associate circuit judge.

9. A circuit court may adopt a local rule authorizing the pretrial release on electronic monitoring pursuant to subdivision (6) of subsection 1 of this section in lieu of incarceration of individuals charged with offenses specifically identified therein."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brattin offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 3, Line 15, by inserting after all of said line the following:

'Further amend said bill, Page 3, Section 217.147, Line 76, by inserting after all of said section, the following:

"**217.243. Any inmate who receives on-site medical examination or treatment from the correctional center's medical personnel shall be assessed a charge of one dollar fifty cents per visit for such medical examination or treatment.**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
Molendorp	Nance	Neth	Nolte	Parkinson

Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schieber	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Dieckhaus	Holsman	Jones 63	Largent
McGhee	McNary	Meadows	Scharnhorst	Schatz
Schneider	Stream	Swinger	Talboy	Webber
Mr Speaker				

On motion of Representative Brattin, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Denison, **House Amendment No. 3, as amended**, was adopted.

Representative Lair offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 3, Section 217.147, Line 76, by inserting immediately after said section and line, the following:

"**217.694. 1. Notwithstanding any other provision of law, any offender incarcerated in a correctional facility serving a sentence of life without parole for a minimum of fifty years or more and who is sixty years of age or older and has no prior felony convictions of a violent nature shall receive a parole hearing upon serving fifteen years or more of his or her sentence.**

2. During the parole hearing required under subsection 1 of this section, the board of probation and parole shall determine whether there is a reasonable probability that the offender will live and remain at liberty without violation of law upon release, and therefore is eligible for release based upon a finding that the offender meets the following criteria:

(1) A record of good conduct while incarcerated;

(2) Has demonstrated self-rehabilitation efforts while incarcerated;

(3) Has a workable parole plan;

(4) Availability of community and family support;

(5) Is subject to a minimum of five years of supervision by the board of probation and parole upon release;

(6) Has an institutional risk factor score of one; and

(7) Is not a convicted sex offender.

3. If the board does not grant parole to an offender who qualifies for a parole hearing under this section, the offender shall be eligible for a reconsideration parole hearing every three years until a presumptive release date is established."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nance offered **House Amendment No. 1 to House Amendment No. 4**.

House Amendment No. 1 to House Amendment No. 4 was withdrawn.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Riddle	Rowland	Ruzicka	Sater
Schad	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 016

Berry	Brown 50	Day	Dieckhaus	Jones 63
Jones 117	Loehner	McCaherty	McNary	Meadows
Richardson	Scharnhorst	Schatz	Swinger	Webber
Wyatt				

On motion of Representative Lair, **House Amendment No. 4** was adopted by the following vote:

AYES: 084

Allen	Anders	Atkins	Aull	Black
Brandom	Brown 85	Carlson	Carter	Casey
Cauthorn	Colona	Conway 27	Cross	Curtman
Diehl	Ellinger	Ellington	Fallert	Fisher
Grisamore	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hummel
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Lauer	Loehner	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Molendorp	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Reiboldt	Rizzo	Rowland
Ruzicka	Schad	Schieffer	Schupp	Shively
Shumake	Smith 71	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Webb	Weter	Wright	

NOES: 068

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brattin	Brown 116	Burlison	Cierpiot	Conway 14
Cookson	Cox	Crawford	Davis	Denison
Dugger	Elmer	Entlicher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Koenig	Largent	Lasater
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	Neth	Nolte	Parkinson	Pollock
Redmon	Richardson	Riddle	Sater	Schieber
Schneider	Schoeller	Sifton	Silvey	Smith 150
Solon	Sommer	Torpey	Wells	White
Wieland	Zerr	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Day	Dieckhaus	Jones 63	McNary
Meadows	Scharnhorst	Schatz	Swinger	Webber
Wyatt				

Representative Nance offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"**208.247. 1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for food stamp program benefits for such convictions, if such person, as determined by the department to meet at least one of the following conditions:**

(1) Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health;

(2) Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity;

(3) Has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse;

(4) Is successfully complying with, or has already complied with, all obligations imposed by the court, the division of alcohol and drug abuse, and the division of probation and parole;

(5) Has demonstrated sobriety through voluntary urinalysis testing paid for by the participant; or

(6) It has been more than four years since the conviction for a drug related felony.

2. Eligibility based upon the factors in subsection 1 of this section shall be based upon documentary or other evidence satisfactory to the department of social services, and the applicant shall meet all other factors for program eligibility.

3. The department of social services, in consultation with the division of alcohol and drug abuse, shall promulgate rules to carry out the provisions of this section, including specifying criteria for determining active participation in and completion of a substance abuse treatment program."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Koenig offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1 to House Amendment No. 5 was withdrawn.

Representative Koenig offered **House Amendment No. 2 to House Amendment No. 5**.

House Amendment No. 2
to
House Amendment No. 5

AMEND House Amendment No. 5 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, Line 27, by inserting after all of said line the following:

'Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

"208.182. 1. **[**The division of family services shall establish pilot projects in St. Louis City and in any county with a population of six hundred thousand or more, which shall provide for a system of electronic transfer of benefits to public assistance recipients. Such system shall allow recipients to obtain cash from automated teller machines or point of sale terminals. If less than the total amount of benefits is withdrawn, the recipient shall be given a receipt showing the current status of his account.**] The department of social services shall seek a waiver from the federal government to mandate the use of photo identification for continued eligibility in the food stamp program administered in Missouri. Upon one year after approval by the federal government, the department shall issue a photo**

identification card to each eligible household member who is sixteen years of age or older. Upon request, a household member, or the household's authorized representative, shall present the photo identification card at issuance points, retail food stores, or meal services when exchanging benefits for eligible food.

2. The disclosure of any information provided to a financial institution, business or vendor by the **[**division of family services**]** **department** pursuant to this section is prohibited. Such financial institution, business or vendor may not use or sell such information and may not divulge the information without a court order. Violation of this subsection is a class A misdemeanor.

3. **[**Subject to appropriations and subject to receipt of waivers from the federal government to prevent the loss of any federal funds, the department of social services shall require the use of photographic identification on electronic benefit transfer cards issued to recipients in this system. Such photographic identification electronic benefit transfer card shall be in a form approved by the department of social services.

4.**]** The **[**division of family services**]** **department** shall promulgate rules and regulations necessary to implement the provisions of this section pursuant to section 660.017 and chapter 536. **The rules shall ensure compliance with federal law, taking into account individuals and households with special needs as well as ensuring that all appropriate household members or authorized representatives are able to access benefits from the account as necessary.**

[5.**]** **4.** The delivery of electronic benefits and the electronic eligibility verification, including, but not limited to, **[**aid to families with dependent children (AFDC)**]** **temporary assistance for needy families (TANF)**, women, infants and children (WIC), early periodic screening diagnosis and treatment (EPSDT), food stamps, supplemental security income (SSI), including Medicaid, child support, and other programs, shall reside in one card that may be enabled by function from time to time in a convenient manner."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dugger	Entlicher	Fisher	Fitzwater	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Hinson	Hoskins	Houghton	Johnson	Jones 89
Kelley 126	Klippenstein	Koenig	Korman	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shumake	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	May	McCann Beatty	McCreery

McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 025

Allen	Brown 50	Day	Dieckhaus	Diehl
Elmer	Flanigan	Fraker	Higdon	Hough
Jones 117	Keeney	Kelly 24	Lair	Lampe
Largent	Loehner	McNary	Schatz	Silvey
Stream	Swinger	Webber	Wyatt	Mr Speaker

On motion of Representative Koenig, **House Amendment No. 2 to House Amendment No. 5** was adopted by the following vote:

AYES: 101

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hoskins	Houghton	Johnson
Jones 89	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Meadows	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Smith 150
Solon	Sommer	Still	Thomson	Torpey
Wallingford	Wells	Weter	Wieland	Wyatt
Zerr				

NOES: 036

Anders	Atkins	Carlson	Conway 27	Ellinger
Ellington	Hodges	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kirkton	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Smith 71	Spreng	Swearingen	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brown 50	Colona	Day	Dieckhaus
Diehl	Elmer	Flanigan	Franz	Higdon
Hough	Jones 117	Kelly 24	Lampe	Largent
McNary	Pollock	Schatz	Silvey	Stream
Swinger	Webb	Webber	White	Wright
Mr Speaker				

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Dugger
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Lauer	Leach	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schneider	Schoeller
Shumake	Smith 150	Solon	Sommer	Thomson
Torpey	Wallingford	Weter	White	Wieland
Wright	Zerr			

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Swearingen	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 028

Brown 50	Brown 116	Day	Denison	Dieckhaus
Diehl	Elmer	Flanigan	Grisamore	Hough

Jones 117	Kelly 24	Lampe	Largent	Lasater
Leara	Montecillo	Schatz	Silvey	Still
Stream	Swinger	Talboy	Webb	Webber
Wells	Wyatt	Mr Speaker		

On motion of Representative Nance, **House Amendment No. 5, as amended**, was adopted.

Representative Schad offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 699, Page 1, Section A, Line 4, by inserting after all of said line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a **[**web page**] website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 5, 6, and 7 of this section,** the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) **[**Any photographs of the offender**] A current photograph of the individual, which shall be taken by the registering official**;

(6) **[**A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)**]** The nature and dates of all offenses qualifying the offender to register;

[(8)**] (7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)**] (8)** Compliance status of the offender with the provisions of section 589.400 to 589.425; and

[(10)**] (9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website."; and

Further amend said bill, Page 15, Section 559.115, Line 82, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is **[**exempted**] exempt** from registering under subsection **6,** 8**, or 10** of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia,** or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within **[**three**] five business** days of **[**conviction**] adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile described in subdivision (6) of subsection 1 of this section, within five business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within **[**three**] five business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official**[**, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested**]**.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender**;

(3) The registrant is **exempt or is** no longer required to register **[**and his or her name shall be removed from the registry**]** under the provisions of subsection 6**, 8, or 10** this section; or

(4) The **[**registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the**]** court orders the removal **[**or exemption**]** of such person from the registry **under subsection 7, 9, or 10 of this section or section 589.401**.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. **Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:**

(1) Felonious restraint of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child; or

(2) Nonsexual child abuse that was committed under section 568.060; or

(3) Kidnapping of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child**] any offense listed in subsection 6 of this section** shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

8. Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:

(1) Sexual misconduct in the second degree under section 566.093; or

(2) Sexual misconduct in the third degree under section 566.095; or

(3) Promoting obscenity in the first degree under section 573.020; or

(4) Promoting obscenity in the second degree under section 573.030; or

(5) Furnishing pornographic materials to minors under section 573.040; or

(6) Public display of explicit sexual material under section 573.060; or

(7) Coercing acceptance of obscene material under section 573.065,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.**] 9.** Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register**] any offense listed in subsection 8 of this section shall be removed from the registry; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425**.

[8.**]** **10.** Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.**]** **11.** (1) The court may grant such relief under subsection **[**7 or 8**]** **9 or 10** of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.**]** **12.** Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education **[**and is not entitled to relief under the provisions of subsection 9 of this section**]**. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency **[**and is not entitled to the provisions of subsection 9 of this section**]**.

[11.**]** **13.** Any person whose name is removed or **who is** exempted from the sexual offender registry under subsection **[**7 or 8**]** **6, 7, 8, 9, or 10** of this section shall **[**no longer**]** **not** be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

14. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.

589.401. 1. Any person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name and information removed from the sexual offender registry; except that, any person having multiple offenses requiring registration under sections 589.400 to 589.425 shall not be eligible for removal from the registry until all applicable time requirements under subsections 2 and 3 of this section for all such offenses have elapsed. If the offense requiring registration was adjudicated in another state, the District of Columbia, a foreign country, or a territory, tribal, or military jurisdiction such person may file a petition in the division of the circuit court in the county in which such person resides.

2. A person who is required to register under the provisions of sections 589.400 to 589.425 for any of the following offenses or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if twenty years has not elapsed since the date the person was required to register:

(1) Kidnapping when a sexual offense under chapter 566 was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under chapter 566 and when the victim was less than eighteen years of age and excluding kidnapping by a parent or guardian under section 565.110;

(2) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(3) Forcible rape under section 566.030;

(4) Forcible sodomy under section 566.060;

(5) Sexual trafficking of a child under section 566.212;

(6) Sexual trafficking of a child under the age of twelve, under section 566.213; or

(7) Child molestation in the first degree when it is a class A felony under section 566.067.

3. A person who is required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of this section or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if ten years has not elapsed since the date the person was required to register.

4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:

(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for one year immediately preceding the filing of the petition; or

(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for one year immediately preceding the filing of the petition.

(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Date of birth;

(e) Last four digits of the Social Security number;

(f) Address;

(g) Place of employment, school, or volunteer status;

(2) The offense that required the petitioner to register;

(3) The date the petitioner pled to, was convicted of, or was adjudicated for the offense;

(4) The date the petitioner was required to register;

(5) The date the petitioner actually registered;

(6) The case number and court, including county, that entered the original order for the adjudicated sex offense;

(7) The petitioner's fingerprints on an applicant fingerprint card;

(8) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and

(9) That the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking removal, of the petition and an opportunity to present evidence in opposition to the facts alleged in the petition. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner, including but not limited to criminal history records under section 43.530, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with such petition.

11. Except as otherwise provided under subsection 12 of this section, the court shall enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from any corresponding state or local law enforcement registry or website unless it finds that the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction:

(1) Has been adjudicated of or has charges pending for failure to register;

(2) Has been adjudicated of any additional offense which would require registration as a sexual offender and which occurred after the date such person initially registered as a sexual offender;

(3) Has charges pending for any offense which would require registration as a sexual offender;

(4) Has not successfully completed any required periods of supervised release, probation, or parole; and

(5) Has not successfully completed all appropriate sexual offender treatment, including any court-ordered treatment and any treatment ordered by the department of corrections.

12. For any person who has been convicted of a crime listed in subsection 2 of this section, the court may enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from corresponding state or local law enforcement registry or website upon the filing of a petition for removal and submission of the petitioner's completed risk assessment evaluation conducted by a licensed mental health professional unless it finds that subdivisions (1) to (5) of subsection 11 apply to the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction.

13. In order to prove the facts required by subdivisions (1), (2), and (3) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol and the Federal Bureau of Investigation.

14. Except as provided in subsection 14 of this section, if it is found that the petition is denied, a successive petition requesting such relief may be filed under this section one year after the date of such denial unless such denial is based on a subsequent conviction of a sex offense or failure to register, in which case no successive petition shall be filed.

15. If it is found that the petition is denied solely on the basis of the fact that the petitioner has pending charges and those charges are subsequently dismissed or the petitioner is subsequently acquitted of such pending charges, the petitioner may file a new petition under this section at any time after the dismissal or acquittal of such pending charges.

16. If the court finds that the petitioner is entitled to have his or her name and information removed from the sexual offender registry, the court shall enter judgment directing the respondents to remove the petitioner's name and information from all law enforcement sexual offender registries and public websites within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

17. Any person subject to judgment requiring his or her name or information to be removed from the sexual offender registry shall not be required to register or report under sections 589.400 to 589.425 unless such person is required to register and report for an offense that was committed after the judgment of removal was entered.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a **[**web page**]** **website** on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided by subsections 5, 6, and 7 of this section,** the registered sexual offender search **[**shall**]** **may** make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. Only the information listed in this subsection **[**shall**]** **may** be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) **[**Any photographs of the offender**]** **A current photograph of the individual, which shall be taken by the registering official**;

(6) [A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)] The nature and dates of all offenses qualifying the offender to register;

[(8)] **(7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)] **(8)** Compliance status of the offender with the provisions of sections 589.400 to 589.425; [and]

[(10)] **(9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

4. The chief law enforcement officer of any county or city not within a county may [publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county] **give notice to any public school as defined in section 160.011, any private school giving instruction in a grade or grades not higher than the twelfth grade, any child care facility licensed under chapter 210, or any child care facility defined in section 210.201 that is exempt from state licensure but subject to state regulation under section 210.252 and holds itself out to be a child care facility, that a sex offender is residing, working, or attending school within a five mile radius of such school or child care facility. Such notice shall only include the sex offender information described in subsection 3 of this section**.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as defined in section 589.404; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website.

589.403. **1.** Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections [or], any mental health institution**, private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall**:**

(1) If the person plans to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release**, **to the Missouri state highway patrol and** to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release[. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.]**; or**

(2) If the person does not reside or plan to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section or fails to register with the chief law enforcement official within five business days as directed, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.405. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**] who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall **[**obtain the address where the person expects to reside upon discharge, parole or release and shall**] make it a condition of probation that the offender** report, within **[**three**] five** business days**[**, such address**]** to the chief law enforcement official of the county **of adjudication** or city not within a county **[**where the person expects to reside, upon discharge, parole or release.**] of adjudication, to complete the initial registration. If such offender is not placed on probation, the court shall:**

(1) If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;

(2) If the offender does not reside in Missouri, the court shall:

(a) Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and

(b) Complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.

2. If the offender refuses to complete and sign the registration information as outlined in subdivision (1) of subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief law enforcement official as outlined in subdivision (2) of subsection 1 of this section, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form **shall consist of a statement in writing, including the signature of the offender and** shall include, but is not limited to the following:

(1) **[**A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;**] The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;**

(2) The date of birth of the individual to include any alias dates of birth used;

(3) The address of the individual's residence or, if the individual is homeless, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless shelter or other temporary residence;

(4) The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed, the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;

(5) The name and address of any institutions of higher education that the individual attends;

(6) The Social Security number of the individual including any alias Social Security numbers used;

(7) The telephone numbers of the individual including all landline and cellular telephone numbers used;

(8) The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;

(9) Any online identifiers as defined in section 43.651 which are used by the individual for personal purposes;

(10) The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;

(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;

(12) The age and gender of the victim and the offender at the time of the offense;

(13) If the offender was required to successfully complete appropriate sexual offender treatment, including any court-ordered treatment or any treatment ordered by the department of corrections, the date that the offender successfully completed such treatment, or a statement, that as of the date of registration, the offender has not yet successfully completed the required sexual offender treatment or has failed to successfully complete the required sexual offender treatment;

(14) The status of the individual's parole, probation, or supervised release, if applicable;

(15) Passport and immigration numbers to include expiration dates; and

(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.

2. The following shall be included with the form:

[(2)**] (1)** The fingerprints, palm prints, and a photograph of the person; **[**and**]**

(2) A current photograph of the individual to be taken by the registering official; and

(3) A DNA sample **from the individual**, if a sample has not already been obtained.

[2.**] 3.** The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:

(1) A photocopy of a valid driver's license or nondriver's identification card; **and**

(2) A document verifying proof of the offender's residency**[**; and

(3) A photocopy of the vehicle registration for each of the offender's vehicles**]**.

4. The Missouri state highway patrol shall maintain all required registration information in digitized form.

5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.

6. The offender shall be responsible for reviewing his or her existing registration information for accuracy at every regular in-person appearance and if any inaccuracies are found provide proof of the information in question. The registering law enforcement official shall, within three business days of receipt of proof from the offender regarding the inaccuracy, correct the inaccuracy on its law enforcement registry and on its public website, if any, and shall notify the Missouri state highway patrol of the change in information. The Missouri state highway patrol shall, within three business days of notification by the registering law enforcement official, correct the inaccuracy on its law enforcement registry and on its public website.

7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425, and a statement to such effect shall be included on the form that the individual is required to sign at each registration.

589.410. **1.** The chief law enforcement official shall forward the completed offender registration form to the Missouri state highway patrol within three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system, and other entities as provided by law, upon inquiry.

2. Upon receipt of each completed offender registration form, the Missouri state highway patrol shall review the information contained in the form to determine whether, according to the form, the offender will be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the registration form, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than **[**three**] five** business days **[**after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,**]** appear in person to the chief law enforcement officer of the county or city not within a county **[**and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days**] if there is a change to any of the following information:**

(1) Name;

(2) Residence;

(3) Employment;

(4) Student status; or

(5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall, within five business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:

(1) Vehicle information;

(2) Temporary residence information; or

(3) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.

3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.

4. The Missouri state highway patrol shall review any changes received from registering officials under subsection 3 of this section to determine whether the offender will now be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the changes, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

[2.**] 5.** If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state**, or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state**, or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state **or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state**, or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall report in person to the chief law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

(1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;

(2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and

(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.**] 6.** In addition to the requirements of subsections 1 **[**and**],** 2**, and 5** of this section, **[**all registrants**] any person required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction,** shall report **[**semiannually**] annually** in person in the month of their birth **[**and six months thereafter**]** to the chief law enforcement **[**agency**] official** to verify the information contained in their statement made pursuant to section 589.407**[**. All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency**] and six months thereafter shall report by mail on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender**.

7. In addition to the requirements of subsections 1, 2, and 5 of this section, any person required to register under the provisions of sections 589.400 to 589.425 for any offenses listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition, such offenders shall report by mail ninety days after each in-person report on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.

[5.**]** **8.** In addition to the requirements of subsections 1 **[**and**]**, 2**, and 5** of this section, all Missouri registrants who work**, including as a volunteer or unpaid intern,** or attend **any** school **[**or training**], whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education** on a full-time or part-time basis in any other state shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

[6. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.**]**

9. Whenever any person reports under the provisions of this section in person and in the month of their birth, the registering law enforcement official shall take a current photograph of the offender."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 6** was adopted.

On motion of Representative Fuhr, **SS SCS SB 699, as amended**, was read the third time and passed by the following vote:

AYES: 116

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Carlson	Carter	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fraker	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Kander	Kelley 126	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Morgan	Nance
Nasheed	Neth	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Reiboldt
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Spreng	Still	Swearingen
Talboy	Taylor	Thomson	Wallingford	Walton Gray
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 033

Bahr	Brattin	Burlison	Conway 14	Dugger
Ellington	Fitzwater	Franklin	Franz	Guernsey
Hampton	Jones 89	Jones 117	Keeney	Kirkton
Koenig	Leach	Marshall	McCreery	Montecillo
Newman	Nolte	Parkinson	Pollock	Scharnhorst
Schieber	Sifton	Smith 71	Smith 150	Solon
Sommer	Torpey	Wells		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Day	Dieckhaus	Flanigan	Hough
Lasater	Richardson	Sater	Schatz	Stream
Swinger	Webb	Webber	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HCS SS SCS SB 595, relating to special education hearings, was taken up by Representative Torpey.

On motion of Representative Torpey, **HCS SS SCS SB 595** was adopted.

On motion of Representative Torpey, **HCS SS SCS SB 595** was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carter	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon

Sommer	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 005

Aull	Carlson	Hughes	Schupp	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 014

Atkins	Brown 50	Colona	Flanigan	Jones 63
Marshall	Nasheed	Newman	Pollock	Schatz
Schieffer	Swinger	Webber	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schieber	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 004

Aull	Ellington	Marshall	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 018

Atkins	Brown 50	Colona	Curtman	Flanigan
Franklin	Hough	Hughes	McDonald	Nasheed
Nolte	Scharnhorst	Schatz	Schieffer	Spreng
Swinger	Webber	Wyatt		

HCS SB 628, relating to judicial procedures, was taken up by Representative Kelly (24).

Representative Talboy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 628, Page 38, Section 488.5375, Line 10, by inserting after all of said section and line, the following:

"491.075. 1. A statement made by a child under the age of fourteen**, or a vulnerable person,** relating to an offense under chapter 565, 566, 568 or 573, performed **[**with or on a child**]** by another, not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings in the courts of this state as substantive evidence to prove the truth of the matter asserted if:

(1) The court finds, in a hearing conducted outside the presence of the jury that the time, content and circumstances of the statement provide sufficient indicia of reliability; and

(2) (a) The child **or vulnerable person** testifies at the proceedings; or

(b) The child **or vulnerable person** is unavailable as a witness; or

(c) The child **or vulnerable person** is otherwise physically available as a witness but the court finds that the significant emotional or psychological trauma which would result from testifying in the personal presence of the defendant makes the child **or vulnerable person** unavailable as a witness at the time of the criminal proceeding.

2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence requiring corroboration of statements, admissions or confessions of the defendant, and notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of fourteen**, or a vulnerable person,** who is alleged to be victim of an offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless of whether or not the child **or vulnerable person** is available to testify regarding the offense.

3. A statement may not be admitted under this section unless the prosecuting attorney makes known to the accused or the accused's counsel his or her intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the accused or the accused's counsel with a fair opportunity to prepare to meet the statement.

4. Nothing in this section shall be construed to limit the admissibility of statements, admissions or confessions otherwise admissible by law.

5. For the purposes of this section, "vulnerable person" shall mean a person who, as a result of an inadequately developed or impaired intelligence or a psychiatric disorder that materially affects ability to function, lacks the mental capacity to consent, or whose developmental level does not exceed that of an ordinary child of fourteen years of age."; and

Further amend said bill, Page 57, Section 559.105, Line 28, by inserting after all of said section and line, the following:

"565.072. 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010.

2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim or has previously pleaded guilty to or been found guilty of committing this crime, in which case it is a class A felony.

565.073. 1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, and he or she:

(1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or

(2) Recklessly causes serious physical injury to such family or household member; or

(3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.

2. Domestic assault in the second degree is a class C felony.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010 and:

(1) The person attempts to cause or recklessly causes physical injury to such family or household member; or

(2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or

(3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or

(5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members.”; and

Further amend said bill and page, Section 566.083, Line 23, by inserting after all of said section and line, the following:

“568.060. 1. **[**A person commits the crime of abuse of a child if such person:

(1) Knowingly inflicts cruel and inhuman punishment upon a child less than seventeen years old; or

(2) Photographs or films a child less than eighteen years old engaging in a prohibited sexual act or in the simulation of such an act or who causes or knowingly permits a child to engage in a prohibited sexual act or in the simulation of such an act for the purpose of photographing or filming the act.

2. As used in this section "prohibited sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism, fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Abuse of a child is a class C felony, unless:

(1) In the course thereof the person inflicts serious emotional injury on the child, or the offense is committed as part of a ritual or ceremony in which case the crime is a class B felony; or

(2) A child dies as a result of injuries sustained from conduct chargeable pursuant to the provisions of this section, in which case the crime is a class A felony.

4. As used in this section, the word "fetishism" means a condition in which erotic feelings are excited by an object or body part whose presence is psychologically necessary for sexual stimulation or gratification**] As used in this section, the following terms shall mean:**

(1) "Abuse", the infliction of physical, sexual, or mental injury against a child by any person eighteen years of age or older. For purposes of this section, abuse shall not include injury inflicted on a child by accidental means by a person with care, custody, or control of the child, or discipline of a child by a person with care, custody, or control of the child, including spanking, in a reasonable manner;

(2) "Abusive head trauma", a serious physical injury to the head or brain caused by any means, including but not limited to shaking, jerking, pushing, pulling, slamming, hitting, or kicking;

(3) "Mental injury", an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior;

(4) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result;

(5) "Physical injury", physical pain, illness, or any impairment of physical condition, including but not limited to bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ;

(6) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive, or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(7) "Serious physical injury", a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. A person commits the offense of abuse or neglect of a child if such person knowingly causes a child who is less than eighteen years of age:

(1) To suffer physical or mental injury as a result of abuse or neglect; or

(2) To be placed in a situation in which the child may suffer physical or mental injury as the result of abuse or neglect.

3. A person commits the offense of abuse or neglect of a child if such person recklessly causes a child who is less than eighteen years of age to suffer from abusive head trauma.

4. A person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person delivers or allows the delivery of child to a provider of emergency services.

5. The offense of abuse or neglect of a child is a class C felony, without eligibility for probation or parole until the defendant has served no less than one year of such sentence, unless the person has previously been found guilty of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct or the injury inflicted on the child is a serious emotional injury or a serious physical injury, in which case abuse or neglect of a child is a class B felony, without eligibility for probation or parole until the defendant has served not less than five years of such sentence.

6. Notwithstanding subsection 5 of this section to the contrary, the offense of abuse or neglect of a child is a class A felony, without eligibility for probation or parole until the defendant has served not less than fifteen years of such sentence, if:

(1) The injury is a serious emotional injury or a serious physical injury;

(2) The child is less than fourteen years of age; and

(3) The injury is the result of sexual abuse as defined under section 566.100 or sexual exploitation of a minor as defined under section 573.023.

7. The circuit or prosecuting attorney may refer a person who is suspected of abuse or neglect of a child to an appropriate public or private agency for treatment or counseling so long as the agency has consented to taking such referrals. Nothing in this subsection shall limit the discretion of the circuit or prosecuting attorney to prosecute a person who has been referred for treatment or counseling pursuant to this subsection.

8. Nothing in this section shall be construed to alter the requirement that every element of any crime referred to herein must be proven beyond a reasonable doubt.

9. Discipline, including spanking administered in a reasonable manner, shall not be construed to be abuse under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Tilley resumed the Chair.

On motion of Representative Talboy, **House Amendment No. 1** was adopted.

Representative Fuhr offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 628, Page 41, Section 513.440, Line 7, by inserting after all of said section and line the following:

"513.653. 1. Law enforcement agencies involved in using the federal forfeiture system under federal law shall **[**be required at the end of their respective fiscal year to acquire an independent audit of the federal seizures and the proceeds received therefrom and provide this audit to their respective governing body and to the department of public safety. A copy of such audit shall be provided to the state auditor's office. This audit shall be paid for out of the proceeds of such federal forfeitures**] file a report regarding federal seizures and the proceeds therefrom. Such report shall be filed annually by January thirty-first for the previous calendar year with the department of public safety and the state auditor's office. The report for the calendar year shall include the type and value of items seized and turned over to the federal forfeiture system, the beginning balance as of January first of federal forfeiture funds or assets previously received and not expended or used, the proceeds received from the federal government (the equitable sharing amount), the expenditures resulting from the proceeds received, and the ending balance as of December thirty-first of federal forfeiture funds or assets on hand**. The department of public safety shall not issue funds to any law enforcement agency that fails to comply with the provisions of this section.

2. Intentional or knowing failure to comply with the **[**audit**] reporting** requirement contained in this section shall be a class A misdemeanor, punishable by a fine of up to one thousand dollars."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 2** was adopted.

Representative Higdon offered **House Amendment No. 3**.

House Amendment No. 3 was withdrawn.

Representative Davis offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 628, Page 18, Section 452.402, Line 33, by inserting after all of said line the following:

"**452.413. 1. As used in this section, the following terms shall mean:**

(1) "Deploying parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(2) "Deployment", military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve

component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) "Military parent", the legal parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction, and who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) "Nondeploying parent", a parent or guardian not subject to military deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such custody or visitation order shall further require the nondeploying parent to provide the court and the deploying parent with a thirty day advance written notice of any change of address and any change of telephone number. However, if a valid domestic violence court order from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification.

(5) Upon motion of a deploying parent, upon reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion and this shall take precedence on the court's docket.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner, or to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent shall:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Provide timely information regarding the deploying parent's leave schedule to the nondeploying parent.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a temporary hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support. Each party shall provide information to each other in an effort to facilitate agreement on custody and visitation.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days' of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint at the request of the deployed parent or on its own motion a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished by certified mail, return receipt requested, to the nondeploying parent's last known address based on an affidavit of the deploying parent.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) offered **House Amendment No. 1 to House Amendment No. 4**.

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 628, Page 6, Line 19, by deleting all of said line and inserting in lieu thereof the following:

"**as may be required by law.**

453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child **[**is located at the time of**] has resided for at least ninety days prior to** the filing of the **adoption** petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1 to House Amendment No. 4** was adopted.

Representative Schoeller offered **House Amendment No. 2 to House Amendment No. 4**.

House Amendment No. 2
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 628, Page 1, Line 1, by inserting after all of said line the following:

'11, Section 195.223, Line 95, by inserting after all of said section and line the following:

"210.135. 1. Any person, official, or institution complying with the provisions of sections 210.110 to 210.165 in the making of a report, the taking of color photographs, or the making of radiologic examinations pursuant to sections 210.110 to 210.165, or both such taking of color photographs and making of radiologic examinations, or the removal or retaining a child pursuant to sections 210.110 to 210.165, or in cooperating with the division, or any other law enforcement agency, juvenile office, court, or child-protective service agency of this or any other state, in any of the activities pursuant to sections 210.110 to 210.165, or any other allegation of child abuse, neglect or assault, pursuant to sections 568.045 to 568.060, shall have immunity from any liability, civil or criminal, that otherwise might result by reason of such actions. Provided, however, any person, official or institution intentionally filing a false report, acting in bad faith, or with ill intent, shall not have immunity from any liability, civil or criminal. Any such person, official, or institution shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

2. Any person, who is not a school district employee, who makes a report to any employee of the school district of child abuse by a school employee shall have immunity from any liability, civil or criminal, that otherwise might result because of such report. Provided, however, that any such person who makes a false report, knowing that the report is false, or who acts in bad faith or with ill intent in making such report shall not have immunity from any liability, civil or criminal. Any such person shall have the same immunity with respect to participation in any judicial proceeding resulting from the report.

3. In a case involving the death or serious injury of a child after a report has been made under sections 210.109 to 210.165, the division shall conduct a preliminary evaluation in order to determine whether a review of the ability of the circuit manager or case worker or workers to perform their duties competently is necessary. The preliminary evaluation shall examine:

(1) The hotline worker or workers who took any reports related to such case;

(2) The division case worker or workers assigned to the investigation of such report; and

(3) The circuit manager assigned to the county where the report was investigated.

Any preliminary evaluation shall be completed no later than three days after the child's death. If the division determines a review and assessment is necessary, it shall be completed no later than three days after the child's death.

210.145. 1. The division shall develop protocols which give priority to:

(1) Ensuring the well-being and safety of the child in instances where child abuse or neglect has been alleged;

(2) Promoting the preservation and reunification of children and families consistent with state and federal law;

(3) Providing due process for those accused of child abuse or neglect; and

(4) Maintaining an information system operating at all times, capable of receiving and maintaining reports. This information system shall have the ability to receive reports over a single, statewide toll-free number. Such information system shall maintain the results of all investigations, family assessments and services, and other relevant information.

2. The division shall utilize structured decision-making protocols for classification purposes of all child abuse and neglect reports. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child. All child abuse and neglect reports shall be initiated within twenty-four hours and shall be classified based upon the reported risk and injury to the child. The division shall promulgate rules regarding the structured decision-making protocols to be utilized for all child abuse and neglect reports.

3. Upon receipt of a report, the division shall determine if the report merits investigation, including reports which if true would constitute a suspected violation of any of the following: section 565.020, 565.021, 565.023, 565.024, or 565.050 if the victim is a child less than eighteen years of age, section 566.030 or 566.060 if the victim is a child less than eighteen years of age, or other crimes under chapter 566 if the victim is a child less than eighteen years of age and

the perpetrator is twenty-one years of age or older, section 567.050 if the victim is a child less than eighteen years of age, section 568.020, 568.030, 568.045, 568.050, 568.060, 568.080, or 568.090, section 573.025, 573.035, 573.037, or 573.040, or an attempt to commit any such crimes. The division shall immediately communicate all reports that merit investigation to its appropriate local office and any relevant information as may be contained in the information system. The local division staff shall determine, through the use of protocols developed by the division, whether an investigation or the family assessment and services approach should be used to respond to the allegation. The protocols developed by the division shall give priority to ensuring the well-being and safety of the child.

4. **When the child abuse and neglect hotline receives three or more calls, within a seventy-two hour period, from one or more individuals concerning the same child, the division shall conduct a review to determine whether the calls meet the criteria and statutory definition for a child abuse and neglect report to be accepted. In conducting the review, the division shall contact the hotline caller or callers in order to collect information to determine whether the calls meet the criteria for harassment.**

5. The local office shall contact the appropriate law enforcement agency immediately upon receipt of a report which division personnel determine merits an investigation and provide such agency with a detailed description of the report received. In such cases the local division office shall request the assistance of the local law enforcement agency in all aspects of the investigation of the complaint. The appropriate law enforcement agency shall either assist the division in the investigation or provide the division, within twenty-four hours, an explanation in writing detailing the reasons why it is unable to assist.

[5.**]** **6.** The local office of the division shall cause an investigation or family assessment and services approach to be initiated in accordance with the protocols established in subsection 2 of this section, except in cases where the sole basis for the report is educational neglect. If the report indicates that educational neglect is the only complaint and there is no suspicion of other neglect or abuse, the investigation shall be initiated within seventy-two hours of receipt of the report. If the report indicates the child is in danger of serious physical harm or threat to life, an investigation shall include direct observation of the subject child within twenty-four hours of the receipt of the report. Local law enforcement shall take all necessary steps to facilitate such direct observation. **Callers to the child abuse and neglect hotline shall be instructed by the division's hotline to call 911 in instances where the child may be in immediate danger.** If the parents of the child are not the alleged abusers, a parent of the child must be notified prior to the child being interviewed by the division. **No person responding to or investigating a child abuse and neglect report shall call prior to a home visit or leave any documentation of any attempted visit, such as business cards, pamphlets, or other similar identifying information if he or she has a reasonable basis to believe the following factors are present:**

(1) (a) No person is present in the home at the time of the home visit; and

(b) The alleged perpetrator resides in the home or the physical safety of the child may be compromised if the alleged perpetrator becomes aware of the attempted visit;

(2) The alleged perpetrator will be alerted regarding the attempted visit; or

(3) The family has a history of domestic violence or fleeing the community.

If the alleged perpetrator is present during a visit by the person responding to or investigating the report, such person shall provide written material to the alleged perpetrator informing him or her of his or her rights regarding such visit, including but not limited to the right to contact an attorney. The alleged perpetrator shall be given a reasonable amount of time to read such written material or have such material read to him or her by the case worker before the visit commences, but in no event shall such time exceed five minutes; except that, such requirement to provide written material and reasonable time to reach such material shall not apply in cases where the child faces an immediate threat or danger, or the person responding to investigating the report is or feels threatened or in danger of physical harm. If the abuse is alleged to have occurred in a school or child-care facility the division shall not meet with the child in any school building or child-care facility building where abuse of such child is alleged to have occurred. When the child is reported absent from the residence, the location and the well-being of the child shall be verified. For purposes of this subsection, child-care facility shall have the same meaning as such term is defined in section 210.201.

[6.**]** **7.** The director of the division shall name at least one chief investigator for each local division office, who shall direct the division response on any case involving a second or subsequent incident regarding the same subject child or perpetrator. The duties of a chief investigator shall include verification of direct observation of the subject child by the division and shall ensure information regarding the status of an investigation is provided to the public school district liaison. The public school district liaison shall develop protocol in conjunction with the chief investigator to ensure information regarding an investigation is shared with appropriate school personnel. The superintendent of each school district shall designate a specific person or persons to act as the public school district liaison. Should the subject child attend a nonpublic school the chief investigator shall notify the school principal of the investigation. Upon notification of an investigation, all information received by the public school district liaison or the school shall be subject to the

provisions of the federal Family Educational Rights and Privacy Act (FERPA), 20 U.S.C., Section 1232g, and federal rule 34 C.F.R., Part 99.

[7.**]** **8.** The investigation shall include but not be limited to the nature, extent, and cause of the abuse or neglect; the identity and age of the person responsible for the abuse or neglect; the names and conditions of other children in the home, if any; the home environment and the relationship of the subject child to the parents or other persons responsible for the child's care; any indication of incidents of physical violence against any other household or family member; and other pertinent data.

[8.**]** **9.** When a report has been made by a person required to report under section 210.115, the division shall contact the person who made such report within forty-eight hours of the receipt of the report in order to ensure that full information has been received and to obtain any additional information or medical records, or both, that may be pertinent.

[9.**]** **10.** Upon completion of the investigation, if the division suspects that the report was made maliciously or for the purpose of harassment, the division shall refer the report and any evidence of malice or harassment to the local prosecuting or circuit attorney.

[10.**]** **11.** Multidisciplinary teams shall be used whenever conducting the investigation as determined by the division in conjunction with local law enforcement. Multidisciplinary teams shall be used in providing protective or preventive social services, including the services of law enforcement, a liaison of the local public school, the juvenile officer, the juvenile court, and other agencies, both public and private.

[11.**]** **12.** For all family support team meetings involving an alleged victim of child abuse or neglect, the parents, legal counsel for the parents, foster parents, the legal guardian or custodian of the child, the guardian ad litem for the child, and the volunteer advocate for the child shall be provided notice and be permitted to attend all such meetings. Family members, other than alleged perpetrators, or other community informal or formal service providers that provide significant support to the child and other individuals may also be invited at the discretion of the parents of the child. In addition, the parents, the legal counsel for the parents, the legal guardian or custodian and the foster parents may request that other individuals, other than alleged perpetrators, be permitted to attend such team meetings. Once a person is provided notice of or attends such team meetings, the division or the convenor of the meeting shall provide such persons with notice of all such subsequent meetings involving the child. Families may determine whether individuals invited at their discretion shall continue to be invited.

[12.**]** **13.** If the appropriate local division personnel determine after an investigation has begun that completing an investigation is not appropriate, the division shall conduct a family assessment and services approach. The division shall provide written notification to local law enforcement prior to terminating any investigative process. The reason for the termination of the investigative process shall be documented in the record of the division and the written notification submitted to local law enforcement. Such notification shall not preclude nor prevent any investigation by law enforcement.

[13.**]** **14.** If the appropriate local division personnel determines to use a family assessment and services approach, the division shall:

(1) Assess any service needs of the family. The assessment of risk and service needs shall be based on information gathered from the family and other sources;

(2) Provide services which are voluntary and time-limited unless it is determined by the division based on the assessment of risk that there will be a high risk of abuse or neglect if the family refuses to accept the services. The division shall identify services for families where it is determined that the child is at high risk of future abuse or neglect. The division shall thoroughly document in the record its attempt to provide voluntary services and the reasons these services are important to reduce the risk of future abuse or neglect to the child. If the family continues to refuse voluntary services or the child needs to be protected, the division may commence an investigation;

(3) Commence an immediate investigation if at any time during the family assessment and services approach the division determines that an investigation, as delineated in sections 210.109 to 210.183, is required. The division staff who have conducted the assessment may remain involved in the provision of services to the child and family;

(4) Document at the time the case is closed, the outcome of the family assessment and services approach, any service provided and the removal of risk to the child, if it existed.

[14.**]** **15.** Within thirty days of an oral report of abuse or neglect, the local office shall update the information in the information system. The information system shall contain, at a minimum, the determination made by the division as a result of the investigation, identifying information on the subjects of the report, those responsible for the care of the subject child and other relevant dispositional information. The division shall complete all investigations within thirty days, unless good cause for the failure to complete the investigation is documented in the information system. If a child involved in a pending investigation dies, the investigation shall remain open until the division's investigation surrounding the death is completed. If the investigation is not completed within thirty days, the information system shall be updated at regular intervals and upon the completion of the investigation. The information in the information system shall be

updated to reflect any subsequent findings, including any changes to the findings based on an administrative or judicial hearing on the matter.

[15.**]** **16.** A person required to report under section 210.115 to the division and any person making a report of child abuse or neglect made to the division which is not made anonymously shall be informed by the division of his or her right to obtain information concerning the disposition of his or her report. Such person shall receive, from the local office, if requested, information on the general disposition of his or her report. Such person may receive, if requested, findings and information concerning the case. Such release of information shall be at the discretion of the director based upon a review of the reporter's ability to assist in protecting the child or the potential harm to the child or other children within the family. The local office shall respond to the request within forty-five days. The findings shall be made available to the reporter within five days of the outcome of the investigation. If the report is determined to be unsubstantiated, the reporter may request that the report be referred by the division to the office of child advocate for children's protection and services established in sections 37.700 to 37.730. Upon request by a reporter under this subsection, the division shall refer an unsubstantiated report of child abuse or neglect to the office of child advocate for children's protection and services.

[16.**]** **17.** The division shall provide to any individual who is not satisfied with the results of an investigation information about the office of child advocate and the services it may provide under sections 37.700 to 37.730.

[17.**]** **18.** In any judicial proceeding involving the custody of a child the fact that a report may have been made pursuant to sections 210.109 to 210.183 shall not be admissible. However:

(1) Nothing in this subsection shall prohibit the introduction of evidence from independent sources to support the allegations that may have caused a report to have been made; and

(2) The court may on its own motion, or shall if requested by a party to the proceeding, make an inquiry not on the record with the children's division to determine if such a report has been made. If a report has been made, the court may stay the custody proceeding until the children's division completes its investigation.

[18.**]** **19.** In any judicial proceeding involving the custody of a child where the court determines that the child is in need of services **[**pursuant to subdivision (d)**]** **under paragraph (d) of subdivision (1)** of subsection 1 of section 211.031 and has taken jurisdiction, the child's parent, guardian or custodian shall not be entered into the registry.

[19.**]** **20.** The children's division is hereby granted the authority to promulgate rules and regulations pursuant to the provisions of section 207.021 and chapter 536 to carry out the provisions of sections 210.109 to 210.183.

[20.**]** **21.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void."; and

Further amend said bill, Page'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 2 to House Amendment No. 4** was adopted.

On motion of Representative Davis, **House Amendment No. 4, as amended**, was adopted.

Representative Higdon offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 628, Pages 44-45, Section 537.351, Lines 1-38, by deleting all of said lines and inserting in lieu thereof the following:

"**537.351. 1. Except as provided in subsection 2 of this section, a possessor of real property, including an owner, lessee, or other occupant, or an agent of such owner, lessee, or other occupant, owes no duty of care to a trespasser except to refrain from harming the trespasser by an intentional, willful, or wanton act. A possessor of real property may use justifiable force to repel a criminal trespasser as provided by section 563.074.**

2. A possessor of real property may be subject to liability for physical injury or death to a trespasser in the following situations:

(1) If the trespasser is a child who is harmed by a dangerous artificial condition on the land; and

(a) The possessor knew or should have known that children were likely to trespass at the location of the condition;

(b) The condition is one which the possessor knew or reasonably should have known involved an unreasonable risk of death or serious physical injury to such children;

(c) The injured child because of the child's youth did not discover the condition or realize the risk involved in the intermeddling with the condition or in coming within the area made dangerous by the condition;

(d) The utility to the possessor of maintaining the condition and the burden of eliminating the danger were slight as compared with the risk to the child involved; and

(e) The possessor failed to exercise reasonable care to eliminate the danger or otherwise protect the injured child; or

(2) The possessor knew or should have known that trespassers consistently intrude upon a limited area of the possessor's land where the trespasser was harmed, the harm resulted from a dangerous artificial condition on the land; and

(a) The possessor created or maintained the artificial condition that caused the injury;

(b) The possessor knew that the condition was likely to cause death or serious bodily harm to trespassers;

(c) The possessor knew or should have known that the condition was of such a nature that trespassers would not discover it; and

(d) The possessor failed to exercise reasonable care to warn trespassers of the condition and the risk involved; or

(3) If the possessor knew of the trespasser's presence on the land and failed to exercise ordinary care as to active operations carried out on the land.

3. This section does not create or increase the liability of any possessor of real property and does not affect any immunities from or defenses to liability established under state law or available under common law to which a possessor of real property may be entitled under circumstances not covered by this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 5** was adopted.

Representative McManus offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 628, Page 16, Section 211.444, Line 20, by inserting after all of said section the following:

"386.510. With respect to commission orders or decisions issued on and after July 1, 2011, within thirty days after the application for a rehearing is denied, or, if the application is granted, then within thirty days after the rendition of the decision on rehearing, the applicant may file a notice of appeal with the commission, which shall also be served on the parties to the commission proceeding in accordance with section 386.515, and which **the commission** shall **[**also be filed with**] forward to** the appellate court with the territorial jurisdiction over the county where the hearing was held or in which the commission has its principal office for the purpose of having the reasonableness or lawfulness of the original order or decision or the order or decision on rehearing inquired into or determined. Except with respect to a stay or suspension pursuant to subsection 1 of section 386.520, no new or additional evidence may be introduced in the appellate court but the cause shall be heard by the court without the intervention of a jury on the evidence and exhibits introduced before the commission and certified to by it. The notice of appeal shall include the appellant's application for rehearing, a copy of the reconciliation required by subsection 4 of section 386.420, a concise statement of the issues being appealed, a full and complete list of the parties to the commission proceeding, and any other information specified by the rules of the court. Unless otherwise ordered by the court of appeals, the commission shall, within thirty days of the filing of the notice of appeal, certify its record in the case to the court of appeals. The commission and each party to the action or proceeding before the commission shall have the right to intervene and participate fully in the review proceedings. Upon the submission of the case to the court of appeals, the court of appeals shall render its opinion either

affirming or setting aside, in whole or in part, the order or decision of the commission under review. In case the order or decision is reversed by reason of the commission failing to receive testimony properly proffered, the court shall remand the cause to the commission, with instructions to receive the testimony so proffered and rejected, and enter a new order or render a new decision based upon the evidence theretofore taken, and such as it is directed to receive. The court may, in its discretion, remand any cause which is reversed by it to the commission for further action. No court in this state, except the supreme court or the court of appeals, shall have jurisdiction or authority to review, reverse, correct or annul any order or decision of the commission or to suspend or delay the executing or operation thereof, or to enjoin, restrain or interfere with the commission in the performance of its official duties. The appellate courts of this state shall always be deemed open for the trial of suits brought to review the orders and decisions of the commission as provided in the public service commission law and the same shall where necessary be tried and determined as suits in equity."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McManus, **House Amendment No. 6** was adopted.

Representative Franz offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 628, Page 5, Section 56.807, Line 60, by inserting after all of said section and line, the following:

"57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section**[**; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence**]. The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year**, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars**[**, other than regular budget allocations or land sale proceeds,**] in any**

calendar year shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 7** was adopted.

Representative Franz offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 628, Page 3, Section 32.056, Line 19, by inserting after all of said line the following:

"50.1130. 1. **Notwithstanding the provisions of section 50.1150 to the contrary,** a death benefit of ten thousand dollars **and, in the case of an active member who dies after December 31, 2002, and before becoming vested, an amount equal to the amount of the member's accumulated contributions standing to his or her credit in the fund** shall be paid to the designated beneficiary of every active member upon his or her death or, if the member fails to designate a beneficiary, then to the member's surviving spouse or, if there is no spouse, then in equal shares to the member's surviving children. If there is neither a surviving spouse or surviving children, then the benefit shall be paid to the active member's estate.

2. If the member executes a beneficiary designation form and lists more than one beneficiary but fails to list the percentage of benefit that each beneficiary should receive, then the benefit shall be divided equally among the named beneficiaries.

50.1140. 1. Upon termination of employment, any member with less than eight years of creditable service shall forfeit all rights in the fund, including the member's accrued creditable service as of the date of the member's termination of employment, but may receive any refund of contributions to which the member is entitled pursuant to subsection 3 of this section **or subsection 1 of section 50.1130**.

2. A member who terminates employment with at least eight years of creditable service shall be entitled to an annuity from the fund, determined in accordance with the formula described in section 50.1060. The member may elect to defer the receipt of his or her annuity, until the member's attainment of age sixty-two, or the member may elect to begin receiving his or her annuity on the first day of any month following the later of the date of termination of employment or age fifty-five. If the member begins receiving an annuity before age sixty-two and termination of employment occurs on or after age fifty-five, the annuity shall be reduced by four-tenths of one percent for each month the commencement date of the annuity precedes age sixty-two, and an additional three-tenths of one percent for each month the commencement date of the annuity precedes age sixty.

3. In the event a member ceases to be a member other than by death before the date the member becomes vested in the system, the member shall be paid, upon his or her written application filed with the board, the member's accumulated contributions standing to his or her credit in the members' deposit fund.

4. A former member who has forfeited creditable service may have the creditable service restored by again becoming an employee, completing a total of eight years of uninterrupted creditable service, and purchasing the forfeited service by paying into the fund the forfeited amount previously refunded to the participant or credited to the participant's county plus interest equal to the current prime rate plus two percent."; and

Further amend said bill, Page 6, Section 67.2010, Line 16, by inserting after all of said line the following:

"104.603. 1. Effective with transfers of service between the Missouri department of transportation and highway patrol employees' retirement system and the Missouri state employees' retirement system that occur on or after September 1, 2011, upon a reciprocal transfer of creditable or credited service pursuant to section 104.602 or subsection 8 of section 104.1021, the sending system from which the service is transferred shall pay the receiving system to which the service is transferred the present value of the accrued benefit as determined pursuant to subsection 2 of this section.

2. For purposes of this section, the present value of the accrued benefit shall be determined using the actuarial assumptions of the sending system used in that system's last regular valuation assuming active member status and using the unit credit actuarial cost method. However, in no event shall the payment amount be less than the sum of the member's accumulated contributions and interest plus any purchased service payments from the member held on deposit by the sending system. If the member had received a refund of accumulated contributions from the sending system and forfeited service credit with that system, the member would need to reestablish that service with the sending system by again becoming an active member of a system covered by this chapter and satisfying requirements otherwise stipulated for reestablishing service credit. **However, in the event the member had previously transferred service from the receiving system to the sending system which was not subject to an asset transfer under this section, then that service will be excluded from the computation of the accrued benefit. In the event any prior payments by a sending system under this section included an amount for previously transferred service that was not subject to this section, the receiving system shall return to the sending system the present value amount attributable to such service, including interest as determined and agreed to by both systems.**

3. The service transfer shall not be deemed completed until the sending system makes payment to the receiving system as prescribed in this section. Payments shall be made within ninety days of the date that a completed transfer request is submitted by a member.

4. When the transfer payment includes an amount identified as corresponding to a member's accumulated contributions, the accumulated contributions portion shall be identified, and further, the accumulated contributions balance as of the preceding July first shall be identified and the receiving system shall be responsible for crediting interest according to the terms of the receiving plan.

5. The systems shall coordinate their plan administration for reciprocal transfers to give full effect to the transfer including the transfer and acceptance of corresponding division of benefit orders.

6. The member or survivor obtaining a reciprocal transfer of service covered by this section shall satisfy all requirements under section 104.602 or subsection 8 of section 104.1021 to obtain a transfer of credited or creditable service and shall satisfy the requirements under section 104.1091 with the receiving system to reestablish forfeited service previously accrued at either system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 8** was adopted.

Representative Schad offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 628, Page 3, Section 32.056, Line 19, by inserting after all of said line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a **[**web page**]** **website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 5, 6, and 7 of this section,** the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) **[**Any photographs of the offender**] A current photograph of the individual, which shall be taken by the registering official**;

(6) **[**A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)**]** The nature and dates of all offenses qualifying the offender to register;

[(8)**] (7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)**] (8)** Compliance status of the offender with the provisions of section 589.400 to 589.425; and

[(10)**] (9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website."; and

Further amend said bill, Page 60, Section 570.120, Line 78, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is **[**exempted**] exempt** from registering under subsection **6,** 8**, or 10** of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia,** or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within **[**three**]** **five business** days of **[**conviction**]** **adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile described in subdivision (6) of subsection 1 of this section, within five business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within **[**three**]** **five business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official**[**, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested**]**.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender**;

(3) The registrant is **exempt or is** no longer required to register **[**and his or her name shall be removed from the registry**]** under the provisions of subsection 6**, 8, or 10** this section; or

(4) The **[**registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the**]** court orders the removal **[**or exemption**]** of such person from the registry **under subsection 7, 9, or 10 of this section or section 589.401**.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. **Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:**

(1) Felonious restraint of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child; or

(2) Nonsexual child abuse that was committed under section 568.060; or

(3) Kidnapping of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child**] any offense listed in subsection 6 of this section** shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

8. Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:

(1) Sexual misconduct in the second degree under section 566.093; or

(2) Sexual misconduct in the third degree under section 566.095; or

(3) Promoting obscenity in the first degree under section 573.020; or

(4) Promoting obscenity in the second degree under section 573.030; or

(5) Furnishing pornographic materials to minors under section 573.040; or

(6) Public display of explicit sexual material under section 573.060; or

(7) Coercing acceptance of obscene material under section 573.065,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.**] 9.** Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register**] any offense listed in subsection 8 of this section shall be removed from the registry; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425**.

[8.**] 10.** Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.**] 11.** (1) The court may grant such relief under subsection **[**7 or 8**] 9 or 10** of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.**]** **12.** Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education **[**and is not entitled to relief under the provisions of subsection 9 of this section**]**. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency **[**and is not entitled to the provisions of subsection 9 of this section**]**.

[11.**]** **13.** Any person whose name is removed or **who is** exempted from the sexual offender registry under subsection **[**7 or 8**]** **6, 7, 8, 9, or 10** of this section shall **[**no longer**]** **not** be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

14. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.

589.401. 1. Any person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name and information removed from the sexual offender registry; except that, any person having multiple offenses requiring registration under sections 589.400 to 589.425 shall not be eligible for removal from the registry until all applicable time requirements under subsections 2 and 3 of this section for all such offenses have elapsed. If the offense requiring registration was adjudicated in another state, the District of Columbia, a foreign country, or a territory, tribal, or military jurisdiction such person may file a petition in the division of the circuit court in the county in which such person resides.

2. A person who is required to register under the provisions of sections 589.400 to 589.425 for any of the following offenses or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if twenty years has not elapsed since the date the person was required to register:

(1) Kidnapping when a sexual offense under chapter 566 was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under chapter 566 and when the victim was less than eighteen years of age and excluding kidnapping by a parent or guardian under section 565.110;

(2) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(3) Forcible rape under section 566.030;

(4) Forcible sodomy under section 566.060;

(5) Sexual trafficking of a child under section 566.212;

(6) Sexual trafficking of a child under the age of twelve, under section 566.213; or

(7) Child molestation in the first degree when it is a class A felony under section 566.067.

3. A person who is required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of this section or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if ten years has not elapsed since the date the person was required to register.

4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:

(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for one year immediately preceding the filing of the petition; or

(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for one year immediately preceding the filing of the petition.

(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Date of birth;

(e) Last four digits of the Social Security number;

(f) Address;

(g) Place of employment, school, or volunteer status;

(2) The offense that required the petitioner to register;

(3) The date the petitioner pled to, was convicted of, or was adjudicated for the offense;

(4) The date the petitioner was required to register;

(5) The date the petitioner actually registered;

(6) The case number and court, including county, that entered the original order for the adjudicated sex offense;

(7) The petitioner's fingerprints on an applicant fingerprint card;

(8) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and

(9) That the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking removal, of the petition and an opportunity to present evidence in opposition to the facts alleged in the petition. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner, including but not limited to criminal history records under section 43.530, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with such petition.

11. Except as otherwise provided under subsection 12 of this section, the court shall enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from any corresponding state or local law enforcement registry or website unless it finds that the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction:

(1) Has been adjudicated of or has charges pending for failure to register;

(2) Has been adjudicated of any additional offense which would require registration as a sexual offender and which occurred after the date such person initially registered as a sexual offender;

(3) Has charges pending for any offense which would require registration as a sexual offender;

(4) Has not successfully completed any required periods of supervised release, probation, or parole; and

(5) Has not successfully completed all appropriate sexual offender treatment, including any court-ordered treatment and any treatment ordered by the department of corrections.

12. For any person who has been convicted of a crime listed in subsection 2 of this section, the court may enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from corresponding state or local law enforcement registry or website upon the filing of a petition for removal and submission of the petitioner's completed risk assessment evaluation conducted by a licensed mental health professional unless it finds that subdivisions (1) to (5) of subsection 11 apply to the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction.

13. In order to prove the facts required by subdivisions (1), (2), and (3) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol and the Federal Bureau of Investigation.

14. Except as provided in subsection 14 of this section, if it is found that the petition is denied, a successive petition requesting such relief may be filed under this section one year after the date of such denial unless such denial is based on a subsequent conviction of a sex offense or failure to register, in which case no successive petition shall be filed.

15. If it is found that the petition is denied solely on the basis of the fact that the petitioner has pending charges and those charges are subsequently dismissed or the petitioner is subsequently acquitted of such pending charges, the petitioner may file a new petition under this section at any time after the dismissal or acquittal of such pending charges.

16. If the court finds that the petitioner is entitled to have his or her name and information removed from the sexual offender registry, the court shall enter judgment directing the respondents to remove the petitioner's name and information from all law enforcement sexual offender registries and public websites within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

17. Any person subject to judgment requiring his or her name or information to be removed from the sexual offender registry shall not be required to register or report under sections 589.400 to 589.425 unless such person is required to register and report for an offense that was committed after the judgment of removal was entered.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a **[**web page**] website** on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided by subsections 5, 6, and 7 of this section,** the registered sexual offender search **[**shall**] may** make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. Only the information listed in this subsection **[**shall**] may** be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) **[**Any photographs of the offender**] A current photograph of the individual, which shall be taken by the registering official**;

(6) **[**A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)**]** The nature and dates of all offenses qualifying the offender to register;

[(8)**] (7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)**] (8)** Compliance status of the offender with the provisions of sections 589.400 to 589.425; **[**and**]**

[(10)**] (9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

4. The chief law enforcement officer of any county or city not within a county may **[**publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county**] give notice to any public school as defined in section 160.011, any private school giving instruction in a grade or grades not higher than the twelfth grade, any child care facility licensed under chapter 210, or any child care facility defined in section 210.201 that is exempt from state licensure but subject to state regulation under section 210.252 and holds itself out to be a child care facility, that a sex offender is residing, working, or attending school within a five mile radius of such school or child care facility. Such notice shall only include the sex offender information described in subsection 3 of this section**.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen

under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as defined in section 589.404; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website.

589.403. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**] who is required to register under sections 589.400 to 589.425** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections **[**or**],** any mental health institution**, private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall**:**

(1) If the person plans to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release**, **to the Missouri state highway patrol and** to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release**[**. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.**]; or**

(2) If the person does not reside or plan to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section or fails to register with the chief law enforcement official within five business days as directed, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.405. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**] who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall **[**obtain the address where the person expects to reside upon discharge, parole or release and shall**] make it a condition of probation that the offender** report, within **[**three**] five** business days**[**, such address**]** to the chief law enforcement official of the county **of adjudication** or city not within a county **[**where the person expects to reside, upon discharge, parole or release.**] of adjudication, to complete the initial registration. If such offender is not placed on probation, the court shall:**

(1) If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;

(2) If the offender does not reside in Missouri, the court shall:

(a) Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and

(b) Complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.

2. If the offender refuses to complete and sign the registration information as outlined in subdivision (1) of subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief

law enforcement official as outlined in subdivision (2) of subsection 1 of this section, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form **shall consist of a statement in writing, including the signature of the offender and** shall include, but is not limited to the following:

(1) **[**A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;**] The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;**

(2) The date of birth of the individual to include any alias dates of birth used;

(3) The address of the individual's residence or, if the individual is homeless, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless shelter or other temporary residence;

(4) The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed, the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;

(5) The name and address of any institutions of higher education that the individual attends;

(6) The Social Security number of the individual including any alias Social Security numbers used;

(7) The telephone numbers of the individual including all landline and cellular telephone numbers used;

(8) The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;

(9) Any online identifiers as defined in section 43.651 which are used by the individual for personal purposes;

(10) The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;

(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;

(12) The age and gender of the victim and the offender at the time of the offense;

(13) If the offender was required to successfully complete appropriate sexual offender treatment, including any court-ordered treatment or any treatment ordered by the department of corrections, the date that the offender successfully completed such treatment, or a statement, that as of the date of registration, the offender has not yet successfully completed the required sexual offender treatment or has failed to successfully complete the required sexual offender treatment;

(14) The status of the individual's parole, probation, or supervised release, if applicable;

(15) Passport and immigration numbers to include expiration dates; and

(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.

2. The following shall be included with the form:

[(2)**] (1)** The fingerprints, palm prints, and a photograph of the person; **[**and**]**

(2) A current photograph of the individual to be taken by the registering official; and

(3) A DNA sample **from the individual**, if a sample has not already been obtained.

[2.**] 3.** The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:

(1) A photocopy of a valid driver's license or nondriver's identification card; **and**

(2) A document verifying proof of the offender's residency**[**; and

(3) A photocopy of the vehicle registration for each of the offender's vehicles**]**.

4. The Missouri state highway patrol shall maintain all required registration information in digitized form.

5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.

6. The offender shall be responsible for reviewing his or her existing registration information for accuracy at every regular in-person appearance and if any inaccuracies are found provide proof of the information in question. The registering law enforcement official shall, within three business days of receipt of proof from the offender regarding the inaccuracy, correct the inaccuracy on its law enforcement registry and on its public website, if any, and shall notify the Missouri state highway patrol of the change in information. The Missouri state highway patrol shall, within three business days of notification by the registering law enforcement official, correct the inaccuracy on its law enforcement registry and on its public website.

7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425, and a statement to such effect shall be included on the form that the individual is required to sign at each registration.

589.410. **1.** The chief law enforcement official shall forward the completed offender registration form to the Missouri state highway patrol within three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system, and other entities as provided by law, upon inquiry.

2. Upon receipt of each completed offender registration form, the Missouri state highway patrol shall review the information contained in the form to determine whether, according to the form, the offender will be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the registration form, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than **[**three**]** **five** business days **[**after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,**]** appear in person to the chief law enforcement officer of the county or city not within a county **[**and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days**]** **if there is a change to any of the following information:**

(1) Name;

(2) Residence;

(3) Employment;

(4) Student status; or

(5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall, within five business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:

(1) Vehicle information;

(2) Temporary residence information; or

(3) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.

3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.

4. The Missouri state highway patrol shall review any changes received from registering officials under subsection 3 of this section to determine whether the offender will now be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the

county of registration. If so, the patrol shall, within three business days of receipt of the changes, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

[2.**]** **5.** If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state**, or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state**, or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state **or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state**, or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall report in person to the chief law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

(1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;

(2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and

(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.**]** **6.** In addition to the requirements of subsections 1 **[**and**]**, 2**, and 5** of this section, **[**all registrants**]** **any person required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction,** shall report **[**semiannually**]** **annually** in person in the month of their birth **[**and six months thereafter**]** to the chief law enforcement **[**agency**]** **official** to verify the information contained in their statement made pursuant to section 589.407**[**. All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency**]** **and six months thereafter shall report by mail on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender**.

7. In addition to the requirements of subsections 1, 2, and 5 of this section, any person required to register under the provisions of sections 589.400 to 589.425 for any offenses listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition, such offenders shall report by mail ninety days after each in-person report on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.

[5.**]** **8.** In addition to the requirements of subsections 1 **[**and**]**, 2**, and 5** of this section, all Missouri registrants who work**, including as a volunteer or unpaid intern,** or attend **any** school **[**or training**]****, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education** on a full-time or part-time basis in any other state shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

[6. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.**]**

9. Whenever any person reports under the provisions of this section in person and in the month of their birth, the registering law enforcement official shall take a current photograph of the offender."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 9** was adopted.

Representative Solon offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 628, Page 41, Section 513.430, Line 87, by inserting after all of said line the following:

"**513.432. 1. This section shall be known and may be cited as the "Senior's Retirement Protection Act".**

2. Notwithstanding any other provision of law to the contrary, any person age sixty-two years of age or older, together with his or her spouse if applicable, owning a home which is such person's primary residence shall have exempt from attachment or execution the home's value up to one hundred twenty-five thousand dollars. If more than one home owner claims an exemption under this section, the exemption allowed in the aggregate shall not exceed the total exemption allowed under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 10** was adopted.

Representative Denison offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 628, Page 51, Section 542.301, Line 176, by after all of said line and section inserting the following:

"544.455. 1. Any person charged with a bailable offense, at his or her appearance before an associate circuit judge or judge may be ordered released pending trial, appeal, or other stage of the proceedings against him on his personal recognizance, unless the associate circuit judge or judge determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required. When such a determination is made, the associate circuit judge or judge may either in lieu of or in addition to the above methods of release, impose any or any combination of the following conditions of release which will reasonably assure the appearance of the person for trial:

(1) Place the person in the custody of a designated person or organization agreeing to supervise him;

(2) Place restriction on the travel, association, or place of abode of the person during the period of release;

(3) Require the execution of a bail bond with sufficient solvent sureties, or the deposit of cash in lieu thereof **by a defendant or a third party; however, under article I, section 20 of the Missouri Constitution, the court shall accept in lieu of a cash only bond a guarantee from any surety who is in compliance with general laws regulating such profession**;

(4) Require the person to report regularly to some officer of the court, or peace officer, in such manner as the associate circuit judge or judge directs;

(5) **[**Require the execution of a bond in a given sum and the deposit in the registry of the court of ten percent, or such lesser percent as the judge directs, of the sum in cash or negotiable bonds of the United States or of the state of Missouri or any political subdivision thereof;

(6)**]** Place the person on house arrest with electronic monitoring, except that all costs associated with the electronic monitoring shall be charged to the person on house arrest. If the judge finds the person unable to afford the costs associated with electronic monitoring, then the judge shall not order that the person be placed on house arrest with electronic monitoring;

[(7)**] (6)** Impose any other condition deemed reasonably necessary to assure appearance as required, including a condition requiring that the person return to custody after specified hours.

2. In determining which conditions of release will reasonably assure appearance, the associate circuit judge or judge shall, on the basis of available information, take into account the nature and circumstances of the offense charged, the weight of the evidence against the accused, the accused's family ties, employment, financial resources,

character and mental condition, the length of his residence in the community, his record of convictions, and his record of appearance at court proceedings or flight to avoid prosecution or failure to appear at court proceedings.

3. An associate circuit judge or judge authorizing the release of a person under this section shall issue an appropriate order containing a statement of the conditions imposed, if any, shall inform such person of the penalties applicable to violations of the conditions of his release and shall advise him that a warrant for his arrest will be issued immediately upon any such violation.

4. A person for whom conditions of release are imposed and who after twenty-four hours from the time of the release hearing continues to be detained as a result of his inability to meet the conditions of release, shall, upon application, be entitled to have the condition reviewed by the associate circuit judge or judge who imposed them. The motion shall be determined promptly.

5. An associate circuit judge or judge ordering the release of a person on any condition specified in this section may at any time amend his order to impose additional or different conditions of release; except that, if the imposition of such additional or different conditions results in the detention of the person as a result of his inability to meet such conditions or in the release of the person on a condition requiring him to return to custody after specified hours, the provisions of subsection 4 **of this section** shall apply.

6. Information stated in, or offered in connection with, any order entered pursuant to this section need not conform to the rules pertaining to the admissibility of evidence in a court of law.

7. Nothing contained in this section shall be construed to prevent the disposition of any case or class of cases by forfeiture of collateral security where such disposition is authorized by the court.

8. Persons charged with violations of municipal ordinances may be released by a municipal judge or other judge who hears and determines municipal ordinance violation cases of the municipality involved under the same conditions and in the same manner as provided in this section for release by an associate circuit judge.

9. A circuit court may adopt a local rule authorizing the pretrial release on electronic monitoring pursuant to subdivision (5) of subsection 1 of this section in lieu of incarceration of individuals charged with offenses specifically identified therein."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Denison, **House Amendment No. 11** was adopted.

Representative Ellinger offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 628, Page 5, Section 67.136, Line 8, by after all of said line inserting the following:

"67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to

the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

(a) Acquisition of land;

(b) Installation of infrastructure for industrial or business parks;

(c) Improvement of water and wastewater treatment capacity;

(d) Extension of streets;

(e) Public facilities directly related to economic development and job creation; and

(f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

(a) Marketing;

(b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;

(c) Training programs to prepare workers for advanced technologies and high skill jobs;

(d) Legal and accounting expenses directly associated with the economic development planning and preparation process;

(e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of **at least** five members, **but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are** to be appointed as follows:

(a) One member **of a five member board, or two members of a nine member board,** shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member **or members** shall be appointed in any manner agreed upon by the affected districts;

(b) Three members **of a five member board, or five members of a nine member board,** shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member **of a five member board, or two members of a nine member board,** shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, **except that when a nine member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years,** and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (117) offered **House Amendment No. 1 to House Amendment No. 12**.

House Amendment No. 1
to
House Amendment No. 12

AMEND House Amendment No. 12 to House Committee Substitute for Senate Bill No. 628, Page 5, Line 5, by inserting after all of said line the following:

'Further amend said bill, Page 6, Section 67.2010, Line 16, by inserting after all of said section and line the following:

"135.953. 1. For purposes of sections 135.950 to 135.970, an area shall meet the following criteria in order to qualify as an enhanced enterprise zone:

(1) The area shall be a blighted area, have pervasive poverty, unemployment and general distress; and

(2) At least sixty percent of the residents living in the area have incomes below ninety percent of the median income of all residents:

(a) Within the state of Missouri, according to the last decennial census or other appropriate source as approved by the director; or

(b) Within the county or city not within a county in which the area is located, according to the last decennial census or other appropriate source as approved by the director; and

(3) The resident population of the area shall be at least five hundred but not more than one hundred thousand at the time of designation as an enhanced enterprise zone if the area lies within a metropolitan statistical area, as established by the United States Census Bureau, or if the area does not lie within a metropolitan statistical area, the resident population of the area at the time of designation shall be at least five hundred but not more than forty thousand inhabitants. If the population of the jurisdiction of the governing authority does not meet the minimum population requirements set forth in this subdivision, the population of the area must be at least fifty percent of the population of the jurisdiction. However, no enhanced enterprise zone shall be created which consists of the total area within the political boundaries of a county; **[**and**]**

(4) The level of unemployment of persons, according to the most recent data available from the United States Bureau of Census and approved by the director, within the area is equal to or exceeds the average rate of unemployment for:

(a) The state of Missouri over the previous twelve months; or

(b) The county or city not within a county over the previous twelve months**; and**

(5) No finding of blight under this chapter shall be used to meet the conditions for blight under any other statute of this state.

2. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be established in an area located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major proportions, if the area to be designated is blighted and sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency. An application for designation as an enhanced enterprise zone pursuant to this subsection shall be made before the expiration of one year from the date the governor requested federal relief for the area sought to be designated.

3. Notwithstanding the requirements of subsection 1 of this section to the contrary, an enhanced enterprise zone may be designated in a county of declining population if it meets the requirements of subdivisions (1), (3) and either (2) or (4) of subsection 1 of this section. For the purposes of this subsection, a "county of declining population" is one that has lost one percent or more of its population as demonstrated by comparing the most recent decennial census population to the next most recent decennial census population for the county.

4. In addition to meeting the requirements of subsection 1, 2, or 3 of this section, an area, to qualify as an enhanced enterprise zone, shall be demonstrated by the governing authority to have either:

(1) The potential to create sustainable jobs in a targeted industry; or

(2) A demonstrated impact on local industry cluster development.

5. Notwithstanding the requirements of subsections 1 and 4 of this section to the contrary, a renewable energy generation zone may be designated as an enhanced enterprise zone if the renewable energy generation zone meets the criteria set forth in subdivision (25) of section 135.950."; and

Further amend said bill, Page 58, Section 570.120, Line 21, by inserting after all of said section and line the following:

"**Section 1. Whenever the fiscal body of one (1) or more eligible entities, acting individually or jointly, adopts an ordinance or a resolution in favor of the establishment of an airport authority under this chapter, there is established an airport authority. The authority has jurisdiction over a district with boundaries conterminous with the jurisdictional boundaries of the entity or entities adopting the ordinance or resolution. The authority must have a name including the words "airport authority.**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1 to House Amendment No. 12** was adopted.

On motion of Representative Ellinger, **House Amendment No. 12, as amended**, was adopted.

Representative Kirkton offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 628, Page 36, Section 488.2250, Line 16, by deleting the words, "**and sixty cents**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kirkton, **House Amendment No. 13** was adopted.

On motion of Representative Kelly (24), **HCS SB 628, as amended**, was adopted.

On motion of Representative Kelly (24), **HCS SB 628, as amended**, was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franz	Frederick
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary

McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Zerr
Mr Speaker				

NOES: 003

Ellington	Marshall	Smith 71

PRESENT: 001

Conway 27

ABSENT WITH LEAVE: 013

Atkins	Brown 50	Colona	Flanigan	Franklin
Gatschenberger	Lasater	Sater	Schatz	Schieffer
Webber	Wright	Wyatt		

Speaker Tilley declared the bill passed.

Representative Barnes assumed the Chair.

HCS SCS SB 635, relating to financial transactions, was taken up by Representative Phillips.

Representative Phillips offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 6, Section 228.369, Line 20, by deleting the word, "**apportionment**" and inserting in lieu thereof the word, "**appointment**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Phillips, **House Amendment No. 1** was adopted.

Representative Brandom offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 6, Section 228.374, Line 9, by inserting after all of said section and line, the following:

"339.500. This act shall be known and may be cited as the "Missouri Certified and Licensed Real Estate Appraisers **and Appraisal Management Company Regulation** Act".

339.501. 1. Beginning July 1, 1999, it shall be unlawful for any person in this state to act as a real estate appraiser, or to directly or indirectly, engage or assume to engage in the business of real estate appraisal or to advertise or hold himself or herself out as engaging in or conducting such business without first obtaining a license or certificate issued by the Missouri real estate appraisers commission as provided in sections 339.500 to 339.549.

2. **Except for licenses issued to appraisal management companies under section 339.511,** no license or certificate shall be issued pursuant to sections 339.500 to 339.549 to a partnership, association, corporation, firm or group; except that, nothing in this section shall preclude a state-licensed or state-certified real estate appraiser from rendering appraisals for, or on behalf of, a partnership, association, corporation, firm or group, provided the appraisal report is prepared by, or under the immediate personal direction of the state-licensed or state-certified real estate appraiser and is reviewed and signed by such state-licensed or state-certified appraiser.

3. Any person who is not state licensed or state certified pursuant to sections 339.500 to 339.549 may assist a state-licensed or state-certified real estate appraiser in the performance of an appraisal; provided that, such person is personally supervised by a state-licensed or state-certified appraiser and provided further that any appraisal report rendered in connection with the appraisal is reviewed and signed by the state-licensed or state-certified real estate appraiser.

4. Nothing in sections 339.500 to 339.549 shall abridge, infringe upon or otherwise restrict the right to use the term "certified ad valorem tax appraiser" or any similar term by persons performing ad valorem tax appraisals.

5. The provisions of sections 339.500 to 339.549 shall not be construed to require a license or certificate for:

(1) Any person, partnership, association or corporation who, as owner, performs appraisals of property owned by such person, partnership, association or corporation;

(2) Any licensed real estate broker or salesperson who prepares a comparative market analysis or a broker price opinion;

(3) Any employee of a local, state or federal agency who performs appraisal services within the scope of his or her employment; except that, this exemption shall not apply where any local, state or federal agency requires an employee to be registered, licensed or certified to perform appraisal services;

(4) Any employee of a federal or state-regulated lending agency or institution;

(5) Any agent of a federal or state-regulated lending agency or institution in a county of third or fourth classification.

339.503. As used in sections 339.500 to 339.549, the following words and phrases mean, unless the context clearly indicates otherwise:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal assignment", an engagement for which a person is employed or retained to act as a disinterested third party in rendering an objective appraisal;

(3) **"Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work produced or certified by persons licensed under sections 339.500 to 339.549 who produces appraisals;**

(4) "Appraisal foundation", the organization of the same name that was incorporated as an Illinois not-for-profit corporation on November 20, 1987, whose operative boards are the appraisal standards board and the appraiser qualifications board;

(5) "Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;

(6) "Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:

(a) Administer an appraiser panel;

(b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;

(c) Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;

(d) Track and determine the status of orders for appraisals performed by appraisers who are part of an appraisal panel;

(e) Conduct quality control of a completed appraisal performed by an appraiser who is part of an appraisal panel prior to the delivery of the appraisal to the person who ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser who is part of an appraisal panel to one or more persons who have ordered an appraisal;

[(4)**] (7)** "Appraisal report", any communication, written or oral, of an appraisal. The purpose of an appraisal is immaterial, therefore valuation reports, real estate counseling reports, real estate tax counseling reports, real estate offering memoranda, mortgage banking offers, highest and best use studies, market demand and economic feasibility studies and all other reports communicating an appraisal analysis, opinion or conclusion are appraisal reports, regardless of title;

[(5)**] (8)** "Appraisal standards board (ASB)", the independent board of the appraisal foundation which promulgates the generally accepted standards of the appraisal profession and the uniform standards of professional appraisal practices;

(9) "Appraiser", an individual who holds a license as a state-licensed real estate appraiser or certification as a state-certified real estate appraiser under sections 339.500 to 339.549;

(10) "Appraiser panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons who have ordered appraisals through the appraisal management company, or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company, or to perform appraisals for the appraisal management company directly;

[(6)**] (11)** "Appraiser qualifications board (AQB)", the independent board of the appraisal foundation which establishes minimum experience, education and examination criteria for state licensing of appraisers;

[(7)**] (12)** "Boat dock", a structure for loading and unloading boats and connecting real property to water, public or private. A boat dock is real property and has riparian rights, provided:

(a) The lender includes the boat dock as a fixture both in the lender's deed of trust and a uniform commercial code fixture filing under section 400.9-502;

(b) The boat dock is attached to the real property by steel cable, bar, or chain that is permanently imbedded in concrete or rock, and otherwise securely attached to the dock; and

(c) The owner of the dock has riparian rights by means of real estate rights bordering the body of water, including such rights by license, grant, or other means allowing access to the body of water, which access may be seasonal because the water may be reduced for electric power production or flood control;

[(8)**] (13)** "Boat slip" or "watercraft slip", a defined area of water, including the riparian rights to use such area, whether by grant, lease, or license, in accordance with all applicable laws and regulations, which is a part of a boat dock serving a common interest community, including by way of example and not of limitation condominiums and villas; and the exclusive right to such use being allocated as a limited common element or being assigned to an owner of real estate in the common interest community in which the boat dock is located, whether by grant, lease, or otherwise. The rights of the real estate owner in such slip are included as collateral in any deed of trust and uniform commercial code filings of a lender, if any, taking a security interest in the owner's real estate;

[(9)**] (14)** "Broker price opinion", an opinion of value, prepared by a real estate licensee for a fee, that includes, but is not limited to, analysis of competing properties, comparable sold properties, recommended repairs and costs or suggested marketing techniques. A broker price opinion is not an appraisal and shall specifically state it is not an appraisal;

[(10)**] (15)** "Certificate", the document issued by the Missouri real estate appraisers commission evidencing that the person named therein has satisfied the requirements for certification as a state-certified real estate appraiser and bearing a certificate number assigned by the commission;

[(11)**] (16)** "Certificate holder", a person certified by the commission pursuant to the provisions of sections 339.500 to 339.549;

[(12)**] (17)** "Certified appraisal report", an appraisal prepared or signed by a state-certified real estate appraiser. A certified appraisal report represents to the public that it meets the appraisal standards defined in sections 339.500 to 339.549;

[(13)**] (18)** "Commission", the Missouri real estate appraisers commission, created in section 339.507;

[(14)**] (19)** "Comparative market analysis", the analysis of sales of similar recently sold properties in order to derive an indication of the probable sales price of a particular property undertaken by a licensed real estate broker or agent, for his or her principal. A comparative market analysis is not an appraisal and shall specifically state it is not an appraisal;

(20) "Controlling person":

(a) An owner, officer, or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

[(15)**] (21)** "Disinterested third party" shall not exclude any state-certified real estate appraiser or state-licensed real estate appraiser employed or retained by any bank, savings association, credit union, mortgage banker or other lender to perform appraisal assignments, provided that the appraisal assignments are rendered with respect to loans to be extended by the bank, savings association, credit union, mortgage banker or other lender, and provided further that the state-certified real estate appraiser or state-licensed real estate appraiser is not requested or required to report a predetermined analysis or opinion of value;

[(16)**] (22)** "License" or "licensure", a license or licensure issued pursuant to the provisions of sections 339.500 to 339.549 evidencing that the person **or other legal entity** named therein has satisfied the requirements for licensure as a state-licensed real estate appraiser **or licensed appraisal management company** and bearing a license number assigned by the commission;

(23) "Licensed appraisal management company", a person or other legal entity who holds a current valid license as a licensed appraisal management company under sections 339.500 to 339.549;

[(17)**] (24)** "Real estate", an identified parcel or tract of land, including improvements, if any;

[(18)**] (25)** "Real estate appraiser" or "appraiser", a person who for a fee or valuable consideration develops and communicates real estate appraisals or otherwise gives an opinion of the value of real estate or any interest therein;

[(19)**] (26)** "Real estate appraising", the practice of developing and communicating real estate appraisals;

[(20)**] (27)** "Real property", the interests, benefits and rights inherent in the ownership of real estate;

[(21)**] (28)** "Residential real estate", any parcel of real estate, improved or unimproved, that is primarily residential in nature and that includes or is intended to include a residential structure containing not more than four dwelling units and no other improvements except those which are typical residential improvements that support the residential use for the location and property type. A residential unit is a condominium, town house or cooperative complex, or a planned unit development is considered to be residential real estate. Subdivisions are not considered residential real estate. Individual parcels of property located within a residential subdivision shall be considered residential property;

[(22)**] (29)** "Specialized appraisal services", appraisal services which do not fall within the definition of appraisal assignment. The term "specialized services" may include valuation work and analysis work. Regardless of the intention of the client or employer, if the appraiser is acting as a disinterested third party in rendering an unbiased analysis, opinion or conclusion, the work is classified as an appraisal assignment and not specialized services;

(30) "State-certified general appraiser trainee", a person who holds a current valid certificate as a state-certified general appraiser trainee issued under sections 339.500 to 339.539;

[(23)**] (31)** "State-certified general real estate appraiser", a person who holds a current, valid certificate as a state-certified general real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;

(32) "State-certified residential appraiser trainee", a person who holds a current valid certificate as a state-certified residential appraiser trainee under sections 339.500 to 339.539;

[(24)**] (33)** "State-certified residential real estate appraiser", a person who holds a current, valid certificate as a state-certified residential real estate appraiser issued pursuant to the provisions of sections 339.500 to 339.549;

(34) "State-licensed appraiser trainee", a person who holds a current valid license as a state-licensed appraiser trainee under sections 339.500 to 339.549;

[(25)**] (35)** "State-licensed real estate appraiser", a person who holds a current, valid license as a state-licensed real estate appraiser pursuant to the provisions of sections 339.500 to 339.549;

[(26)**] (36)** "Subdivision", a tract of land that has been divided into blocks or plots with streets, roadways, open areas and other facilities appropriate to its development as residential, commercial or industrial sites;

[(27)**] (37)** "Temporary appraiser licensure or certification", the issuance of a temporary license or certificate by the commission to a person licensed or certified in another state who enters this state for the purpose of completing a particular appraisal assignment.

339.505. 1. It shall be unlawful for any person in this state to assume or use the title "state-licensed real estate appraiser" or "state-certified real estate appraiser", or any title, designation or abbreviation likely to create the impression of licensure or certification by the state of Missouri as a real estate appraiser, unless the person has first been licensed or certified by the Missouri real estate appraisers commission pursuant to the provisions of sections 339.500 to 339.549. The commission may adopt for the exclusive use of persons licensed or certified pursuant to sections 339.500 to 339.549, a seal, symbol or other mark identifying the user as a state-licensed or state-certified real estate appraiser.

2. Any person certified as a real estate appraiser by an appraisal trade organization, on August 28, 1998, shall retain the right to use the term "certified" or any similar term in identifying himself or herself to the public; provided that, in each instance wherein such term is used, the name of the certifying organization or body is prominently and conspicuously displayed immediately adjacent to such term, and provided further that the use of such term does not create the impression of certification by the state of Missouri. Nothing in this section shall entitle any person certified only by a trade organization, and not certified or licensed by the state, the right to conduct any appraisal.

3. The term "state-licensed real estate appraiser", "state-certified real estate appraiser" or any similar term shall not be used following or immediately in connection with the name of a partnership, association, corporation or other firm or group or in such manner that it might create the impression of licensure or certification by the state of Missouri as a real estate appraiser.

4. No person shall, directly or indirectly, engage or attempt to engage in the business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.500 to 339.549; except for:

(1) The performance of services as an appraisal firm;

(2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the Missouri department of insurance, financial institutions and professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution;

(3) An appraisal management company that is a subsidiary owned and controlled by a financial institution and regulated by a federal institution regulatory agency;

(4) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;

(5) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;

(6) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.

339.509. The commission shall have the following powers and duties:

(1) To establish educational programs and research projects related to the appraisal of real estate;

(2) To establish administrative procedures for processing applications and issuing **trainee licenses,** certificates of state-certified real estate appraisers **[**and**],** licenses of state-licensed real estate appraisers**, and licenses of appraisal management companies,** and for conducting disciplinary proceedings pursuant to the provisions of sections 339.500 to 339.549 **or as required by federal law or regulation**; and shall have authority to determine who meets the criteria for certification and licensure, and shall have authority to renew, censure, suspend or revoke certifications and licenses;

(3) To further define by regulation, with respect to each category of **trainee,** state-certified real estate appraiser, and for state-licensed real estate appraisers **and for appraisal management companies**, the type of educational experience, appraisal experience and equivalent experience**, and other criteria** that will meet the statutory requirements of sections 339.500 to 339.549 **or as required by federal law or regulation**; provided that such standards shall be equivalent to the minimum criteria for certification and licensure issued by the appraiser qualifications board of the appraisal foundation and the provisions of section 339.517 **or as required by federal law or regulation**;

(4) To further define by regulation, with respect to each category of **trainee,** state-certified real estate appraiser, and for state-licensed real estate appraisers, the continuing education requirements for the renewal of certification and licensure that will meet the statutory requirements provided in section 339.530 **or as required by federal law or regulation**;

(5) To adopt standards for the development and communication of real estate appraisals and to adopt regulations explaining and interpreting the standards; provided that such standards shall meet the standards specified by the appraisal standards board of the appraisal foundation **or as required by federal law or regulation**;

(6) To establish an examination for each category of state-certified real estate appraiser, and for state-licensed real estate appraisers, to provide or procure appropriate examination questions and answers, and to establish procedures for grading examinations; provided that such standards for examinations for certification shall meet the minimum criteria specified by the appraiser qualifications board of the appraisal foundation **or as required by federal law or regulation**;

(7) To maintain a registry of the names and addresses of **trainees,** state-certified real estate appraisers **[**and**],** state-licensed real estate appraisers**, and appraisal management companies**; **[**and**]**

(8) To perform such other functions and duties as may be necessary to carry out the provisions of sections 339.500 to 339.549 **or to comply with the requirements of federal law or regulation; and**

(9) To establish by rule the standards of practice for appraisal management companies.

339.511. 1. There shall be **[**three**] six** classes of licensure for individuals including:

(1) **[**State licensed real estate appraiser**] State-licensed appraiser trainee**;

(2) **[**Certified residential real estate appraiser; and**] State-licensed real estate appraiser;**

(3) **[**Certified general real estate appraiser**] State-certified residential appraiser trainee;**

(4) State-certified residential real estate appraiser;

(5) State-certified general appraiser trainee; and

(6) State-certified general real estate appraiser.

2. **There shall be one class of license for appraisal management companies.**

3. Persons desiring to obtain licensure as a **state-licensed appraiser trainee,** state-licensed real estate appraiser **[**or**], state-certified residential appraiser trainee,** certification as a **[**certified**] state-certified** residential **real estate appraiser, state-certified general appraiser trainee,** or **[**certified**] state-certified** general real estate appraiser shall make written application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure or certification and present to the commission satisfactory proof that the person is of good moral character and bears a good reputation for honesty, integrity and fair dealing.

[3.**] 4.** Each applicant for licensure as a **state-licensed appraiser trainee,** state-licensed real estate appraiser, **a state-certified residential appraiser trainee,** a state-certified residential real estate appraiser**, a state-certified general appraiser trainee,** or a state-certified general real estate appraiser shall have demonstrated the knowledge and competence necessary to perform appraisals of residential and other real estate as the commission may prescribe by rule not inconsistent with any requirements imposed by the appraiser qualifications board. The commission shall prescribe by rule procedures for obtaining and maintaining approved courses of instruction. The commission shall, also, prescribe the hours of training in real estate appraisal practices and the minimum level of experience acceptable for licensure or certification.

[4.**] 5.** Persons who receive certification after March 30, 1991, or who have a state license or certificate to engage in business as a real estate appraiser issued by the commission, shall receive the same license or certificate from the commission as such persons are currently holding without further education, experience, examination or application fee, but shall be required to meet all continuing education requirements prescribed by the commission.

6. Appraisal management companies desiring to obtain licensure shall:

(1) Make application to the commission on such forms as are prescribed by the commission setting forth the applicant's qualifications for licensure;

(2) Remit the fee or fees as established by rule;

(3) Post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars as further promulgated by rule; and

(4) Submit to the commission satisfactory proof that any controlling person, defined in section 339.503, is of good moral character and bears a good reputation for honesty, integrity, and fair dealing.

339.513. 1. Applications for examination, original certification and licensure, and renewal certification and licensure shall be made in writing to the commission on forms provided by the commission. The application shall specify the classification of certification, or licensure, for which application is being made.

2. Appropriate fees shall accompany all applications for examination, original certification or licensure, and renewal certification or licensure; provided that such fees shall be in amounts set by the commission in order to offset the cost and expense of administering sections 339.500 to 339.549, and in amounts to be determined by the commission with reference to the requirements of Section 1109 of the United States Public Law 101-73, as later codified and as may be amended. All fees collected pursuant to this subsection shall be collected by the commission and deposited with the

state treasurer into a fund to be known as the "Missouri Real Estate Appraisers **and Appraisal Management Company** Fund". The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal less frequently than yearly, then three times the appropriation from the board's funds for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the board's funds for the preceding fiscal year. In any proceeding in which a remedy provided by subsection 1 or 2 of section 339.532 is imposed, the commission may also require the respondent licensee to pay the costs of the proceeding if the commission is a prevailing party or in settlement. The moneys shall be placed in the state treasury to the credit of the Missouri real estate appraisers fund.

3. At the time of filing an application for certification or licensure, each applicant shall sign a pledge to comply with the standards set forth in sections 339.500 to 339.549 and state that he or she understands the types of misconduct for which disciplinary proceedings may be initiated **[**against a state-certified real estate appraiser or a state-licensed real estate appraiser**]**.

339.515. 1. An original certification as a state-certified real estate appraiser may be issued to any person who meets the qualification requirements for certification and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state certification examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

2. An original license as a state-licensed real estate appraiser may be issued to any person who meets the qualification requirements for licensure and who has achieved a passing grade on a written examination which is consistent with and equivalent to the uniform state licensure examination issued or endorsed by the appraiser qualifications board of the appraisal foundation and the commission.

3. If an applicant**, other than an appraisal management company,** is not certified or licensed within two years after passing an examination given pursuant to the provisions of this section, he or she shall be required to retake the examination prior to certification or licensure.

4. An applicant**, other than an appraisal management company,** who has failed an examination taken pursuant to this section may apply for reexamination by submitting an application with the appropriate examination fee within ninety days after the date of having last taken and failed the examination.

339.517. 1. Any person who files with the commission an application for state licensure or certification as a real estate appraiser shall be required to pass an examination to demonstrate his or her competence. The commission shall, also, make such investigation as is required to verify such qualifications. If the results of the investigation are satisfactory to the commission and the applicant is otherwise qualified, then the commission shall issue to the applicant a license or certificate authorizing the applicant to act as a state-licensed real estate appraiser or a state-certified real estate appraiser in Missouri. If the results of the investigation are unsatisfactory, action on the application may be deferred pending a hearing before the real estate appraisal commission.

2. The commission shall promulgate and adopt regulations which prescribe and define the subjects related to real estate appraisal and the experience in real estate appraisal that will satisfy the qualification requirements for licensure or certification. The commission may approve courses of instruction in an accredited college or university relating to the appraisal of real estate and related disciplines including, but not limited to, economics, finance, statistics, principles of capitalization, real estate and such other areas deemed relevant by the commission. The commission may also approve similar courses of instruction offered by recognized professional appraisal organizations and real estate organizations and agencies of the state and federal government, and other qualified providers which may be approved by the commission. The commission may require by rule that some or all of an applicant's qualifying experience in real estate appraising be obtained on appraisals of real estate located in this state.

3. Each applicant for certification or licensure**, except for appraisal management companies,** shall furnish under oath a detailed statement of the real estate appraisal assignments or file memoranda for each year in which real estate appraisal experience is claimed by the applicant. Upon request, the applicant shall furnish to the commission a sample of appraisal reports or file memoranda which the applicant has prepared in the course of his or her appraisal practice.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule

are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

339.525. 1. To obtain a renewal certificate or license, a state certified real estate appraiser or state licensed real estate appraiser shall make application and pay the prescribed fee to the commission not earlier than one hundred twenty days nor later than thirty days prior to the expiration date of the certificate or license then held. With the application for renewal, the state certified real estate appraiser or state licensed real estate appraiser shall present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530.

2. **[**If the commission determines that a state certified real estate appraiser or state licensed real estate appraiser has failed to meet the requirements for renewal of certification or licensure through mistake, misunderstanding, or circumstances beyond the appraiser's control, the commission may extend the term of the certificate or license for good cause shown for a period not to exceed six months, upon payment of a prescribed fee for the extension.

3.**]** If a person is otherwise eligible to renew the person's certification or license, the person may renew an expired certification or license within two years from the date of expiration. To renew such expired certification or license, the person shall submit an application for renewal, pay the renewal fee, pay a delinquent renewal fee as established by the commission, and present evidence in the form prescribed by the commission of having completed the continuing education requirements for renewal specified in section 339.530. Upon a finding of extenuating circumstances, the commission may waive the payment of the delinquent fee.

[4.**] 3.** If a person has failed to renew the person's license within two years of its expiration, the license shall be void.

[5.**] 4.** The commission is authorized to issue an inactive certificate or license to **[**any licensee**] a state-certified real estate appraiser or a state-licensed real estate appraiser** who makes written application for such on a form provided by the commission and remits the fee for an inactive certificate or license established by the commission. An inactive certificate or license may be issued only to a person who has previously been issued a certificate or license to practice as a real estate appraiser in this state, who is no longer regularly engaged in such practice, and who does not hold himself or herself out to the public as being professionally engaged in such practice in this state. Each inactive certificate or license shall be subject to all provisions of this chapter, except as otherwise specifically provided. Each inactive certificate or license may be renewed by the commission subject to all provisions of this section and all other provisions of this chapter. An inactive licensee may apply for a certificate or license to regularly engage in the practice of real estate appraising upon filing a written application on a form provided by the commission, submitting the reactivation fee established by the commission and submitting satisfactory proof of current competency as established by the commission.

5. To obtain a renewal license, an appraisal management company shall make application on a form prescribed by the commission and pay the prescribed fee.

6. To obtain a renewal license, a state-licensed appraiser trainee, state-certified residential appraiser trainee, or state-certified general appraiser trainee shall request an extension in writing at least thirty days prior to the expiration date as required by rule.

339.527. 1. **[**A certificate or license issued pursuant to sections 339.500 to 339.549 shall bear the signature or facsimile signature of the chairman of the commission and a certificate or license number assigned by the commission.

2.**]** A state-certified real estate appraiser may designate or identify an appraisal report rendered by him or her as a certified appraisal for the type of property included in his or her certification.

[3.**] 2.** Each state-certified real estate appraiser or state-licensed real estate appraiser shall place the certificate or license number adjacent to or immediately below the designation "Missouri State-certified (Residential/General) Real Estate Appraiser" or "Missouri State-licensed Real Estate Appraiser" when used in an appraisal report or in a contract or other instrument used by the holder of the certificate or license in conducting an appraisal assignment or specialized appraisal services. **A state-licensed real estate appraiser trainee, state-certified residential appraiser trainee, and state-certified general appraiser trainee shall place his or her license number adjacent to or immediately below the title "state-licensed appraiser trainee", "state-certified residential appraiser trainee", or "state-certified general appraiser trainee".**

3. Each appraisal management company shall be required to disclose its license number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.

4. The terms "Missouri State-certified (Residential/General) Real Estate Appraiser" **[**and**],** "Missouri State-licensed Real Estate Appraiser"**, "Missouri State-licensed Appraiser Trainee", "Missouri State-certified**

Residential Appraiser Trainee", and "Missouri State-certified General Appraiser Trainee" may only be used to refer to individuals who hold a certificate or license and may not be used following or immediately in connection with the name or signature of a firm, partnership, corporation, or group or in such manner that it might be interpreted as referring to certification or licensure of the firm, partnership, corporation, group, or to certification or licensure of anyone other than an individual holder of the certificate or license.

5. **Except for licensed appraisal management companies,** a certificate or license shall be issued pursuant to sections 339.500 to 339.549 only to a natural person. However, nothing in this section shall preclude a state-certified real estate appraiser or state-licensed real estate appraiser from rendering appraisals for or on behalf of a corporation, partnership or association, provided that the appraisal report is prepared by, or under the immediate direction of, a state-certified real estate appraiser or state-licensed real estate appraiser, and further provided that the appraisal report is signed by the state-certified real estate appraiser or state-licensed real estate appraiser.

339.529. 1. Each state-certified real estate appraiser**, state-certified appraiser trainee, state-licensed appraiser trainee,** and state-licensed real estate appraiser shall advise the commission of the address of his or her principal place of residence, business and all other addresses at which he or she is currently engaged in the business of preparing real property appraisal reports.

2. Whenever a state-certified real estate appraiser**, state-certified appraiser trainee, state-licensed appraiser trainee,** or state-licensed real estate appraiser changes the location of his or her place of business, he or she shall amend the certificate or license issued by the commission to reflect the change and shall give written notification of the change to the commission within thirty working days of the change.

3. Whenever a state-certified real estate appraiser or state-licensed real estate appraiser changes the location of his or her residence, he or she shall notify the commission of the new residence address within thirty working days of the change.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling person, agent of record, ownership composition, or address.

339.532. 1. The commission may refuse to issue or renew any certificate or license issued pursuant to sections 339.500 to 339.549 for one or any combination of causes stated in subsection 2 of this section. The commission shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The commission may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any state-certified real estate appraiser, state-licensed real estate appraiser, **state-licensed appraiser trainee, state-certified residential appraiser trainee, state-certified general appraiser trainee, state-licensed appraisal management company that is a legal entity other than a natural person, any person who is a controlling person as defined in this chapter,** or any person who has failed to renew or has surrendered his or her certificate or license for any one or any combination of the following causes:

(1) Procuring or attempting to procure a certificate or license pursuant to section 339.513 by knowingly making a false statement, submitting false information, refusing to provide complete information in response to a question in an application for certification or licensure, or through any form of fraud or misrepresentation;

(2) Failing to meet the minimum qualifications for certification or licensure or renewal established by sections 339.500 to 339.549;

(3) Paying money or other valuable consideration, other than as provided for by section 339.513, to any member or employee of the commission to procure a certificate or license pursuant to sections 339.500 to 339.549;

(4) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated pursuant to sections 339.500 to 339.549 for any offense of which an essential element is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(5) Incompetency, misconduct, gross negligence, dishonesty, fraud, or misrepresentation in the performance of the functions or duties of any profession licensed or regulated by sections 339.500 to 339.549;

(6) Violation of any of the standards for the development or communication of real estate appraisals as provided in or pursuant to sections 339.500 to 339.549;

(7) Failure to comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation;

(8) Failure or refusal without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal;

(9) Negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal;

(10) Violating, assisting or enabling any person to willfully disregard any of the provisions of sections 339.500 to 339.549 or the regulations of the commission for the administration and enforcement of the provisions of sections 339.500 to 339.549;

(11) Accepting an appraisal assignment when the employment itself is contingent upon the appraiser's reporting a predetermined analysis or opinion or where the fee to be paid for the performance of the appraisal assignment is contingent upon the opinion, conclusion, or valuation reached or upon the consequences resulting from the appraisal assignment;

(12) Violating the confidential nature of governmental records to which the person gained access through employment or engagement to perform an appraisal assignment or specialized appraisal services for a governmental agency;

(13) Violating any term or condition of a certificate or license issued by the commission pursuant to the authority of sections 339.500 to 339.549;

(14) Violation of any professional trust or confidence;

(15) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(16) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 339.500 to 339.549 who is not licensed or certified and currently eligible to practice pursuant to sections 339.500 to 339.549;

(17) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(18) Disciplinary action against the holder of a license, certificate or other right to practice any profession regulated pursuant to sections 339.500 to 339.549, imposed by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(19) Making any material misstatement, misrepresentation, or omission with regard to any application for licensure or certification, or for license or certification renewal. As used in this section, "material" means important information about which the commission should be informed and which may influence a licensing decision;

(20) Engaging in or committing, or assisting any person in engaging in or committing, any practice or act of mortgage fraud, as defined in section 443.930**;**

(21) Influencing or attempting to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, or bribery.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the commission may, singly or in combination, publicly censure or place the person named in the complaint on probation on such terms and conditions as the commission deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke, the certificate or license. The holder of a certificate or license**, or the legal entity and any controlling person in the case of an appraisal management company,** revoked pursuant to this section may not obtain certification as a state-certified real estate appraiser **[**or**],** licensure as a state-licensed real estate appraiser**, or licensure as an appraisal management company** for at least five years after the date of revocation.

4. Notwithstanding other provisions of this section, a real estate appraiser license or certification **or an appraisal management company license** shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant**, or any controlling person in the case of an appraisal management company,** has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of mortgage fraud as defined in section 570.310. The commission shall notify the individual **or legal entity** of the reasons for the revocation in writing, by certified mail.

5. A person**, or the legal entity or controlling person in the case of an appraisal management company,** whose license is revoked under subsection 4 of this section may appeal such revocation to the administrative hearing commission, as provided by chapter 621, within ninety days from the time the commission mails the notice of revocation. A person who fails to do so waives all rights to appeal the revocation.

6. A certification of a state-certified real estate appraiser **[**or**],** a license of a state-licensed real estate appraiser**, or a license of an appraisal management company** that has been suspended as a result of disciplinary action by the commission shall not be reinstated, and a person**, controlling person, or legal entity** may not obtain certification as a state-certified real estate appraiser **[**or**],** licensure as a state-licensed real estate appraiser**, or licensure as an appraisal management company** subsequent to revocation, unless the applicant presents evidence of completion of the continuing education required by section 339.530 during the period of suspension or revocation as well as fulfillment of any other

conditions imposed by the commission. Applicants for recertification, relicensure or reinstatement also shall be required to successfully complete the examination for original certification or licensure required by section 339.515 as a condition to reinstatement of certification or licensure, or recertification or relicensure subsequent to revocation.

339.533. 1. The chairperson of the commission may administer oaths, issue subpoenas, and issue subpoenas duces tecum requiring the production of documents and records. Subpoenas and subpoenas duces tecum shall be served by a person authorized to serve subpoenas of courts of record. In lieu of requiring attendance of a person**, controlling person, or other legal entity** to produce original documents in response to a subpoena duces tecum, the commission may require sworn copies of such documents to be filed with it or delivered to its designated representative.

2. The commission may enforce its subpoenas and subpoenas duces tecum by applying to the circuit court of Cole County; the county of the investigation, hearing, or proceeding; or any county where the person**, controlling person, or other legal entity** subpoenaed resides or may be found for an order to show cause why such subpoena should not be enforced, such order and a copy of the application therefor to be served upon the person in the same manner as a summons in a civil action, and if the circuit court shall, after a hearing, determine that the subpoena should be sustained and enforced, such court shall proceed to enforce the subpoena in the same manner as though the subpoena had been issued in a civil case in the circuit court.

339.535. **[**State certified**] State-certified** real estate appraisers **[**and state licensed**], state-licensed** real estate appraisers**, state-licensed appraiser trainees, and state-certified appraiser trainees** shall comply with the Uniform Standards of Professional Appraisal Practice promulgated by the appraisal standards board of the appraisal foundation.

339.537. **1.** State-certified real estate appraisers and state licensed real estate appraisers shall retain originals or true copies of contracts engaging an appraiser's services for appraisal assignments, specialized appraisal services, appraisal reports, and supporting data assembled and formulated in preparing appraisal reports, for five years. The period for retention of the records applicable to each engagement of the services of the state-certified real estate appraiser or state-licensed real estate appraiser shall run from the date of the submission of the appraisal report to the client. Upon requests by the commission, these records shall be made available by the state-certified real estate appraiser or state-licensed real estate appraiser for inspection and copying at his or her expense, by the commission on reasonable notice to the state-certified real estate appraiser or state-licensed real estate appraiser. When litigation is contemplated at any time, reports and records shall be retained for two years after the final disposition.

2. All appraisal management company records shall be retained by the appraisal management company for five years. Upon request by the commission, such records shall promptly be made available to the commission for inspection and copying at the expense of the appraisal management company.

339.541. **1.** It shall be a class B misdemeanor for any person to practice any deception or fraud with respect to his **or her** identity in connection with an application for certification or licensure or in the taking of an examination for certification as a state certified real estate appraiser or licensure as a state licensed real estate appraiser or by holding himself **or herself** out to any member of the public or representing himself **or herself** as a state certified real estate appraiser or a state licensed real estate appraiser when, in fact, he **or she** is not so.

2. It shall be a class B misdemeanor for any corporation, business, or controlling person to practice any deception or fraud in its identity in connection with an application or holding out to any member of the public or representation as a licensed appraisal management company when in fact it is not so.

339.543. 1. If the commission believes that an appraiser**, business, corporation, or controlling person** has engaged in, is engaging in, or has willfully taken a substantial step toward engaging in an act, practice, omission, or course of business constituting mortgage fraud, as defined in section 443.930, or that a person**, business, corporation, or controlling person** has materially aided or is materially aiding any such act, practice, omission, or course of business, the commission may maintain an action in the circuit court of any county of the state or any city not within a county to enjoin the person**, business, corporation, or controlling person**. Upon a proper showing, the court may issue a permanent or temporary injunction, restraining order, or declaratory judgment.

2. The court may impose a civil penalty against the person**, business, corporation, or controlling person** not to exceed two thousand five hundred dollars for each violation and may grant any other relief the court determines is just and proper in the circumstances including, but not limited to, a temporary suspension of any license issued by the commission.

3. The commission may initiate an investigation and take all measures necessary to find the facts of any potential violation of this section, including issuing subpoenas to compel the attendance and testimony of witnesses and

the production of documents and other evidence. The commission may conduct joint investigations, enter into confidentiality agreements, and share information obtained relating to an investigation under this section with other governmental agencies.

4. The enforcement authority of the commission under this section is cumulative to any other statutory authority of the commission.

339.545. **1.** The commission shall take such action as is necessary to be able to issue general certificates, residential certificates and licenses to qualified persons.

2. The commission shall take action as is necessary to be able to issue licenses to qualified applicants seeking licensure as an appraisal management company.

339.549. 1. It is unlawful for any person**, business, corporation, or controlling person** not certified or licensed pursuant to sections 339.500 to 339.549 to perform any act for which certification or licensure is required. Upon application by the commission, and the necessary burden having been met, a court may grant an injunction, restraining order or other order as may be appropriate to enjoin a person**, business, corporation, or controlling person** from:

(1) Offering to engage or engaging in the performance of any acts or practices for which a certificate or license is required by sections 339.500 to 339.549 upon a showing that such acts or practices were performed or offered to be performed without a certificate or license; or

(2) Engaging in any practice or business authorized by a certificate or license issued pursuant to sections 339.500 to 339.549 upon a showing that the holder presents a substantial probability of serious danger to the health, safety or welfare of any resident of this state or client of the certificate holder or licensee.

2. Any such action shall be commenced in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any actions brought pursuant to this section shall be in addition to and not in lieu of any penalty provided by sections 339.500 to 339.549 and may be brought concurrently with other actions to enforce the provisions of this chapter."; and

Further amend said bill, Page 7, Section 362.333, Line 13, by inserting after all of said section and line, the following:

"**[**339.1100. Sections 339.1100 to 339.1240 shall be known and may be cited as the "Missouri Appraisal Management Company Registration and Regulation Act".**]**

[339.1105. As used in sections 339.1100 to 339.1240, unless the context otherwise requires, the following terms shall mean:

(1) "Appraisal" or "real estate appraisal", an objective analysis, evaluation, opinion, or conclusion relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate. An appraisal may be classified by subject matter into either a valuation or an analysis;

(2) "Appraisal firm", a person, limited liability company, partnership, association, or corporation whose principal is an appraiser licensed under sections 339.500 to 339.549 which for compensation prepares and communicates appraisals, reviews appraisals prepared by others, provides appraisal consultation services, and supervises, trains, and reviews work produced or certified by persons licensed under sections 339.500 to 339.549 who produce appraisals;

(3) "Appraisal management company", an individual or business entity that utilizes an appraisal panel and performs, directly or indirectly, appraisal management services;

(4) "Appraisal management services", to directly or indirectly perform any of the following functions on behalf of a lender, financial institution, client, or any other person:

(a) Administer an appraiser panel;

(b) Recruit, qualify, verify licensing or certification, and negotiate fees and service level expectations with persons who are part of an appraiser panel;

(c) Receive an order for an appraisal from one person and deliver the order for the appraisal to an appraiser that is part of an appraiser panel for completion;

(d) Track and determine the status of orders for appraisals;

(e) Conduct quality control of a completed appraisal prior to the delivery of the appraisal to the person that ordered the appraisal; and

(f) Provide a completed appraisal performed by an appraiser to one or more persons who have ordered an appraisal;

(5) "Appraisal review", the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal assignment, except that an examination of an appraisal for grammatical, typographical, or other similar errors shall not be an appraisal review;

(6) "Appraiser", an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter;

(7) "Appraiser panel", a network of licensed or certified appraisers that have:

(a) Responded to an invitation, request, or solicitation from an appraisal management company, in any form, to perform appraisals for persons that have ordered appraisals through the appraisal management company or to perform appraisals for the appraisal management company directly; and

(b) Been selected and approved by an appraisal management company to perform appraisals for any client of the appraisal management company that has ordered an appraisal through the appraisal management company or to perform appraisals for the appraisal management company directly;

(8) "Commission", the Missouri real estate appraisers commission created in section 339.507;

(9) "Controlling person":

(a) An owner, officer or director of a corporation, partnership, or other business entity seeking to offer appraisal management services in this state;

(b) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has the authority to enter into agreements with appraisers for the performance of appraisals; or

(c) An individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company;

(10) "State certified real estate appraiser", a person who develops and communicates real estate appraisals and who holds a current valid certificate issued to the person for either general or residential real estate under this chapter;

(11) "State licensed real estate appraiser", a person who holds a current valid real estate appraiser license issued under this chapter.**]**

[339.1110. 1. No person shall directly or indirectly engage or attempt to engage in business as an appraisal management company, to directly or indirectly engage or attempt to perform appraisal management services, or to advertise or hold itself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the commission under sections 339.1100 to 339.1240.

2. The registration required by subsection 1 of this section shall, at a minimum, include the following:

(1) Name of the entity seeking registration;

(2) Business address of the entity seeking registration, which shall be located and maintained within this state;

(3) Phone contact information of the entity seeking registration;

(4) If the entity is not a corporation that is domiciled in this state, the name and contact information for the company's agent for service of process in this state;

(5) The name, address, and contact information for any individual or any corporation, partnership, or other business entity that owns ten percent or more of the appraisal management company;

(6) The name, address, and contact information for a designated controlling person to be the primary communication source for the commission;

(7) A certification that the entity has a system and process in place to verify that a person being added to the appraiser panel of the appraisal management company for appraisal services to be performed in Missouri holds a license in good standing in Missouri, if a license or certification is required to perform appraisals under section 339.1180;

(8) A certification that the entity has a system in place to review the work of all appraisers who are performing real estate appraisal services for the appraisal management company on a periodic basis to validate that the real estate appraisal services are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP) under section 339.1185;

(9) A certification that the entity maintains a detailed record of each service request that it receives for appraisal services within the state of Missouri and the appraiser who performs the real estate appraisal services for the appraisal management company under section 339.1190;

(10) An irrevocable uniform consent to service of process under section 339.1130; and

(11) Any other reasonable information required by the commission to complete the registration process.**]**

[339.1115. Sections 339.1100 to 339.1240 shall not apply to:

(1) The performance of services as an appraisal firm;

(2) A national or state bank, federal or state savings institution, or credit union that is subject to direct regulation or supervision by an agency of the United States government, or by the department of insurance, financial institutions or professional registration, that receives a request for the performance of an appraisal from one employee of the financial institution, and another employee of the same financial institution assigns the request for the appraisal to an appraiser who is an independent contractor to the institution. An entity exempt as provided in this subdivision shall file a notice with the commission containing the information required in section 339.1110;

(3) An appraiser that enters into an agreement, whether written or otherwise, with an appraiser for the performance of an appraisal, and upon the completion of the appraisal, the report of the appraiser performing the appraisal is signed by both the appraiser who completed the appraisal and the appraiser who requested the completion of the appraisal;

(4) A state agency or local municipality that orders appraisals for ad valorem tax purposes or any other business on behalf of the state of Missouri;

(5) Any person licensed to practice law in this state, a court-appointed personal representative, or a trustee who orders an appraisal in connection with a bona fide client relationship when such person directly contracts with an independent appraiser.**]**

[339.1120. An applicant for a registration as an appraisal management company shall submit to the commission an application containing the information required in subsection 2 of section 339.1110 on a form prescribed by the commission.**]**

[339.1125. Registration shall be valid for two years from its issuance.**]**

[339.1130. Each entity applying for a registration as an appraisal management company in Missouri shall complete an irrevocable uniform consent to service of process, as prescribed by the commission.**]**

[339.1135. 1. The commission shall establish by rule the fee to be paid by each appraisal management company seeking registration under sections 339.1100 to 339.1240, such that the sum of the fees paid by all appraisal management companies seeking registration under this section shall be sufficient for the administration of sections 339.1100 to 339.1240. The commission shall charge and collect fees to be utilized to fund activities that may be necessary to carry out the provisions of this chapter.

2. Each applicant for registration shall post with the commission and maintain on renewal a surety bond in the amount of twenty thousand dollars. The details of the bond shall be prescribed by rule of the commission, however, the bond shall not be used to assist appraisers in collection efforts of credit extended by the appraiser.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in sections 339.1100 to 339.1240 shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. Sections 339.1100 to 339.1240 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove

and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2010, shall be invalid and void.**]**

[339.1140. 1. An appraisal management company applying for a registration in Missouri shall not be more than ten percent owned by:

(1) A person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) An entity that is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state.

2. Each person who owns more than ten percent of an appraisal management company in this state shall:

(1) Be of good moral character, as determined by the commission; and

(2) Submit to a background investigation, as determined by the commission.

3. Each appraisal management company applying for registration shall certify to the commission that it has reviewed each entity that owns more than ten percent of the appraisal management company and that no entity that owns more than ten percent of the appraisal management company is more than ten percent owned by any person who has had a license or certificate to act as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.

4. Each appraisal management company shall notify the commission within thirty days of a change in its controlling principal, agent of record, or ownership composition.**]**

[339.1145. 1. Each appraisal management company applying to the commission for a registration in this state shall designate one compliance manager who will be the main contact for all communication between the commission and the appraisal management company.

2. The designated controlling person under subsection 1 of this section shall:

(1) Have never had a license or certificate to act as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state;

(2) Be of good moral character, as determined by the commission; and

(3) Submit to a background investigation, as determined by the commission.**]**

[339.1150. An appraisal management company that applies to the commission for registration to do business in this state as an appraisal management company under subdivision (1) of section 339.1115 shall not:

(1) Employ any person directly involved in appraisal management services who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(2) Knowingly enter into any independent contractor arrangement, whether in verbal, written, or other form, with any person who has had a license or certificate to act as an appraiser in Missouri or in any other state refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation;

(3) Knowingly enter into any contract, agreement, or other business relationship directly involved with the performance of real estate appraisal or appraisal management services, whether in verbal, written, or any other form, with any entity that employs, has entered into an independent contract arrangement, or has entered into any contract, agreement, or other business relationship, whether in verbal, written, or any other form, with any person who has ever had a license or certificate to act as an appraiser in Missouri or in any other state, refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation.**]**

[339.1155. Prior to placing an assignment for real estate appraisal services within the state of Missouri with an appraiser on the appraiser panel of an appraisal management company, the appraisal management company shall have a system in place to verify that the appraiser receiving the assignment holds a credential in good standing in the state of Missouri. Letters of engagement shall include instructions to the appraiser to decline the assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.**]**

[339.1160. Any employee or independent contractor of the appraisal management company who performs an appraisal review shall be an individual who holds a license as a state licensed real estate appraiser or certification as a state certified real estate appraiser under this chapter. Letters of engagement shall include instructions to the appraiser to decline the appraisal review assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.**]**

[339.1170. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system and process in place to verify that an individual being added to the appraiser panel of the appraisal management company holds a license in good standing in this state under this chapter.**]**

[339.1175. Each appraisal management company seeking to be registered shall certify to the commission on a biannual basis on a form prescribed by the commission that the appraisal management company has a system in place to verify that an individual to whom the appraisal management company is making an assignment for the completion of an appraisal has not had a license or certification as an appraiser refused, denied, cancelled, revoked, or surrendered in lieu of a pending revocation on a regular basis.**]**

[339.1180. Each registered appraisal management company shall certify to the commission on a biannual basis that it has a system in place to perform an appraisal review on a periodic basis of the work of all appraisers who are performing appraisals for the appraisal management company to validate that the appraisals are being conducted in accordance with Uniform Standards of Professional Appraisal Practice (USPAP). An appraisal management company shall report to the commission the results of any appraisal reviews in which an appraisal is found to be substantially noncompliant with USPAP or state or federal laws pertaining to appraisals.**]**

[339.1185. 1. Each appraisal management company seeking to be registered shall certify to the commission biannually that it maintains a detailed record of each service request for appraisal services within the state of Missouri and that it receives of each appraiser who performs an appraisal for the appraisal management company in the state of Missouri.

2. All appraisal management company records shall be retained for five years.**]**

[339.1190. 1. An appraisal management company shall not prohibit its appraiser who is part of an appraiser panel from recording the fee that the appraiser was paid by the appraisal management company for the performance of the appraisal within the appraisal report that is submitted by the appraiser to the appraisal management company.

2. An appraisal management company shall separately state to the client the fees paid to an appraiser for appraisal services and the fees charged by the appraisal management company for services associated with the management of the appraisal process, including procurement of the appraiser's services.**]**

[339.1200. 1. No employee, director, officer, or agent of an appraisal management company shall influence or attempt to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, instruction, inducement, intimidation, bribery or in any other manner, including but not limited to:

(1) Withholding or threatening to withhold timely payment for an appraisal, except in cases of substandard performance or noncompliance with conditions of engagement;

(2) Withholding or threatening to withhold future business, or demoting, terminating, or threatening to demote or terminate an appraiser;

(3) Expressly or impliedly promising future business, promotions, or increased compensation for an appraiser;

(4) Conditioning the request for an appraisal or the payment of an appraisal fee or salary or bonus on the opinion, conclusion, or valuation to be reached, or on a preliminary estimate or opinion requested from an appraiser;

(5) Requesting that an appraiser provide an estimated, predetermined, or desired valuation in an appraisal report, or provide estimated values or comparable sales at any time prior to the appraiser's completion of an appraisal;

(6) Providing to an appraiser an anticipated, estimated, encouraged, or desired value for a subject property or a proposed or target amount to be loaned to the borrower, except that a copy of the sales contract for purchase transactions may be provided;

(7) Providing to an appraiser, or any entity or person related to the appraiser, stock or other financial or nonfinancial benefits;

(8) Allowing the removal of an appraiser from an appraiser panel without prior written notice to such appraiser;

(9) Any other act or practice that knowingly impairs or attempts to impair an appraiser's independence, objectivity, or impartiality;

(10) Requiring an appraiser to collect an appraisal fee on behalf of the appraisal management company from the borrower, homeowner, or other third party; or

(11) Requiring an appraiser to indemnify an appraisal management company or hold an appraisal management company harmless for any liability, damage, losses, or claims arising out of the services performed by the appraisal management company, and not the services performed by the appraiser.

2. Nothing in subsection 1 of this section shall prohibit the appraisal management company from requesting that an appraiser:

(1) Provide additional information about the basis for a valuation; or

(2) Correct objective factual errors in an appraisal report; or

(3) Provide additional information with the appraisal regarding additional sales provided through an established dispute process.**]**

[339.1205. An appraisal management company shall not:

(1) Require an appraiser to modify any aspect of an appraisal report unless the modification complies with section 339.1200;

(2) Require an appraiser to prepare an appraisal report if the appraiser, in the appraiser's own professional judgment, believes the appraiser does not have the necessary expertise for the assignment or for the specific geographic area, and has notified the appraisal management company and declined the assignment;

(3) Require an appraiser to prepare an appraisal under a time frame that the appraiser, in the appraiser's own professional judgment, believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations, and has notified the appraisal management company and declined the assignment;

(4) Prohibit or inhibit legal or other allowable communication between the appraiser and:

(a) The lender;

(b) A real estate licensee; or

(c) Any other person from whom the appraiser, in the appraiser's own professional judgment, believes information would be relevant;

(5) Knowingly require the appraiser to do anything that does not comply with:

(a) Uniformed Standards of Professional Appraisal Practice (USPAP);

(b) The Missouri certified and licensed real estate appraisers act established under this chapter; or

(c) Any assignment conditions and certifications required by the client;

(6) Make any portion of the appraiser's fee or the appraisal management company's fee contingent on a predetermined or favorable outcome, including but not limited to:

(a) A loan closing; or

(b) Specific dollar amount being achieved by the appraiser in the appraisal report.**]**

[339.1210. Each appraisal management company shall, except in cases of breach of contract or substandard performance of services, make payment to an appraiser for the completion of an appraisal or valuation assignment within thirty days, unless a mutually agreed upon alternate payment schedule exists, from when the appraiser transmits or otherwise provides the completed appraisal or valuation study to the appraisal management company or its assignee.**]**

[339.1215. 1. An appraisal management company shall not alter, modify, or otherwise change a completed appraisal report submitted by an appraiser by:

(1) Permanently removing the appraiser's signature or seal; or

(2) Adding information to, or removing information from, the appraisal report with an intent to change the valuation conclusion.

2. No registered appraisal management company shall require an appraiser to provide the appraisal management company with the appraiser's digital signature or seal.**]**

[339.1220. 1. The commission shall issue a unique registration number to each appraisal management company.

2. The commission shall publish a list of the appraisal management companies that have registered under sections 339.1100 to 339.1240 and have been issued a registration number.

3. An appraisal management company shall be required to disclose the registration number on each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments within the state of Missouri.**]**

[339.1230. 1. Except within the first thirty days after an appraiser is first added to the appraiser panel of an appraisal management company, an appraisal management company shall not remove an appraiser from its appraiser panel or otherwise refuse to assign requests for real estate appraisal services to an appraiser without:

(1) Notifying the appraiser in writing of the reasons why the appraiser is being removed from the appraiser panel of the appraisal management company;

(2) If the appraiser is being removed from the panel for illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, describing the nature of the alleged conduct or violation; and

(3) Providing an opportunity for the appraiser to respond to the notification of the appraisal management company.

2. An appraiser who is removed from the appraiser panel of an appraisal management company for alleged illegal conduct, violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or violation of state licensing standards may file a complaint with the commission for a review of the decision of the appraisal management company; except that, in no case shall the commission make any determination regarding the nature of the business relationship between the appraiser and the appraisal management company which is unrelated to the actions specified in subsection 1 of this section.

3. If after notice and an opportunity for hearing and review, the commission determines that an appraiser did not commit a violation of law, a violation of the Uniform Standards of Professional Appraisal Practice (USPAP), or a violation of state licensing standards, the commission shall order that such appraiser be added to the appraiser panel of the appraisal management company.

4. If the commission has found that the appraisal management company acted improperly in removing the appraiser from the appraiser panel, an appraisal management company shall not refuse to make assignments for real estate appraisal services to an appraiser, or reduce the number of assignments, or otherwise penalize the appraiser.**]**

[339.1235. The commission may censure an appraisal management company, conditionally or unconditionally suspend or revoke any registration issued under sections 339.1100 to 339.1240, or impose civil penalties not to exceed one thousand dollars for each offense. Each day of a continued violation constitutes a separate offense, with a maximum penalty of ten thousand dollars. In determining the amount of penalty to be imposed, the commission may consider if an appraisal management company is:

(1) Knowingly committing any act in violation of sections 339.1100 to 339.1240;

(2) Violating any rule adopted by the commission; or

(3) Procuring a license by fraud, misrepresentation, or deceit.**]**

[339.1240. The conduct of adjudicatory proceedings for violations of this section is vested in the commission, provided:

(1) Before censuring any registrant, or suspending or revoking any registration, the commission shall notify the registrant in writing of any charges made at least twenty days before the hearing and shall afford the registrant an opportunity to be heard in person or by counsel; and

(2) Written notice shall be satisfied by personal service on the controlling person of the registrant, or the registrant's agent for service of process in this state, or by sending the notice by certified mail, return receipt requested to the controlling person of the registrant to the registrant's address on file with the commission.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brandom, **House Amendment No. 2** was adopted.

Representative Leara offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 5, Section 30.270, Line 137, by inserting after all of said line the following:

"50.1130. 1. **Notwithstanding the provisions of section 50.1150 to the contrary,** a death benefit of ten thousand dollars **and, in the case of an active member who dies after December 31, 2002, and before becoming vested, an amount equal to the amount of the member's accumulated contributions standing to his or her credit in the fund** shall be paid to the designated beneficiary of every active member upon his or her death or, if the member fails to designate a beneficiary, then to the member's surviving spouse or, if there is no spouse, then in equal shares to the member's surviving children. If there is neither a surviving spouse or surviving children, then the benefit shall be paid to the active member's estate.

2. If the member executes a beneficiary designation form and lists more than one beneficiary but fails to list the percentage of benefit that each beneficiary should receive, then the benefit shall be divided equally among the named beneficiaries.

50.1140. 1. Upon termination of employment, any member with less than eight years of creditable service shall forfeit all rights in the fund, including the member's accrued creditable service as of the date of the member's termination of employment, but may receive any refund of contributions to which the member is entitled pursuant to subsection 3 of this section **or subsection 1 of section 50.1130**.

2. A member who terminates employment with at least eight years of creditable service shall be entitled to an annuity from the fund, determined in accordance with the formula described in section 50.1060. The member may elect to defer the receipt of his or her annuity, until the member's attainment of age sixty-two, or the member may elect to begin receiving his or her annuity on the first day of any month following the later of the date of termination of employment or age fifty-five. If the member begins receiving an annuity before age sixty-two and termination of employment occurs on or after age fifty-five, the annuity shall be reduced by four-tenths of one percent for each month the commencement date of the annuity precedes age sixty-two, and an additional three-tenths of one percent for each month the commencement date of the annuity precedes age sixty.

3. In the event a member ceases to be a member other than by death before the date the member becomes vested in the system, the member shall be paid, upon his or her written application filed with the board, the member's accumulated contributions standing to his or her credit in the members' deposit fund.

4. A former member who has forfeited creditable service may have the creditable service restored by again becoming an employee, completing a total of eight years of uninterrupted creditable service, and purchasing the forfeited service by paying into the fund the forfeited amount previously refunded to the participant or credited to the participant's county plus interest equal to the current prime rate plus two percent.

104.603. 1. Effective with transfers of service between the Missouri department of transportation and highway patrol employees' retirement system and the Missouri state employees' retirement system that occur on or after September 1, 2011, upon a reciprocal transfer of creditable or credited service pursuant to section 104.602 or subsection 8 of section 104.1021, the sending system from which the service is transferred shall pay the receiving system to which the service is transferred the present value of the accrued benefit as determined pursuant to subsection 2 of this section.

2. For purposes of this section, the present value of the accrued benefit shall be determined using the actuarial assumptions of the sending system used in that system's last regular valuation assuming active member status and using the unit credit actuarial cost method. However, in no event shall the payment amount be less than the sum of the member's accumulated contributions and interest plus any purchased service payments from the member held on deposit by the sending system. If the member had received a refund of accumulated contributions from the sending system and forfeited service credit with that system, the member would need to reestablish that service with the sending system by again becoming an active member of a system covered by this chapter and satisfying requirements otherwise stipulated for reestablishing service credit. **However, in the event the member had previously transferred service from the receiving system to the sending system which was not subject to an asset transfer under this section, then that service will be excluded from the computation of the accrued benefit. In the event any prior payments by a sending system under this section included an amount for previously transferred service that was not subject to this section, the receiving system shall return to the sending system the present value amount attributable to such service, including interest as determined and agreed to by both systems.**

3. The service transfer shall not be deemed completed until the sending system makes payment to the receiving system as prescribed in this section. Payments shall be made within ninety days of the date that a completed transfer request is submitted by a member.

4. When the transfer payment includes an amount identified as corresponding to a member's accumulated contributions, the accumulated contributions portion shall be identified, and further, the accumulated contributions balance as of the preceding July first shall be identified and the receiving system shall be responsible for crediting interest according to the terms of the receiving plan.

5. The systems shall coordinate their plan administration for reciprocal transfers to give full effect to the transfer including the transfer and acceptance of corresponding division of benefit orders.

6. The member or survivor obtaining a reciprocal transfer of service covered by this section shall satisfy all requirements under section 104.602 or subsection 8 of section 104.1021 to obtain a transfer of credited or creditable service and shall satisfy the requirements under section 104.1091 with the receiving system to reestablish forfeited service previously accrued at either system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 3** was adopted.

Representative Fitzwater offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 5, Section 30.270, Line 137, by inserting after all of said section and line the following:

"**163.024. All moneys received in the Iron County School Fund, Reynolds County School Fund, Jefferson County School Fund, and Washington County School Fund from the payment of a civil penalty pursuant to a consent decree filed in the United States district court for the eastern district of Missouri in December 2012 in the case of *United States of America and State of Missouri v. the Doe Run Resources Corporation d/b/a "The Doe Run Company," and the Buick Resource Recycling Facility, LLC*, because of environmental violations shall not be included in any district's "local effort" figure, as such term is defined in section 163.011. The provisions of this section shall terminate on July 1, 2016.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 4** was adopted.

Representative Smith (150) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 7, Section 362.333, Line 13, by inserting after all of said line the following:

"**Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.**

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 1, Line 1, by inserting after all of said line the following:

'Page 5, Section 30.270, Line 137, by inserting after all of said section and line the following:

"178.530. **1.** The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational Education Act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for

approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education; however, such private school shall reimburse the department annually for the cost of oversight and maintenance of the program.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program."; and

Further amend said bill,'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Smith (150), **House Amendment No. 5, as amended**, was adopted.

Representative Cox offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 7, Section 362.333, Line 13, by inserting after all of said section and line the following:

"400.9-311. (a) Except as otherwise provided in subsection (d), the filing of a financing statement is not necessary or effective to perfect a security interest in property subject to:

(1) A statute, regulation, or treaty of the United States whose requirements for a security interest's obtaining priority over the rights of a lien creditor with respect to the property preempt section 400.9-310(a);

(2) Sections 301.600 to 301.661, section 700.350, and section 400.2A-304; or

(3) A certificate-of-title statute of another jurisdiction which provides for a security interest to be indicated on the certificate as a condition or result of the security interest's obtaining priority over the rights of a lien creditor with respect to the property.

(b) Compliance with the requirements of a statute, regulation, or treaty described in subsection (a) for obtaining priority over the rights of a lien creditor is equivalent to the filing of a financing statement under this article. Except as otherwise provided in subsection (d) and sections 400.9-313 and 400.9-316(d) and (e) for goods covered by a certificate of title, a security interest in property subject to a statute, regulation, or treaty described in subsection (a) may be perfected only by compliance with those requirements, and a security interest so perfected remains perfected notwithstanding a change in the use or transfer of possession of the collateral.

(c) Except as otherwise provided in subsection (d) and section 400.9-316(d) and (e), duration and renewal of perfection of a security interest perfected by compliance with the requirements prescribed by a statute, regulation, or treaty described in subsection (a) are governed by the statute, regulation, or treaty. In other respects, the security interest is subject to this article.

(d) During any period in which collateral is inventory held for sale or lease by a person or leased by that person as lessor and that person is in the business of selling **[**or leasing**]** goods of that kind, this section does not apply to a security interest in that collateral created by that person **[**as debtor**]**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 6** was adopted.

Representative Wells offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 6, Section 228.374, Line 4, by inserting after all of said line the following:

"301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure.

306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Zerr	

NOES: 051

Anders	Aull	Black	Carlson	Carter
Casey	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford

Pace	Pierson	Quinn	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Atkins	Brown 50	Colona	Flanigan
Grisamore	Hughes	Jones 117	Klippenstein	Phillips
Pollock	Schatz	Schieffer	Stream	Webber
Weter	Wyatt	Mr Speaker		

On motion of Representative Wells, **House Amendment No. 7** was adopted.

Representative Cauthorn offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 5, Section 30.270, Line 137, by inserting after all of said section and line the following:

"34.070. In making purchases, the commissioner of administration or any agent of the state with purchasing power shall give preference to all commodities and tangible personal property manufactured, mined, produced, processed, or grown within the state of Missouri, to all new generation processing entities defined in section 348.432, except new generation processing entities that own or operate a renewable fuel production facility or that produce renewable fuel, and to all firms, corporations or individuals doing business as Missouri firms, corporations or individuals, when quality is equal or better and delivered price is the same or less. The commissioner of administration or any agent of the state with purchasing power may also give such preference whenever competing bids, in their entirety, are comparable. For purposes of this section, "commodities" shall include **forest products and bricks or** any agricultural product that has been processed or otherwise had value added to it in this state."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 8** was adopted.

Representative Wells offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 7, Section 362.333, Line 13, by inserting after all of said line the following:

"408.052. 1. No lender shall charge, require or receive, on any residential real estate loan, any points or other fees of any nature whatsoever, excepting insurance, including insurance for involuntary unemployment coverage, and a one-percent origination fee, whether from the buyer or the seller or any other person, except that the lender may charge bona fide expenses paid by the lender to any other person or entity except to an officer, employee, or director of the lender or to any business in which any officer, employee or director of the lender owns any substantial interest for services actually performed in connection with a loan. In addition to the foregoing, if the loan is for the construction, repair, or improvement of residential real estate, the lender may charge a fee not to exceed one percent of the loan amount for inspection and disbursement of the proceeds of the loan to third parties. Notwithstanding the foregoing, the parties may contract for a default charge for any installment not paid in full within fifteen days of its scheduled due date. The restrictions of this section shall not apply:

(1) To any loan which is insured or covered by guarantee made by any department, board, bureau, commission, agency or establishment of the United States, pursuant to the authority of any act of Congress heretofore or hereafter adopted; and

(2) To any loan for which an offer or commitment or agreement to purchase has been received from and which is made with the intention of reselling such loan to the Federal Housing Administration, Farmers Home Administration, Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, or to any successor to the above-mentioned organizations, to any other state or federal governmental or quasi-governmental organization; **[**and**]**

(3) **To any mortgage broker making loans on manufactured or modular homes; and**

(4) Provided that the 1994 reenactment of this section shall not be construed to be action taken in accordance with Public Law 96-221, Section 501(b)(4). Any points or fees received in excess of those permitted under this section shall be returned to the person from whom received upon demand.

2. Notwithstanding the language in subsection 1 of this section, a lender may pay to an officer, employee or director of the lender, or to any business in which such person has an interest, bona fide fees for services actually and necessarily performed in good faith in connection with a residential real estate loan, provided:

(1) Such services are individually listed by amount and payee on the loan-closing documents; and

(2) Such lender may use the preemption of Public Law 96-221, Section 501 with respect to the residential real estate loan in question. When fees charged need not be disclosed in the annual percentage rate required by Title 15, U.S.C. Sections 1601, et seq., and regulations thereunder because such fees are de minimis amounts or for other reasons, such fees need not be included in the annual percentage rate for state examination purposes.

3. The lender may charge and collect bona fide fees for services actually and necessarily performed in good faith in connection with a residential real estate loan as provided in subsection 2 of this section; however, the lender's board of directors shall determine whether such bona fide fees shall be paid to the lender or businesses related to the lender in subsection 2 of this section, but may allow current contractual relationships to continue for up to two years.

4. If any points or fees are charged, required or received, which are in excess of those permitted by this section, or which are not returned upon demand when required by this section, then the person paying the same points or fees or his or her legal representative may recover twice the amount paid together with costs of the suit and reasonable attorney's fees, provided that the action is brought within five years of such payment.

5. Any lender who knowingly violates the provisions of this section is guilty of a class B misdemeanor.

443.812. 1. Only one license shall be issued to each person conducting the activities of a residential mortgage **loan** broker. A residential mortgage broker shall register with the director each office, place of business or location in Missouri where the residential mortgage loan broker conducts any part of the residential mortgage loan broker's business pursuant to section 443.839.

2. Residential mortgage loan brokers may only solicit, broker, fund, originate, serve and purchase residential mortgage loans in conformance with sections 443.701 to 443.893 and such rules as may be promulgated by the director.

3. No residential mortgage loan broker shall permit an unlicensed individual to engage in the activities of a mortgage loan originator and no residential mortgage loan broker shall permit a mortgage loan originator to engage in the activities of a mortgage loan originator under the supervision of the residential mortgage loan broker until that mortgage loan originator is shown to be employed by the residential mortgage loan broker as provided in this section.

4. Each residential mortgage loan broker shall report and file a listing with the director showing each mortgage loan originator licensed in Missouri and employed under the supervision of the residential mortgage loan broker. The listing shall show the name and unique identifier of each mortgage loan originator. The listing shall be updated with changes and filed no later than the next business day. The director may authorize a system of reporting that shows mortgage loan originators employed by Missouri residential mortgage loan brokers via the NMLSR in substitution for the report and filing requirement under this subsection.

5. The director may grant waivers of residential mortgage loan broker licensing requirements for persons engaged primarily in servicing residential mortgage loans where such waiver shall benefit borrowers including in particular the requirement to maintain a full-service office in Missouri.

6. (1) The provisions of this subsection shall only apply to any mortgage loan broker making loans on manufactured or modular homes.

(2) No residential mortgage loan broker licensed in this state shall be required to maintain a full-service office in Missouri; except that, nothing in this subsection shall be construed as relieving such broker of the requirements to be licensed in this state and obtain a certificate of authority from the secretary of state's office to transact business in this state.

(3) Any residential mortgage loan broker licensed in this state who does not maintain a full-service office in Missouri shall file with the license application an irrevocable consent in a form to be determined by the director, duly acknowledged, which provides that for any suits and actions commenced against the broker in the courts of this state and, if necessary for any actions brought against the broker, the venue shall lie in Missouri.

(4) The director may assess the reasonable costs of any investigation incurred by the division which are outside the normal expense of any annual or special examination or any other costs incurred by the division as a result of a licensed residential mortgage loan broker not maintaining a full-service office in Missouri."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Neth offered **House Amendment No. 1 to House Amendment No. 9**.

House Amendment No. 1
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 4, Lines 3-23, Subsection 6, by deleting all of said subsection and lines from the amendment and inserting in lieu thereof the following:

"**6. (1) Notwithstanding any other laws to the contrary, no residential mortgage loan broker licensed in this state shall be required to maintain a full-service office in Missouri; except that, nothing in this subsection shall be construed as relieving such broker of the requirements to be licensed in this state and obtain a certificate of authority from the secretary of state's office to transact business in this state.**

(2) Any residential mortgage loan broker licensed in this state who does not maintain a full-service office in Missouri shall file with the license application an irrevocable consent, in a form to be determined by the director and duly acknowledged, which provides that for any suits and actions commenced against the broker in the courts of this state and, if necessary for any other actions brought against the broker, the venue shall lie in Missouri.

(3) The director may assess the reasonable costs of any investigation incurred by the division which are outside the normal expense of any annual or special examination or any other costs incurred by the division as a result of a licensed residential mortgage loan broker not maintaining a full-service office in Missouri."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt

Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 048

Anders	Aull	Black	Carlson	Carter
Casey	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 020

Allen	Atkins	Brattin	Brown 50	Colona
Conway 27	Curtman	Diehl	Fisher	Flanigan
Jones 117	Lampe	McDonald	Nasheed	Pollock
Sater	Schatz	Schieffer	Webber	Wyatt

Representative Neth moved that **House Amendment No. 1 to House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schneider

Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 048

Anders	Aull	Black	Carter	Casey
Conway 27	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Taylor	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 019

Atkins	Brown 50	Brown 85	Carlson	Colona
Curtman	Diehl	Fisher	Flanigan	Korman
Nasheed	Sater	Schatz	Schieffer	Talboy
Walton Gray	Webber	Wyatt	Mr Speaker	

Representative Wells moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Ruzicka offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 7, Section 362.333, Line 13, by inserting after all of said section and line the following:

"**Section 1. 1. There is hereby created in the state treasury the "Law Enforcement Data Sharing Equalization Fund", which shall consist of money collected under section 2. The fund shall be administered by the peace officers standards and training commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the law enforcement data sharing equalization fund system.**

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

Section 2. A surcharge in criminal cases for law enforcement services which are disposed of by a traffic or central violations bureau established pursuant to law or supreme court rule shall be charged in an amount which shall equal the charge by sheriffs, county marshals, or other officers for their services rendered in criminal cases for infractions and the surcharge shall be distributed as follows:

(1) One-half of the surcharge collected shall be forwarded and deposited to the credit of the law enforcement data sharing equalization fund established in section 1 for the operational cost of the law enforcement data sharing equalization fund system; and

(2) One-half of the surcharge collected shall be deposited to the credit of the inmate security fund of t he county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, the funds shall be deposited in the law enforcement data sharing equalization fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 10** was adopted.

Representative Schneider offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, Page 5, Section 30.270, Line 137, by inserting after all of said section and line the following:

"94.110. The council shall have power and authority to levy and collect a license tax on wholesale houses, auctioneers, architects, druggists, grocers, banks, brokers, wholesale merchants, merchants of all kinds, confectioners, delivery trucks, ice trucks, transfer trucks, laundry wagons, milk wagons, merchant delivery companies, cigar and tobacco stands, hay scales, wood dealers, coal dealers, lumber dealers, real estate agents, loan companies, abstracters, abstract agencies, loan agents, collection agencies, undertakers, public buildings, office buildings, public halls, public grounds, concerts, photographers in office or upon the streets, canvassers, artists, drummers, patent right dealers, automobile agents and dealers, automobile accessory dealers, insurance companies, insurance agents, taverns, hotels, rooming houses, boardinghouses, health schools, telephone companies, street contractors, paper hanger contractors, painting contractors, plastering contractors, and all subcontractors, flour mills, express company agencies, wagons, buggies, carriages, tinners, barbers, barbershops, hair dressers, hair dressing shops, whether conducted in connection with other business or separate beauty parlors, tailors, florists, nursery stock agents, book binders, monument dealers and agencies, manufacturing agents, shoe cobbler shops, storage warehouses, shoe shining parlors, newspaper offices, job printing plants, ready-to-wear clothing agencies, tailor-made clothing agencies, sewing machine agents, piano and organ dealers and agents, foreign coffee and tea dealers and agents, and all other vocations whatsoever, and fix the rate of carriage of persons and wagonage, drayage and cartage of property; and to levy and collect a license tax and regulate hawkers, peddlers, pawnbrokers, restaurants, butchers, wholesale butchers, bathhouses and masseurs, lunch stands, lunch counters, lunch wagons, soft drink and ice cream stand and vendors, ice cream parlors, peanut and popcorn stands, and stands of every kind, hucksters, opera houses, moving picture shows, private parks, public lectures, public meetings, baseball parks, outdoor advertising, horse and cattle dealers, stockyards, wagon yards, auto yards, oil stations, wholesale and retail, inspectors, gaugers, mercantile agents, manufacturing and other corporations, or institutions, machine shops, blacksmith shops, foundries, sewer contractors, building contractors, stone contractors, plumbing contractors, brick contractors, cement contractors, sidewalk contractors, bridge contractors, and all subcontractors, street railroad cars, light, power and water companies, gas companies, laundries, laundry agencies, ice plants and ice plant agencies, ice dealers, omnibuses, automobiles, automobile trailers, tractors, carts, drays, milk wagons, laundry wagons, delivery wagons, transfer and job wagons, ice wagons, and all other vehicles, traveling and auction stores, plumbers, pressing establishments, installment houses and agencies, produce and poultry dealers, feather renovators, bakers and bakeries, bakery delivery wagons, and delivery autos, bottling works, dye works, cleaning establishments, sand plants, steam fitters, corn doctors, chiropodists, hackmen, taxicabs, buses, draymen, omnibus drivers, porters, **residential and commercial alarm and security entities,** ferries, and to regulate the same, and the landing thereof, within the limits of the city, and all others pursuing like occupations; and to levy and collect a license tax, regulate, restrain, prohibit and suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance halls, fortune tellers, pistol galleries, shooting galleries, palmists, private venereal hospitals, museums, menageries, equestrian performances, fluoroscopic views, picture shows, telescopic views, lung testers, muscle developers, magnifying glasses, ten pin alleys, ball alleys, bowling alleys, billiard tables, pool and other tables, miniature golf courses, theatrical or other exhibitions, boxing and sparring exhibitions, shows and amusements, amusement parks, and the sales of unclaimed goods by express companies or common carriers, auto wrecking shops, bill posters, junk dealers, porters, carnival and street fairs, circuses and shows, for parade and exhibition, or both, skating rinks, and runners and solicitors for steamboats, cars, stages, taxicabs, hotels, rooming houses,

boardinghouses, bathhouses, masseurs, health schools, and all other vocations and business whatsoever, and all others pursuing like occupations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schneider moved that **House Amendment No. 11** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Fisher	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 049

Anders	Aull	Black	Carlson	Carter
Casey	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hughes
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 021

Allen	Atkins	Brown 50	Brown 116	Colona
Conway 14	Curtman	Diehl	Entlicher	Fitzwater
Flanigan	Hummel	Jones 117	Nasheed	Parkinson
Sater	Schatz	Schieffer	Talboy	Webber
Wyatt				

On motion of Representative Phillips, **HCS SCS SB 635, as amended**, was adopted.

On motion of Representative Phillips, **HCS SCS SB 635, as amended**, was read the third time and passed by the following vote:

AYES: 113

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 85
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McGhee	McNary	Meadows
Nance	Nasheed	Neth	Nichols	Nolte
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schieber	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 033

Carlson	Carter	Ellinger	Ellington	Holsman
Hummel	Jones 63	Kander	Kirkton	Lampe
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Oxford	Pace	Pierson	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Walton Gray	Webb		

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 016

Allen	Atkins	Brandom	Brown 50	Brown 116
Colona	Curtman	Flanigan	Hughes	Parkinson
Sater	Schatz	Schieffer	Schneider	Webber
Wyatt				

Representative Barnes declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 116

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McGhee	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Swearingen
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 035

Atkins	Carlson	Carter	Ellinger	Ellington
Holsman	Hughes	Hummel	Jones 63	Kander
Lampe	Marshall	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Brown 50	Colona	Flanigan	Gatschenberger
Grisamore	Sater	Schatz	Schieffer	Stream
Webber	Wyatt			

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HB 1073 & HCS HB 1477, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1731**, entitled:

An act to repeal sections 42.300, 161.215, and 313.835, RSMo, and to enact in lieu thereof four new sections relating to the use of gaming moneys, with an emergency clause.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, Senate Amendment No. 2, as amended, and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 14, Section 313.835, Line 15 of said page, by inserting immediately after said line the following:

"**Section 1. Notwithstanding the provisions of section 1.140, to the contrary, the provisions of this act shall be nonseverable, and if any provision is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this act.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1
to
Senate Amendment No. 2

AMEND Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 1, Section 1, Line 6, by striking the word "the" and inserting in lieu thereof the following: "**a**".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 14, Section 313.835, Line 15, by inserting after all of said line the following:

"**Section 1. The joint committee on education shall develop a comprehensive funding formula for Missouri public institutions of higher education by December 31, 2013. The General Assembly shall implement the funding formula beginning in fiscal year 2015.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731, Page 11, Section 161.216, Line 1, by inserting after all of said line the following:

"**4. This section shall not be construed to limit the content of early childhood education courses, research, or training carried out by any public institution of higher education. A course on quality rating systems or**

training quality assurance systems shall not be a requirement for certification by the state as an individual child care provider or any licensing requirement that may be established for an individual child care provider."; and

Further amend said section, Line 6, by inserting immediately after the word "system" the following:

"**or "training quality assurance system"**"; and

Further amend Line 10, by inserting after the word "system" the following:

"**or "training quality assurance system"**"; and

Further amend Line 14, by inserting after the first use of the word "system" the following:

"**or "training quality assurance system"**"; and

Further renumber the remaining subsection accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **SS SCS HCS HB 2003** are allowed to exceed the difference in Sections 3.165, 3.180, 3.185, 3.190, 3.195 and 3.200.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 467, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS for SS for SCS for SB 470, as amended** and requests the House recede from its position and take up and pass **SS for SCS for SB 470**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 498, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 568, as amended**, and has taken up and passed **CCS HCS SB 568**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 & HA 2 to SCS SB 715** and requests the House recede from its position and take up and pass **SCS SB 715**.

Speaker Tilley resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HB 1073 and HCS HB 1477: Representatives Smith (150), Loehner, Sater, Shively and Quinn

COMMITTEE REPORTS

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SS SB 464**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Local Government, Chairman Gatschenberger reporting:

Mr. Speaker: Your Committee on Local Government, to which was returned **SCS SB 729**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute No. 2**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 55**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 57**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 64**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1877**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 24**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SJR 51**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SBs 489 & 637**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 576**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 633**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 682**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 711**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 739**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 788**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SCS SJR 51 - Fiscal Review

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 576 - Fiscal Review

RECESS

Representative Jones (89) moved the House stand in recess until such time that the Conference Committee Reports on House Bill No. 2002 through House Bill No. 2013 have been distributed, a Supplemental Calendar is distributed or 3:00 a.m., whichever comes first, and then stand adjourned until 9:00 a.m., Thursday, May 10, 2012.

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2002

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2002.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Genise Montecillo

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2003

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2003.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2004

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2004.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2005

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2005.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2006

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, as amended.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2006.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2007

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007 as amended.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2007.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2008

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2008.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2009

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2009.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2010

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2010.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Sara Lampe
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2011

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, with Senate Amendment No. 1 and Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, as amended.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2011.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011 be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Tom Flanigan
/s/ Genise Montecillo
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2012

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2012.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2013

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2013, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2013.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2013.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2013, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Dan Brown
/s/ Will Kraus
/s/ Timothy Green
/s/ Shalonn K. Curls

FOR THE HOUSE:

/s/ Ryan Silvey
/s/ Rick Stream
/s/ Lincoln Hough
/s/ Sara Lampe
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
SENATE BILL NO. 564

The Conference Committee appointed on Senate Bill No. 564, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendments Nos. 3, 4, 6, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 564, as amended;

2. The Senate recede from its position on Senate Bill No. 564;

3. That the attached Conference Committee Substitute for Senate Bill No. 564, be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Dan Brown	/s/ Charlie Davis
/s/ Jay Wasson	/s/ David Day
/s/ Ron Richard	/s/ Thomas Long
/s/ Ryan McKenna	/s/ Tim Meadows
/s/ Robin Wright-Jones	/s/ Joseph Fallert, Jr.

SUPPLEMENTAL CALENDAR

MAY 9, 2012

SENATE JOINT RESOLUTION FOR THIRD READING

SCS SJR 51, (Fiscal Review 5/9/12) - Cox

ADJOURNMENT

Pursuant to the motion of Representative Jones (89), the House adjourned until 9:00 a.m., Thursday, May 10, 2012.

COMMITTEE MEETINGS

CONFERENCE COMMITTEE
Thursday, May 10, 2012, 12:00 PM House Lounge.
Executive session will be held: SS SCS HCS HB 2002, SS SCS HCS HB 2003, SS SCS HCS HB 2004, SS SCS HCS HB 2005, SS SCS HCS HB 2006, SS SCS HCS HB 2007, SS SCS HCS HB 2008, SS SCS HCS HB 2009, SS SCS HCS HB 2010, SS SCS HCS HB 2011, SS SCS HCS HB 2012, SS SCS HCS HB 2013
Executive session may be held on any matter referred to the committee.
CANCELLED

FISCAL REVIEW
Thursday, May 10, 2012, 9:00 AM South Gallery.
Executive session may be held on any matter referred to the committee.

GENERAL LAWS
Thursday, May 10, 2012, 9:00 AM House Hearing Room 4.
Public hearing will be held: SCS SB 835
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION
Tuesday, May 15, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Election of Chairman and Vice-Chairman

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Monday, May 14, 2012, 2:00 PM House Hearing Room 6.
Discussion and executive session will be held on Officer Julius K. Moore Memorial Highway application.

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, May 10, 2012, Upon Morning Adjournment House Hearing Room 6.
Executive session will be held: HCS SS SCS SB 443, HCS SS SCS SB 448, HCS SCS SBs 484, 477 & 606, SB 504, HCS SCS SB 510, HCS SB 557, HCS SS SCS SB 592, HCS SB 594, HCS SCS SB 625, HCS SCS SB 648, HCS SB 668, HCS SB 690, HCS SCS SB 692, HCS SB 701, HCS SCS SB 714, HCS SCS SB 722, SS SB 727, HCS SB 739, HCS SS SB 742, HCS SS SCS SB 755, HCS SCS SB 758, HCS SB 760, HCS SS SB 769, HCS SS SB 781, HCS SS SB 854, SB 893, HCS SB 911, HCS SJR 37, HCS SS#2 SJR 48
Executive session may be held on any or all bills referred to this committee.
CORRECTED

HOUSE CALENDAR

SEVENTY-FIRST DAY, THURSDAY, MAY 10, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 89 - Schoeller
2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
4 HCS HB 1210, as amended - Gatschenberger
5 HCS HB 1795 - Ruzicka
6 HB 1966 - Burlison
7 HB 1779 - Flanigan
8 HCS HB 1794 - Grisamore
9 HCS HB 1754 - Cox
10 HCS HB 1815 - Pollock
11 HB 1842 - Lant
12 HCS HB 1935 - Franz
13 HB 2063, as amended - Denison
14 HCS HB 2100 - Denison
15 HCS HB 1709 - Hough
16 HCS#2 HB 1358 - Gatschenberger
17 HCS HB 1397 - Gatschenberger
18 HCS HBs 1542 & 1101 - Koenig
19 HCS#2 HB 1213 - Franklin
20 HCS HB 1846 - Long
21 HCS HB 1585 - Cross
22 HCS HB 1971 - Schneider
23 HB 1690 - May
24 HB 1728 - Johnson
25 HB 1790 - Torpey
26 HCS HB 1970 - Jones (117)
27 HB 1144 - Gatschenberger
28 HB 1394 - Brandom
29 HB 1456 - Black
30 HCS HB 1609 - Nasheed
31 HCS HB 1612 - Burlison
32 HB 2038 - Wallingford

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1328 - Cox
2 HCS HB 1922 - Molendorp
3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HCS HBs 1298 & 1180 - Parkinson
2 HB 1066 - McGhee
3 HB 1357 - Gatschenberger

HOUSE BILLS FOR THIRD READING - INFORMAL

1 HB 1277 - Long
2 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

1 HCR 55 - Nolte
2 HCR 57 - McNary

SENATE JOINT RESOLUTIONS FOR THIRD READING

SCS SJR 51, (Fiscal Review 5/9/12) - Cox

SENATE BILLS FOR THIRD READING

1 HCS SS SCS SB 469 - Smith (150)
2 HCS SB 620 - Gosen
3 HCS SB 636 - Diehl
4 SS SB 665 - Asbury
5 HCS SCS SB 726 - Wells
6 SS SCS SB 689 - Schad
7 SS SB 607 - Burlison
8 HCS#2 SCS SB 480 - Riddle
9 HCS SCS SB 485 - Kelly (24)
10 HCS SCS SB 563, E.C. - Leach
11 SB 599 - Dieckhaus
12 HCS SCS SB 631 - Reiboldt
13 HCS SCS SB 673 - Day
14 SCS SB 789 - Cox
15 HCS SB 813 - Brandom

16 HCS SCS SB 856 - Barnes
17 SS SCS SBs 489 & 637, E.C. - Franz
18 SS SCS SB 576, (Fiscal Review 5/9/12) - Richardson
19 SS SCS SB 633 - Largent
20 HCS SS SCS SB 682 - Richardson
21 HCS SCS SB 711 - Largent
22 HCS SB 739 - Cox
23 SCS SB 788 - Diehl

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HCS HB 1495 - Nance
2 SCS HB 1112 - Gosen
3 SCS HCS HB 1042, as amended - Thomson
4 SS SCS HCS HB 1400, E.C. - Richardson
5 HB 1250, with SA 1 & SA 2 - Ruzicka
6 SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended - Marshall
7 SS HB 1128 - Largent
8 HB 1103, with SA 1 & SA 2 - Crawford
9 SCS HB 1460 - Jones (117)
10 SS SCS HCS HB 1731, as amended, E.C. - Day

BILLS CARRYING REQUEST MESSAGES

1 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
2 SCS HB 1135, as amended, (request Senate recede/grant conference) - Smith (150)
3 HCS SCS SB 498, as amended, (request House recede/grant conference), E.C. - Shumake
4 HCS SS SCS SB 467, as amended, (request House recede/grant conference) - Cox
5 SCS SB 715, with HA 1 and HA 2, (request House recede/take up and pass bill) - Day
6 HCS SS SCS SB 470, as amended, (request House recede/take up and pass bill) - Burlison

BILLS IN CONFERENCE

1 CCR HCS SB 568, as amended, E.C. - Franz
2 CCR SS SCS HCS HB 2002 - Silvey
3 CCR SS SCS HCS HB 2003, (exceed differences) - Silvey
4 CCR SS SCS HCS HB 2004 - Silvey
5 CCR SS SCS HCS HB 2005 - Silvey
6 CCR SS SCS HCS HB 2006, as amended - Silvey
7 CCR SS SCS HCS HB 2007 - Silvey
8 CCR SS SCS HCS HB 2008 - Silvey
9 CCR SS SCS HCS HB 2009 - Silvey
10 CCR SS SCS HCS HB 2010 - Silvey
11 CCR SS SCS HCS HB 2011, as amended - Silvey
12 CCR SS SCS HCS HB 2012 - Silvey
13 CCR SS SCS HCS HB 2013 - Silvey

14 CCR SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
15 SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
16 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. - Brown (116)
17 HCS SCS SB 569, as amended - Dugger
18 SS SCS HB 1073 and HCS HB 1477, as amended - Sater

SENATE CONCURRENT RESOLUTIONS

1 SS SCR 16 - Asbury
2 SCS SCR 17 - Diehl
3 SCR 24 - Davis

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-FIRST DAY, THURSDAY, MAY 10, 2012

The House met pursuant to adjournment.

Representative Diehl in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

He leadeth me in the paths of righteousness for His name's sake. (Psalm 23:3)

Eternal God, Whose love never lets us go, Whose patience never lets us down, and Whose justice never lets us off, hear us again as we offer unto You our morning prayer. We come out of a sense of need, out of a conviction that You are with us, and we would find our confidence and our courage in the support of Your sustaining strength.

We pray for light upon our way, love along our path, and speed amid the daily duties of our demanding day. Center our lives and the lives of our citizens around faith rather than fear, around justice rather than injustice, and around high principles rather than low prejudices. Strengthen us where we are weak, hold us firm when we would fall, steady us when we start to slip, and lift us up when down we go.

Remind us of the integrity which has strengthened our state, the freedom which is our rich heritage, and of our faith in You which has made and still makes Missouri great and strong. Lead us in the paths of righteousness.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Grace Talboy.

The Journal of the seventieth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3102 through House Resolution No. 3126

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SCS SJR 51**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS SB 576**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HCS HB 1731, as amended, relating to gaming and lottery moneys, was taken up by Representative Day.

On motion of Representative Day, **SS SCS HCS HB 1731, as amended,** was adopted by the following vote:

AYES: 151

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 004

Hummel	McNeil	Oxford	Schupp

ABSENT WITH LEAVE: 008

Brown 50	Colona	Hughes	Korman	McNary
Meadows	Sater	Scharnhorst		

On motion of Representative Day, **SS SCS HCS HB 1731, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 150

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 003

Hummel	Oxford	Schupp

ABSENT WITH LEAVE: 010

Brown 50	Colona	Flanigan	Hughes	Korman
McGhee	McNary	Meadows	Newman	Sater

Representative Diehl declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 156

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison

Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Colona	Hughes	Korman	McNary
Meadows	Sater			

THIRD READING OF SENATE JOINT RESOLUTION

SCS SJR 51, relating to nonpartisan selection of judges, was taken up by Representative Cox.

Representative Talboy offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Joint Resolution No. 51, Page 1, Section 25(a), Lines 4-5, by deleting all of said lines and inserting in lieu thereof the following:

"Louis **[**and**],** Jackson County **or any other circuit**, the"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Brown 50	Colona	Hughes	Korman
McDonald	McNary	Meadows	Nasheed	Sater
Schneider	Walton Gray			

Representative Talboy moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Neth	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Webb	Webber			

NOES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Colona	Franklin	Haefner	Hughes
Kelly 24	Korman	Nasheed	Sater	Walton Gray

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Colona	Hughes	Korman	Nasheed
Sater	Walton Gray			

On motion of Representative Cox, **SCS SJR 51** was truly agreed to and finally passed by the following vote:

AYES: 084

Allen	Asbury	Bahr	Brandom	Brattin
Brown 85	Brown 116	Burlison	Cauthorn	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Klippenstein	Koenig	Lair	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	McCaherty	McGhee	McNary	Molendorp
Nance	Parkinson	Phillips	Redmon	Reiboldt
Riddle	Ruzicka	Schad	Scharnhorst	Schatz
Schneider	Schoeller	Shumake	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Wells
White	Wright	Zerr	Mr Speaker	

NOES: 071

Anders	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Carlson	Carter	Casey
Cierpiot	Conway 27	Ellinger	Ellington	Fallert
Fisher	Harris	Hinson	Hodges	Holsman
Hummel	Jones 63	Kander	Kelley 126	Kelly 24
Kirkton	Kratky	Lampe	Lasater	Lichtenegger
Marshall	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Neth	Newman	Nichols	Oxford
Pace	Pierson	Pollock	Quinn	Richardson
Rizzo	Rowland	Schieber	Schieffer	Schupp
Shively	Sifton	Silvey	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Torpey	Webb	Webber	Weter	Wieland
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Colona	Hughes	Korman	Nasheed
Nolte	Sater	Walton Gray		

Representative Diehl declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS HB 1073 and HCS HB 1477, as amended**: Senators Munzlinger, Parson, Lager, Callahan and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1135, as amended,** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 455, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 and HA 2 to SCS SB 566** and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 578, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 628, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HB 1135: Representatives Smith (150), McNary, Fraker, Lampe and McCann-Beatty.

BILLS IN CONFERENCE

CCR SS SCS HCS HB 2002, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2002** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14

Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 012

Carlson	Ellington	Hughes	Kratky	Marshall
Newman	Oxford	Schupp	Sifton	Smith 71
Still	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown 50	Colona	Korman	Nasheed	Sater
Scharnhorst	Walton Gray			

On motion of Representative Silvey, **CCS SS SCS HCS HB 2002** was read the third time and passed by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney

Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Spreng	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 013

Carlson	Ellinger	Ellington	Hughes	Kratky
Marshall	Newman	Oxford	Schupp	Sifton
Smith 71	Still	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Colona	Grisamore	Korman	McNary
Nasheed	Sater	Scharnhorst	Walton Gray	

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2003, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2003** was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McCreery

McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Neth	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Solon	Sommer	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 014

Carlson	Ellinger	Ellington	Hughes	Kratky
Marshall	May	Newman	Nichols	Oxford
Pace	Smith 71	Spreng	Still	

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Colona	Cox	Davis	Funderburk
Grisamore	Holsman	Korman	Nasheed	Nolte
Parkinson	Sater	Schad	Scharnhorst	Schupp
Smith 150	Walton Gray	Wyatt		

On motion of Representative Silvey, **CCS SS SCS HCS HB 2003** was read the third time and passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Nichols	Nolte	Pace	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen

Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 013

Carlson	Ellinger	Ellington	Hughes	Kratky
Marshall	May	Newman	Oxford	Pierson
Smith 71	Spreng	Still		

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Colona	Holsman	Korman	Lasater
Nasheed	Sater	Scharnhorst	Walton Gray	White

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2004, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2004** was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 004

Hughes	Kratky	Marshall	Oxford

PRESENT: 000

ABSENT WITH LEAVE: 011

Bahr	Brown 50	Colona	Ellinger	Korman
Nasheed	Phillips	Sater	Scharnhorst	Smith 150
Walton Gray				

On motion of Representative Silvey, **CCS SS SCS HCS HB 2004** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Stream	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 007

Ellington	Hodges	Hughes	Kratky	Marshall
Oxford	Swinger			

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Colona	Harris	Korman	Sater
Scharnhorst	Spreng	Still	Swearingen	Walton Gray

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2005, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2005** was adopted by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 006

Carlson	Hughes	Marshall	Oxford	Schupp
Smith 71				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Colona	Dugger	Ellington	Korman
Sater	Scharnhorst	Schneider	Walton Gray	Wyatt

On motion of Representative Silvey, **CCS SS SCS HCS HB 2005** was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Carlson	Hughes	Marshall	Oxford	Schupp
Smith 71				

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Colona	Dugger	Ellington	Korman
May	Riddle	Sater	Scharnhorst	Schneider
Walton Gray				

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2006, as amended, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2006, as amended**, was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Lair
Lampe	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 003

Kratky	Marshall	Oxford

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 014

Brattin	Brown 50	Colona	Conway 14	Davis
Higdon	Hubbard	Korman	Lant	McCreery
Meadows	Sater	Scharnhorst	Walton Gray	

On motion of Representative Silvey, **CCS SS SCS HCS HB 2006** was read the third time and passed by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Parkinson	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 003

Kratky	Marshall	Oxford

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Colona	Conway 14	Day	Higdon
Hughes	Korman	Phillips	Sater	Scharnhorst
Walton Gray				

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2007, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2007** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 008

Carter	Ellington	Hughes	Kratky	Marshall
Oxford	Pierson	Smith 71		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Colona	Conway 14	Cox	Higdon
Korman	McNary	Parkinson	Sater	Scharnhorst
Walton Gray				

On motion of Representative Silvey, **CCS SS SCS HCS HB 2007** was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Solon	Sommer
Spreng	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 009

Carter	Ellinger	Ellington	Kratky	Marshall
Oxford	Pierson	Smith 71	Still	

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Colona	Conway 14	Higdon	Holsman
Hughes	Korman	Lair	Parkinson	Phillips
Sater	Schad	Scharnhorst	Smith 150	Walton Gray

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2008, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2008** was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Lair	Lampe
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webb	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 004

Hughes	Kratky	Marshall	Oxford

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	Colona	Day	Korman	Lauer
McCreery	Parkinson	Sater	Scharnhorst	Swearingen
Walton Gray				

On motion of Representative Silvey, **CCS SS SCS HCS HB 2008** was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 004

Hughes	Kratky	Marshall	Oxford

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Colona	Day	Fitzwater	Hummel
Korman	Loehner	Parkinson	Sater	Scharnhorst
Smith 150	Walton Gray			

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2009, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2009** was adopted by the following vote:

AYES: 150

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 004

Hughes	Kratky	Marshall	Oxford

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Brown 50	Colona	Franklin	Korman
Parkinson	Sater	Scharnhorst	Walton Gray	

On motion of Representative Silvey, **CCS SS SCS HCS HB 2009** was read the third time and passed by the following vote:

AYES: 150

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 004

Hughes	Kratky	Marshall	Oxford

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Brown 50	Colona	Korman	Parkinson
Sater	Schad	Scharnhorst	Walton Gray	

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2010, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2010** was adopted by the following vote:

AYES: 130

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 022

Atkins	Carter	Ellinger	Ellington	Holsman
Hughes	Hummel	Jones 63	Kratky	Marshall
McCann Beatty	McNeil	Oxford	Pace	Pierson
Schupp	Sifton	Smith 71	Spreng	Still
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Brown 50	Colona	Guernsey	Haefner
Korman	Sater	Schad	Scharnhorst	Shively
Walton Gray				

On motion of Representative Silvey, **CCS SS SCS HCS HB 2010** was read the third time and passed by the following vote:

AYES: 128

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 025

Atkins	Carlson	Carter	Ellinger	Ellington
Harris	Holsman	Hummel	Jones 63	Kratky
Marshall	McCann Beatty	McNeil	Morgan	Newman
Oxford	Pace	Pierson	Schupp	Sifton
Smith 71	Spreng	Still	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 010

Allen	Brown 50	Colona	Cox	Haefner
Hughes	Korman	Sater	Scharnhorst	Walton Gray

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2011, as amended, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2011, as amended**, was adopted by the following vote:

AYES: 115

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCaherty	McDonald	McGeoghegan	McGhee	McNary
Molendorp	Montecillo	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 039

Atkins	Carlson	Carter	Ellinger	Ellington
Fallert	Harris	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kirkton	Kratky	Lampe
Marshall	McCann Beatty	McCreery	McManus	McNeil
Meadows	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 009

Allen	Brown 50	Colona	Funderburk	Haefner
Korman	Sater	Scharnhorst	Walton Gray	

On motion of Representative Silvey, **CCS SS SCS HCS HB 2011** was read the third time and passed by the following vote:

AYES: 112

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Hampton	Higdon	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McDonald	McGhee
McNary	Molendorp	Montecillo	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 038

Atkins	Carlson	Carter	Ellinger	Ellington
Fallert	Harris	Holsman	Hubbard	Hughes
Hummel	Jones 63	Kirkton	Kratky	Lampe
Marshall	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Brown 50	Colona	Cox	Funderburk
Haefner	Hinson	Kelly 24	Korman	Sater
Schad	Scharnhorst	Walton Gray		

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2012, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2012** was adopted by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Ellinger	Ellington	Kratky	Marshall	Oxford
Smith 71				

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Brown 50	Carlson	Carter	Colona
Cox	Dugger	Funderburk	Haefner	Hughes
Korman	Sater	Schad	Scharnhorst	Walton Gray
Webb				

On motion of Representative Silvey, **CCS SS SCS HCS HB 2012** was read the third time and passed by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Grisamore	Guernsey	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 005

Ellinger	Kratky	Marshall	Oxford	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Brown 50	Carter	Colona	Cox
Dugger	Ellington	Funderburk	Gosen	Haefner
Hughes	Korman	Sater	Schad	Scharnhorst
Walton Gray	Webb			

Representative Diehl declared the bill passed.

CCR SS SCS HCS HB 2013, relating to appropriations, was taken up by Representative Silvey.

On motion of Representative Silvey, **CCR SS SCS HCS HB 2013** was adopted by the following vote:

AYES: 145

Anders	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 116	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 017

Allen	Atkins	Brown 50	Brown 85	Carter
Colona	Cox	Dugger	Funderburk	Haefner
Hughes	Korman	McCreery	Sater	Scharnhorst
Walton Gray	Webb			

On motion of Representative Silvey, **CCS SS SCS HCS HB 2013** was read the third time and passed by the following vote:

AYES: 144

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Crawford	Cross	Curtman	Day
Denison	Dieckhaus	Diehl	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 001

Marshall

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Brown 50	Carter	Colona	Cox
Davis	Dugger	Funderburk	Haefner	Higdon
Hughes	Korman	Sater	Schad	Scharnhorst
Still	Walton Gray	Webb		

Representative Diehl declared the bill passed.

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 26 - Transportation Funding and Public Institutions

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SCS SB 655 - Fiscal Review

COMMITTEE REPORT

Committee on Health Insurance, Chairman Molendorp reporting:

Mr. Speaker: Your Committee on Health Insurance, to which was referred **SS SB 749**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HB 1135, as amended**: Senators Dixon, Cunningham, Ridgeway, Green and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1402**, entitled:

An act to repeal sections 21.795, 70.441, 142.932, 144.030, 226.500, 260.392, 301.010, 301.032, 301.069, 301.218, 301.260, 301.280, 301.559, 301.560, 301.562, 301.567, 301.570, 302.010, 302.060, 302.130, 302.309, 302.341, 302.530, 302.700, 303.200, 304.120, 304.190, 306.127, 307.365, 387.040, 387.050, 387.080, 387.110, 387.207, 390.051, 390.061, 390.063, 390.116, 390.201, 390.280, 544.046, and 643.320, RSMo, and to enact in lieu thereof fifty-three new sections relating to transportation, with penalty provisions, an effective date for certain sections and an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8 and Senate Amendment No. 9.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 36, Section 226.541, Line 20 of said page, by striking "aces" and inserting in lieu thereof the following:

"**faces**"; and

Further said bill and section, Page 38, Lines 13 and 14 of said page, by striking said lines and inserting in lieu thereof the following: "**reset agreement program or digital upgrade regulations described in this section.**".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 100, Section 301.580, Line 20 of said page, by inserting after all of said line the following:

"301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure."; and

Further amend said bill, Page 153, Section 306.127, Line 10 of said page, by inserting after all of said line the following:

"306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Pages 178-179, Section 537.292, by striking said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 67, Section 301.260, Line 27 of said page, by inserting immediately after the word "plate" a comma "**,**"; and

Further amend said line, by inserting immediately after the word "or" a comma "**,**".

Senate Amendment No. 5

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No.1402, Pages 38-45, Section 260.392, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 32, Section 144.758, Line 21 of said page, by striking the word "motors" and inserting in lieu thereof the following:

"**motor vehicles**".

Senate Amendment No. 7

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 148, Section 304.190, Line 25 of said page, by inserting after all of said line the following:

"**304.289. The timing of any traffic-control signal shall conform to regulations promulgated by the Department of Transportation. The department of transportation shall establish minimal yellow light change**

interval times for traffic-control devices. The minimal yellow light change interval time shall be established in accordance with nationally recognized engineering standards set forth in the Manual on Uniform Traffic Control Devices, and any such established time shall not be less than the recognized national standard."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 65, Section 301.069, Line 3, by inserting after all of said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not, unless such possession is solely for charitable purposes; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days. As used in this subsection, the term "trade-in motor vehicle or trailer" shall include any single motor vehicle or trailer sold by the buyer of the newly purchased vehicle or trailer, as long as the license plates for the trade-in motor vehicle or trailer are still valid.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. License plates may be transferred from a motor vehicle which will no longer be operated to a newly purchased motor vehicle by the owner of such vehicles. The owner shall pay a transfer fee of two dollars if the newly purchased vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that of the vehicle which will no longer be operated. When the newly purchased motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, the applicant shall pay a transfer fee of two dollars and a pro rata portion of the difference in fees. When the newly purchased vehicle is of less horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, the applicant shall not be entitled to a refund.

4. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of thirty days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of proof of financial responsibility as required under subsection 5 of this section and satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within thirty days. The director shall issue a temporary permit authorizing the operation of a motor vehicle or trailer by a buyer for not more than thirty days of the date of purchase.

5. The temporary permit shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer and upon proof of financial responsibility, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary permits available to registered dealers in this state or authorized agents of the department of revenue in sets of ten permits. The fee for the temporary permit shall be seven dollars and fifty cents for each permit or plate issued. No dealer or authorized agent shall charge more than seven dollars and fifty cents for each permit issued. The permit shall be valid for a period of thirty days from the date of purchase of a motor vehicle or trailer, or from the date of sale of the motor

vehicle or trailer by a dealer for which the purchaser obtains a permit as set out above. No permit shall be issued for a vehicle under this section unless the buyer shows proof of financial responsibility.

6. The permit shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable the applicant to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. Temporary permits issued pursuant to this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit.

7. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the permit when issued to the buyer. The dealer shall also insert such dealer's number on the permit. Every dealer that issues a temporary permit shall keep, for inspection of proper officers, a correct record of each permit issued by recording the permit or plate number, buyer's name and address, year, make, manufacturer's vehicle identification number on which the permit is to be used, and the date of issuance.

8. Upon the transfer of ownership of any currently registered motor vehicle wherein the owner cannot transfer the license plates due to a change of vehicle category, the owner may surrender the license plates issued to the motor vehicle and receive credit for any unused portion of the original registration fee against the registration fee of another motor vehicle. Such credit shall be granted based upon the date the license plates are surrendered. No refunds shall be made on the unused portion of any license plates surrendered for such credit.

9. An additional temporary license plate produced in a manner and of materials determined by the director to be the most cost effective means of production with a configuration that matches an existing or newly issued plate may be purchased by a motor vehicle owner to be placed in the interior of the vehicle's rear window such that the driver's view out of the rear window is not obstructed and the plate configuration is clearly visible from the outside of the vehicle to serve as the visible plate when a bicycle rack or other item obstructs the view of the actual plate. Such temporary plate is only authorized for use when the matching actual plate is affixed to the vehicle in the manner prescribed in subsection 5 of section 301.130. The fee charged for the temporary plate shall be equal to the fee charged for a temporary permit issued under subsection 5 of this section. Replacement temporary plates authorized in this subsection may be issued as needed upon the payment of a fee equal to the fee charged for a temporary permit under subsection 5 of this section. The newly produced third plate may only be used on the vehicle with the matching plate, and the additional plate shall be clearly recognizable as a third plate and only used for the purpose specified in this subsection.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, Page 8, Section 21.795, Line 1, by inserting immediately after said line the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter

233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy**.

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; **[**and**]**

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .

Owner's telephone number and mailing address: . . . . . .

If signer is different from owner:

Name of signer:. . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: . . . . . .

If the owner is an individual, state if owner is single or married:. . . . . .

If owner is not an individual, state what type of entity:. . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

. . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

. . . . . .

body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a community improvement district-wide sales and use tax at the maximum rate of ..... (insert amount) for a period of ..... (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose)?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO"; or

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ..... (insert amount) dollars per hundred dollars assessed valuation for a period of ..... (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

2. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

3. The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087.

4. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

5. In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285.

6. The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

8. A district may by resolution repeal or lower the rate of any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal or lower rate of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

9. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability

to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

10. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1461. 1. Each district shall have all the powers, except to the extent any such power has been limited by the petition approved by the governing body of the municipality to establish the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other instruments, with public and private entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of property, labor, services, or other things of value from any public or private source;

(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;

(11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

(a) The district's real property, except for public rights-of-way for utilities;

(b) The district's personal property, except in a city not within a county; or

(c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;

(12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;

(13) To loan money as provided in sections 67.1401 to 67.1571;

(14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

(15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;

(16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:

(a) Pedestrian or shopping malls and plazas;

(b) Parks, lawns, trees, and any other landscape;

(c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

(d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;

(e) Parking lots, garages, or other facilities;

(f) Lakes, dams, and waterways;

(g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;

(h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;

(i) Paintings, murals, display cases, sculptures, and fountains;

(j) Music, news, and child-care facilities; and

(k) Any other useful, necessary, or desired improvement;

(17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;

(18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;

(19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;

(20) Within its boundaries, to lease space for sidewalk café tables and chairs;

(21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;

(22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property;

(23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;

(24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;

(25) To provide or support training programs for employees of businesses within the district;

(26) To provide refuse collection and disposal services within the district;

(27) To contract for or conduct economic, planning, marketing or other studies;

(28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and

(29) To carry out any other powers set forth in sections 67.1401 to 67.1571.

2. Each district which is located in a blighted area or which includes a blighted area shall have the following additional powers:

(1) Within its blighted area, to contract with any private property owner to demolish and remove, renovate, reconstruct, **construct,** or rehabilitate any building or structure **or improvement** owned by such private property owner; and

(2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant to this subsection, provided that the governing body of the municipality has determined that the action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting conditions and will serve a public purpose.

3. Each district shall annually reimburse the municipality for the reasonable and actual expenses incurred by the municipality to establish such district and review annual budgets and reports of such district required to be submitted to the municipality; provided that, such annual reimbursement shall not exceed one and one-half percent of the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to 67.1571.

5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2002**, and has taken up and passed **CCS SS SCS HCS HB 2002**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2003**, and has taken up and passed **CCS SS SCS HCS HB 2003**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2004**, and has taken up and passed **CCS SS SCS HCS HB 2004**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2005**, and has taken up and passed **CCS SS SCS HCS HB 2005**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2006, as amended**, and has taken up and passed **CCS SS SCS HCS HB 2006**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2007**, and has taken up and passed **CCS SS SCS HCS HB 2007**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2008**, and has taken up and passed **CCS SS SCS HCS HB 2008**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2009**, and has taken up and passed **CCS SS SCS HCS HB 2009**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2010**, and has taken up and passed **CCS SS SCS HCS HB 2010**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2011, as amended**, and has taken up and passed **CCS SS SCS HCS HB 2011**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2012**, and has taken up and passed **CCS SS SCS HCS HB 2012**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 2013**, and has taken up and passed **CCS SS SCS HCS HB 2013**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 635, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

CONFERENCE COMMITTEE REPORT NO. 2
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 719

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, with House Amendment Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment Nos. 4, 5, and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 719, as amended;

2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 719;

3. That the attached Conference Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 719 be Third Read and Finally Passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Mike Kehoe	/s/ Wanda Brown
/s/ Eric Schmitt	/s/ Caleb Jones
/s/ Jack Goodman	/s/ Don Ruzicka
/s/ Ryan McKenna	/s/ Tim Meadows
/s/ Robin Wright-Jones	/s/ Tom McDonald

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 4:00 p.m., Monday, May 14, 2012.

COMMITTEE MEETINGS

FISCAL REVIEW
Monday, May 14, 2012, 3:00 PM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW
Tuesday, May 15, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW
Wednesday, May 16, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee.

FISCAL REVIEW
Thursday, May 17, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW
Friday, May 18, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

JOINT COMMITTEE ON EDUCATION
Tuesday, May 15, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Election of Chairman and Vice-Chairman

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT
Monday, May 14, 2012, 2:00 PM House Hearing Room 6.
Discussion and executive session will be held on Officer Julius K. Moore Memorial Highway application.

RURAL COMMUNITY DEVELOPMENT
Tuesday, May 15, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCR 15
Executive session will be held: SCR 15
Executive session may be held on any matter referred to the committee.
AMENDED

HOUSE CALENDAR

SEVENTY-SECOND DAY, MONDAY, MAY 14, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 89 - Schoeller
2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
4 HCS HB 1210, as amended - Gatschenberger
5 HCS HB 1795 - Ruzicka
6 HB 1966 - Burlison
7 HB 1779 - Flanigan
8 HCS HB 1794 - Grisamore
9 HCS HB 1754 - Cox
10 HCS HB 1815 - Pollock
11 HB 1842 - Lant
12 HCS HB 1935 - Franz
13 HB 2063, as amended - Denison
14 HCS HB 2100 - Denison
15 HCS HB 1709 - Hough
16 HCS#2 HB 1358 - Gatschenberger
17 HCS HB 1397 - Gatschenberger
18 HCS HBs 1542 & 1101 - Koenig
19 HCS#2 HB 1213 - Franklin
20 HCS HB 1846 - Long
21 HCS HB 1585 - Cross
22 HCS HB 1971 - Schneider
23 HB 1690 - May
24 HB 1728 - Johnson
25 HB 1790 - Torpey
26 HCS HB 1970 - Jones (117)
27 HB 1144 - Gatschenberger
28 HB 1394 - Brandom
29 HB 1456 - Black
30 HCS HB 1609 - Nasheed
31 HCS HB 1612 - Burlison
32 HB 2038 - Wallingford
33 HCS HB 1877 - Sommer

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1328 - Cox
2 HCS HB 1922 - Molendorp
3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HCS HBs 1298 & 1180 - Parkinson
2 HB 1066 - McGhee
3 HB 1357 - Gatschenberger

HOUSE BILLS FOR THIRD READING - INFORMAL

1 HB 1277 - Long
2 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

1 HCR 55 - Nolte
2 HCR 57 - McNary

SENATE BILLS FOR THIRD READING

1 HCS SS SCS SB 469 - Smith (150)
2 HCS SB 620 - Gosen
3 HCS SB 636 - Diehl
4 SS SB 665 - Asbury
5 HCS SCS SB 726 - Wells
6 SS SCS SB 689 - Schad
7 SS SB 607 - Burlison
8 HCS#2 SCS SB 480 - Riddle
9 HCS SCS SB 485 - Kelly (24)
10 HCS SCS SB 563, E.C. - Leach
11 SB 599 - Dieckhaus
12 HCS SCS SB 631 - Reiboldt
13 HCS SCS SB 673 - Day
14 SCS SB 789 - Cox
15 HCS SB 813 - Brandom
16 HCS SCS SB 856 - Barnes
17 1SS SCS SBs 489 & 637, E.C. - Franz
18 SS SCS SB 576 - Richardson
19 SS SCS SB 633 - Largent

HCS SS SCS SB 682 - Richardson
HCS SCS SB 711 - Largent
HCS SB 739 - Cox
SCS SB 788 - Diehl
HCS SCS SB 655, (Fiscal Review 5/10/12) - Kelly (24)
HCS SB 667 - Korman
HCS SCS SB 671, E.C. - Dugger

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1495 - Nance
SCS HB 1112 - Gosen
SCS HCS HB 1042, as amended - Thomson
SS SCS HCS HB 1400, E.C. - Richardson
HB 1250, with SA 1 & SA 2 - Ruzicka
SS SCS HB1807, HB1093, HB1107, HB1156, HB1221, HB1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended - Marshall
SS HB 1128 - Largent
HB 1103, with SA 1 & SA 2 - Crawford
SCS HB 1460 - Jones (117)
SS SCS HCS HB 1402, as amended - Burlison

BILLS CARRYING REQUEST MESSAGES

SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
HCS SCS SB 498, as amended, (request House recede/grant conference), E.C. - Shumake
HCS SS SCS SB 467, as amended, (request House recede/grant conference) - Cox
SCS SB 715, with HA 1 and HA 2, (request House recede/take up and pass bill) - Day
HCS SS SCS SB 470, as amended, (request House recede/take up and pass bill) - Burlison
SCS SB 566, with HA 1 & HA 2 (request House recede/grant conference) - Jones (117)
HCS SB 455, as amended (request House recede/grant conference) - Thomson
HCS SB 578, as amended (request House recede/grant conference), E.C. - Cox
HCS SB 628, as amended (request House recede/grant conference) - Kelly (24)
HCS SCS SB 635, as amended (request House recede/grant conference), E.C. - Phillips

BILLS IN CONFERENCE

CCR HCS SB 568, as amended, E.C. - Franz
CCR SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
CCR#2 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. - Brown (116)
HCS SCS SB 569, as amended - Dugger
SS SCS HB 1073 and HCS HB 1477, as amended - Sater
SCS HB 1135, as amended - Smith (150)

SENATE CONCURRENT RESOLUTIONS

1 SS SCR 16 - Asbury
2 SCS SCR 17 - Diehl
3 SCR 24 - Davis

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-SECOND DAY, MONDAY, MAY 14, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Pastor Paul Meinsen.

O LORD our God, Your servant, Moses, led the congregation of Israel in singing "The LORD is my strength and song, and He has become my salvation; This is my God, and I will praise Him; My father's God, and I will extol Him. Who among the gods is like You, O LORD? Who is like You--majestic in holiness, awesome in glory, working wonders?" *(Exodus 15:2, 11)*

LORD, as we enter the last week of the legislative session I pray for each legislator, each staff person, each lobbyist and each guest in this chamber.

May each one of us, O LORD, recall two things: First of all, may we all remember Your command through the songwriter to "Delight yourself also in the LORD and He shall give you the desires of your heart" *(Psalm 37:4)*. We all seek true peace, true contentment, true love and true happiness. May we learn that these desires cannot be found in money, power, prestige, nature, knowledge, or in other people--but only in You. May we seek diligently after You.

Second, LORD, may we also pay heed to Your warning of calling what You have called "evil" as "good" and labeling what You have deemed "good" as "evil" *(Isaiah 5:20)*.

May this last week of session be characterized by humility, truth and righteousness.

May we fear You and You alone. Draw each one unto Yourself.

We call upon You in this prayer. Please answer and be glorified. For You are good, and Your love endures forever.

To the honor of Your name, O Lord, I pray in Your Son's name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Caleigh Green and Meadow Green.

The Journal of the seventy-first day was approved as printed.

HOUSE RESOLUTION

Representative Bernskoetter offered House Resolution No. 3158.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3127 through House Resolution No. 3157
House Resolution No. 3159 through House Resolution No. 3162

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 655**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Keeney assumed the Chair.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 498, as amended, relating to charitable veterans' organizations, was taken up by Representative Shumake.

Representative Shumake moved that the House refuse to recede from its position on **HCS SCS SB 498, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SS SCS SB 467, as amended, relating to the state accountability portal, was taken up by Representative Cox.

Representative Cox moved that the House refuse to recede from its position on **HCS SS SCS SB 467, as amended**, and grant the Senate a conference.

Which motion was adopted.

SCS SB 566, with House Amendment No. 1 and House Amendment No. 2, relating to rabies vaccinations, was taken up by Representative Jones (117).

Representative Jones (117) moved that the House refuse to recede from its position on **House Amendment No. 1 and House Amendment No. 2 to SCS SB 566** and grant the Senate a conference.

Which motion was adopted.

HCS SB 455, as amended, relating to the Coordinating Board for Higher Education, was taken up by Representative Thomson.

Representative Thomson moved that the House refuse to recede from its position on **HCS SB 455, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 578, as amended, relating to state property, was taken up by Representative Cox.

Representative Cox moved that the House refuse to recede from its position on **HCS SB 578, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 628, as amended, relating to judicial procedures, was taken up by Representative Kelly (24).

Representative Kelly (24) moved that the House refuse to recede from its position on **HCS SB 628, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 635, as amended, relating to financial transactions, was taken up by Representative Phillips.

Representative Phillips moved that the House refuse to recede from its position on **HCS SCS SB 635, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended, relating to the Fred F. Guthrie, Jr. Memorial Highway, was taken up by Representative Marshall.

Representative Marshall moved that the House refuse to adopt **SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HCS HB 1402, as amended, relating to road use, was taken up by Representative Burlison.

Representative Burlison moved that the House refuse to adopt **SS SCS HCS HB 1402, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 116	Diehl	Funderburk	Hughes	Korman
Newman	Riddle	Mr Speaker		

Representative Burlison again moved that the House refuse to adopt **SS SCS HCS HB 1402, as amended,** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

BILL CARRYING REQUEST MESSAGE

HCS SS SCS SB 470, as amended, relating to transportation, was taken up by Representative Burlison.

Representative Burlison moved that the House refuse to recede from its position on **HCS SS SCS SB 470, as amended,** and request the Senate grant the House a conference.

Which motion was adopted.

On motion of Representative Jones (89), the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Silvey.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1036**, entitled:

An act to repeal sections 115.123 and 115.241, RSMo, and to enact in lieu thereof one new section relating to elections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1072**, entitled:

An act to amend chapter 191, RSMo, by adding thereto six new sections relating to the volunteer health services act.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 455, as amended**: Senators Pearce, Brown, Dixon, Wright-Jones and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 467, as amended**: Senators Munzlinger, Kraus, Lamping, Callahan and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 498, as amended**: Senators Munzlinger, Crowell, Brown, Callahan and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 578, as amended**: Senators Parson, Munzlinger, Engler, Wright-Jones and Chappelle-Nadal.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 628, as amended**: Senators Schaefer, Kehoe, Dixon, Justus and Keaveny.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 635, as amended**: Senators Pearce, Engler, Wasson, Justus and Wright-Jones.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SB 455: Representatives Thomson, Jones (89), Zerr, McCann Beatty and Jones (63)
HCS SS SCS SB 467: Representatives Cox, Smith (150), Torpey, Rizzo and Holsman
HCS SCS SB 498: Representatives Shumake, Davis, Day, Talboy and Kelly (24)
SCS SB 566: Representatives Jones (117), Loehner, Brattin, Harris and Shively
HCS SB 578: Representatives Cox, Gatschenberger, Jones (117), Hummel and McManus
HCS SB 628: Representatives Cox, Diehl, Elmer, Carlson and Kelly (24)
HCS SCS SB 635: Representatives Phillips, Wells, Smith (150), Oxford and Nichols

THIRD READING OF SENATE BILLS

HCS SB 636, relating to judicial procedures, was taken up by Representative Diehl.

Representative Solon offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 636, Page 40, Section 513.430, Line 86, by inserting after all of said line the following:

"**513.432. 1. This section shall be known and may be cited as the "Senior's Retirement Protection Act".**

2. Notwithstanding any other provision of law to the contrary, any person age sixty-two years of age or older, together with his or her spouse if applicable, owning a home which is such person's primary residence shall have exempt from attachment or execution the home's value up to one hundred twenty-five thousand dollars. If more than one home owner claims an exemption under this section, the exemption allowed in the aggregate shall not exceed the total exemption allowed under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Solon moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Cross offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 636, Page 16, Section 400.9-311, Line 25, by inserting after all of said section and line the following:

"441.060. 1. A tenancy at will or by sufferance, or for less than one year, may be terminated by the person entitled to the possession by giving one month's notice, in writing, to the person in possession, requiring the person in possession to vacate the premises.

2. An occupancy limitation of two persons per bedroom residing in a dwelling unit shall be presumed reasonable for this state. The two-person limitation shall not apply to a child or children born to the tenants during the course of the lease.

3. Except as otherwise provided by law, all contracts or agreements for the leasing, renting or occupation of stores, shops, houses, tenements or other buildings in cities, towns or villages, and of stores, shops, houses, tenements or other buildings except when such leasing, renting or occupation is as tenant of real estate used or rented for agricultural purposes, other than garden purposes, not made in writing, signed by the parties thereto, or their agents, shall be held and taken to be tenancies from month to month, and all such tenancies may be terminated by either party thereto, or the party's agent, giving to the other party, or the party's agent, one month's notice, in writing, of the party's intention to terminate such tenancy.

4. (1) Except as provided in subdivision (2), the landlord or the tenant may terminate a month-to-month tenancy by a written notice given to the other party stating that the tenancy shall terminate upon a periodic rent-paying date not less than one month after the receipt of the notice.

(2) When a person occupies and has an ownership interest in a mobile home and is leasing the land or the lot upon which the mobile home is located, a tenancy for less than one year may be terminated by the landlord by giving written notice to the tenant that the tenancy shall terminate not sooner than sixty days from the date the rent payment next becomes due, notwithstanding any written lease provision regarding earlier lease termination to the contrary.

5. If after the rendition of a judgment and a request for an execution on any judgment rendered in an action pursuant to chapter 524, chapter 534, chapter 535, or this chapter and there is no stay of execution, the service officer fails to deliver possession of the premises to the landlord within seven days of the delivery of the writ to such officer, the landlord may, within sixty days**, or fourteen days in cases involving residential property,** of the date of the judgment, in the presence of a municipal or county law enforcement officer of the jurisdiction in which the premises are located, without breach of the peace, break and remove locks, enter and take possession of the premises and remove any household goods, furnishings, fixtures or any other personal property left in or at the premises, provided the law enforcement officer is first presented a true copy of the judgment and order of execution, and the law enforcement officer acknowledges in writing such presentation, and such acknowledgment is filed in court by the plaintiff within five days following taking possession of the premises.

6. Except for negligent, willful or wanton acts or omissions of the landlord, or failure to both timely obtain and file the law enforcement officer acknowledgment described in the preceding subsection, the landlord shall have no liability for loss or damage to any household goods, furnishings, fixtures or any other personal property left in or at the dwelling unit, by reason of the landlord's removal of the property in accordance with the provisions of this section."; and

Further amend said bill, Section 523.010, Page 42, Line 63, by inserting after all of said section and line the following:

"**534.055. If an unauthorized pet is located on the tenant's property, the landlord may enter the tenant's property for purposes of removing such pet. As used in this section, "unauthorized pet" means a pet prohibited by the lease and any animal deemed aggressive.**

534.070. 1. When complaint to the circuit court of the proper county shall be made in writing, signed by the party aggrieved, his agent or attorney, and sworn to, specifying the lands, tenements or other possessions so forcibly entered and detained, or unlawfully detained, and by whom and when done, it shall be the duty of the clerk of the court to issue a summons directed to the sheriff or proper officer of the county, commanding him to summon the person against whom the complaint shall have been made to appear, at a day in such summons to be specified.

2. A court date shall be assigned at the time the summons is issued. The court date shall be for a day certain which is not more than **[**twenty-one**] fourteen** business days from the date the summons is issued unless, at the time the case is filed, the plaintiff or plaintiff's attorney consents in writing to a later date.

534.275. (1) If a tenant dies, the landlord may mail a notice to the last known address of the deceased tenant explaining that his or her property will be removed from the premises within ten days from the date of the certified mailing of the notice. If the property remains at such premises, the property is deemed abandoned and the landlord is not responsible for the property.

(2) The landlord may prorate any rent that has already been received if the deceased tenant's property is removed from the premises during a period for which rent has already been paid.

(3) If the landlord reaches an agreement with the next of kin to hold the property beyond the ten days as provided in this section, the landlord may charge the next of kin for reasonable and necessary charges associated with the storage of the deceased tenant's property.

535.020. **1.** Whenever any rent has become due and payable, and payment has been demanded by the landlord or the landlord's agent from the lessee or person occupying the premises, and payment thereof has not been made, the landlord or agent may file a statement, verified by affidavit, with any associate circuit judge in the county in which the property is situated, setting forth the terms on which such property was rented, and the amount of rent actually due to such landlord; that the rent has been demanded from the tenant, lessee or person occupying the premises, and that payment has not been made, and substantially describing the property rented or leased. Giving the notice provided in section 441.060 is not required prior to filing a statement or obtaining the relief provided in this chapter. In such case, the clerk of the court shall immediately issue a summons directed to such tenant or lessee and to all persons occupying the premises, by name, requiring them to appear before the judge upon a day to be therein named, and show cause why possession of the property should not be restored to the plaintiff. The landlord or agent may, in such an action for unpaid rent, join a claim for any other unpaid sums, other than property damages, regardless of how denominated or defined in the lease, to be paid by or on behalf of a tenant to a landlord for any purpose set forth in the lease; provided that such other sums shall not be considered rent for purposes of this chapter, and judgment for the landlord for recovery of such other sums shall not by itself entitle the landlord to an order for recovery of possession of the premises. The provisions of this section providing for the filing of a statement before an associate circuit judge shall not preclude adoption of a local circuit court rule providing for the centralized filing of such cases, nor the assignment of such cases to particular circuit or associate circuit judges pursuant to local circuit court rule or action by the presiding judge of the circuit. The case shall be heard and determined under the practice and procedure provided in the Missouri rules of civil procedure, except where otherwise provided by this chapter.

2. If a judgment has been entered in favor of the plaintiff under subsection 1 of this section for recovery of the premises, within ten days of such judgment, the sheriff of the county in which the premises is located shall inspect the premises for safety prior to removal of contents, if any.

535.030. 1. Such summons shall be served as in other civil cases at least four days before the court date in the summons. The summons shall include a court date which shall not be more than twenty-one business days from the date

the summons is issued unless at the time of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

2. In addition to attempted personal service, the plaintiff may request, and thereupon the clerk of the court shall make an order directing that the officer, or other person empowered to execute the summons, shall also serve the same by securely affixing a copy of such summons and the complaint in a conspicuous place on the dwelling of the premises in question at least ten days before the court date in such summons, and by also mailing a copy of the summons and complaint to the defendant at the defendant's last known address by ordinary mail at least ten days before the court date. If the officer, or other person empowered to execute the summons, shall return that the defendant is not found, or that the defendant has absconded or vacated his or her usual place of abode in this state, and if proof be made by affidavit of the posting and of the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure set forth in this section.

3. If the plaintiff does not request service of the original summons by posting and mailing as provided in subsection 2 of this section, and if the officer, or other person empowered to execute the summons, makes return that the defendant is not found, or that the defendant has absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request the issuance of an alias summons and service of the same by posting and mailing in the time and manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a copy of the summons in the time and manner provided in subsection 2 of this section. Upon proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons and the complaint, the judge shall proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure provided in subsection 2 of this section.

4. On the date judgment is rendered as provided in this section where the defendant is in default, the clerk of the court shall mail to the defendant at the defendant's last known address by ordinary mail a notice informing the defendant of the judgment and the date it was entered, and stating that the defendant has ten days from the date of the judgment to file a motion to set aside the judgment **[**or to file an application for a trial de novo in the circuit court, as the case may be,**]** and that unless the judgment is set aside **[**or an application for a trial de novo**]** is filed within ten days, the judgment will become final and the defendant will be subject to eviction from the premises without further notice.

535.035. Notwithstanding any provision of law to the contrary, in any landlord-tenant action, the summons may be served by either the sheriff or a private process server. The method of service shall be determined by the landlord.

535.040. 1. Upon the return of the summons executed, the judge shall set the case on the first available court date**, so long as such date is within thirty days,** and shall proceed to hear the cause, and if it shall appear that the rent which is due has been demanded of the tenant, lessee or persons occupying the property, and that payment has not been made, and if the payment of such rent, with all costs, shall not be tendered before the judge, on the hearing of the cause, the judge shall render judgment that the landlord recover the possession of the premises so rented or leased, and also the debt for the amount of the rent then due, with all court costs and shall issue an execution upon such judgment, commanding the officer to put the landlord into immediate possession of the property leased or rented, and to make the debt and costs of the goods and chattels of the defendant. No money judgment shall be granted to the plaintiff if the defendant is in default and service was by the posting procedure provided in section 535.030 unless the defendant otherwise enters an appearance. The officer shall deliver possession of the property to the landlord within five days from the time of receiving the execution, and the officer shall proceed upon the execution to collect the debt and costs, and return the writ, as in the case of other executions. If the plaintiff so elects, the plaintiff may sue for possession alone, without asking for recovery of the rent due.

2. Except for willful, wanton, or malicious acts or omissions, neither the landlord nor his or her successors, assigns, agents, nor representatives shall be liable to any tenant or subtenant for loss or damage to any household goods, furnishings, fixtures, or any other personal property left in or at the dwelling by the tenant or subtenant of such dwelling, by the reason of the landlord's removal or disposal of the property under a court-ordered execution for possession of the premises.

3. Notwithstanding the provisions of subsection 2 of this section, if, after the sheriff has completed the court-ordered execution, property is left by the tenant in or at the dwelling bearing a conspicuous permanent label or marking identifying it as the property of a third party, the landlord shall notify the third party by certified mail with a

return receipt requested. The third party shall be given an opportunity to recover such property within five business days of the date such notice is received. If the landlord is unable to notify the third party, the landlord may remove or dispose of such property and shall incur no liability for any loss or damage thereto.

535.110. Applications for **[**trials de novo and**]** appeals shall be allowed and conducted in the manner provided in chapter 512; but no application for **[**a trial de novo or**]** **an** appeal shall stay execution unless the defendant give bond, with security sufficient to secure the payment of all damages, costs and rent then due, and with condition to stay waste and to pay all subsequently accruing rent, if any, into court within **[**ten**]** **three** days after it becomes due, pending determination of the **[**trial de novo or**]** appeal.

535.145. On the date a judgment is entered in favor of the landlord, the landlord has the right to enter, inspect, and record the condition of the premises.

535.160. **1. After a money judgment has been entered in favor of the plaintiff, the defendant shall pay such moneys within five days of such judgment with certified funds.** If the defendant, on the date any money judgment is given in any action pursuant to this chapter, either tenders to the landlord, or brings into the court where the suit is pending, all the rent then in arrears, and all the costs, further proceedings in the action shall cease and be stayed. If on any date after the date of any original trial **[**but before any trial de novo**]** the defendant shall satisfy such money judgment and pay all costs, any execution for possession of the subject premises shall cease and be stayed; except that the landlord shall not thereby be precluded from making application for appeal from such money judgment. If for any reason no money judgment is entered against the defendant and judgment for the plaintiff is limited only to possession of the subject premises, no stay of execution shall be had, except as provided by the provisions of section 535.110 or the rules of civil procedure or by agreement of the parties.

2. If the landlord is required to hire an attorney for proceedings against the tenant, the tenant shall pay attorney fees if the landlord prevails in such action.

535.170. After the execution of any judgment for possession pursuant to this chapter, the lessee and the lessee's assignees, and all other persons deriving title under the lease from such lessee, shall be barred from reentry of such premises and from all relief, and except for error in the record or proceedings, the landlord shall from that day hold the demised premises discharged from the lease. Nothing in this section shall preclude an aggrieved party from perfecting an appeal **[**or securing a trial de novo**]** as to any judgment rendered, and may as a result of such appeal **[**or trial de novo**]** recover any damage incurred, including damages incurred from an unlawful dispossession.

535.190. If a tenant appears before a judge in an action for nonpayment of rent, the court shall inquire, on the record, about the tenant's current residence and current place of employment.

535.195. If the court does not follow the statutory time line for providing a court date and disposing of a landlord-tenant action for eviction, the court costs for the entire case shall be automatically waived by the court.

535.200. 1. In the twenty-second judicial circuit, upon adoption of an ordinance by the city of St. Louis providing for expenditure of city funds for such purpose, a majority of the circuit judges, en banc, may establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the mayor of the city of St. Louis, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of the city of St. Louis, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge.

Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at city expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to **[**a trial de novo in circuit court, or**]** an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an associate circuit judge under section 535.110. The procedures for perfecting the right of **[**a trial de novo or**] an** appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days. The sheriff must attempt to serve any summons within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by the city of St. Louis.

535.210. 1. In the sixteenth judicial circuit, upon adoption of an ordinance by Jackson County providing for expenditure of county funds for such purpose, a majority of the circuit court judges, en banc, may establish a landlord-tenant court, which shall be a division of the circuit court, and may authorize the appointment of not more than two landlord-tenant court commissioners. The landlord-tenant court commissioners shall be appointed by a landlord-tenant court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the county executive of Jackson County, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the landlord-tenant court judicial commission shall be established by circuit court rule.

2. Landlord-tenant commissioners may be authorized to hear in the first instance disputes involving landlords and their tenants. Landlord-tenant commissioners shall be authorized to make findings of fact and conclusions of law, and to issue orders for the payment of money, for the giving or taking of possession of residential property and any other equitable relief necessary to resolve disputes governed by the laws in chapters 441, 524, 534, and this chapter. Landlord-tenant commissioners may not, by ex parte means, hear cases and issue orders.

3. Landlord-tenant commissioners shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit and associate circuit judges, en banc, and shall be residents of Jackson County, and shall receive as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Landlord-tenant commissioners shall not accept or handle cases in their practice of law which are inconsistent with their duties as a landlord-tenant commissioner and shall not be a judge or prosecutor for any other court. Landlord-tenant commissioners shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

4. A majority of the judges of the circuit court, en banc, shall establish operating procedures for the landlord-tenant court. Proceedings in the landlord-tenant court, shall be conducted as in cases tried before an associate circuit judge. The hearing shall be before a landlord-tenant commissioner without jury, and the commissioner shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

5. The parties to a cause of action before a commissioner of the landlord-tenant court are entitled to file with the court a motion for a hearing in associate circuit court within ten days after the mailing, or within ten days after service.

6. Operating procedures shall be provided for electronic recording of proceedings at county expense. Any person aggrieved by a judgment in a case decided under this section shall have a right to **[**a trial de novo in circuit court, or**]** an appeal to the appropriate appellate court, in the same manner as would a person aggrieved by a decision of an

associate circuit judge under section 535.110. The procedures for perfecting the right of **[**a trial de novo or**]** **an** appeal shall be the same as that provided pursuant to sections 512.180 to 512.320.

7. Any summons issued for the proceedings in the landlord-tenant court shall have a return date of ten days from the date of service. The sheriff must attempt to serve any summons within four days of the date of issuance.

8. All costs to establish and operate a landlord-tenant court under this section shall be borne by Jackson County.

535.300. 1. A landlord may not demand or receive a security deposit in excess of **[**two**]** **three** months' rent.

2. Within thirty days after the date of termination of the tenancy, the landlord shall:

(1) Return the full amount of the security deposit; or

(2) Furnish to the tenant a written itemized list of the damages for which the security deposit or any portion thereof is withheld, along with the balance of the security deposit. The landlord shall have complied with this subsection by mailing such statement and any payment to the last known address of the tenant.

3. The landlord may withhold from the security deposit only such amounts as are reasonably necessary for the following reasons:

(1) To remedy a tenant's default in the payment of rent due to the landlord, pursuant to the rental agreement;

(2) To restore the dwelling unit to its condition at the commencement of the tenancy, ordinary wear and tear excepted; or

(3) To compensate the landlord for actual damages sustained as a result of the tenant's failure to give adequate notice to terminate the tenancy pursuant to law or the rental agreement; provided that the landlord makes reasonable efforts to mitigate damages.

4. The landlord shall give the tenant or his representative reasonable notice in writing at his last known address or in person of the date and time when the landlord will inspect the dwelling unit following the termination of the rental agreement to determine the amount of the security deposit to be withheld, and the inspection shall be held at a reasonable time. The tenant shall have the right to be present at the inspection of the dwelling unit at the time and date scheduled by the landlord.

5. If the landlord wrongfully withholds all or any portion of the security deposit in violation of this section, the tenant shall recover as damages not more than twice the amount wrongfully withheld.

6. Nothing in this section shall be construed to limit the right of the landlord to recover actual damages in excess of the security deposit, or to permit a tenant to apply or deduct any portion of the security deposit at any time in lieu of payment of rent.

7. As used in this section, the term "security deposit" means any deposit of money or property, however denominated, which is furnished by a tenant to a landlord to secure the performance of any part of the rental agreement, including damages to the dwelling unit. This term does not include any money or property denominated as a deposit for a pet on the premises."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fraker offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 636, Page 2, Line 9, by striking all of said line and inserting in lieu thereof the following:

"**days following taking possession of the premises and further provided that if personal property is left by the tenant in or at the dwelling bearing a conspicuous permanent label or marking identifying it as the property of a third party, the landlord shall notify the third party by certified mail to the address shown on the label or marking, with a return receipt requested. The third party shall be given an opportunity to recover such property within five business days of the date such notice is received. If the landlord is unable to notify the third party, the landlord may remove and dispose of such property and shall incur no liability for any loss or damage thereto.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fraker, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Schoeller offered **House Amendment No. 2 to House Amendment No. 2**.

House Amendment No. 2
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 636, Page 6, Lines 16 and 17, by deleting said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 2 to House Amendment No. 2** was adopted.

Representative McGhee offered **House Amendment No. 3 to House Amendment No. 2**.

House Amendment No. 3
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 636, Page 10, Line 15, by inserting after all of said line the following:

'Further amend said bill, Page 16, Section 211.444, Line 20, by inserting after all of said section and line the following:

"250.140. 1. Sewerage services, water services, or water and sewerage services combined shall be deemed to be furnished to both the occupant and owner of the premises receiving such service and, except as otherwise provided in subsection 2 of this section, the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 rendering such services shall have power to sue the occupant or owner, or both, of such real estate in a civil action to recover any sums due for such services less any deposit that is held by the city, town, village, or sewer district or water supply district organized and incorporated under chapter 247 for such services, plus a reasonable attorney's fee to be fixed by the court.

2. When the occupant is delinquent in payment for thirty days, the city, town, village, sewer district, or water supply district shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service**[**; provided, however, that in any city not within a county and any home rule city with more than four hundred thousand inhabitants and located in more than one county, until January 1, 2007, when an occupant is delinquent more than one hundred twenty days the owner shall not be liable for sums due for more than one hundred twenty days of service, and after January 1, 2007, when an occupant is delinquent more than ninety days the owner shall not be liable for sums due for more than ninety days**]**. Any notice of termination of service shall be sent to both the occupant and owner of the premises receiving such service.

3. The provisions of this section shall apply only to residences that have their own private water and sewer lines. In instances where several residences share a common water or sewer line, the owner of the real property upon which the residences sit shall be liable for water and sewer expenses.

4. Notwithstanding any other provision of law to the contrary, any water provider **or premises owner** who terminates service due to delinquency of payment by a consumer shall not be liable for any civil or criminal damages **for termination of such service, nor shall it be deemed constructive eviction or forcible entry and detainer**.

5. The provisions of this section shall not apply to unapplied-for utility services. As used in this subsection, "unapplied-for utility services" means services requiring application by the property owner and acceptance of such

application by the utility prior to the establishment of an account. The property owner is billed directly for the services provided, and as a result, any delinquent payment of a bill becomes the responsibility of the property owner rather than the occupant."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Loehner moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McGeoghegan	McNeil	Montecillo	Morgan	Nasheed
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 013

Funderburk	Holsman	Hughes	Hummel	McDonald
McManus	Meadows	Newman	Nolte	Riddle
Schieffer	Wyatt	Mr Speaker		

Representative McGhee moved that **House Amendment No. 3 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative White offered **House Amendment No. 4 to House Amendment No. 2**.

House Amendment No. 4
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 636, Page 2, Lines 19-21, by deleting all of said section and lines; and

Further amend said amendment, Section 534.275, Page 2, Lines 32-36, to Page 3, Lines 1-5, by deleting all of said section and lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative White, **House Amendment No. 4 to House Amendment No. 2** was adopted.

On motion of Representative Cross, **House Amendment No. 2, as amended**, was adopted.

Representative Brandom offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 636, Page 34, Section 483.015, Line 35, by inserting after all of said section and line the following:

"**6. The circuit clerks in the thirty-third judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerks in such circuit shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. The elected circuit clerks in such circuit in office on the effective date of this section shall continue to hold such office for the remainder of his or her elected term.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brandom moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Dieckhaus offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 636, Page 16, Section 211.444, Line 20, by inserting after all of said section the following:

"313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) "Commission", the Missouri gaming commission;

(7) **"Credit instrument", a writing which evidences a gaming debt that is owed to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission, and includes any writing taken in consolidation, redemption or payment of a previous credit instrument;**

(8) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(8)**] (9)** "Excursion gambling boat", a boat, ferry or other floating facility licensed by the commission on which gambling games are allowed;

[(9)**] (10)** "Fiscal year" shall for the purposes of subsections 3 and 4 of section 313.820 mean the fiscal year of a home dock city or county;

[(10)**] (11)** "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

[(11)**] (12)** "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

[(12)**] (13)** "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

[(13)**] (14)** "Games of chance", any gambling game in which the player's expected return is not favorably increased by his or her reason, foresight, dexterity, sagacity, design, information or strategy;

[(14)**] (15)** "Games of skill", any gambling game in which there is an opportunity for the player to use his or her reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", and any video representation of such games;

[(15)**] (16)** "Gross receipts", the total sums wagered by patrons of licensed gambling games;

[(16)**] (17)** "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

[(17)**] (18)** "Licensee", any person licensed under sections 313.800 to 313.850;

[(18)**] (19)** "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled by the water of those rivers for docking purposes in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(19)**] (20)** "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. In addition to the games of skill **[**referred to in subdivision (14) of**] defined in** subsection 1 of this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing his or her case by a preponderance of evidence including:

(1) Is it in the best interest of gaming to allow the game; and

(2) Is the gambling game a game of chance or a game of skill? All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.812. 1. The commission may issue licenses pursuant to subsection 1 of section 313.807 when it is satisfied that the applicant has complied with all rules and regulations, including an update of all information provided to the commission in the licensee's initial application. The commission shall decide the number, location and type of excursion gambling boat in a city or county under subsection 10 of this section. The license shall set forth the name of the licensee, the type of license granted, the place where the excursion gambling boat will operate and dock, including the docking of an excursion gambling boat which is continuously docked, and other information the commission deems appropriate. The commission shall have the ultimate responsibility of deciding the number, location, and type of excursion gambling boats licensed in a city or county; however, any city or county which has complied with the provisions of subsection 10 of this section shall submit to the commission a plan outlining the following:

(1) The recommended number of licensed excursion gambling boats operating in such city or county;

(2) The recommended licensee or licensees operating in such city or county;

(3) The community's economic development or impact and affirmative action plan concerning minorities' and women's ownership, contracting and employment for the waterfront development;

(4) The city or county proposed sharing of revenue with any other municipality;

(5) Any other information such city or county deems necessary; and

(6) Any other information the commission may determine is necessary. The commission shall provide for due dates for receiving such plan from the city or county.

2. A license to operate an excursion gambling boat shall only be granted to an applicant upon the express conditions that:

(1) The applicant shall not, by a lease, contract, understanding, or arrangement of any kind, grant, assign, or turn over to a person the operation of an excursion gambling boat licensed under this section or of the system of wagering described in section 313.817. This section does not prohibit a management contract with a person licensed by the commission; and

(2) The applicant shall not in any manner permit a person other than the licensee and the management licensee to have a share, percentage, or proportion of the money received for admissions to the excursion gambling boat.

3. The commission shall require, as a condition of granting a license, that an applicant operate an excursion gambling boat which, as nearly as practicable, resembles or is a part of Missouri's or the home dock city's or county's riverboat history.

4. The commission shall encourage through its rules and regulations the use of Missouri resources, goods and services in the operation of any excursion gambling boat.

5. The excursion gambling boat shall provide for nongaming areas, food service and a Missouri theme gift shop. The amount of space used for gaming shall be determined in accordance with all rules and regulations of the commission and the United States Coast Guard safety regulations.

6. A license to operate gambling games or to operate an excursion gambling boat shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated financial responsibility sufficient to meet adequately the requirements of the proposed enterprise.

7. Each applicant shall establish by clear and convincing evidence its fitness to be licensed. Without limitation, the commission may deny a license based solely on the fact that there is evidence that any of the following apply:

(1) The applicant has been suspended from operating an excursion gambling boat or a game of chance or gambling operation in another jurisdiction by a board or commission of that jurisdiction;

(2) The applicant is not the true owner of the enterprise proposed;

(3) The applicant is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed;

(4) The applicant is a corporation that is not publicly traded and ten percent or more of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license;

(5) The applicant has knowingly made a false statement of a material fact to the commission; or

(6) The applicant has failed to meet a valid, bona fide monetary obligation in connection with an excursion gambling boat.

8. A license shall not be granted if the applicant has not established **[**his**] the applicant's** good repute and moral character or if the applicant has pled guilty to, or has been convicted of, a felony. No licensee shall employ or contract with any person who has pled guilty to, or has been convicted of, a felony to perform any duties directly connected with the licensee's privileges under a license granted pursuant to this section, except that employees performing nongaming related occupations as determined by the commission shall be exempt from the requirements of this subsection.

9. **Except as provided in section 313.817,** a licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed**, other than a credit instrument,** must be deposited within twenty-four hours. The commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the commission.

10. Gambling excursions including the operation of gambling games on an excursion gambling boat which is not continuously docked shall be allowed only on the Mississippi River and the Missouri River. No license to conduct gambling games on an excursion gambling boat in a city or county shall be issued unless and until the qualified voters of the city or county approve such activities pursuant to this subsection. The question shall be submitted to the qualified voters of the city or county at a general, primary or special election upon the motion of the governing body of the city or county or upon the petition of fifteen percent of the qualified voters of the city or county determined on the basis of the number of votes cast for governor in the city or county at the last election held prior to the filing of the petition. The question shall be submitted in substantially the following form:

Shall the City (County) of ..... allow the licensing of excursion gambling boats or floating facilities as now or hereafter provided by Missouri gaming law in the city (county)?

☐ YES ☐ NO .

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the commission may license excursion gambling boats in that city or county and such boats may operate on the Mississippi River and the Missouri River. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the commission shall not license such excursion gambling boats in such city or county unless and until the question is again submitted to and approved by a majority of the qualified voters of the city or county at a later election. Excursion gambling boats may only dock in a city or unincorporated area of a county which approves licensing of such excursion gambling boats pursuant to this subsection, but gambling operations may be conducted at any point on the Mississippi River or the Missouri River during an excursion. Those cities and counties which have approved by election pursuant to this subsection, except those cities or counties which have subsequently rejected by election, the licensing of any type of excursion gambling boats in the city or county prior to April 6, 1994, are exempt from any local election requirement of this section as such previous election shall have the same effect as if held after May 20, 1994.

11. If a docking fee is charged by a city or a county, a licensee operating an excursion gambling boat shall pay the docking fee prior to the start of the excursion season.

12. Any licensee shall not be delinquent in the payment of property taxes or other taxes or fees or in the payment of any other contractual obligation or debt due or owed to the state or a political subdivision of the state.

13. An excursion gambling boat licensed by the state shall meet all of the requirements of chapter 306 and is subject to an inspection of its sanitary facilities to protect the environment and water quality by the commission or its designee before a license to operate an excursion gambling boat is issued by the commission. Licensed excursion gambling boats shall also be subject to such inspections during the period of the license as may be deemed necessary by the commission. The cost of such inspections shall be paid by the licensee.

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming;

(3) Receiving goods or services from a person or business entity who does not hold a supplier's license but who is required to hold such license by the provisions of sections 313.800 to 313.850 or the rules and regulations of the commission;

(4) Being suspended or ruled ineligible or having a license revoked or suspended in any state of gaming jurisdiction;

(5) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;

(6) Employing in any gambling games' operation or any excursion gambling boat operation, any person known to have been found guilty of cheating or using any improper device in connection with any gambling game;

(7) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to sections 313.800 to 313.850;

(8) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;

(9) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by sections 313.800 to 313.850.

313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money **or credit instrument** of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit

enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check**, obtain a credit instrument** or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. Credit instruments executed on or after August 28, 2012, are valid contracts creating debt that are enforceable by legal process. A licensee may accept credit instruments from a qualified person in exchange for physical tokens or chips that can be wagered on gambling games at the licensee's excursion gambling boat, or money that can be exchanged for electronic or physical tokens, chips or other forms of credit to be wagered on gambling games at the licensee's excursion gambling boat. "Qualified person" means a person who has completed a credit application provided by the licensee and who is determined by the licensee, after performing a credit check and applying usual standards to establish creditworthiness, to qualify for a line of credit of at least five thousand dollars. Approval to accept a credit instrument from a qualified person shall be made by the holder of an occupational license, except that such approval shall not be made less than twenty-four hours after the determination that a person is a qualified person. A licensee may accept multiple credit instruments from the same person to consolidate or redeem a previous credit instrument. A lost or destroyed credit instrument shall remain valid and enforceable if the party seeking enforcement can prove its existence and terms. Any person who violates this subsection is subject only to the penalties provided in section 313.812. The commission shall have no authority to determine the validity or enforceability of a credit instrument or the enforceability of the debt that the credit instrument represents. Failure to comply with any regulation promulgated by the commission shall not impact the validity or enforceability of the credit instrument or the debt that the credit instrument represents."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sater moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McNeil	Montecillo	Morgan
Nasheed	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 013

Funderburk	Holsman	Hughes	McDonald	McManus
Meadows	Newman	Nolte	Riddle	Schieffer
Taylor	Thomson	Wyatt		

On motion of Representative Dieckhaus, **House Amendment No. 4** was adopted by the following vote:

AYES: 078

Allen	Atkins	Barnes	Brandom	Brown 50
Brown 116	Carter	Cierpiot	Colona	Conway 14
Curtman	Davis	Day	Dieckhaus	Diehl
Elmer	Fisher	Fitzwater	Fraker	Gosen
Guernsey	Haefner	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Koenig	Kratky	Lair	Lampe
Largent	Leara	Lichtenegger	May	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	Montecillo
Nance	Neth	Nichols	Pace	Parkinson
Pierson	Redmon	Richardson	Rizzo	Scharnhorst
Schatz	Schneider	Sifton	Silvey	Smith 71
Smith 150	Sommer	Spreng	Stream	Swearingen
Talboy	Taylor	Torpey	Walton Gray	Webb
Webber	Zerr	Mr Speaker		

NOES: 074

Anders	Asbury	Aull	Bahr	Bernskoetter
Berry	Black	Brattin	Brown 85	Burlison
Carlson	Casey	Cauthorn	Conway 27	Cookson
Cox	Crawford	Cross	Denison	Dugger
Ellinger	Ellington	Entlicher	Fallert	Flanigan
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Hampton	Harris	Hodges	Johnson	Kelly 24
Kirkton	Klippenstein	Korman	Lant	Lasater
Lauer	Leach	Loehner	Long	Marshall
McCaherty	McCreery	McNeil	Molendorp	Morgan
Oxford	Phillips	Pollock	Quinn	Reiboldt
Rowland	Ruzicka	Sater	Schad	Schieber

Schoeller	Schupp	Shively	Shumake	Solon
Still	Swinger	Thomson	Wallingford	Wells
Weter	White	Wieland	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 011

Funderburk	Grisamore	Hughes	McDonald	Meadows
Nasheed	Newman	Nolte	Riddle	Schieffer
Wyatt				

Representative Schad offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 636, Page 3, Section 32.056, Line 19, by inserting after all of said line the following:

"43.650. 1. The patrol shall, subject to appropriation, maintain a **[**web page**] website** on the internet which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided in subsections 5, 6, and 7 of this section,** the registered sexual offender search shall make it possible for any person using the internet to search for and find the information specified in subsection 4 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. The registered sexual offender search shall include the capability to search for sexual offenders by name, zip code, and by typing in an address and specifying a search within a certain number of miles radius from that address.

4. Only the information listed in this subsection shall be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) **[**Any photographs of the offender**] A current photograph of the individual, which shall be taken by the registering official**;

(6) **[**A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)**]** The nature and dates of all offenses qualifying the offender to register;

[(8)**] (7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)**] (8)** Compliance status of the offender with the provisions of section 589.400 to 589.425; and

[(10)**] (9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as a result of multiple adjudications for the offenses listed in this subsection; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website."; and

Further amend said bill, Page 59, Section 570.120, Line 78, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is **[**exempted**] exempt** from registering under subsection **6,** 8**, or 10** of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia,** or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state**, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within **[**three**] five business** days of **[**conviction**] adjudication**, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. **For any juvenile described in subdivision (6) of subsection 1 of this section, within five business days of adjudication or release from commitment to the division of youth services, the department of mental health, or other placement, he or she shall register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense.** Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county

or city not within a county within **[**three**]** **five business** days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official**[**, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested**]**.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration **in the state of Missouri, or if not in Missouri, pardoned in another state, territory, the District of Columbia, or foreign country and the pardon explicitly states that the person is relieved of his or her duty to register as a sexual offender**;

(3) The registrant is **exempt or is** no longer required to register **[**and his or her name shall be removed from the registry**]** under the provisions of subsection 6**, 8, or 10** this section; or

(4) The **[**registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the**]** court orders the removal **[**or exemption**]** of such person from the registry **under subsection 7, 9, or 10 of this section or section 589.401**.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. **Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:**

(1) Felonious restraint of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child; or

(2) Nonsexual child abuse that was committed under section 568.060; or

(3) Kidnapping of a nonsexual nature when the victim was a child and he or she was the parent or guardian of the child,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child**]** **any offense listed in subsection 6 of this section** shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

8. Any person who has been convicted of, found guilty of, or pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit:

(1) Sexual misconduct in the second degree under section 566.093; or

(2) Sexual misconduct in the third degree under section 566.095; or

(3) Promoting obscenity in the first degree under section 573.020; or

(4) Promoting obscenity in the second degree under section 573.030; or

(5) Furnishing pornographic materials to minors under section 573.040; or

(6) Public display of explicit sexual material under section 573.060; or

(7) Coercing acceptance of obscene material under section 573.065,

shall be exempt from registering as a sexual offender; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

[7.**]** **9.** Any person currently on the sexual offender registry **or who otherwise would be required to register** for **[**having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing,

attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register**] any offense listed in subsection 8 of this section shall be removed from the registry; except that, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425**.

[8.**] 10.** Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

[9.**] 11.** (1) The court may grant such relief under subsection **[**7 or 8**] 9 or 10** of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

[10.**] 12.** Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education **[**and is not entitled to relief under the provisions of subsection 9 of this section**]**. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency **[**and is not entitled to the provisions of subsection 9 of this section**]**.

[11.**] 13.** Any person whose name is removed or **who is** exempted from the sexual offender registry under subsection **[**7 or 8**] 6, 7, 8, 9, or 10** of this section shall **[**no longer**] not** be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.

14. Individuals that are not currently registered due to being adjudicated of a sexual offense prior to the initial enactment of state or federal sex offender registry legislation shall only be required to register for their original offense if the person is currently incarcerated or under supervision of the Missouri department of corrections for a sexual offense.

589.401. 1. Any person on the sexual offender registry may file a petition in the division of the circuit court in the county in which the offense requiring registration was adjudicated to have his or her name and information removed from the sexual offender registry; except that, any person having multiple offenses requiring registration under sections 589.400 to 589.425 shall not be eligible for removal from the registry until all applicable time requirements under subsections 2 and 3 of this section for all such offenses have elapsed. If the offense requiring registration was adjudicated in another state, the District of Columbia, a foreign country, or a territory, tribal, or military jurisdiction such person may file a petition in the division of the circuit court in the county in which such person resides.

2. A person who is required to register under the provisions of sections 589.400 to 589.425 for any of the following offenses or their equivalent in any other state, territory, or the District of Columbia, or foreign country,

or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if twenty years has not elapsed since the date the person was required to register:

(1) Kidnapping when a sexual offense under chapter 566 was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under chapter 566 and when the victim was less than eighteen years of age and excluding kidnapping by a parent or guardian under section 565.110;

(2) Child kidnapping when a sexual offense was committed during the kidnapping or when the kidnapping was committed for the purpose of committing a sexual offense under section 565.115;

(3) Forcible rape under section 566.030;

(4) Forcible sodomy under section 566.060;

(5) Sexual trafficking of a child under section 566.212;

(6) Sexual trafficking of a child under the age of twelve, under section 566.213; or

(7) Child molestation in the first degree when it is a class A felony under section 566.067.

3. A person who is required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of this section or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall have their petition for removal dismissed without prejudice if ten years has not elapsed since the date the person was required to register.

4. (1) Any person convicted in any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction shall not be eligible for removal from the registry unless such person:

(a) In addition to meeting the twenty-year time requirement under subsection 2 of this section, is a resident of this state for one year immediately preceding the filing of the petition; or

(b) In addition to meeting the ten-year time requirement under subsection 3 of this section, is a resident of this state for one year immediately preceding the filing of the petition.

(2) Any person otherwise exempt from registration under other applicable provisions of state law shall not be required to petition for removal from the registry under subsection 2 or 3 of this section.

5. The petition shall be dismissed without prejudice if it fails to include any of the following:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Date of birth;

(e) Last four digits of the Social Security number;

(f) Address;

(g) Place of employment, school, or volunteer status;

(2) The offense that required the petitioner to register;

(3) The date the petitioner pled to, was convicted of, or was adjudicated for the offense;

(4) The date the petitioner was required to register;

(5) The date the petitioner actually registered;

(6) The case number and court, including county, that entered the original order for the adjudicated sex offense;

(7) The petitioner's fingerprints on an applicant fingerprint card;

(8) If the petitioner was pardoned or an offense requiring registration was reversed, vacated, or set aside, an authenticated copy of the order; and

(9) That the petitioner is currently registered under applicable law and has not been adjudicated for failure to register in any jurisdiction and does not have any charges pending for failure to register.

6. The petition shall name as respondents the Missouri state highway patrol and the chief law enforcement official in the county or city not within a county in which the petition is filed.

7. All proceedings under this section shall be governed under the Missouri supreme court rules of civil procedure.

8. The prosecuting attorney in the circuit court in which the petition is filed shall be given notice, by the person seeking removal, of the petition and an opportunity to present evidence in opposition to the facts alleged in the petition. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition.

9. The prosecuting attorney in the circuit court in which the petition is filed shall have access to all applicable records concerning the petitioner, including but not limited to criminal history records under section

43.530, mental health records, juvenile records, and records of the department of corrections and/or probation and parole.

10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with such petition.

11. Except as otherwise provided under subsection 12 of this section, the court shall enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from any corresponding state or local law enforcement registry or website unless it finds that the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction:

(1) Has been adjudicated of or has charges pending for failure to register;

(2) Has been adjudicated of any additional offense which would require registration as a sexual offender and which occurred after the date such person initially registered as a sexual offender;

(3) Has charges pending for any offense which would require registration as a sexual offender;

(4) Has not successfully completed any required periods of supervised release, probation, or parole; and

(5) Has not successfully completed all appropriate sexual offender treatment, including any court-ordered treatment and any treatment ordered by the department of corrections.

12. For any person who has been convicted of a crime listed in subsection 2 of this section, the court may enter an order directing the removal of the petitioner's name and information from the sexual offender registry and from corresponding state or local law enforcement registry or website upon the filing of a petition for removal and submission of the petitioner's completed risk assessment evaluation conducted by a licensed mental health professional unless it finds that subdivisions (1) to (5) of subsection 11 apply to the petitioner in this state or any other state, territory, or the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction.

13. In order to prove the facts required by subdivisions (1), (2), and (3) of subsection 11 of this section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol and the Federal Bureau of Investigation.

14. Except as provided in subsection 14 of this section, if it is found that the petition is denied, a successive petition requesting such relief may be filed under this section one year after the date of such denial unless such denial is based on a subsequent conviction of a sex offense or failure to register, in which case no successive petition shall be filed.

15. If it is found that the petition is denied solely on the basis of the fact that the petitioner has pending charges and those charges are subsequently dismissed or the petitioner is subsequently acquitted of such pending charges, the petitioner may file a new petition under this section at any time after the dismissal or acquittal of such pending charges.

16. If the court finds that the petitioner is entitled to have his or her name and information removed from the sexual offender registry, the court shall enter judgment directing the respondents to remove the petitioner's name and information from all law enforcement sexual offender registries and public websites within three business days of receiving the judgment. A copy of the judgment shall be provided to the respondents named in the petition.

17. Any person subject to judgment requiring his or her name or information to be removed from the sexual offender registry shall not be required to register or report under sections 589.400 to 589.425 unless such person is required to register and report for an offense that was committed after the judgment of removal was entered.

589.402. 1. The chief law enforcement officer of the county or city not within a county may maintain a **[**web page**]** **website** on the internet, which shall be open to the public and shall include a registered sexual offender search capability.

2. **Except as provided by subsections 5, 6, and 7 of this section,** the registered sexual offender search **[**shall**]** **may** make it possible for any person using the internet to search for and find the information specified in subsection 3 of this section, if known, on offenders registered in this state pursuant to sections 589.400 to 589.425**[**, except that only persons who have been convicted of, found guilty of, or plead guilty to committing, attempting to commit, or conspiring to commit sexual offenses shall be included on this website**]**.

3. Only the information listed in this subsection **[**shall**]** **may** be provided to the public in the registered sexual offender search:

(1) The name and any known aliases of the offender;

(2) The date of birth and any known alias dates of birth of the offender;

(3) A physical description of the offender;

(4) The residence, temporary, work, and school addresses of the offender, including the street address, city, county, state, and zip code;

(5) [Any photographs of the offender] **A current photograph of the individual, which shall be taken by the registering official**;

(6) [A physical description of the offender's vehicles, including the year, make, model, color, and license plate number;

(7)] The nature and dates of all offenses qualifying the offender to register;

[(8)] **(7)** The date on which the offender was released from the department of mental health, prison, or jail, or placed on parole, supervised release, or probation for the offenses qualifying the offender to register;

[(9)] **(8)** Compliance status of the offender with the provisions of sections 589.400 to 589.425; [and]

[(10)] **(9)** Any online identifiers, as defined in section 43.651, used by the person. Such online identifiers shall not be included in the general profile of an offender on the webpage and shall only be available to a member of the public by a search using the specific online identifier to determine if a match exists with a registered offender**; and**

(10) The status of the offender's term of incarceration, probation, or parole.

4. The chief law enforcement officer of any county or city not within a county may [publish in any newspaper distributed in the county or city not within a county the sexual offender information provided under subsection 3 of this section for any offender residing in the county or city not within a county] **give notice to any public school as defined in section 160.011, any private school giving instruction in a grade or grades not higher than the twelfth grade, any child care facility licensed under chapter 210, or any child care facility defined in section 210.201 that is exempt from state licensure but subject to state regulation under section 210.252 and holds itself out to be a child care facility, that a sex offender is residing, working, or attending school within a five mile radius of such school or child care facility. Such notice shall only include the sex offender information described in subsection 3 of this section**.

5. Notwithstanding the requirement to register under the provisions of sections 589.400 to 589.425, offenders committing felonious restraint of a nonsexual nature when the victim was under the age of eighteen under section 565.120 or kidnapping of a nonsexual nature when the victim was under the age of eighteen under section 565.110 are exempt from the public notification requirements of this section if:

(1) There is no other offense for which the offender is required to register;

(2) The offender is not a repeat offender as defined in section 589.404; and

(3) No sexual conduct, attempted sexual conduct, or conspiracy to commit sexual conduct occurred during the offense.

6. Witnesses afforded federal protection who are required to register under the provisions of sections 589.400 to 589.425 shall be excluded from the website under 18 U.S.C. Section 3521 et seq., while under active federal protection.

7. Juveniles required to register under section 589.400 shall be excluded from the website.

589.403. **1.** Any person [to whom subsection 1 of section 589.400 applies] **who is required to register under sections 589.400 to 589.425** who is paroled, discharged, or otherwise released from any correctional facility of the department of corrections [or], any mental health institution**, private jail under section 221.095, or other private facility recognized by or contracted with the department of corrections or department of mental health** where such person was confined shall**:**

(1) If the person plans to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register pursuant to sections 589.400 to 589.425. If such person is required to register pursuant to sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration **notification at least seven days** prior to release and forward the offender's registration, within three business days **of release**, **to the Missouri state highway patrol and** to the chief law enforcement official of the county or city not within a county where the person expects to reside upon discharge, parole or release[. When the person lists an address where he or she expects to reside that is not in this state, the initial registration shall be forwarded to the Missouri state highway patrol.]**; or**

(2) If the person does not reside or plan to reside in Missouri, be informed by the official in charge of such correctional facility or mental health institution of the person's possible duty to register under sections 589.400 to 589.425. If such person is required to register under sections 589.400 to 589.425, the official in charge of the correctional facility or the mental health institution shall complete the initial registration notification at least seven days prior to release and forward the offender's registration within three business days of release to

the Missouri state highway patrol and chief law enforcement official within the county that the correctional facility or mental health institution is located.

2. If the offender refuses to complete and sign the registration information as outlined in this section or fails to register with the chief law enforcement official within five business days as directed, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.405. **1.** Any person **[**to whom subsection 1 of section 589.400 applies**] who is required to register under sections 589.400 to 589.425** who is released on probation, discharged upon payment of a fine, or released after confinement in a county jail shall, prior to such release or discharge, be informed of the possible duty to register pursuant to sections 589.400 to 589.425 by the court having jurisdiction over the case. If such person is required to register pursuant to sections 589.400 to 589.425 **and is placed on probation**, the court shall **[**obtain the address where the person expects to reside upon discharge, parole or release and shall**] make it a condition of probation that the offender** report, within **[**three**] five** business days**[**, such address**]** to the chief law enforcement official of the county **of adjudication** or city not within a county **[**where the person expects to reside, upon discharge, parole or release.**] of adjudication, to complete the initial registration. If such offender is not placed on probation, the court shall:**

(1) If the offender resides in Missouri, complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county in which the offender resides;

(2) If the offender does not reside in Missouri, the court shall:

(a) Order the offender to proceed directly to the chief law enforcement official in the county where the adjudication was heard to register as outlined in sections 589.400 to 589.425; and

(b) Complete the initial notification of duty to register form approved by the state judicial records committee and the Missouri state highway patrol and forward the form within three business days to the Missouri state highway patrol and the chief law enforcement official in the county where the offender was adjudicated.

2. If the offender refuses to complete and sign the registration information as outlined in subdivision (1) of subsection 1 of this section or if the offender resides outside of Missouri and fails to directly report to the chief law enforcement official as outlined in subdivision (2) of subsection 1 of this section, such refusal or failure shall constitute an offense of failure to register under section 589.425.

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of completion of an offender registration form developed by the Missouri state highway patrol **or other format approved by the Missouri state highway patrol**. Such form **shall consist of a statement in writing, including the signature of the offender and** shall include, but is not limited to the following:

(1) **[**A statement in writing signed by the person, giving the name, address, Social Security number and phone number of the person, the license plate number and vehicle description, including the year, make, model, and color of each vehicle owned or operated by the offender, any online identifiers, as defined in section 43.651, used by the person, the place of employment of such person, enrollment within any institutions of higher education, the crime which requires registration, whether the person was sentenced as a persistent or predatory offender pursuant to section 558.018, the date, place, and a brief description of such crime, the date and place of the conviction or plea regarding such crime, the age and gender of the victim at the time of the offense and whether the person successfully completed the Missouri sexual offender program pursuant to section 589.040, if applicable;**] The full name of the individual to include any alias, maiden, nicknames, pseudonym, ethnic or tribal names used, regardless of the context in which they are used;**

(2) The date of birth of the individual to include any alias dates of birth used;

(3) The address of the individual's residence or, if the individual is homeless, the names and addresses of habitual locales frequented during the day and night to include any temporary homeless shelter or other temporary residence;

(4) The name and fixed address of the individual's employers, to include any place where the individual serves as a volunteer or unpaid intern. If the individual's place of employment is not fixed, the places where the individual works with whatever definiteness is possible under the circumstances shall be required, such as information about normal travel routes or the general areas in which the individual works;

(5) The name and address of any institutions of higher education that the individual attends;

(6) The Social Security number of the individual including any alias Social Security numbers used;

(7) The telephone numbers of the individual including all landline and cellular telephone numbers used;

(8) The license plate number, registration number, vehicle identification number, and vehicle description, including the year, make, model, color, and habitual location of each vehicle owned or operated by the individual for personal or work use;

(9) Any online identifiers as defined in section 43.651 which are used by the individual for personal purposes;

(10) The crime for which the individual is registering including whether the person was sentenced as a persistent or predatory offender under section 558.018;

(11) The date, place, a brief description of the crime including the date and place of the adjudication regarding such crime;

(12) The age and gender of the victim and the offender at the time of the offense;

(13) If the offender was required to successfully complete appropriate sexual offender treatment, including any court-ordered treatment or any treatment ordered by the department of corrections, the date that the offender successfully completed such treatment, or a statement, that as of the date of registration, the offender has not yet successfully completed the required sexual offender treatment or has failed to successfully complete the required sexual offender treatment;

(14) The status of the individual's parole, probation, or supervised release, if applicable;

(15) Passport and immigration numbers to include expiration dates; and

(16) The physical description of the sex offender to include the physical appearance or characteristics, and identifying marks such as scars, marks, or tattoos.

2. The following shall be included with the form:

[(2)**] (1)** The fingerprints, palm prints, and a photograph of the person; **[**and**]**

(2) A current photograph of the individual to be taken by the registering official; and

(3) A DNA sample **from the individual**, if a sample has not already been obtained.

[2.**] 3.** The offender shall provide positive identification and documentation to substantiate the accuracy of the information completed on the offender registration form, including but not limited to the following:

(1) A photocopy of a valid driver's license or nondriver's identification card; **and**

(2) A document verifying proof of the offender's residency**[**; and

(3) A photocopy of the vehicle registration for each of the offender's vehicles**]**.

4. The Missouri state highway patrol shall maintain all required registration information in digitized form.

5. Upon receipt of any changes to an offender's registration information contained in this section, the Missouri state highway patrol shall immediately notify all other jurisdictions in which the offender is either registered or required to register.

6. The offender shall be responsible for reviewing his or her existing registration information for accuracy at every regular in-person appearance and if any inaccuracies are found provide proof of the information in question. The registering law enforcement official shall, within three business days of receipt of proof from the offender regarding the inaccuracy, correct the inaccuracy on its law enforcement registry and on its public website, if any, and shall notify the Missouri state highway patrol of the change in information. The Missouri state highway patrol shall, within three business days of notification by the registering law enforcement official, correct the inaccuracy on its law enforcement registry and on its public website.

7. The signed offender registration form shall serve as proof that the individual understands his or her duty to register as a sexual offender under sections 589.400 to 589.425, and a statement to such effect shall be included on the form that the individual is required to sign at each registration.

589.410. **1.** The chief law enforcement official shall forward the completed offender registration form to the Missouri state highway patrol within three days. The patrol shall enter the information into the Missouri uniform law enforcement system (MULES) where it is available to members of the criminal justice system, and other entities as provided by law, upon inquiry.

2. Upon receipt of each completed offender registration form, the Missouri state highway patrol shall review the information contained in the form to determine whether, according to the form, the offender will be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the registration form, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, not later than **[**three**]** **five** business days **[**after each change of name, residence within the county or city not within a county at which the offender is registered, employment, or student status,**]** appear in person to the chief law enforcement officer of the county or city not within a county **[**and inform such officer of all changes in the information required by the offender. The chief law enforcement officer shall immediately forward the registrant changes to the Missouri state highway patrol within three business days**]** **if there is a change to any of the following information:**

(1) Name;

(2) Residence;

(3) Employment;

(4) Student status; or

(5) A termination to any of the items listed in this subsection.

2. Any person required to register under sections 589.400 to 589.425 shall, within five business days after a change, notify the chief law enforcement officer of the county or city not within a county of any changes to the following information:

(1) Vehicle information;

(2) Temporary residence information; or

(3) Email addresses, instant messaging addresses, and any other designations used in internet communications, postings, or telephone communications.

3. The chief law enforcement official in the county or city not within a county shall immediately forward the registration changes described in subsections 1 and 2 of this section to the Missouri state highway patrol within three business days.

4. The Missouri state highway patrol shall review any changes received from registering officials under subsection 3 of this section to determine whether the offender will now be working, including as a volunteer or unpaid intern, or attending any school, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education, on a full-time or part-time basis, or residing on a temporary basis for fourteen or more consecutive days in a county or city not within a county other than the county of registration. If so, the patrol shall, within three business days of receipt of the changes, notify the other jurisdictions where the offender will be working, attending school, or temporarily residing of that information.

[2.**]** **5.** If any person required by sections 589.400 to 589.425 to register changes such person's residence or address to a different county or city not within a county, the person shall appear in person and shall inform both the chief law enforcement official with whom the person last registered and the chief law enforcement official of the county or city not within a county having jurisdiction over the new residence or address in writing within three business days of such new address and phone number, if the phone number is also changed. If any person required by sections 589.400 to 589.425 to register changes their state**, or foreign country, or federal, tribal, or military jurisdiction** of residence, the person shall appear in person and shall inform both the chief law enforcement official with whom the person was last registered and the chief law enforcement official of the area in the new state**, or foreign country, or federal, tribal, or military jurisdiction** having jurisdiction over the new residence or address within three business days of such new address. Whenever a registrant changes residence, the chief law enforcement official of the county or city not within a county where the person was previously registered shall inform the Missouri state highway patrol of the change within three business days. When the registrant is changing the residence to a new state **or foreign country, or federal, tribal, or military jurisdiction**, the Missouri state highway patrol shall inform the responsible official in the new state**, or foreign country, or federal, tribal, or military jurisdiction** of residence within three business days.

[3. In addition to the requirements of subsections 1 and 2 of this section, the following offenders shall report in person to the chief law enforcement agency every ninety days to verify the information contained in their statement made pursuant to section 589.407:

(1) Any offender registered as a predatory or persistent sexual offender under the definitions found in section 558.018;

(2) Any offender who is registered for a crime where the victim was less than eighteen years of age at the time of the offense; and

(3) Any offender who has pled guilty or been found guilty pursuant to section 589.425 of failing to register or submitting false information when registering.

4.**]** **6.** In addition to the requirements of subsections 1 **[**and**]**, 2**, and 5** of this section, **[**all registrants**]** **any person required to register under the provisions of sections 589.400 to 589.425 for any offense other than those listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction,** shall report **[**semiannually**]** **annually** in person in the month of their birth **[**and six months thereafter**]** to the chief law enforcement **[**agency**]**

official to verify the information contained in their statement made pursuant to section 589.407**[**. All registrants shall allow the chief law enforcement officer to take a current photograph of the offender in the month of his or her birth to the chief law enforcement agency**] and six months thereafter shall report by mail on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender**.

7. In addition to the requirements of subsections 1, 2, and 5 of this section, any person required to register under the provisions of sections 589.400 to 589.425 for any offenses listed in subsection 2 of section 589.401, or their equivalent in any other state, territory, or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction, shall report semiannually in person in the month of their birth and six months thereafter to the chief law enforcement official to verify the information contained in their statement made under section 589.407. In addition, such offenders shall report by mail ninety days after each in-person report on a form to be provided by the Missouri state highway patrol to update any change in information or to indicate that there has been no change. Such form shall require the signature of the offender.

[5.**] 8.** In addition to the requirements of subsections 1 **[**and**],** 2**, and 5** of this section, all Missouri registrants who work**, including as a volunteer or unpaid intern,** or attend **any** school **[**or training**], whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education** on a full-time or part-time basis in any other state shall be required to report in person to the chief law enforcement officer in the area of the state where they work or attend school or training and register in that state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

[6. If a person, who is required to register as a sexual offender under sections 589.400 to 589.425, changes or obtains a new online identifier as defined in section 43.651, the person shall report such information in the same manner as a change of residence before using such online identifier.**]**

9. Whenever any person reports under the provisions of this section in person and in the month of their birth, the registering law enforcement official shall take a current photograph of the offender."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 5** was adopted.

Representative Franklin offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 636, Page 5, Section 67.136, Line 8, by inserting after all of said section, the following:

"67.1860. Sections 67.1860 to **[**67.1898**] 67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to **[**67.1898**] 67.1894**, the following terms mean:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;

(2) "Board", the board of directors of a district;

(3) "District", a law enforcement district organized **[**pursuant to**] under** sections 67.1860 to **[**67.1898**] 67.1894;**

(4) "Registered voter", any voter registered within the boundaries of the district or proposed district.

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification **[**without a charter form of government and a population of fifty thousand inhabitants or less**]**.

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district **[**or who is a**] and each** registered voter **[**resident**]** within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed **[**pursuant to**] under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required **[**pursuant to**] under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required **[**pursuant to**] under** section 67.1870.

5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

67.1868. 1. Any owner of real property within the proposed district and any **[**legal**] registered** voter **[**who is a resident**]** within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall **[**determine and declare**] order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized **[**pursuant to**] under** sections 67.1860 to **[**67.1898**] 67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created **[**pursuant to**] under** sections 67.1860 to **[**67.1898**] 67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters **[**resident**]** within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of **[**residents**] registered voters** of the district.

2. The attendees, when assembled, shall organize by **[**the election of**] electing** a chairman and secretary of the meeting **[**who**]. The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section,** each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the **[**residents**] registered voters** called by the board. **[**Each successor director shall serve a three-year term.**]** The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to **[**67.1898**]** **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the **[**qualified**]** **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the ..... Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than ..... (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to **[**67.1898**]** **67.1894** the district shall have the following general powers:

(1) To contract with the **[**local**]** **county** sheriff's department for the provision of services;

(2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(3) To fix compensation of its employees and contractors;

(4) To purchase any personal property necessary or convenient for its activities;

(5) To collect and disburse funds for its activities; and

(6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. **[**The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.**]**

67.1894. **[**1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board**] Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question**."; and

Further amend said bill, Page 59, Section 570.120, Line 78, by inserting after all of said section the following:

"**[**67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or

privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.**]**

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and

conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the ..... Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES ☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.**]**

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the ..... Law Enforcement District to adopt property taxes be terminated?

☐ YES ☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.**]**

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall ..... (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES ☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that

a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 6** was adopted.

Representative Talboy offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 636, Page 38, Section 488.5375, Line 10, by inserting after all of said section and line, the following:

"491.075. 1. A statement made by a child under the age of fourteen**, or a vulnerable person,** relating to an offense under chapter 565, 566, 568 or 573, performed **[**with or on a child**]** by another, not otherwise admissible by statute or court rule, is admissible in evidence in criminal proceedings in the courts of this state as substantive evidence to prove the truth of the matter asserted if:

(1) The court finds, in a hearing conducted outside the presence of the jury that the time, content and circumstances of the statement provide sufficient indicia of reliability; and

(2) (a) The child **or vulnerable person** testifies at the proceedings; or

(b) The child **or vulnerable person** is unavailable as a witness; or

(c) The child **or vulnerable person** is otherwise physically available as a witness but the court finds that the significant emotional or psychological trauma which would result from testifying in the personal presence of the defendant makes the child **or vulnerable person** unavailable as a witness at the time of the criminal proceeding.

2. Notwithstanding subsection 1 of this section or any provision of law or rule of evidence requiring corroboration of statements, admissions or confessions of the defendant, and notwithstanding any prohibition of hearsay evidence, a statement by a child when under the age of fourteen**, or a vulnerable person,** who is alleged to be victim of an offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement, admission or confession regardless of whether or not the child **or vulnerable person** is available to testify regarding the offense.

3. A statement may not be admitted under this section unless the prosecuting attorney makes known to the accused or the accused's counsel his or her intention to offer the statement and the particulars of the statement sufficiently in advance of the proceedings to provide the accused or the accused's counsel with a fair opportunity to prepare to meet the statement.

4. Nothing in this section shall be construed to limit the admissibility of statements, admissions or confessions otherwise admissible by law.

5. For the purposes of this section, "vulnerable person" shall mean a person who, as a result of an inadequately developed or impaired intelligence or a psychiatric disorder that materially affects ability to function, lacks the mental capacity to consent, or whose developmental level does not exceed that of an ordinary child of fourteen years of age."; and

Further amend said bill, Page 56, Section 559.105, Line 28, by inserting after all of said section and line, the following:

"565.072. 1. A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010.

2. Domestic assault in the first degree is a class B felony unless in the course thereof the actor inflicts serious physical injury on the victim or has previously pleaded guilty to or been found guilty of committing this crime, in which case it is a class A felony.

565.073. 1. A person commits the crime of domestic assault in the second degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, and he or she:

(1) Attempts to cause or knowingly causes physical injury to such family or household member by any means, including but not limited to, by use of a deadly weapon or dangerous instrument, or by choking or strangulation; or

(2) Recklessly causes serious physical injury to such family or household member; or

(3) Recklessly causes physical injury to such family or household member by means of any deadly weapon.

2. Domestic assault in the second degree is a class C felony.

565.074. 1. A person commits the crime of domestic assault in the third degree if the act involves a family or household member**, including any child who is a member of the family or household,** or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010 and:

(1) The person attempts to cause or recklessly causes physical injury to such family or household member; or

(2) With criminal negligence the person causes physical injury to such family or household member by means of a deadly weapon or dangerous instrument; or

(3) The person purposely places such family or household member in apprehension of immediate physical injury by any means; or

(4) The person recklessly engages in conduct which creates a grave risk of death or serious physical injury to such family or household member; or

(5) The person knowingly causes physical contact with such family or household member knowing the other person will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. Except as provided in subsection 3 of this section, domestic assault in the third degree is a class A misdemeanor.

3. A person who has pleaded guilty to or been found guilty of the crime of domestic assault in the third degree more than two times against any family or household member as defined in section 455.010, or of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which, if committed in this state, would be a violation of this section, is guilty of a class D felony for the third or any subsequent commission of the crime of domestic assault. The offenses described in this subsection may be against the same family or household member or against different family or household members."; and

Further amend said bill, Page 57, Section 566.083, Line 23, by inserting after all of said section and line, the following:

"568.060. 1. **[**A person commits the crime of abuse of a child if such person:

(1) Knowingly inflicts cruel and inhuman punishment upon a child less than seventeen years old; or

(2) Photographs or films a child less than eighteen years old engaging in a prohibited sexual act or in the simulation of such an act or who causes or knowingly permits a child to engage in a prohibited sexual act or in the simulation of such an act for the purpose of photographing or filming the act.

2. As used in this section "prohibited sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism,

fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Abuse of a child is a class C felony, unless:

(1) In the course thereof the person inflicts serious emotional injury on the child, or the offense is committed as part of a ritual or ceremony in which case the crime is a class B felony; or

(2) A child dies as a result of injuries sustained from conduct chargeable pursuant to the provisions of this section, in which case the crime is a class A felony.

4. As used in this section, the word "fetishism" means a condition in which erotic feelings are excited by an object or body part whose presence is psychologically necessary for sexual stimulation or gratification**] As used in this section, the following terms shall mean:**

(1) "Abuse", the infliction of physical, sexual, or mental injury against a child by any person eighteen years of age or older. For purposes of this section, abuse shall not include injury inflicted on a child by accidental means by a person with care, custody, or control of the child, or discipline of a child by a person with care, custody, or control of the child, including spanking, in a reasonable manner;

(2) "Abusive head trauma", a serious physical injury to the head or brain caused by any means, including but not limited to shaking, jerking, pushing, pulling, slamming, hitting, or kicking;

(3) "Mental injury", an injury to the intellectual or psychological capacity or the emotional condition of a child as evidenced by an observable and substantial impairment of the ability of the child to function within his or her normal range of performance or behavior;

(4) "Neglect", the failure to provide, by those responsible for the care, custody, and control of a child under the age of eighteen years, the care reasonable and necessary to maintain the physical and mental health of the child, when such failure presents a substantial probability that death or physical injury or sexual injury would result;

(5) "Physical injury", physical pain, illness, or any impairment of physical condition, including but not limited to bruising, lacerations, hematomas, welts, or permanent or temporary disfigurement and impairment of any bodily function or organ;

(6) "Serious emotional injury", an injury that creates a substantial risk of temporary or permanent medical or psychological damage, manifested by impairment of a behavioral, cognitive, or physical condition. Serious emotional injury shall be established by testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable degree of medical or psychological certainty;

(7) "Serious physical injury", a physical injury that creates a substantial risk of death or that causes serious disfigurement or protracted loss or impairment of the function of any part of the body.

2. A person commits the offense of abuse or neglect of a child if such person knowingly causes a child who is less than eighteen years of age:

(1) To suffer physical or mental injury as a result of abuse or neglect; or

(2) To be placed in a situation in which the child may suffer physical or mental injury as the result of abuse or neglect.

3. A person commits the offense of abuse or neglect of a child if such person recklessly causes a child who is less than eighteen years of age to suffer from abusive head trauma.

4. A person does not commit the offense of abuse or neglect of a child by virtue of the sole fact that the person delivers or allows the delivery of child to a provider of emergency services.

5. The offense of abuse or neglect of a child is a class C felony, without eligibility for probation or parole until the defendant has served no less than one year of such sentence, unless the person has previously been found guilty of a violation of this section or of a violation of the law of any other jurisdiction that prohibits the same or similar conduct or the injury inflicted on the child is a serious emotional injury or a serious physical injury, in which case abuse or neglect of a child is a class B felony, without eligibility for probation or parole until the defendant has served not less than five years of such sentence.

6. Notwithstanding subsection 5 of this section to the contrary, the offense of abuse or neglect of a child is a class A felony, without eligibility for probation or parole until the defendant has served not less than fifteen years of such sentence, if:

(1) The injury is a serious emotional injury or a serious physical injury;

(2) The child is less than fourteen years of age; and

(3) The injury is the result of sexual abuse as defined under section 566.100 or sexual exploitation of a minor as defined under section 573.023.

7. The circuit or prosecuting attorney may refer a person who is suspected of abuse or neglect of a child to an appropriate public or private agency for treatment or counseling so long as the agency has consented to

taking such referrals. Nothing in this subsection shall limit the discretion of the circuit or prosecuting attorney to prosecute a person who has been referred for treatment or counseling pursuant to this subsection.

8. Nothing in this section shall be construed to alter the requirement that every element of any crime referred to herein must be proven beyond a reasonable doubt.

9. Discipline, including spanking administered in a reasonable manner, shall not be construed to be abuse under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 7** was adopted.

Representative Leara offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 636, Page 16, Section 211.444, Line 20, by inserting after all of said section and line, the following:

"**213.200. 1. This section shall be known and may be cited as the "Whistleblower's Protection Act".**

2. As used in this section, the following terms shall mean:

(1) "Because" or "because of", as it relates to a decision or action, the person's status as a protected person was a motivating factor;

(2) "Employer", a person engaged in an industry affecting commerce who has one or more employees for each working day in each of twenty or more calendar weeks in a current or preceding calendar year, but does not include the state or any public entity with the status of a governmental body, or any political or civil subdivision thereof, or corporations and associations owned and operated by religious or sectarian groups;

(3) "Proper authorities", a governmental or law enforcement agency, or an officer or the employee's human resources representative employed by the employer;

(4) "Protected person", a person who has reported to the proper authorities an unlawful act of the employer or its agent or serious misconduct of the employer or its agent that violates a clear mandate of public policy as articulated in a constitutional provision, statute, regulation promulgated under statute, or rule created by a governmental body, or a person who has refused to carry out a directive issued by an employer or its agent that if completed would be a violation of the law. Additionally, a person who engages in conduct otherwise protected by statute or regulation is a protected person.

3. This section is intended to codify the existing common law exceptions to the at-will employment doctrine, and to limit their future expansion by the courts. This section shall provide the exclusive remedy for any and all unlawful employment practices articulated herein and hereby abrogates any common law causes of action to the contrary.

4. It shall be an unlawful employment practice for an employer, as defined in subdivision (2) of subsection 2 of this section, to discharge or retaliate against an individual defined as a protected person in this section, because of that person's status as a protected person.

5. A protected person aggrieved by a violation of this section shall have a private right of action for damages for violations of this section which may be filed in a circuit court of competent jurisdiction. The Missouri human rights commission shall not have jurisdiction to review or adjudicate claims brought pursuant to this section. The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order, and may award to the plaintiff actual and punitive damages.

6. Any party to any action initiated under this section may demand a trial by jury.

7. The court may award to the plaintiff actual and punitive damages. An award of damages shall include all future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses, and punitive damages awarded under this section.

8. The total amount of punitive damages awarded by the court for each complainant shall not exceed:

(1) In the case of a respondent who has fewer than one hundred one employees in each of twenty or more calendar weeks in the current or preceding calendar year, fifty thousand dollars;

(2) In the case of a respondent who has more than one hundred and fewer than two hundred one employees in each of twenty or more calendar weeks in the current or preceding calendar year, one hundred thousand dollars;

(3) In the case of a respondent who has more than two hundred and fewer than five hundred one employees in each of twenty or more calendar weeks in the current or preceding calendar year, two hundred thousand dollars;

(4) In the case of a respondent who has more than five hundred employees in each of twenty or more calendar weeks in the current or preceding calendar year, three hundred thousand dollars."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 8** was adopted by the following vote:

AYES: 074

Allen	Asbury	Bahr	Bernskoetter	Brandom
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Korman	Lair	Lant	Lauer	Leara
Lichtenegger	Loehner	McCaherty	McGhee	McNary
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Ruzicka	Schad	Schatz	Schoeller
Shumake	Smith 150	Sommer	Stream	Wallingford
White	Wieland	Wright	Zerr	

NOES: 073

Anders	Atkins	Aull	Barnes	Berry
Black	Brattin	Brown 50	Carlson	Carter
Casey	Colona	Conway 27	Dugger	Ellinger
Ellington	Fallert	Franklin	Harris	Hodges
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Klippenstein	Kratky	Lampe	Largent
Lasater	Leach	Marshall	May	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nichols	Oxford	Pace	Pierson	Pollock
Quinn	Rizzo	Rowland	Sater	Schieber
Shively	Sifton	Silvey	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Walton Gray	Webb	Webber
Wells	Weter	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 016

Dieckhaus	Funderburk	Guernsey	Holsman	Hughes
Long	McDonald	Meadows	Newman	Riddle
Scharnhorst	Schieffer	Schneider	Schupp	Smith 71
Mr Speaker				

Representative Hinson offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 636, Page 5, Section 67.136, Line 8, by inserting after all of said line the following:

"67.320. 1. Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants **or any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants** may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county's orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. **Except as provided in subsection 5 of this section** in any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the term order for purposes of this section.

5. In any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants the first judges shall be appointed by the county commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Day moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Higdon	Hoskins	Hough	Houghton	Johnson

Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 045

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Hodges	Hubbard	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schupp
Shively	Sifton	Spreng	Still	Swearingen
Swinger	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 021

Diehl	Funderburk	Guernsey	Harris	Hinson
Holsman	Hughes	Jones 63	McDonald	McGhee
Meadows	Molendorp	Nasheed	Newman	Riddle
Scharnhorst	Schieffer	Schneider	Smith 71	Talboy
Mr Speaker				

On motion of Representative Hinson, **House Amendment No. 9** was adopted.

Representative Cierpiot offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 636, Page 5, Section 67.2010, Line 16, by inserting immediately after said line the following:

"70.441. 1. As used in this section, the following terms have the following meanings:

(1) "Agency", the bi-state development agency created by compact under section 70.370;

(2) "Conveyance" includes bus, paratransit vehicle, rapid transit car or train, locomotive, or other vehicle used or held for use by the agency as a means of transportation of passengers;

(3) "Facilities" includes all property and equipment, including, without limitation, rights-of-way and related trackage, rails, signals, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices, parking lots and other real estate or personal property used or held for or incidental to the operation, rehabilitation or improvement of any public mass transportation system of the agency;

(4) "Person", any individual, firm, copartnership, corporation, association or company; and

(5) "Sound production device" includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, speaker device and any sound amplifier.

2. In interpreting or applying this section, the following provisions shall apply:

(1) Any act otherwise prohibited by this section is lawful if specifically authorized by agreement, permit, license or other writing duly signed by an authorized officer of the agency or if performed by an officer, employee or designated agent of the agency acting within the scope of his or her employment or agency;

(2) Rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another in the avoidance of any of the requirements of the rules; and

(3) The singular shall mean and include the plural; the masculine gender shall mean the feminine and the neuter genders; and vice versa.

3. (1) No person shall use or enter upon the light rail conveyances of the agency without payment of the fare or other lawful charges established by the agency. Any person on any such conveyance must have properly validated fare media in his possession. This ticket must be valid to or from the station the passenger is using, and must have been used for entry for the trip then being taken;

(2) No person shall use any token, pass, badge, ticket, document, transfer, card or fare media to gain entry to the facilities or conveyances of, or make use of the services of, the agency, except as provided, authorized or sold by the agency and in accordance with any restriction on the use thereof imposed by the agency;

(3) No person shall enter upon parking lots designated by the agency as requiring payment to enter, either by electronic gate or parking meters, where the cost of such parking fee is visibly displayed at each location, without payment of such fees or other lawful charges established by the agency;

(4) Except for employees of the agency acting within the scope of their employment, no person shall sell, provide, copy, reproduce or produce, or create any version of any token, pass, badge, ticket, document, transfer, card or any other fare media or otherwise authorize access to or use of the facilities, conveyances or services of the agency without the written permission of an authorized representative of the agency;

(5) No person shall put or attempt to put any paper, article, instrument or item, other than a token, ticket, badge, coin, fare card, pass, transfer or other access authorization or other fare media issued by the agency and valid for the place, time and manner in which used, into any fare box, pass reader, ticket vending machine, parking meter, parking gate or other fare collection instrument, receptacle, device, machine or location;

(6) Tokens, tickets, fare cards, badges, passes, transfers or other fare media that have been forged, counterfeited, imitated, altered or improperly transferred or that have been used in a manner inconsistent with this section shall be confiscated;

(7) No person may perform any act which would interfere with the provision of transit service or obstruct the flow of traffic on facilities or conveyances or which would in any way interfere or tend to interfere with the safe and efficient operation of the facilities or conveyances of the agency;

(8) All persons on or in any facility or conveyance of the agency shall:

(a) Comply with all lawful orders and directives of any agency employee acting within the scope of his employment;

(b) Obey any instructions on notices or signs duly posted on any agency facility or conveyance; and

(c) Provide accurate, complete and true information or documents requested by agency personnel acting within the scope of their employment and otherwise in accordance with law;

(9) No person shall falsely represent himself or herself as an agent, employee or representative of the agency;

(10) No person on or in any facility or conveyance shall:

(a) Litter, dump garbage, liquids or other matter, or create a nuisance, hazard or unsanitary condition, including, but not limited to, spitting and urinating, except in facilities provided;

(b) Drink any alcoholic beverage or possess any opened or unsealed container of alcoholic beverage, except on premises duly licensed for the sale of alcoholic beverages, such as bars and restaurants;

(c) Enter or remain in any facility or conveyance while his ability to function safely in the environment of the agency transit system is impaired by the consumption of alcohol or by the taking of any drug;

(d) Loiter or stay on any facility of the agency;

(e) Consume foods or liquids of any kind, except in those areas specifically authorized by the agency;

(f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch, except in those areas or locations specifically authorized by the agency; or

(g) Throw or cause to be propelled any stone, projectile or other article at, from, upon or in a facility or conveyance;

(11) No weapon or other instrument intended for use as a weapon may be carried in or on any facility or conveyance, except for law enforcement personnel. For the purposes hereof, a weapon shall include, but not be limited to, a firearm, switchblade knife, sword, or any instrument of any kind known as blackjack, billy club, club, sandbag, metal knuckles, leather bands studded with metal, wood impregnated with metal filings or razor blades; except that this

subdivision shall not apply to a rifle or shotgun which is unloaded and carried in any enclosed case, box or other container which completely conceals the item from view and identification as a weapon;

(12) No explosives, flammable liquids, acids, fireworks or other highly combustible materials or radioactive materials may be carried on or in any facility or conveyance, except as authorized by the agency;

(13) No person, except as specifically authorized by the agency, shall enter or attempt to enter into any area not open to the public, including, but not limited to, motorman's cabs, conductor's cabs, bus operator's seat location, closed-off areas, mechanical or equipment rooms, concession stands, storage areas, interior rooms, tracks, roadbeds, tunnels, plants, shops, barns, train yards, garages, depots or any area marked with a sign restricting access or indicating a dangerous environment;

(14) No person may ride on the roof, the platform between rapid transit cars, or on any other area outside any rapid transit car or bus or other conveyance operated by the agency;

(15) No person shall extend his hand, arm, leg, head or other part of his or her person or extend any item, article or other substance outside of the window or door of a moving rapid transit car, bus or other conveyance operated by the agency;

(16) No person shall enter or leave a rapid transit car, bus or other conveyance operated by the agency except through the entrances and exits provided for that purpose;

(17) No animals may be taken on or into any conveyance or facility except the following:

(a) An animal enclosed in a container, accompanied by the passenger and carried in a manner which does not annoy other passengers; and

(b) Working dogs for law enforcement agencies, agency dogs on duty, dogs properly harnessed and accompanying blind or hearing-impaired persons to aid such persons, or dogs accompanying trainers carrying a certificate of identification issued by a dog school;

(18) No vehicle shall be operated carelessly, or negligently, or in disregard of the rights or safety of others or without due caution and circumspection, or at a speed in such a manner as to be likely to endanger persons or property on facilities of the agency. The speed limit on parking lots and access roads shall be posted as fifteen miles per hour unless otherwise designated.

4. (1) Unless a greater penalty is otherwise provided by the laws of the state, any violation of this section shall constitute a misdemeanor, and any person committing a violation thereof shall be subject to arrest and, upon conviction in a court of competent jurisdiction, shall pay a fine in an amount not less than twenty-five dollars and no greater than two hundred fifty dollars per violation, in addition to court costs. Any default in the payment of a fine imposed pursuant to this section without good cause shall result in imprisonment for not more than thirty days;

(2) Unless a greater penalty is provided by the laws of the state, any person convicted a second or subsequent time for the same offense under this section shall be guilty of a misdemeanor and sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars in addition to court costs, or to undergo imprisonment for up to sixty days, or both such fine and imprisonment;

(3) Any person failing to pay the proper fare, fee or other charge for use of the facilities and conveyances of the agency shall be subject to payment of such charge as part of the judgment against the violator. All proceeds from judgments for unpaid fares or charges shall be directed to the appropriate agency official;

(4) All juvenile offenders violating the provisions of this section shall be subject to the jurisdiction of the juvenile court as provided in chapter 211;

(5) As used in this section, the term "conviction" shall include all pleas of guilty and findings of guilt.

5. **Any person who is convicted, pleads guilty, or pleads nolo contendere for failing to pay the proper fare, fee, or other charge for the use of the facilities and conveyances of the bi-state development agency, as described in subdivision (3) of subsection 4 of this section, shall, in addition to the unpaid fares or charges and any fines, penalties, or sentences imposed by law, shall be required to reimburse costs attributable to the enforcement, investigation, and prosecution of such offense by the bi-state development agency. The court shall direct the reimbursement proceeds to the appropriate agency official.**

6. (1) Stalled or disabled vehicles may be removed from the roadways of the agency property by the agency and parked or stored elsewhere at the risk and expense of the owner;

(2) Motor vehicles which are left unattended or abandoned on the property of the agency for a period of over seventy-two hours may be removed as provided for in section 304.155, except that the removal may be authorized by personnel designated by the agency under section 70.378.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 10** was adopted.

Representative Franz offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 636, Page 15, Section 211.177, Line 8, by inserting after all of said section and line, the following:

"211.393. 1. For purposes of this section, the following words and phrases mean:

(1) "County retirement plan", any public employees' defined benefit retirement plan established by law that provides retirement benefits to county or city employees, but not to include the county employees' retirement system as provided in sections 50.1000 to 50.1200;

(2) "Juvenile court employee", any person who is employed by a juvenile court in a position normally requiring one thousand hours or more of service per year;

(3) "Juvenile officer", any juvenile officer appointed pursuant to section 211.351;

(4) "Multicounty circuit", all other judicial circuits not included in the definition of a single county circuit;

(5) "Single county circuit", a judicial circuit composed of a single county of the first classification, including the circuit for the city of St. Louis;

(6) "State retirement plan", the public employees' retirement plan administered by the Missouri state employees' retirement system pursuant to chapter 104.

2. Juvenile court employees employed in a single county circuit shall be subject to the following provisions:

(1) The juvenile officer employed in such circuits on and prior to July 1, 1999, shall:

(a) Be state employees on that portion of their salary received from the state pursuant to section 211.381, and in addition be county employees on that portion of their salary provided by the county at a rate determined pursuant to section 50.640;

(b) Receive state-provided benefits, including retirement benefits from the state retirement plan, on that portion of their salary paid by the state and may participate as members in a county retirement plan on that portion of their salary provided by the county except any juvenile officer whose service as a juvenile court officer is being credited based on all salary received from any source in a county retirement plan on June 30, 1999, shall not be eligible to receive state-provided benefits, including retirement benefits, or any creditable prior service as described in this section but shall continue to participate in such county retirement plan;

(c) Receive creditable prior service in the state retirement plan for service rendered as a juvenile court employee prior to July 1, 1999, to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service, if such service was rendered in a single county circuit or a multicounty circuit; except that if the juvenile officer forfeited such credit in such county retirement plan prior to being eligible to receive creditable prior service under this paragraph, they may receive service under this paragraph;

(d) Receive creditable prior service pursuant to paragraph (c) of this subdivision even though they already have received credit for such creditable service in a county retirement plan if they elect to forfeit their creditable service from such plan in which case such plan shall transfer to the state retirement plan an amount equal to the actuarial accrued liability for the forfeited creditable service, determined as if the person were going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

(e) Receive creditable prior service for service rendered as a juvenile court employee in a multicounty circuit in a position that was financed in whole or in part by a public or private grant, pursuant to the provisions of paragraph (e) of subdivision (1) of subsection 3 of this section;

(2) Juvenile officers who begin employment for the first time as a juvenile officer in a single county circuit on or after July 1, 1999, shall:

(a) Be county employees and receive salary from the county at a rate determined pursuant to section 50.640 subject to reimbursement by the state as provided in section 211.381; and

(b) Participate as members in the applicable county retirement plan subject to reimbursement by the state for the retirement contribution due on that portion of salary reimbursed by the state;

(3) All other juvenile court employees who are employed in a single county circuit on or after July 1, 1999:

(a) Shall be county employees and receive a salary from the county at a rate determined pursuant to section 50.640; and

(b) Shall, in accordance with their status as county employees, receive other county-provided benefits including retirement benefits from the applicable county retirement plan if such employees otherwise meet the eligibility requirements for such benefits;

(4) (a) The state shall reimburse each county comprised of a single county circuit for an amount equal to the greater of:

a. Twenty-five percent of such circuit's total juvenile court personnel budget, excluding the salary for a juvenile officer, for calendar year 1997, and excluding all costs of retirement, health and other fringe benefits; or

b. The sum of the salaries of one chief deputy juvenile officer and one deputy juvenile officer class I, as provided in section 211.381;

(b) The state may reimburse a single county circuit up to fifty percent of such circuit's total calendar year 1997 juvenile court personnel budget, subject to appropriations. The state may reimburse, subject to appropriations, the following percentages of such circuits' total juvenile court personnel budget, expended for calendar year 1997, excluding the salary for a juvenile officer, and excluding all costs of retirement, health and other fringe benefits: thirty percent beginning July 1, 2000, until June 30, 2001; forty percent beginning July 1, 2001, until June 30, 2002; fifty percent beginning July 1, 2002; however, no county shall receive any reimbursement from the state in an amount less than the greater of:

a. Twenty-five percent of the total juvenile court personnel budget of the single county circuit expended for calendar year 1997, excluding fringe benefits; or

b. The sum of the salaries of one chief deputy juvenile officer and one deputy juvenile officer class I, as provided in section 211.381;

(5) Each single county circuit shall file a copy of its initial 1997 and each succeeding year's budget with the office of the state courts administrator after January first each year and prior to reimbursement. The office of the state courts administrator shall make payment for the reimbursement from appropriations made for that purpose on or before July fifteenth of each year following the calendar year in which the expenses were made. The office of the state courts administrator shall submit the information from the budgets relating to full-time juvenile court personnel from each county to the general assembly;

(6) Any single county circuit may apply to the office of the state courts administrator to become subject to subsection 3 of this section, and such application shall be approved subject to appropriation of funds for that purpose;

(7) The state auditor may audit any single county circuit to verify compliance with the requirements of this section, including an audit of the 1997 budget.

3. Juvenile court employees in multicounty circuits shall be subject to the following provisions:

(1) Juvenile court employees including detention personnel hired in 1998 in those multicounty circuits who began actual construction on detention facilities in 1996, employed in a multicounty circuit on or after July 1, 1999, shall:

(a) Not be state employees unless they receive all salary from the state, which shall include any salary as provided in section 211.381 in addition to any salary provided by the applicable county or counties during calendar year 1997 and any general salary increase approved by the state of Missouri for fiscal year 1999 and fiscal year 2000;

(b) Participate in the state retirement plan;

(c) Receive creditable prior service in the state retirement plan for service rendered as a juvenile court employee prior to July 1, 1999, to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service if such service was rendered in a single county circuit or a multicounty circuit, except that if they forfeited such credit in such county retirement plan prior to being eligible to receive creditable prior service under this paragraph, they may receive creditable service under this paragraph;

(d) Receive creditable prior service pursuant to paragraph (c) of this subdivision even though they already have received credit for such creditable service in a county retirement plan if they elect within six months from the date they become participants in the state retirement plan pursuant to this section to forfeit their service from such plan in which case such plan shall transfer to the state retirement plan an amount equal to the actuarial accrued liability for the forfeited creditable service, determined as if the person was going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

(e) Receive creditable prior service for service rendered as a juvenile court employee in a multicounty circuit in a position that was financed in whole or in part by a public or private grant to the extent they have not already received credit for such service in a county retirement plan on salary paid to them for such service except that if they:

a. Forfeited such credit in such county retirement plan prior to being eligible to receive creditable service under this paragraph, they may receive creditable service under paragraph (e) of this subdivision;

b. Received credit for such creditable service in a county retirement plan, they may not receive creditable prior service pursuant to paragraph (e) of this subdivision unless they elect to forfeit their service from such plan, in which case such plan shall transfer to the state retirement plan an amount equal to the actuarial liability for the forfeited creditable service, determined as if the person was going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions;

c. Terminated employment prior to August 28, 2007, and apply to the board of trustees of the state retirement plan to be made and employed as a special consultant and be available to give opinions regarding retirement they may receive creditable service under paragraph (e) of this subdivision;

d. Retired prior to August 28, 2007, and apply to the board of trustees of the state retirement plan to be made and employed as a special consultant and be available to give opinions regarding retirement, they shall have their retirement benefits adjusted so they receive retirement benefits equal to the amount they would have received had their retirement benefit been initially calculated to include such creditable prior service; or

e. Purchased creditable prior service pursuant to section 104.344 or section 105.691 based on service as a juvenile court employee in a position that was financed in whole or in part by a public or private grant, they shall receive a refund based on the amount paid for such purchased service;

(2) Juvenile court employee positions added after December 31, 1997, shall be terminated and not subject to the provisions of subdivision (1) of this subsection, unless the office of the state courts administrator requests and receives an appropriation specifically for such positions;

(3) The salary of any juvenile court employee who becomes a state employee, effective July 1, 1999, shall **not** be limited to the salary provided by the state of Missouri, which shall be set in accordance with guidelines established by the state pursuant to a salary survey conducted by the office of the state courts administrator, but such salary shall in no event be less than the amount specified in paragraph (a) of subdivision (1) of this subsection. **[**Notwithstanding any provision to the contrary in subsection 1 of section 211.394, such employees shall not be entitled to additional compensation paid by a county as a public officer or employee.**]** Such employees shall be considered employees of the judicial branch of state government for all purposes**[**;**]:**

(a) Any contributions from the county shall not apply to the county employees retirement system fund, or the state employees retirement system fund;

(b) Additional compensation shall be approved by the judge of the juvenile court and the governing body of the city or county providing such additional compensation;

(4) All other employees of a multicounty circuit who are not juvenile court employees as defined in subsection 1 of this section shall be county employees subject to the county's own terms and conditions of employment.

4. The receipt of creditable prior service as described in paragraph (c) of subdivision (1) of subsection 2 of this section and paragraph (c) of subdivision (1) of subsection 3 of this section is contingent upon the office of the state courts administrator providing the state retirement plan information, in a form subject to verification and acceptable to the state retirement plan, indicating the dates of service and amount of monthly salary paid to each juvenile court employee for such creditable prior service.

5. No juvenile court employee employed by any single or multicounty circuit shall be eligible to participate in the county employees' retirement system fund pursuant to sections 50.1000 to 50.1200.

6. Each county in every circuit in which a juvenile court employee becomes a state employee shall maintain each year in the local juvenile court budget an amount, defined as "maintenance of effort funding", not less than the total amount budgeted for all employees of the juvenile court including any juvenile officer, deputy juvenile officer, or other juvenile court employees in calendar year 1997, minus the state reimbursements as described in this section received for the calendar year 1997 personnel costs for the salaries of all such juvenile court employees who become state employees. The juvenile court shall provide a proposed budget to the county commission each year. The budget shall contain a separate section specifying all funds to be expended in the juvenile court. Such funding may be used for contractual costs for detention services, guardians ad litem, transportation costs for those circuits without detention facilities to transport children to and from detention and hearings, short-term residential services, indebtedness for juvenile facilities, expanding existing detention facilities or services, continuation of services funded by public grants or subsidy, and enhancing the court's ability to provide prevention, probation, counseling and treatment services. The county commission may review such budget and may appeal the proposed budget to the judicial finance commission pursuant to section 50.640.

7. Any person who is employed on or after July 1, 1999, in a position covered by the state retirement plan or the **Missouri department of** transportation **[**department**]** and highway patrol **employees'** retirement system and who has rendered service as a juvenile court employee in a judicial circuit that was not a single county of the first classification shall be eligible to receive creditable prior service in such plan or system as provided in subsections 2 and 3 of this section. For purposes of this subsection, the provisions of paragraphs (c) and (d) of subdivision (1) of subsection 2 of this section and paragraphs (c) and (d) of subdivision (1) of subsection 3 of this section that apply to the state retirement plan shall also apply to the transportation department and highway patrol retirement system.

8. (1) Any juvenile officer who is employed as a state employee in a multicounty circuit on or after July 1, 1999, shall not be eligible to participate in the state retirement plan as provided by this section unless such juvenile officer elects to:

(a) Receive retirement benefits from the state retirement plan based on all years of service as a juvenile officer and a final average salary which shall include salary paid by the county and the state; and

(b) Forfeit any county retirement benefits from any county retirement plan based on service rendered as a juvenile officer.

(2) Upon making the election described in this subsection, the county retirement plan shall transfer to the state retirement plan an amount equal to the actuarial accrued liability for the forfeited creditable service determined as if the person was going to continue to be an active member of the county retirement plan, less the amount of any refunds of member contributions.

9. The elections described in this section shall be made on forms developed and made available by the state retirement plan."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCreery
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nasheed	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Funderburk	Guernsey	Higdon	Hughes
McCann Beatty	McDonald	McGhee	Meadows	Newman
Riddle	Schieffer	Webber	Wyatt	

On motion of Representative Franz, **House Amendment No. 11** was adopted by the following vote:

AYES: 117

Anders	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cox	Cross
Davis	Day	Dieckhaus	Diehl	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nolte	Oxford	Pace	Parkinson	Phillips
Quinn	Reiboldt	Richardson	Rizzo	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Shively	Shumake	Sifton	Silvey	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Webb	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 034

Asbury	Brattin	Burlison	Carlson	Carter
Cookson	Crawford	Curtman	Denison	Dugger
Ellinger	Ellington	Entlicher	Franklin	Kander
Kirkton	Koenig	Lasater	Leach	Marshall
May	McNeil	Nichols	Pierson	Pollock
Redmon	Rowland	Schoeller	Schupp	Smith 71
Smith 150	Still	Taylor	Wells	

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Funderburk	Hughes	Lant	McDonald
Meadows	Newman	Riddle	Schad	Schieffer
Webber	Wyatt			

Representative Fitzwater offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 636, Page 16, Section 211.444, Line 20, by inserting immediately after said line the following:

"217.670. 1. The board shall adopt an official seal of which the courts shall take official notice.

2. Decisions of the board regarding granting of paroles, extensions of a conditional release date or revocations of a parole or conditional release shall be by a majority vote of the hearing panel members. The hearing panel shall consist of one member of the board and two hearing officers appointed by the board. A member of the board may remove the case from the jurisdiction of the hearing panel and refer it to the full board for a decision. Within thirty days of entry of the decision of the hearing panel to deny parole or to revoke a parole or conditional release, the offender may appeal the decision of the hearing panel to the board. The board shall consider the appeal within thirty days of receipt of the appeal. The decision of the board shall be by majority vote of the board members and shall be final.

3. The orders of the board shall not be reviewable except as to compliance with the terms of sections 217.650 to 217.810 or any rules promulgated pursuant to such section.

4. The board shall keep a record of its acts and shall notify each correctional center of its decisions relating to persons who are or have been confined in such correctional center.

5. Notwithstanding any other provision of law, any meeting, record, or vote, of proceedings involving probation, parole, or pardon, may be a closed meeting, closed record, or closed vote.

6. Notwithstanding any other provision of law, when the appearance or presence of an offender before the board or a hearing panel is required for the purpose of deciding whether to grant conditional release or parole, extend the date of conditional release, revoke parole or conditional release, or for any other purpose, such appearance or presence may occur by means of a videoconference at the discretion of the board. Victims having a right to attend parole hearings may testify either at the site where the board is conducting the videoconference or at the institution where the offender is located. The use of videoconferencing in this section shall be at the discretion of the board, and shall not be utilized if either the offender, the victim or the victim's family objects to it.

559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

(1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;

(2) Have been found guilty of, or plead guilty to, forcible rape under section 566.030;

(3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;

(4) Have been found guilty of, or plead guilty to, forcible sodomy under section 566.060;

(5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;

(6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;

(7) Have been found to be a predatory sexual offender under section 558.018; or

(8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bahr	Day	Franklin	Funderburk	Hughes
Klippenstein	McDonald	McGhee	Meadows	Newman
Riddle	Schieffer	Wyatt		

On motion of Representative Fitzwater, **House Amendment No. 12** was adopted.

Representative Davis offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 636, Page 18, Section 452.402, Line 33, by inserting after all of said line the following:

"**452.413. 1. As used in this section, the following terms shall mean:**

(1) "Deploying parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(2) "Deployment", military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) "Military parent", the legal parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction, and who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) "Nondeploying parent", a parent or guardian not subject to military deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such custody or visitation order shall further require the nondeploying parent to provide the court and the deploying parent with a thirty day advance written notice of any change of address and any change of telephone number. However, if a valid domestic violence court order from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification.

(5) Upon motion of a deploying parent, upon reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion and this shall take precedence on the court's docket.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner, or to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent shall:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Provide timely information regarding the deploying parent's leave schedule to the nondeploying parent.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a temporary hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support. Each party shall provide information to each other in an effort to facilitate agreement on custody and visitation.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days' of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint at the request of the deployed parent or on its own motion a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished by certified mail, return receipt requested, to the nondeploying parent's last known address based on an affidavit of the deploying parent.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Barnes	Bernskoetter	Berry
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Weter
White	Wright	Zerr		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McNeil	Montecillo	Morgan
Nasheed	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 020

Bahr	Brandom	Day	Funderburk	Hughes
Jones 117	Kelly 24	Klippenstein	Leach	McDonald
McGhee	McManus	Meadows	Newman	Riddle
Schieffer	Wells	Wieland	Wyatt	Mr Speaker

On motion of Representative Davis, **House Amendment No. 13** was adopted.

Representative Cox offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 636, Pages 35-36, Section 488.2250, Lines 1-20, by deleting all of said section and lines in inserting in lieu thereof the following:

"488.2250. For all transcripts of testimony given or proceedings had in any circuit court **in cases where an appeal is taken**, the court reporter shall receive the sum of **[**two dollars**]** **three dollars and five cents** per twenty-five-line page for the original **and up to three copies** of the transcript, and the sum of thirty-five cents per twenty-five-line page for each **[**carbon**]** **additional** copy thereof; the page to be approximately eight and one-half inches by eleven inches in size, with left-hand margin of approximately one and one-half inches and the right-hand margin of approximately one-half inch; answer to follow question on same line when feasible; such page to be designated as a legal page. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings, and the court reporter's fees for making the same shall be paid by the state upon a voucher approved by the court, and taxed against the state. In criminal cases where an appeal is taken by the defendant, and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court shall order the court reporter to furnish three **paper or electronic** transcripts in duplication of the notes of the evidence, for the original **and up to three copies of the transcript [**of which**]** the court reporter shall receive **the sum of** two dollars **and sixty cents** per legal page **and the sum of [**and for the copies**]** twenty cents per page **for each additional copy thereof**. The payment of court reporter's fees provided in this section shall be made by the state upon a voucher approved by the court. **An electronic version of all transcripts mentioned herein shall be provided. All copies shall be provided by a Court Reporter certified by the Missouri Supreme Court.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 14** was adopted.

Representative Higdon offered **House Amendment No. 15**.

House Amendment No. 15

AMEND Committee Substitute for Senate Bill No. 636, Page 43, Section 537.351, Lines 1-18, to Page 44, Lines 19-38, by deleting all of said section and lines and inserting in lieu thereof the following:

"**537.351. 1. Except as provided in subsection 2 of this section, a possessor of real property, including an owner, lessee, or other occupant, or an agent of such owner, lessee, or other occupant, owes no duty of care to a trespasser except to refrain from harming the trespasser by an intentional, willful, or wanton act. A possessor of real property may use justifiable force to repel a criminal trespasser as provided by section 563.074.**

2. A possessor of real property may be subject to liability for physical injury or death to a trespasser in the following situations:

(1) If the trespasser is a child who is harmed by a dangerous artificial condition on the land; and

(a) The possessor knew or should have known that children were likely to trespass at the location of the condition;

(b) The condition is one which the possessor knew or reasonably should have known involved an unreasonable risk of death or serious physical injury to such children;

(c) The injured child because of the child's youth did not discover the condition or realize the risk involved in the intermeddling with the condition or in coming within the area made dangerous by the condition;

(d) The utility to the possessor of maintaining the condition and the burden of eliminating the danger were slight as compared with the risk to the child involved; and

(e) The possessor failed to exercise reasonable care to eliminate the danger or otherwise protect the injured child; or

(2) The possessor knew or should have known that trespassers consistently intrude upon a limited area of the possessor's land where the trespasser was harmed, the harm resulted from a dangerous artificial condition on the land; and

(a) The possessor created or maintained the artificial condition that caused the injury;

(b) The possessor knew that the condition was likely to cause death or serious bodily harm to trespassers; and

(c) The possessor knew or should have known that the condition was of such a nature that trespassers would not discover it;

3. This section does not create or increase the liability of any possessor of real property and does not affect any immunities from or defenses to liability established under state law or available under common law to which a possessor of real property may be entitled under circumstances not covered by this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Higdon, **House Amendment No. 15** was adopted.

Representative Fuhr offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Bill No. 636, Page 41, Section 513.440, Line 7, by inserting after all of said section and line the following:

"513.653. 1. Law enforcement agencies involved in using the federal forfeiture system under federal law shall **[**be required at the end of their respective fiscal year to acquire an independent audit of the federal seizures and the proceeds received therefrom and provide this audit to their respective governing body and to the department of public safety. A copy of such audit shall be provided to the state auditor's office. This audit shall be paid for out of the proceeds of such federal forfeitures**] file a report regarding federal seizures and the proceeds therefrom. Such report shall be filed annually by January thirty-first for the previous calendar year with the department of public safety and the state auditor's office. The report for the calendar year shall include the type and value of items seized and turned over to the federal forfeiture system, the beginning balance as of January first of federal forfeiture funds or assets previously received and not expended or used, the proceeds received from the federal government (the equitable sharing amount), the expenditures resulting from the proceeds received, and the ending balance as of December thirty-first of federal forfeiture funds or assets on hand**. The department of public safety shall not issue funds to any law enforcement agency that fails to comply with the provisions of this section.

2. Intentional or knowing failure to comply with the **[**audit**] reporting** requirement contained in this section shall be a class A misdemeanor, punishable by a fine of up to one thousand dollars."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 16** was adopted.

Representative May offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Bill No. 636, Page 57, Section 566.083, Line 23, by inserting after all of said section and line the following:

"568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) **"Arrearage":**

(a) The amount of money created by a failure to provide support to a child under an administrative or judicial support order; or

(b) Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or

(c) Both paragraphs (a) and (b).

The arrearage shall reflect any retroactive support ordered under a modification, and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) "Child" means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)**] (3)** "Good cause" means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)**] (4)** "Support" means food, clothing, lodging, and medical or surgical attention;

[(4)**] (5)** It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision (4) of subsection 2 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of **[**twelve**] eighteen** monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony.

6. **(1)** If at any time a defendant convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due **[**may**] shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the defendant fails to pay the **[**current**]** support and arrearages **[**as ordered**] under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) After a period of not less than eight years, an individual who has pled guilty to or has been convicted of a first felony offense for criminal nonsupport under this section and who has successfully completed probation after a plea of guilt or was sentenced may petition the court for expungement of all official records all recordations of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person has not been convicted of any subsequent offense; does not have any other felony pleas of guilt, findings of guilt or convictions; is current on all child support obligations; has paid off all arrearages; and has no other criminal charges or administrative child support actions pending at the time of the hearing on the application for expungement with respect to all children subject to orders of payment of child support or that the defendant has successfully completed a criminal nonsupport courts program under section 478.1000, the court shall enter an

order of expungement. Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement under this section. Nothing in this section shall prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the **[**child support enforcement service of the**]** family support division **[**of**]** **within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

(1) In any county in which the child resided during the period of time for which the defendant is charged; or

(2) In any county in which the defendant resided during the period of time for which the defendant is charged."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative May, **House Amendment No. 17** was adopted.

Representative Wallingford offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Bill No. 636, Page 15, Section 211.031, Line 96, by inserting after all of said line the following:

"211.069. The amendments to sections 211.071 and 211.073 enacted by the ninety-sixth general assembly, second regular session, shall be known and may be cited as "Jonathan's Law".

211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030, forcible sodomy under section 566.060, first degree robbery under section 569.020, or distribution of drugs under section 195.211, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

(1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;

(2) Whether the offense alleged involved viciousness, force and violence;

(3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;

(4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;

(5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;

(6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;

(7) The age of the child;

(8) The program and facilities available to the juvenile court in considering disposition;

(9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

(1) Findings showing that the court had jurisdiction of the cause and of the parties;

(2) Findings showing that the child was represented by counsel;

(3) Findings showing that the hearing was held in the presence of the child and his counsel; and

(4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law **and the prosecution of the child results in a conviction**, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense

committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.073. 1. The court **[**may**] shall**, in a case when the offender is under seventeen years **and six months** of age and has been transferred to a court of general jurisdiction pursuant to section 211.071, and whose prosecution results in a conviction or a plea of guilty, **[**invoke**] consider** dual jurisdiction of both the criminal and juvenile codes, as set forth in this section. The court is authorized to impose a juvenile disposition under this chapter and simultaneously impose an adult criminal sentence, the execution of which shall be suspended pursuant to the provisions of this section. Successful completion of the juvenile disposition ordered shall be a condition of the suspended adult criminal sentence. The court may order an offender into the custody of the division of youth services pursuant to this section **[**if:

(1) A facility is designed and built by the division of youth services specifically for offenders sentenced pursuant to this section and if the division determines that there is space available, based on design capacity, in the facility; and

(2)**]:**

(1) Upon agreement of the division **of youth services; and**

(2) If the division of youth services determines that there is space available in a facility designed to serve offenders sentenced under this section.

If the division of youth services agrees to accept a youth and the court does not impose a juvenile disposition, the court shall make findings on the record as to why the division of youth services was not appropriate for the offender prior to imposing the adult criminal sentence.

2. If there is probable cause to believe that the offender has violated a condition of the suspended sentence or committed a new offense, the court shall conduct a hearing on the violation charged, unless the offender waives such hearing. If the violation is established and found the court may continue or revoke the juvenile disposition, impose the adult criminal sentence, or enter such other order as it may see fit.

3. When an offender has received a suspended sentence pursuant to this section and the division determines the child is beyond the scope of its treatment programs, the division of youth services may petition the court for a transfer of custody of the offender. The court shall hold a hearing and shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

4. When an offender who has received a suspended sentence reaches the age of seventeen, the court shall hold a hearing. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections;

(2) Direct that the offender be placed on probation; or

(3) Direct that the offender remain in the custody of the division of youth services if the division agrees to such placement.

5. The division of youth services shall petition the court for a hearing before it releases an offender who comes within subsection 1 of this section at any time before the offender reaches the age of twenty-one years. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

6. If the suspension of the adult criminal sentence is revoked, all time served by the offender under the juvenile disposition shall be credited toward the adult criminal sentence imposed."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Conway 14	Day	Franklin	Funderburk
Grisamore	Hughes	Leach	McDonald	McGhee
Meadows	Newman	Parkinson	Riddle	Scharnhorst
Schatz	Schieffer	Webber	Wyatt	

On motion of Representative Wallingford, **House Amendment No. 18** was adopted.

Representative Wells offered **House Amendment No. 19**.

House Amendment No. 19

AMEND House Committee Substitute for Senate Bill No. 636, Page 16, Section 211.444, Line 25, by inserting after all of said line the following:

"304.820. 1. Except as otherwise provided in this section, no person **[**twenty-one years of age or younger**]** operating a moving motor vehicle upon the highways of this state shall, by means of a hand-held electronic wireless communications device, send, read, or write a text message or electronic message**, unless the device is equipped with technology allowing for voice-recognition hands-free texting and is being used in such manner**.

2. The provisions of subsection 1 of this section shall not apply to a person operating:

(1) An authorized emergency vehicle; or

(2) A moving motor vehicle while using a hand-held electronic wireless communications device to:

(a) Report illegal activity;

(b) Summon medical or other emergency help;

(c) Prevent injury to a person or property; or

(d) Relay information between a transit or for-hire operator and that operator's dispatcher, in which the device is permanently affixed to the vehicle.

3. Nothing in this section shall be construed or interpreted as prohibiting a person from making or taking part in a telephone call, by means of a hand-held electronic wireless communications device, while operating a motor vehicle upon the highways of this state.

4. As used in this section, "electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between hand-held electronic wireless communication devices. "Electronic message" includes, but is not limited to, electronic mail, a text message, an instant message, or a command or request to access an internet site.

5. As used in this section, "hand-held electronic wireless communications device" includes any hand-held cellular phone, palm pilot, blackberry, or other mobile electronic device used to communicate verbally or by text or electronic messaging, but shall not apply to any device that is permanently embedded into the architecture and design of the motor vehicle.

6. As used in this section, "making or taking part in a telephone call" means listening to or engaging in verbal communication through a hand-held electronic wireless communication device.

7. As used in this section, "send, read, or write a text message or electronic message" means using a hand-held electronic wireless telecommunications device to manually communicate with any person by using an electronic message. Sending, reading, or writing a text message or electronic message does not include reading, selecting, or entering a phone number or name into a hand-held electronic wireless communications device for the purpose of making a telephone call.

8. A violation of this section shall be deemed an infraction and shall be deemed a moving violation for purposes of point assessment under section 302.302, RSMo.

9. The state preempts the field of regulating the use of hand-held electronic wireless communications devices in motor vehicles, and the provisions of this section shall supercede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision to regulate the use of hand-held electronic wireless communication devices by the operator of a motor vehicle.

10. The provisions of this section shall not apply to:

(1) The operator of a vehicle that is lawfully parked or stopped;

(2) Any of the following while in the performance of their official duties: a law enforcement officer; a member of a fire department; or the operator of a public or private ambulance;

(3) The use of factory-installed or aftermarket global positioning systems (GPS) or wireless communications devices used to transmit or receive data as part of a digital dispatch system;

(4) The use of voice-operated technology;

(5) The use of two-way radio transmitters or receivers by a licensee of the Federal Communications Commission in the Amateur Radio Service."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Loehner	Marshall	McCaherty
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Cierpiot	Funderburk	Hinson	Hough
Hubbard	Hughes	Leach	Long	McGhee
Meadows	Newman	Riddle	Scharnhorst	Schieffer
Webber	Wyatt			

Representative Wells moved that **House Amendment No. 19** be adopted.

Which motion was defeated.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Still
Swearingen	Swinger	Talboy	Taylor	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 016

Berry	Denison	Funderburk	Hughes	McGhee
Meadows	Newman	Riddle	Scharnhorst	Schieffer
Spreng	Stream	Walton Gray	Wyatt	Zerr
Mr Speaker				

On motion of Representative Diehl, **HCS SB 636, as amended**, was adopted.

On motion of Representative Diehl, **HCS SB 636, as amended**, was read the third time and passed by the following vote:

AYES: 084

Allen	Bernskoetter	Berry	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Cross
Davis	Day	Dieckhaus	Diehl	Elmer
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Korman	Lair	Lant	Largent	Leara
Lichtenegger	Loehner	Long	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Sommer
Stream	Thomson	Wallingford	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 070

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Black	Brattin	Carlson	Carter
Casey	Colona	Conway 27	Curtman	Dugger
Ellinger	Ellington	Entlicher	Fallert	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Koenig	Kratky
Lampe	Lasater	Lauer	Leach	Marshall
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Nichols	Oxford	Pace	Pierson	Pollock
Quinn	Rizzo	Schieber	Schupp	Shively
Sifton	Smith 71	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Torpey
Walton Gray	Webb	Webber	Wells	Wyatt

PRESENT: 000

ABSENT WITH LEAVE: 009

Denison	Funderburk	Hughes	McGhee	Meadows
Newman	Riddle	Scharnhorst	Schieffer	

Representative Silvey declared the bill passed.

SS SB 665, relating to a conveyance of state property, was taken up by Representative Asbury.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Bill No. 665, Page 1, Section 1, Line 1, by inserting immediately before said line the following:

"72.401. 1. If a commission has been established pursuant to section 72.400 in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall

serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498 and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, **(1)** any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, **and (2) any voluntary annexation approved by municipal ordinance provided that the municipality owns the area to be annexed, that the area is contiguous with the municipality, and that the area is utilized only for parks and recreation purposes,** shall not be subject to commission review. Such a boundary adjustment **or annexation** is not prohibited by the existence of an established unincorporated area."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Richardson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Substitute for Senate Bill No. 665, Page 1, Section 1, Line 1, by inserting before said section and line the following:

"177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 2** was adopted.

Representative Gatschenberger offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Substitute for Senate Bill No. 665, Page 1, Section 1, Line 1, by before all of said section and line inserting the following:

"**227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.**

301.3163. Any person may apply for **[**special**]** **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**]** **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**]** **director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**]** **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsen Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to Senate Substitute for Senate Bill No. 665, Page 1, Line 37, by inserting after all of said line the following:

'Further amend said bill, Section 11, Page 15, Line 22, by inserting after all of said section and line the following:

"**Section 12. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 13. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Gatschenberger, **House Amendment No. 3, as amended**, was adopted.

Representative Cox offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Substitute for Senate Bill No. 665, Page 1, the Title, Lines 1-2, by deleting the words "to the state highways and transportation commission"; and

Further amend said substitute, Page 15, Section 11, Line 22, by inserting immediately after said line the following:

"**Section 12. 1. The governor is hereby authorized and empowered to vacate the existing one acre easement made on May 25, 1971, between the state and the City of Sedalia, Missouri, located at 2600 West 16th Street, and is hereby authorized and empowered to grant to the City of Sedalia, Missouri, an easement to construct, reconstruct, alter, replace, maintain, and operate a fire station and an entrance thereto on and over certain state owned property more particularly described as follows:**

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 45 NORTH, RANGE 21 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PETTIS COUNTY, MISSOURI; THENCE N 86°29'52"W ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, 939 FEET TO THE POINT OF BEGINNING OF THE PARCEL CONVEYED TO THE STATE OF MISSOURI IN VOLUME 289 AT PAGE 242 IN THE PETTIS COUNTY RECORDERS OFFICE, AND AS SHOWN ON A SURVEY IN PLAT CABINET B AT PAGE 775 TO THE POINT OF BEGINNING; THENCE CONTINUING N 86°29'52"W ALONG SAID SOUTH LINE, 323 FEET TO THE EASTERLY RIGHT OF WAY OF THE MISSOURI PACIFIC RAILROAD COMPANY DESCRIBED IN VOLUME 140 AT PAGE 298, AND AS SHOWN ON SAID SURVEY IN PLAT CABINET B AT PAGE 775; THENCE N 2°24'46"E ALONG SAID RIGHT OF WAY, 387.32 FEET; THENCE S 87°36'42"E, 323 FEET TO THE EAST LINE OF SAID PROPERTY DESCRIBED IN VOLUME 289 AT PAGE 242; THENCE S 2°24'41"W ALONG SAID EAST LINE, 393.60 FEET TO THE POINT OF BEGINNING, CONTAINING 2.9 ACRES, MORE OR LESS, RESERVING TO THE STATE OF MISSOURI INGRESS AND EGRESS TO THE NORTH 2.1 ACRES MORE OR LESS OF THE PARCEL DESCRIBED IN VOLUME 289 AT PAGE 242.

EXCEPTING THEREFROM THE RIGHT OF WAY FOR HIGHWAY Y AS SHOWN ON SAID SURVEY IN PLAT CABINET B AT PAGE 775, AND THE MISSOURI DEPARTMENT OF TRANSPORTATIONS PLANS FOR STATE HIGHWAY Y.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 4** was adopted.

Representative Hummel offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Substitute for Senate Bill No. 665, Page 15, Section 12, Line 22, by inserting after all of said section and line the following:

"**Section 12. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release all interest of the state of Missouri in an easement located near the Choteau State Owned Office Building, in the City of St. Louis, described as follows:**

Ingress/Egress Easement Vacation
Book 1696M, Page 2270

A tract of land being part of Lots 2 and 4 of Chouteau-Compton Subdivision No. 3, a subdivision according to the plat thereof as recorded in Plat Book 12242003, Page 132 of the City of St. Louis Records, being more particularly described as follows:

Beginning at the southeastern corner of above said Lot 4, said point also being the southwestern corner of Lot 2, said point also being located on the northern right-of-way line of Chouteau Avenue, 80 feet wide; thence along said right-of-way line, North 75 degrees 00 minutes 00 seconds West, 25.32 feet to the western line of an Ingress/Egress Easement as established by instrument recorded in Book 1696M, Page 2270; thence departing last said right-of-way line along said western line the following courses and distances: North 15 degrees 32 minutes 58 seconds East, 78.61 feet to a point on a non-tangent curve to the right having a radius of 75.51 feet; along said curve with an arc length of 47.00 feet, and a chord which bears North 44 degrees 16 minutes 16 seconds East, 46.24 feet; North 59 degrees 59 minutes 10 seconds East, 53.47 feet to a point on a non-tangent curve to the left having a radius of 81.83 feet; thence along said curve with an arc length of 57.03 feet, and a chord which bears North 36 degrees 21 minutes 43 seconds East, 55.88 feet to a point of tangency and North 16 degrees 23 minutes 52 seconds East, 21.30 feet to the northern line of above said Lot 4; thence along said north line South 75 degrees 00 minutes 00 seconds East, 12.52 feet to the northeastern corner of above said Lot 4, said point also being the northwestern corner of above said Lot 2; thence along the northern line of said Lot 2, South 75 degrees 00 minutes 00 seconds East, 11.21 feet to the northeastern corner of above said Ingress/Egress Easement; thence along the eastern line of said Ingress/Egress Easement the following courses and distances: South 14 degrees 42 minutes 17 seconds West, 25.31 feet to a point on a non-tangent curve to the right having a radius of 80.19 feet; along said curve with an arc length of 66.36 feet, and a chord which bears South 36 degrees 23 minutes 48 seconds West, 64.48 feet; South 60 degrees 06 minutes 17 seconds West, 45.35 feet to a point on a non-tangent curve to the left having a radius of 63.36 feet; along said curve with an arc length of 42.86 feet, and a chord which bears South 34 degrees 36 minutes 23 seconds West, 42.05 feet to a point of tangency and South 15 degrees 13 minutes 43 seconds West, 73.14 feet to the northern right-of-way line of above said Chouteau Avenue; thence along said northern right-of-way line, North 75 degrees 00 minutes 00 seconds West, 10.53 feet to the Point of Beginning and containing 7,348 square feet or 0.168 acres more or less according to calculations performed by Stock and Associates Consulting Engineers, Inc on March 15, 2012.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but not be limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve as to form the instrument of conveyance.

Section B. Because immediate action is necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, section 12 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 5** was adopted.

Representative Korman offered **House Amendment No. 6**.

House Amendment No. 6

AMEND Senate Substitute for Senate Bill No. 665, Page 15, Section 11, Line 22, by inserting immediately after said line the following:

"**Section 12. If the state highways and transportation commission transfers, sells, or conveys the property contained in sections 1 through 11 of section A of this act within two years of August 28, 2012, it shall use a public**

auction method except for transfers, sales, or conveyances to an adjacent property owner, public institution, political subdivision, or utility."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 6** was adopted.

On motion of Representative Asbury, **SS SB 665, as amended**, was read the third time and passed by the following vote:

AYES: 111

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 035

Anders	Carlson	Carter	Colona	Ellinger
Holsman	Hubbard	Hummel	Jones 63	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 017

Day	Denison	Dieckhaus	Dugger	Ellington
Funderburk	Hughes	Leara	McNary	Meadows
Nasheed	Newman	Riddle	Schieffer	Webber
Wyatt	Mr Speaker			

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Diehl	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	Molendorp	Montecillo
Morgan	Nance	Neth	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 012

Berry	Brattin	Cross	Hampton	Houghton
Lasater	Marshall	May	McNeil	Nichols
Smith 71	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 017

Denison	Dieckhaus	Dugger	Ellington	Funderburk
Holsman	Hughes	Leara	McNary	Meadows
Nasheed	Newman	Riddle	Schieffer	Webber
Wyatt	Mr Speaker			

Speaker Pro Tem Schoeller assumed the Chair.

HCS SS SCS SB 682, relating to interventional pain management, was taken up by Representative Richardson.

Representative Richardson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 682, Page 1, Section 334.153, Line 13, by deleting the word, "**fluoroscopy**" and inserting in lieu thereof the words, "**image guidance**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Colona	Denison	Dieckhaus	Dugger	Funderburk
Hughes	Leara	McDonald	McNary	Meadows
Newman	Riddle	Schieffer	Swearingen	Wyatt

On motion of Representative Richardson, **House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Klippenstein	Koenig
Korman	Lair	Lant	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelley 126
Kelly 24	Kirkton	Kratky	Lampe	Largent
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 013

Colona	Denison	Dugger	Funderburk	Hughes
Leara	McDonald	McGhee	McNary	Meadows
Newman	Riddle	Schieffer		

On motion of Representative Richardson, **HCS SS SCS SB 682, as amended**, was adopted.

On motion of Representative Richardson, **HCS SS SCS SB 682, as amended**, was read the third time and passed by the following vote:

AYES: 090

Allen	Asbury	Bahr	Berry	Brandom
Brown 85	Brown 116	Burlison	Casey	Conway 14
Cookson	Crawford	Cross	Day	Dieckhaus
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelly 24	Klippenstein
Lair	Lant	Lasater	Lauer	Leach
Long	Marshall	McCaherty	McManus	Molendorp
Neth	Nichols	Nolte	Parkinson	Phillips
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Talboy
Thomson	Torpey	Wallingford	Webber	Wells
White	Wright	Wyatt	Zerr	Mr Speaker

NOES: 058

Anders	Atkins	Aull	Bernskoetter	Black
Brattin	Brown 50	Carlson	Carter	Cauthorn
Cierpiot	Conway 27	Cox	Curtman	Davis
Ellinger	Ellington	Fallert	Gosen	Harris
Hodges	Hummel	Kander	Kelley 126	Kirkton
Koenig	Korman	Kratky	Lampe	Largent
Loehner	May	McCreery	McGeoghegan	McGhee
McNeil	Montecillo	Morgan	Nance	Nasheed
Oxford	Pace	Pierson	Pollock	Quinn
Redmon	Rizzo	Schad	Schupp	Shively
Smith 71	Still	Swinger	Taylor	Walton Gray
Webb	Weter	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Colona	Denison	Dugger	Funderburk
Hughes	Leara	Lichtenegger	McCann Beatty	McDonald
McNary	Meadows	Newman	Riddle	Schieffer

Speaker Pro Tem Schoeller declared the bill passed.

COMMITTEE REPORTS

Committee on General Laws, Chairman Franz reporting:

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 626**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SB 721**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Substitute**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on General Laws, to which was referred **SCS SB 835**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 510**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 557**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 594**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 625**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 648**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 668**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 692**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 701**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 721**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 722**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 749**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 760**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 769**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 835**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 854**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 893**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SB 668 - Fiscal Review
HCS SCS SB 692 - Fiscal Review
HCS SB 701 - Fiscal Review
HCS SS SB 854 - Fiscal Review

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1094**, entitled:

An act to repeal section 205.042, RSMo, and to enact in lieu thereof two new sections relating to payment systems.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1094, Page 1, Section 37.007, Line 11, by inserting immediately after said line the following:

"37.920. 1. There is hereby created in the state treasury the "Missouri Revolving Information Technology Trust Fund" which shall contain moneys transferred or paid to the office of administration by any

state agency in return for information technology expenses which may be incurred to ensure the proper use and operation of any information technology equipment, software, or systems.

2. The state treasurer shall be custodian of the fund and may approve disbursement from the fund in accordance with sections 30.170 and 30.180. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HCS HB 1402, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1563**, entitled:

An act to repeal sections 195.060, 195.080, 334.104, 334.747, 337.300, 337.305, 337.310, 337.315, 337.325, 337.345, 338.315, 338.333, and 660.315, RSMo, and to enact in lieu thereof fifteen new sections relating to healthcare services, with a penalty provision and an emergency clause for a certain section.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1563, Page 31, Section 338.315, Line 20, by inserting after all of said line the following:

"**338.320. 1. There is hereby established the "Missouri Electronic Prior Authorization Committee" in order to facilitate, monitor, and report to the general assembly on Missouri-based efforts to contribute to the establishment of national electronic prior authorization standards. Such efforts shall include the Missouri-based electronic prior authorization pilot program established under subsection 5 of this section and the study and dissemination of information by the committee of the efforts of the National Council on Prescription Drug Programs (NCPDP) to develop national electronic prior authorization standards. The committee shall advise the general assembly and the department of insurance, financial institutions and professional registration as to whether there is a need for administrative rules to be promulgated by the department of insurance, financial institutions and professional registration as soon as practically possible.**

2. The Missouri electronic prior authorization committee shall consist of the following members:

(1) Two members of the senate, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives, appointed by the speaker of the house of representatives;

(3) One member from an organization of licensed physicians in the state;

(4) One member who is a physician licensed in Missouri pursuant to chapter 334;

(5) One member who is a representative of a Missouri pharmacy benefit management company;

(6) One member from an organization representing licensed pharmacists in the state;

(7) One member from the business community representing businesses on health insurance issues;

(8) One member from an organization representing the leading research-based pharmaceutical and biotechnology companies;

(9) One member from an organization representing the largest generic pharmaceutical trade association;

(10) One patient advocate;

(11) One member from an electronic prescription network that facilitates the secure electronic exchange of clinical information between physicians, pharmacies, payers, and pharmacy benefit managers and other health care providers;

(12) One member from a Missouri-based electronic health records company;

(13) One member from an organization representing the largest number of hospitals in the state;

(14) One member from a health carrier as such term is defined under section 376.1350;

(15) One member from an organization representing the largest number of health carriers in the state, as such term is defined under section 376.1350;

(16) The director of the department of social services, or the director's designee;

(17) The director of the department of insurance, financial institutions and professional registration, who shall be chair of the committee.

3. All of the members, except for the members from the general assembly, shall be appointed by the governor no later than September 1, 2012, with the advice and consent of the senate. The staff of the department of insurance, financial institutions and professional registration shall provide assistance to the committee.

4. The duties of the committee shall be as follows:

(1) Before February 1, 2019, monitor and report to the general assembly on the Missouri-based electronic prior authorization pilot program created under subsection 5 of this section including a report of the outcomes and best practices developed as a result of the pilot program and how such information can be used to inform the national standard-setting process;

(2) Obtain specific updates from the NCPDP and other pharmacy benefit managers and vendors that are currently engaged in pilot programs working toward national electronic prior authorization standards;

(3) Correspond and collaborate with the NCPDP and other such pilots through the exchange of information and ideas;

(4) Assist, when asked by the pharmacy benefit manager, with the development of the pilot program created under subsection 5 of this section with an understanding of information on the success and failures of other pilot programs across the country;

(5) Prepare a report at the end of each calendar year to be distributed to the general assembly and governor with a summary of the committee's progress and plans for the next calendar year, including a report on Missouri-based efforts to contribute to the establishment of national electronic prior authorization standards. Such annual report shall continue until such time as the NCPDP has established national electronic prior authorization standards or this section has expired, whichever is sooner. The first report shall be completed before January 1, 2013;

(6) Upon the adoption of national electronic prior authorization standards by the NCPDP, prepare a final report to be distributed to the general assembly and governor that identifies the appropriate Missouri administrative regulations, if any, that will need to be promulgated by the department of insurance, financial institutions and professional registration, in order to make those standards effective as soon as practically possible, and advise the general assembly and governor if there are any legislative actions necessary to the furtherance of that end.

5. The department of insurance, financial institutions and professional registration and the Missouri electronic prior authorization committee shall recruit a Missouri-based pharmacy benefits manager doing business nationally to volunteer to conduct an electronic prior authorization pilot program in Missouri. The pharmacy benefits manager conducting the pilot program shall ensure that there are adequate Missouri licensed physicians and an electronic prior authorization vendor capable and willing to participate in a Missouri-based pilot program. Such pilot program established under this section shall be operational by January 1, 2014. The department and the committee may provide advice or assistance to the pharmacy benefit manager conducting the pilot program but shall not maintain control or lead with the direction of the pilot program.

6. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House that the Senate grants the House a conference on **HCS SS SCS SB 470, as amended**.

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 569

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 569;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus
/s/ Kevin Engler
/s/ Luann Ridgeway

FOR THE HOUSE:

/s/ Tony Dugger
/s/ Jason Smith
/s/ Myron Neth
/s/ Joseph Fallert, Jr.
/s/ Pat Conway

CONFERENCE COMMITTEE REPORT
ON
SENATE BILL NO. 611

The Conference Committee appointed on Senate Bill No. 611, with House Amendments Nos. 1, 2, 3, 4, 5, 6, 7, and 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 611, as amended;

2. The Senate recede from its position on Senate Bill No. 611;

3. That the attached Conference Committee Substitute for Senate Bill No. 611 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jim Lembke
/s/ Bill Stouffer
/s/ Mike Kehoe
/s/ Ryan McKenna
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Rick Stream
/s/ Chris Kelly
/s/ Sara Lampe

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Tuesday, May 15, 2012.

COMMITTEE MEETINGS

FISCAL REVIEW
Tuesday, May 15, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW
Wednesday, May 16, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW
Thursday, May 17, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW
Friday, May 18, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

HEALTH CARE POLICY
Wednesday, May 16, 2012, Upon Morning Recess House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION
Tuesday, May 15, 2012, 9:00 AM House Hearing Room 6.
Executive session may be held on any matter referred to the committee.
Election of Chairman and Vice-Chairman
CANCELLED

JOINT COMMITTEE ON EDUCATION
Wednesday, May 16, 2012, 8:40 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Election of Chairman and Vice-Chairman

RULES - PURSUANT TO RULE 25(32)(F)
Tuesday, May 15, 2012, 8:45 AM North Gallery.
Executive session may be held on any or all bills referred to this committee.
CORRECTED

RULES - PURSUANT TO RULE 25(32)(F)
Wednesday, May 16, 2012, 8:45 AM North Gallery.
Executive Session may be held on any or all bills referred to this committee.
CORRECTED

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, May 17, 2012, 8:45 AM North Gallery.
Executive session may be held on any or all bills referred to this committee.
CORRECTED

RULES - PURSUANT TO RULE 25(32)(F)
Friday, May 18, 2012, 8:45 AM North Gallery.
Executive session may be held on any or all bills referred to this committee.
CORRECTED

RURAL COMMUNITY DEVELOPMENT
Tuesday, May 15, 2012, 8:00 AM House Hearing Room 7.
Public hearing will be held: SCR 15
Executive session will be held: SCR 15
Executive session may be held on any matter referred to the committee.
AMENDED

TRANSPORTATION FUNDING AND PUBLIC INSTITUTIONS
Tuesday, May 15, 2012, 5:00 PM or Upon Afternoon Adjournment or Recess, whichever is later, House Hearing Room 5.
Public hearing will be held: SCR 26
Executive session may be held on any matter referred to the committee.

HOUSE CALENDAR

SEVENTY-THIRD DAY, TUESDAY, MAY 15, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 89 - Schoeller
2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
4 HCS HB 1210, as amended - Gatschenberger
5 HCS HB 1795 - Ruzicka
6 HB 1966 - Burlison
7 HB 1779 - Flanigan
8 HCS HB 1794 - Grisamore
9 HCS HB 1754 - Cox
10 HCS HB 1815 - Pollock
11 HB 1842 - Lant
12 HCS HB 1935 - Franz
13 HB 2063, as amended - Denison
14 HCS HB 2100 - Denison
15 HCS HB 1709 - Hough
16 HCS#2 HB 1358 - Gatschenberger
17 HCS HB 1397 - Gatschenberger
18 HCS HBs 1542 & 1101 - Koenig
19 HCS#2 HB 1213 - Franklin
20 HCS HB 1846 - Long
21 HCS HB 1585 - Cross
22 HCS HB 1971 - Schneider
23 HB 1690 - May
24 HB 1728 - Johnson
25 HB 1790 - Torpey
26 HCS HB 1970 - Jones (117)
27 HB 1144 - Gatschenberger
28 HB 1394 - Brandom
29 HB 1456 - Black
30 HCS HB 1609 - Nasheed

31 HCS HB 1612 - Burlison
32 HB 2038 - Wallingford
33 HCS HB 1877 - Sommer

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1328 - Cox
2 HCS HB 1922 - Molendorp
3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HCS HBs 1298 & 1180 - Parkinson
2 HB 1066 - McGhee
3 HB 1357 - Gatschenberger

HOUSE BILLS FOR THIRD READING - INFORMAL

1 HB 1277 - Long
2 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

1 HCR 55 - Nolte
2 HCR 57 - McNary

SENATE BILLS FOR THIRD READING

1 HCS SS SCS SB 469 - Smith (150)
2 HCS SB 620 - Gosen
3 HCS SCS SB 726 - Wells
4 SS SCS SB 689 - Schad
5 SS SB 607 - Burlison
6 HCS#2 SCS SB 480 - Riddle
7 HCS SCS SB 485 - Kelly (24)
8 HCS SCS SB 563, E.C. - Leach
9 SB 599 - Dieckhaus
10 HCS SCS SB 631 - Reiboldt
11 HCS SCS SB 673 - Day
12 SCS SB 789 - Cox
13 HCS SB 813 - Brandom
14 HCS SCS SB 856 - Barnes
15 SS SCS SBs 489 & 637, E.C. - Franz

SS SCS SB 576 - Richardson
SS SCS SB 633 - Largent
HCS SCS SB 711 - Largent
HCS SB 739 - Cox
SCS SB 788 - Diehl
HCS SCS SB 655 - Kelly (24)
HCS SB 667 - Korman
HCS SCS SB 671, E.C. - Dugger
HCS SCS SB 510 - Schneider
HCS SB 557 - Franz
HCS SB 594 - Pollock
HCS SCS SB 625 - Jones (117)
HCS SCS SB 648 - Sommer
HCS SB 668, (Fiscal Review 5/14/12) - Diehl
HCS SCS SB 692, (Fiscal Review 5/14/12), E.C. - Asbury
HCS SB 701, (Fiscal Review 5/14/12) - Wright
HCS SCS SB 722 - Jones (89)
HCS SS SB 749 - Jones (89)
HCS SB 760, E.C. - Ruzicka
HCS SS SB 769 - Cierpiot
HCS SS SB 854, (Fiscal Review 5/14/12) - Long
SB 893 - Richardson

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1495 - Nance
SCS HB 1112 - Gosen
SCS HCS HB 1042, as amended - Thomson
SS SCS HCS HB 1400, E.C. - Richardson
HB 1250, with SA 1 & SA 2 - Ruzicka
SS HB 1128 - Largent
HB 1103, with SA 1 & SA 2 - Crawford
SCS HB 1460 - Jones (117)
SCS HB 1036 - Dugger
SCS HCS HB 1072 - Sater
SS SCS HCS HB 1563, as amended, E.C. - Sater
SS SCS HCS HB 1094, as amended - Wieland

BILLS CARRYING REQUEST MESSAGES

SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
SCS SB 715, with HA 1 and HA 2, (request House recede/take up and pass bill) - Day
SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB1737, HB1782, HB1868 and HB1878, as amended (request Senate recede/grant conference) - Marshall

BILLS IN CONFERENCE

1 CCR HCS SB 568, as amended, E.C. - Franz
2 CCR SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
3 CCR SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
4 CCR#2 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. - Brown (116)
5 CCR HCS SCS SB 569, as amended - Dugger
6 SS SCS HB 1073 AND HCS HB 1477, as amended - Sater
7 SCS HB 1135, as amended - Smith (150)
8 HCS SCS SB 498, as amended, E.C. - Shumake
9 HCS SS SCS SB 467, as amended - Cox
10 SCS SB 566, with HA 1 & HA 2 - Jones (117)
11 HCS SB 455, as amended - Thomson
12 HCS SB 578, as amended, E.C. - Cox
13 HCS SB 628, as amended - Kelly (24)
14 HCS SCS SB 635, as amended, E.C. - Phillips
15 SS SCS HCS HB 1402, as amended - Burlison
16 HCS SS SCS SB 470, as amended - Burlison

SENATE CONCURRENT RESOLUTIONS

1 SS SCR 16 - Asbury
2 SCS SCR 17 - Diehl
3 SCR 24 - Davis

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-THIRD DAY, TUESDAY, MAY 15, 2012

The House met pursuant to adjournment.

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

My presence shall go with thee, and I will give thee rest. (Exodus 33:14)

O God, beyond Whose enduring love we cannot drift, in the glory of a new day we lift our hearts to You. We devote ourselves to the duties that demand our attention. We would be still in Your presence and rest in the assurance of Your sustaining strength.

Bless these representatives of our people as they think together, plan together, and work together for the good of our state. Help them to take the tensions and the trials of their tasks, the stress and strain of modern life in their stride, and to overcome them by learning to relax by taking time to keep Your spirit alive in their hearts.

May we discover the secret of the power of prayer; may we be led in right paths, and may our days be filled with faith, hope and love.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Madeline Klippenstein, Mikalah Klippenstein, Hannah Klippenstein, Savannah Wall, Zoe Heinz, Elizabeth Mulligan, Carter Philipp, Luke Smith and Brittany Fouquet.

The Journal of the seventy-second day was approved as printed.

SPECIAL RECOGNITION

John Koffman was introduced by Representatives Asbury and Schoeller and recognized as an Outstanding Missourian.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3163 through House Resolution No. 3222

HOUSE CONCURRENT RESOLUTION

Representative Oxford, et al., offered House Concurrent Resolution No. 60.

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 668**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 692**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 701**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 854**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF HOUSE BILL

HB 1357, relating to alternatives-to-abortion agencies, was taken up by Representative Gatschenberger.

On motion of Representative Gatschenberger, **HB 1357** was read the third time and passed by the following vote:

AYES: 114

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McGeoghegan	McManus
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Shively	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 034

Atkins	Carlson	Carter	Colona	Ellinger
Holsman	Hubbard	Jones 63	Kelly 24	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 015

Ellington	Funderburk	Hodges	Hughes	Hummel
Kander	Loehner	McCaherty	McGhee	Meadows
Riddle	Schneider	Shumake	Webb	Webber

Speaker Pro Tem Schoeller declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1141**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1150**, entitled:

An act to repeal sections 301.190, 301.193, and 301.227, RSMo, and to enact in lieu thereof three new sections relating to the issuance of certificate of titles for motor vehicles.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1150, Page 18, Section 301.227, Line 23, by inserting after all of said line the following:

"301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure.

306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or

watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1150, Page 18, Section 301.227, Line 23, by inserting immediately after said line the following:

"430.020. Every person who shall keep or store any vehicle**[**,**]** **or** part or equipment thereof, shall, for the amount due therefor, have a lien; and every person who furnishes labor or material on any vehicle **[**or aircraft,**]** or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner of the vehicle **[**or aircraft**]**, or part or equipment thereof**, and every person who furnishes labor or material on any aircraft or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner, authorized agent of the owner, or person in lawful possession of the aircraft or part or equipment thereof**, shall have a lien for the amount of such work or material as is ordered or stated in such written memorandum. Such liens shall be on the vehicle or aircraft, or part or equipment thereof, as shall be kept or stored, or be placed in the possession of the person furnishing the labor or material; provided, however, the person furnishing the labor or material **on the aircraft or part or equipment thereof,** may retain the lien after surrendering possession of the aircraft or part or equipment thereof by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof resides, if known to the claimant, and in the office of the county recorder of the county where the labor or material was furnished. Such statement shall be filed within **[**thirty**]** **one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless said lien has also been filed with the Federal Aviation Administration Aircraft Registry.

430.082. 1. Every person expending labor, services, skill or material upon any motor vehicle or trailer, as defined in chapter 301, vessel, as defined in chapter 306, outboard motor **[**or**]****, or** aircraft**, or part or equipment of an aircraft,** at a written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or who provides storage for a motor vehicle, trailer, outboard motor or vessel, at the written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or at the written request of a peace officer in lieu of the owner or owner's agent, where such owner or agent is not available to request storage thereof, shall, where the maximum amount to be charged for labor, services, skill or material has been stated as part of the written request or the daily charge for storage has been stated as part of the written request, have a lien upon the chattel beginning upon the date of commencement of the expenditure of labor, services, skill, materials or storage for the actual value of all the expenditure of labor, services, skill, materials or storage until the possession of that chattel is voluntarily relinquished to the owner, authorized agent, or one entitled to possession thereof. The person furnishing labor, services, skill or material **upon an aircraft or part or equipment thereof,** may retain the lien after surrendering possession of the aircraft or part or equipment thereof**,** by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof**,** resides, if known to the claimant, and in the office of the county recorder of the county where the claimant performed the services. Such statement shall be filed within **[**thirty**]** **one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless the lien has also been filed with the Federal Aviation Administration Aircraft Registry.

2. If the chattel is not redeemed within forty-five days of the completion of the requested labor, services, skill or material, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title.

3. If the charges are for storage or the service of towing the motor vehicle, trailer, outboard motor or vessel, and the chattel has not been redeemed within forty-five days after the charges for storage commenced, the lienholder shall notify by certified mail, postage prepaid, the owner and any lienholders of record other than the person making the notification, at the person's last known address that application for a lien title will be made unless the owner or lienholder within thirty days makes satisfactory arrangements with the person holding the chattel for payment of storage or service towing charges, if any, or makes satisfactory arrangements with the lienholder for paying such charges or for continued storage of the chattel if desired. Thirty days after the notification has been mailed and the chattel is unredeemed, or the notice has been returned marked "not fowardable" or "addressee unknown", and no satisfactory arrangement has been made with the lienholder for payment or continued storage, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title as provided in this section.

4. The application shall be accompanied by:

(1) The original or a conformed or photostatic copy of the written request of the owner or the owner's agent or of a peace officer with the maximum amount to be charged stated therein;

(2) An affidavit from the lienholder that written notice was provided to all owners and lienholders of the applicants' intent to apply for a certificate of ownership and the owner has defaulted on payment of labor, services, skill or material and that payment is forty-five days past due, or that owner has defaulted on payment or has failed to make satisfactory arrangements for continued storage of the chattel for thirty days since notification of intent to make application for a certificate of ownership or certificate of title. The affidavit shall be accompanied by a copy of the

thirty-day notice given by certified mail to any owner and person holding a valid security interest and a copy of the certified mail receipt indicating that the owner and lienholder of record was sent a notice as required in this section;

(3) A statement of the actual value of the expenditure of labor, services, skill or material, or the amount of storage due on the date of application for a certificate of ownership or certificate of title, and the amount which is unpaid; and

(4) A fee of ten dollars.

5. If the director is satisfied with the genuineness of the application, proof of lienholder notification in the form of a certified mail receipt, and supporting documents, and if no lienholder or the owner has redeemed the chattel or no satisfactory arrangement has been made concerning payment or continuation of storage, and if no owner or lienholder has informed the director that the owner or lienholder demands a hearing as provided in this section, the director shall issue, in the same manner as a repossessed title is issued, a certificate of ownership or certificate of title to the applicant which shall clearly be captioned "Lien Title".

6. Upon receipt of a lien title, the holder shall within ten days begin proceedings to sell the chattel as prescribed in section 430.100.

7. The provisions of section 430.110 shall apply to the disposition of proceeds, and the lienholder shall also be entitled to any actual and necessary expenses incurred in obtaining the lien title, including, but not limited to, court costs and reasonable attorney's fees."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1280**, entitled:

An act to amend chapter 537, RSMo, by adding thereto one new section relating to a peer review process for licensed architects, landscape architects, land surveyors, and engineers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS#2 HB 1323**, entitled:

An act to repeal sections 208.044, 210.135, 210.145, 210.211, and 210.245, RSMo, and to enact in lieu thereof seven new sections relating to the provision of child care services, with a penalty provision.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS HCS HB 1402, as amended**: Senators Stouffer, Kehoe, Ridgeway, Justus and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1498**, entitled:

An act to repeal sections 311.087, 311.089, 311.090, 311.093, 311.097, 311.098, 311.102, 311.104, 311.174, 311.176, 311.178, 311.196, 311.273, 311.293, 311.481, 311.485, and 311.486, RSMo, and to enact in lieu thereof eleven new sections relating to sales of intoxicating liquor.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1758**, entitled:

An act to repeal section 453.005, RSMo, and to enact in lieu thereof two new sections relating to rights of persons with parental relationships.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 470, as amended**: Senators Dixon, Mayer, Goodman, Justus and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 636, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

THIRD READING OF SENATE BILLS

SS SCS SB 689, relating to crimes against the elderly, was taken up by Representative Schad.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	White	Wieland	Wright	Wyatt
Zerr				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Holsman
Hubbard	Hummel	Kelly 24	Kirkton	Kratky
Lampe	Marshall	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Dieckhaus	Funderburk	Hodges	Hughes
Jones 63	Kander	McCaherty	McGhee	McManus
Meadows	Riddle	Shumake	Webb	Weter
Mr Speaker				

On motion of Representative Schad, **SS SCS SB 689** was truly agreed to and finally passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 002

Marshall	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 014

Dieckhaus	Funderburk	Hodges	Hughes	Jones 63
Kander	McCaherty	McGhee	McManus	Meadows
Riddle	Shumake	Webb	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

SS SB 607, relating to outdoor advertising, was taken up by Representative Burlison.

On motion of Representative Burlison, **SS SB 607** was truly agreed to and finally passed by the following vote:

AYES: 112

Asbury	Atkins	Barnes	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 041

Anders	Aull	Brown 50	Carlson	Carter
Colona	Ellinger	Ellington	Gosen	Holsman
Jones 63	Kander	Kelly 24	Kirkton	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols

Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 010

Allen	Bahr	Curtman	Funderburk	Hughes
McGhee	Meadows	Riddle	Shumake	Webb

Speaker Pro Tem Schoeller declared the bill passed.

HCS SCS SB 485, relating to security interests and liens, was taken up by Representative Kelly (24).

Representative Cierpiot offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 485, Page 4, Section 430.082, Line 66, by inserting after all of said section and line the following:

"430.240. No such lien shall be effective, however, unless a written notice containing the name and address of the injured person, the date of the accident, the name and location of the hospital and the name of the person or persons, firm or firms, corporation or corporations alleged to be liable to the injured party for the injuries received, shall be sent by **certified [**registered**]** mail with return receipt requested, to the person or persons, firm or firms, corporation or corporations, if known, alleged to be liable to the injured party, if known, for the injuries sustained prior to the payment of any moneys to such injured person, his attorneys or legal representative, as compensation for such injuries. Such hospital shall send by **certified [**registered**]** mail with return receipt requested a copy of such notice to any insurance carrier, if known, which has insured such person, firm or corporation against such liability."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1** was adopted.

Representative Wells offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 485, Page 1, Section A, Line 3, by inserting after all of said line the following:

"301.600. 1. Unless excepted by section 301.650, a lien or encumbrance on a motor vehicle or trailer, as defined by section 301.010, is not valid against subsequent transferees or lienholders of the motor vehicle or trailer who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 301.600 to 301.660.

2. Subject to the provisions of section 301.620, a lien or encumbrance on a motor vehicle or trailer is perfected by the delivery to the director of revenue of a notice of a lien in a format as prescribed by the director of revenue. The notice of lien is perfected as of the time of its creation if the delivery of such notice to the director of revenue is completed within thirty days thereafter, otherwise as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the motor vehicle or trailer and the secured party, a description of the motor vehicle or trailer, including the vehicle identification number, and such other information as the department of revenue may

prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of such notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

3. Notwithstanding the provisions of section 301.620, on a refinance **by a different lender** of a **prior** loan secured by a motor vehicle or trailer a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

4. To perfect a subordinate lien, the notice of lien must be accompanied by the documents required to be delivered to the director pursuant to subdivision (3) of section 301.620.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" on the notice of lien and noted on the certificate of ownership if the motor vehicle or trailer is subject to only one notice of lien. To secure future advances when an existing lien on a motor vehicle or trailer does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows: proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. If a motor vehicle or trailer is subject to a lien or encumbrance when brought into this state, the validity and effect of the lien or encumbrance is determined by the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrance attached that the motor vehicle or trailer would be kept in this state and it was brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state is determined by the law of this state;

(2) If the lien or encumbrance was perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by that jurisdiction, the lien or encumbrance continues perfected in this state three months after a first certificate of ownership of the motor vehicle or trailer is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period; in that case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the law of the jurisdiction where the motor vehicle or trailer was when the lien or encumbrance attached, it may be perfected in this state; in that case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection either as provided in subsection 2 or 4 of this section or by the lienholder delivering to the director of revenue a notice of lien or encumbrance in the form the director of revenue prescribes and the required fee.

7. By rules and regulations, the director of revenue shall establish a security procedure for the purpose of verifying that an electronic notice of lien or notice of satisfaction of a lien on a motor vehicle or trailer given as permitted in sections 301.600 to 301.640 is that of the lienholder, verifying that an electronic notice of confirmation of ownership and perfection of a lien given as required in section 301.610 is that of the director of revenue, and detecting error in the transmission or the content of any such notice. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself be a security procedure.

306.400. 1. As used in sections 306.400 to 306.440, the terms motorboat, vessel, and watercraft shall have the same meanings given them in section 306.010, and the term outboard motor shall include outboard motors governed by section 306.530.

2. Unless excepted by section 306.425, a lien or encumbrance on an outboard motor, motorboat, vessel, or watercraft shall not be valid against subsequent transferees or lienholders of the outboard motor, motorboat, vessel or watercraft, who took without knowledge of the lien or encumbrance unless the lien or encumbrance is perfected as provided in sections 306.400 to 306.430.

3. A lien or encumbrance on an outboard motor, motorboat, vessel or watercraft is perfected by the delivery to the director of revenue of a notice of lien in a format as prescribed by the director. Such lien or encumbrance shall be perfected as of the time of its creation if the delivery of the items required in this subsection to the director of revenue is completed within thirty days thereafter, otherwise such lien or encumbrance shall be perfected as of the time of the delivery. A notice of lien shall contain the name and address of the owner of the outboard motor, motorboat, vessel or watercraft and the secured party, a description of the outboard motor, motorboat, vessel or watercraft motor, including any identification number, and such other information as the department of revenue may prescribe. A notice of lien substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading. Provided the lienholder submits complete and legible documents, the director of revenue shall mail confirmation or electronically confirm receipt of each notice of lien to the lienholder as soon as possible, but no later than fifteen business days after the filing of the notice of lien.

4. Notwithstanding the provisions of section 306.410, on a refinance **by a different lender** of a **prior** loan secured by an outboard motor, motorboat, vessel or watercraft, a lien is perfected by the delivery to the director of revenue of a notice of lien completed by the refinancing lender in a format prescribed by the director of revenue.

5. Liens may secure future advances. The future advances may be evidenced by one or more notes or other documents evidencing indebtedness and shall not be required to be executed or delivered prior to the date of the future advance lien securing them. The fact that a lien may secure future advances shall be clearly stated on the security agreement and noted as "subject to future advances" in the second lienholder's portion of the notice of lien. To secure future advances when an existing lien on an outboard motor, motorboat, vessel or watercraft does not secure future advances, the lienholder shall file a notice of lien reflecting the lien to secure future advances. A lien to secure future advances is perfected in the same time and manner as any other lien, except as follows. Proof of the lien for future advances is maintained by the department of revenue; however, there shall be additional proof of such lien when the notice of lien reflects such lien for future advances, is receipted for by the department of revenue, and returned to the lienholder.

6. Whether an outboard motor, motorboat, vessel, or watercraft is subject to a lien or encumbrance shall be determined by the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, subject to the following:

(1) If the parties understood at the time the lien or encumbrances attached that the outboard motor, motorboat, vessel, or watercraft would be kept in this state and it is brought into this state within thirty days thereafter for purposes other than transportation through this state, the validity and effect of the lien or encumbrance in this state shall be determined by the laws of this state;

(2) If the lien or encumbrance was perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, the following rules apply:

(a) If the name of the lienholder is shown on an existing certificate of title or ownership issued by that jurisdiction, his or her lien or encumbrance continues perfected in this state;

(b) If the name of the lienholder is not shown on an existing certificate of title or ownership issued by the jurisdiction, the lien or encumbrance continues perfected in this state for three months after the first certificate of title of the outboard motor, motorboat, vessel, or watercraft is issued in this state, and also thereafter if, within the three-month period, it is perfected in this state. The lien or encumbrance may also be perfected in this state after the expiration of the three-month period, in which case perfection dates from the time of perfection in this state;

(3) If the lien or encumbrance was not perfected pursuant to the laws of the jurisdiction where the outboard motor, motorboat, vessel, or watercraft was when the lien or encumbrance attached, it may be perfected in this state, in which case perfection dates from the time of perfection in this state;

(4) A lien or encumbrance may be perfected pursuant to paragraph (b) of subdivision (2) or subdivision (3) of this subsection in the same manner as provided in subsection 3 of this section.

7. The director of revenue shall by rules and regulations establish a security procedure to verify that an electronic notice or lien or notice of satisfaction of a lien on an outboard motor, motorboat, vessel or watercraft given pursuant to sections 306.400 to 306.440 is that of the lienholder, to verify that an electronic notice of confirmation of ownership and perfection of a lien given pursuant to section 306.410 is that of the director of revenue and to detect error in the transmission or the content of any such notice. Such a security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures or similar security devices. Comparison of a signature on a communication with an authorized specimen signature shall not by itself constitute a security procedure.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 2** was adopted.

On motion of Representative Kelly (24), **HCS SCS SB 485, as amended**, was adopted.

On motion of Representative Kelly (24), **HCS SCS SB 485, as amended**, was read the third time and passed by the following vote:

AYES: 111

Allen	Anders	Aull	Bahr	Barnes
Bernskoetter	Black	Brandom	Brown 50	Brown 116
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McDonald
McGhee	McManus	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Quinn	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schupp	Shively	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Swinger	Talboy	Thomson	Wallingford	Webber
Wells	Weter	White	Wright	Wyatt
Zerr				

NOES: 039

Asbury	Atkins	Berry	Brattin	Brown 85
Burlison	Carter	Conway 27	Ellinger	Ellington
Fuhr	Holsman	Hummel	Jones 63	Jones 89
Kirkton	Leach	Marshall	May	McCann Beatty
McGeoghegan	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schoeller	Sifton	Spreng	Still	Taylor
Torpey	Walton Gray	Webb	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 013

Denison	Diehl	Funderburk	Guernsey	Hughes
McCreery	Meadows	Pollock	Redmon	Riddle
Shumake	Smith 71	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

HCS SCS SB 563, relating to higher education, was taken up by Representative Leach.

Representative Kelly (24) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 7, Section 173.300, Line 205, by inserting after all of said line the following:

"**173.480. 1. There is hereby created in the state treasury the "Higher Education Capital Fund", which shall consist of money collected under this section. The general assembly may appropriate moneys to the fund for the purpose of providing matching funds to public colleges or universities, as provided in this section.**

2. Moneys in the fund may be distributed to public colleges or universities in the form of matching funds for the funding of capital projects. The state shall not issue bonds to provide funding under this section. No moneys shall be distributed through the fund without a line item appropriation for a specific project. A public college or university may use the matching funds for new construction, rehabilitation, maintenance, renovation, or reconstruction. A public college or university shall not use any matching funds received pursuant to this section for any athletic facilities, parking structures, or student housing.

3. Any matching funds distributed under this section shall be limited to the amount of fifty percent of the project's cost. To qualify for matching funds, a public college or university shall complete an application to the commissioner of higher education and demonstrate that it has obtained fifty percent of the project's cost through private donations or grants. No funds from the higher education capital fund shall be made available to match funds that a public college or university has obtained from its operating budget, tuition, fees, the issuance of revenue bonds or general obligation bonds, or from any state appropriation.

4. The commissioner of higher education shall create an application and establish procedures for public colleges or universities to follow to receive matching funds under this section. The commissioner of higher education may promulgate rules and regulations to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. The commissioner of higher education shall administer the higher education capital fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section.

6. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

7. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

8. For purposes of this section, "public colleges or universities" shall mean any public community college, public college, or public university located in the state of Missouri."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Keeney assumed the Chair.

On motion of Representative Kelly (24), **House Amendment No. 1** was adopted.

Representative Richardson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 11, Section 174.450, Line 66, by inserting after all of said section and line the following:

"177.011. **1.** The title of all schoolhouse sites and other school property is vested in the district in which the property is located, or if the directors of both school districts involved agree, a school district may own property outside of the boundaries of the district and operate upon such property for school purposes; provided that, such property may only be used for school purposes for students residing in the school district owning such property or students who are enrolled in such school district as part of a court-ordered desegregation plan. All property leased or rented for school purposes shall be wholly under the control of the school board during such time. No board shall lease or rent any building for school purposes while the district schoolhouse is unoccupied, and no schoolhouse or school site shall be abandoned or sold until another site and house are provided for the school district.

2. Notwithstanding the provisions of section 178.770, the provisions of this section shall not apply to community college districts. Nothing in this subsection shall be construed to impair the duty and authority of the coordinating board for higher education to approve academic programs under section 173.005."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richardson, **House Amendment No. 2** was adopted.

Representative Wallingford offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 8, Section 173.670, Line 29, by deleting all of said line and inserting in lieu thereof the following:

"**provide Missouri middle school, junior high, and high school students with the opportunity to**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wallingford, **House Amendment No. 3** was adopted.

Representative Korman offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 8, Section 173.670, Line 34, by inserting immediately after said line the following:

"**173.1400. 1. The state of Missouri hereby authorizes accredited Missouri colleges and universities to issue on behalf of the state a document of school social work program verification and acknowledgment of completion to any individual who has obtained a degree in social work from an accredited college or university and who:**

(1) Holds a credential in school social work issued by a nationally recognized credentialing organization in social work; or

(2) Demonstrates competency in school social work by successful passage of a school social worker examination approved by the state committee for social workers established in section 337.622 and administered by the accredited college or university.

2. The department of higher education shall develop a form, available upon request to Missouri colleges and universities, containing the following information:

(1) The words "State of Missouri";

(2) The seal of the state of Missouri;

(3) A place for inclusion of the name of the issuing accredited Missouri college or university awarding the document;

(4) A statement of the criteria outlined in subsection 1 of this section;

(5) A place for inclusion of the name of the individual who has applied for the school social work program verification and acknowledgment of completion;

(6) A place for inclusion of the date of issuance;

(7) A place for the signatures of a college or university official and an official from the state department of higher education; and

(8) A footnote stating: "No person shall hold himself or herself out to be a social worker unless such person has met the requirements of section 337.604.".

3. The accredited Missouri college or university may issue a document on the state's behalf to any person making application as a credentialed school social worker provided such person meets the qualifications contained in this section."; and

Further amend said bill, Page 11, Section 174.450, Line 66, by inserting immediately after said line the following:

"**337.647. 1. The committee shall develop a school social work program verification and acknowledgment of completion for individuals who have met the requirements set forth in this section.**

2. The committee shall issue a document similar to the document described in subsection 2 of section 173.1400 to any individual who:

(1) Submits an application to the board;

(2) Holds a credential in school social work issued by a nationally recognized credentialing organization in social work, or demonstrates competency in school social work by successful passage of a school social worker exam approved by the committee;

(3) Holds a license issued by the committee; and

(4) Submits the fee as required by rule of the committee.

3. The committee shall promulgate rules and shall charge fees necessary to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

4. Notwithstanding any provision of law to the contrary, any school social work program verification and acknowledgment of completion issued by the committee under subsection 2 of this section shall not be deemed a license, certificate, registration or permit for any purpose, and such documents convey no authority to practice social work in Missouri and convey no authority to use any social work title in Missouri. Each school social work program verification and acknowledgment of completion issued by the committee under subsection 2 of this section shall state on its face that it:

(1) Is not a license, certificate, registration or permit;

(2) Conveys no authority to practice social work in Missouri; and

(3) Conveys no authority to use any social work title in Missouri.

5. Notwithstanding any provision of law to the contrary, school social work program verification and acknowledgment of completion issued by the committee under subsection 2 of this section shall not:

(1) Expire;

(2) Be subject to renewal;

(3) Be subject to denial or discipline under section 337.630;

(4) Be subject to suspension under section 324.010; or

(5) Be subject to any other action to which professional licenses may be subjected."; and

Further amend said bill, Page 18, Section B, Line 6, by inserting after all of said line the following:

"Section C. Because of the need to provide school social work program verification and acknowledgement of completion before the start of the 2012-2013 school year, the enactment of section 173.1400 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be

an emergency act within the meaning of the constitution, and the enactment of section 173.1400 of this act shall be in full force and effect upon its passage."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 4** was adopted.

Representative Koenig offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Section A, Page 1, Line 3, by inserting the following after all of said line:

"166.415. 1. There is hereby created the "Missouri Higher Education Savings Program". The program shall be administered by the Missouri higher education savings program board which shall consist of the Missouri state treasurer who shall serve as chairman, the commissioner of the department of higher education, the commissioner of the office of administration, the director of the department of economic development, two persons having demonstrable experience and knowledge in the areas of finance or the investment and management of public funds, one of whom is selected by the president pro tem of the senate and one of whom is selected by the speaker of the house of representatives, and one person having demonstrable experience and knowledge in the area of banking or deposit rate determination and placement of depository certificates of deposit or other deposit investments. Such member shall be appointed by the governor with the advice and consent of the senate. The three appointed members shall be appointed to serve for terms of four years from the date of appointment, or until their successors shall have been appointed and shall have qualified. The members of the board shall be subject to the conflict of interest provisions of section 105.452. Any member who violates the conflict of interest provisions shall be removed from the board. In order to establish and administer the savings program, the board, in addition to its other powers and authority, shall have the power and authority to:

(1) Develop and implement the Missouri higher education savings program and, notwithstanding any provision of sections 166.400 to 166.455 to the contrary, the savings programs and services consistent with the purposes and objectives of sections 166.400 to 166.455;

(2) Promulgate reasonable rules and regulations and establish policies and procedures to implement sections 166.400 to 166.455, to permit the savings program to qualify as a "qualified state tuition program" pursuant to Section 529 of the Internal Revenue Code and to ensure the savings program's compliance with all applicable laws;

(3) Develop and implement educational programs and related informational materials for participants, either directly or through a contractual arrangement with a financial institution for investment services, and their families, including special programs and materials to inform families with young children regarding methods for financing education and training beyond high school;

(4) Enter into agreements with any financial institution, the state or any federal or other agency or entity as required for the operation of the savings program pursuant to sections 166.400 to 166.455;

(5) Enter into participation agreements with participants;

(6) Accept any grants, gifts, legislative appropriations, and other moneys from the state, any unit of federal, state, or local government or any other person, firm, partnership, or corporation for deposit to the account of the savings program;

(7) Invest the funds received from participants in appropriate investment instruments to achieve long-term total return through a combination of capital appreciation and current income;

(8) Make appropriate payments and distributions on behalf of beneficiaries pursuant to participation agreements;

(9) Make refunds to participants upon the termination of participation agreements pursuant to the provisions, limitations, and restrictions set forth in sections 166.400 to 166.455 and the rules adopted by the board;

(10) Make provision for the payment of costs of administration and operation of the savings program;

(11) Effectuate and carry out all the powers granted by sections 166.400 to 166.455, and have all other powers necessary to carry out and effectuate the purposes, objectives and provisions of sections 166.400 to 166.455 pertaining to the savings program; and

(12) Procure insurance, guarantees or other protections against any loss in connection with the assets or activities of the savings program.

2. Any member of the board may designate a proxy for that member who will enjoy the full voting privileges of that member for the one meeting so specified by that member. No more than three proxies shall be considered members of the board for the purpose of establishing a quorum.

3. Four members of the board shall constitute a quorum. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board. No action shall be taken by the board except upon the affirmative vote of a majority of the members present.

4. The board shall meet within the state of Missouri at the time set at a previously scheduled meeting or by the request of any four members of the board. Notice of the meeting shall be delivered to all other trustees in person or by depositing notice in a United States post office in a properly stamped and addressed envelope not less than six days prior to the date fixed for the meeting. The board may meet at any time by unanimous mutual consent. There shall be at least one meeting in each quarter.

5. The funds shall be invested only in those investments which a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims, as provided in section 105.688. **For new contracts entered into after August 28, 2012, board members shall study investment plans of other states and contract with or negotiate to provide benefit options the same as or similar to other states' qualified plans for the purpose of offering additional options for members of the plan.** The board may delegate to duly appointed investment counselors authority to act in place of the board in the investment and reinvestment of all or part of the moneys and may also delegate to such counselors the authority to act in place of the board in the holding, purchasing, selling, assigning, transferring or disposing of any or all of the securities and investments in which such moneys shall have been invested, as well as the proceeds of such investments and such moneys. Such investment counselors shall be registered as investment advisors with the United States Securities and Exchange Commission. In exercising or delegating its investment powers and authority, members of the board shall exercise ordinary business care and prudence under the facts and circumstances prevailing at the time of the action or decision. No member of the board shall be liable for any action taken or omitted with respect to the exercise of, or delegation of, these powers and authority if such member shall have discharged the duties of his or her position in good faith and with that degree of diligence, care and skill which a prudent person acting in a like capacity and familiar with these matters would use in the conduct of an enterprise of a like character and with like aims.

6. No investment transaction authorized by the board shall be handled by any company or firm in which a member of the board has a substantial interest, nor shall any member of the board profit directly or indirectly from any such investment.

7. No trustee or employee of the savings program shall receive any gain or profit from any funds or transaction of the savings program. Any trustee, employee or agent of the savings program accepting any gratuity or compensation for the purpose of influencing such trustee's, employee's or agent's action with respect to the investment or management of the funds of the savings program shall thereby forfeit the office and in addition thereto be subject to the penalties prescribed for bribery."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Koenig, **House Amendment No. 5** was adopted.

Representative Webber offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 11, Section 174.450, Line 66, by inserting after all of said section and line the following:

"301.449. **[**Any**] Only a** community college or four-year public or private institution of higher education**, or a foundation or organization representing the college or institution,** located in the state of Missouri may **itself** authorize **or may by the director of revenue be authorized to use the school's [**the use of its**]** official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to such institution derived from this section, except reasonable administrative costs, shall be used for scholarship endowment or other academically related purposes. Any vehicle owner may annually apply to the institution for the use of the emblem. Upon annual

application and payment of an emblem use contribution to the institution, which shall be set by the governing body of the institution at an amount of at least twenty-five dollars, the institution shall issue to the vehicle owner, without further charge, an "emblem use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the seal, emblem or logo of the institution, to the vehicle owner.

The license plate authorized by this section shall use the school colors of the institution, and those colors shall be constructed upon the license plate using a process to ensure that the school emblem shall be displayed upon the license plate in the clearest and most attractive manner possible. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. The license plate authorized by this section shall be issued with a design approved by both the institution of higher education and the advisory committee established in section 301.129. A vehicle owner, who was previously issued a plate with an institutional emblem authorized by this section and does not provide an emblem use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the institutional emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms including establishing a minimum number of license plates which can be issued with the authorized emblem of a participating institution.

301.3150. 1. An organization, other than an organization seeking a special military license plate **or a collegiate or university plate**, that seeks authorization to establish a new specialty license plate shall initially petition the department of revenue by submitting the following:

(1) An application in a form prescribed by the director for the particular specialty license plate being sought, describing the proposed specialty license plate in general terms and have a sponsor of at least one current member of the general assembly **in the same legislative session in which the application is reviewed pursuant to subsection 5 of section 21.795, RSMo**. The application may contain written testimony for support of this specialty plate;

(2) Each application submitted pursuant to this section shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate if the specialty plate is approved pursuant to this section;

(3) An application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing and programming the implementation of the specialty plate, if authorized; and

(4) All moneys received by the department of revenue, for the reviewing and development of specialty plates shall be deposited in the state treasury to the credit of the "Department of Revenue Specialty Plate Fund" which is hereby created. The state treasurer shall be custodian of the fund and shall make disbursements from the fund requested by the Missouri director of revenue for personal services, expenses, and equipment required to prepare, review, develop, and disseminate a new specialty plate and process the two hundred applications to be submitted once the plate is approved and to refund deposits for the application of such specialty plate, if the application is not approved by the joint committee on transportation oversight and for no other purpose.

2. At the end of each state fiscal year, the director of revenue shall:

(1) Determine the amount of all moneys deposited into the department of revenue specialty plate fund;

(2) Determine the amount of disbursements from the department of revenue specialty plate fund which were made to produce the specialty plate and process the two hundred applications; and

(3) Subtract the amount of disbursements from the income figure referred to in subdivision (1) of this subsection and deliver this figure to the state treasurer.

3. The state treasurer shall transfer an amount of money equal to the figure provided by the director of revenue from the department of revenue specialty plate fund to the state highway department fund. An unexpended balance in the department of revenue specialty plate fund at the end of the biennium not exceeding twenty-five thousand dollars shall be exempt from the provisions of section 33.080 relating to transfer of unexpended balances to the general revenue fund.

4. The documents and fees required pursuant to this section shall be submitted to the department of revenue by July first prior to the next regular session of the general assembly to be approved or denied by the joint committee on transportation oversight during that legislative session.

5. The department of revenue shall give notice of any proposed specialty plate in a manner reasonably calculated to advise the public of such proposal. Reasonable notice shall include posting the proposal for the specialty plate on the department's official public website, and making available copies of the specialty plate application to any representative of the news media or public upon request and posting the application on a bulletin board or other

prominent public place which is easily accessible to the public and clearly designated for that purpose at the principal office.

6. Adequate notice conforming with all the requirements of subsection 5 of this section shall be given not less than four weeks, exclusive of weekends and holidays when the facility is closed, after the submission of the application by the organization to the department of revenue. Written or electronic testimony in support or opposition of the proposed specialty plate shall be submitted to the department of revenue by November thirtieth of the year of filing of the original proposal. All written testimony shall contain the printed name, signature, address, phone number, and email address, if applicable, of the individual giving the testimony.

7. The department of revenue shall submit for approval all applications for the development of specialty plates to the joint committee on transportation oversight during a regular session of the general assembly for approval.

8. If the specialty license plate requested by an organization is approved by the joint committee on transportation oversight, the organization shall submit the proposed art design for the specialty license plate to the department as soon as practicable, but no later than sixty days after the approval of the specialty license plate. If the specialty license plate requested by the organization is not approved by the joint committee on transportation oversight, ninety-seven percent of the application fee shall be refunded to the requesting organization.

9. An emblem-use authorization fee may be charged by the organization prior to the issuance of an approved specialty plate. The organization's specialty plate proposal approved by the joint committee on transportation oversight shall state what fee is required to obtain such statement and if such fee is required annually or biennially, if the applicant has a two-year registration. An organization applying for specialty plates shall authorize the use of its official emblem to be affixed on multiyear personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the organization derived from the emblem-use contribution, except reasonable administrative costs, shall be used solely for the purposes of the organization. Any member of the organization or nonmember, if applicable, may annually apply for the use of the emblem, if applicable.

10. The department shall begin production and distribution of each new specialty license plate within one year after approval of the specialty license plate by the joint committee on transportation oversight.

11. The department shall issue a specialty license plate to the owner who meets the requirements for issuance of the specialty plate for any motor vehicle such owner owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

12. Each new or renewed application for an approved specialty license plate shall be made to the department of revenue, accompanied by an additional fee of fifteen dollars and the appropriate emblem-use authorization statement.

13. The appropriate registration fees, fifteen dollar specialty plate fee, processing fees and documents otherwise required for the issuance of registration of the motor vehicle as set forth by law must be submitted at the time the specialty plates are actually issued and renewed or as otherwise provided by law. However, no additional fee for the personalization of this plate shall be charged.

14. Once a specialty plate design is approved, a request for such plate may be made any time during a registration period. If a request is made for a specialty license plate to replace a current valid license plate, all documentation, credits, and fees provided for in this chapter when replacing a current license plate shall apply.

15. A vehicle owner who was previously issued a plate with an organization emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration if required, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law.

16. Specialty license plates shall bear a design approved by the organization submitting the original application for approval by the joint committee on transportation oversight. The design shall be within the plate area prescribed by the director of revenue, and the designated organization's name or slogan shall be in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130 and as provided in this section.

In addition to a design, the specialty license plates shall be in accordance with criteria and plate design set forth in this chapter.

17. The department is authorized to discontinue the issuance and renewal of a specialty license plate if the organization has stopped providing services and emblem-use authorization statements are no longer being issued by the organization. Such organizations shall notify the department immediately to discontinue the issuance of a specialty plate.

18. The organization that requested the specialty license plate shall not redesign the specialty personalized license plate unless such organization pays the director in advance all redesigned plate fees. All plate holders of such plates must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schneider
Schoeller	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Carter	Curtman	Day	Diehl
Dugger	Franklin	Funderburk	Hughes	Meadows
Riddle	Scharnhorst	Shumake	Wells	

On motion of Representative Webber, **House Amendment No. 6** was adopted.

Representative Torpey offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 563, Page 11, Section 174.450, Line 66, by inserting after all of said section and line, the following:

"**620.2400. 1. There is hereby established the "Missouri Entrepreneur Resource Virtual Network (MERVN)" to be managed by Missouri small business and technology development centers. The centers shall seek sufficient private sector funding to develop, maintain, and market a virtual network to provide seamless access to statewide resources and expertise for entrepreneurs and existing businesses using private sector funding. Private sector funding shall be for general support of the virtual network and shall not be used to sponsor specific portions of the network. The network shall disclose the value of the donations and names of private sector organizations providing funding for the network. The network shall provide resources for small businesses regarding requirements for starting a business. The network shall connect Missouri entrepreneurs to available state and nonstate supported services and technical assistance. In developing and maintaining the network, the centers shall ensure that all listed resources meet established standards. The goal of the network is to assist in the creation of new Missouri ventures, the growth of existing businesses, and the ability of Missouri entrepreneurs to compete globally. To the greatest extent possible, the network shall be built on and linked to existing resources designed to make business assistance resources more accessible to Missouri businesses.**

2. The network must have specific sections containing information for anyone considering starting a business, information for anyone that has decided to start a Missouri business, information about expanding a Missouri business, information about moving a business to Missouri from another state, and information about moving a business to Missouri from another country, with links to each section prominently displayed on the website home page. Missouri small business and technology development centers must apply search engine optimization to the website's content to achieve top search engine rankings.

3. Any portion of the network that involves state information systems or state websites is subject to the authority of the centers, including, but not limited to:

(1) Evaluation and approval;

(2) Review to ensure compliance with security policies, guidelines, and standards; and

(3) Assurance of compliance with accessibility standards.

3. By September 30, 2012, the centers shall report to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over economic development and state government finances on the centers' plans and progress toward the development of the network under this section. Included in the report shall be detailed information on donations received and expenditures by the Missouri small business and technology development centers on the MERVN."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 7** was adopted.

Representative Loehner moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher

Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gosen	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
McCaherty	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Cauthorn	Diehl	Funderburk	Gatschenberger
Grisamore	Hughes	Long	McGhee	Meadows
Riddle	Scharnhorst	Shumake	Talboy	Mr Speaker

On motion of Representative Leach, **HCS SCS SB 563, as amended**, was adopted.

On motion of Representative Leach, **HCS SCS SB 563, as amended**, was read the third time and passed by the following vote:

AYES: 151

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Frederick	Fuhr	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89

Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Carter	Cauthorn	Diehl	Flanigan
Funderburk	Gatschenberger	Grisamore	Hughes	Meadows
Riddle	Shumake			

Representative Keeney declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 119

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Brandom	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Harris
Higdon	Hinson	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McDonald	McGeoghegan
McGhee	McNary	McNeil	Molendorp	Nance
Nasheed	Neth	Nolte	Oxford	Pace
Phillips	Quinn	Redmon	Reiboldt	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Sifton	Silvey	Smith 71	Smith 150
Solon	Spreng	Still	Stream	Swearingen

Swinger	Thomson	Torpey	Wallingford	Webb
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 030

Bahr	Berry	Black	Brattin	Carlson
Colona	Ellinger	Ellington	Hampton	Hodges
Hummel	Jones 63	Kirkton	Lasater	Marshall
May	McCann Beatty	McCreery	McManus	Montecillo
Morgan	Newman	Nichols	Parkinson	Pierson
Schupp	Sommer	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Carter	Cauthorn	Denison	Diehl
Flanigan	Funderburk	Hughes	Jones 117	Meadows
Pollock	Richardson	Riddle	Shumake	

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS SCS HCS HB 1402: Representatives Burlison, Torpey, Silvey, Talboy and Carlson
HCS SS SCS SB 470: Representatives Burlison, Smith (150), Denison, Meadows and Fallert

THIRD READING OF SENATE BILLS

SB 599, relating to gifted education, was taken up by Representative Dieckhaus.

Representative Fitzwater offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 599, Page 2, Section 160.522, Line 51, by inserting after all of said section and line the following:

"**163.024. All moneys received in the Iron County School Fund, Reynolds County School Fund, Jefferson County School Fund, and Washington County School Fund from the payment of a civil penalty pursuant to a consent decree filed in the United States district court for the eastern district of Missouri in December 2012 in the case of *United States of America and State of Missouri v. the Doe Run Resources Corporation d/b/a "The Doe Run Company," and the Buick Resource Recycling Facility, LLC*, because of environmental violations shall not be included in any district's "local effort" figure, as such term is defined in section 163.011. The provisions of this section shall terminate on July 1, 2016.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 1** was adopted.

Representative Smith (150) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND Senate Bill No. 599, Page 2, Section 160.522, Line 51, by inserting after all of said section and line the following:

"**Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.**

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to Senate Bill No. 599, Page 1, Line 21, by inserting after all of said line the following:

'Further amend said bill, Page 2, Section 160.522, Line 51, by inserting after all of said section and line the following:

"178.530. **1.** The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational

education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Smith (150), **House Amendment No. 2, as amended**, was adopted.

Representative Stream offered **House Amendment No. 3**.

House Amendment No. 3

AMEND Senate Bill No. 599, Page 2, Section 160.522, Line 51, by inserting after all of said line the following:

"**170.310. 1. For school year 2014-15, and each school year thereafter, no pupil shall receive a certificate of graduation from any public, charter, or private school unless he or she has satisfactorily participated in instruction in cardiopulmonary resuscitation meeting the standards established in this section. Students with disabilities shall participate to the extent appropriate as determined by the provisions of the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.**

2. Beginning in school year 2014-15, schools serving grades nine through twelve shall provide enrolled students instruction in cardiopulmonary resuscitation. Instruction may be embedded in any health education course. Instruction shall be based on a program established by the American Heart Association or the American Red Cross, or through a nationally recognized program based on the most current national evidence-based emergency cardiovascular care guidelines, and psychomotor skills development shall be incorporated into the instruction. For purposes of this section, "psychomotor skills" means the use of hands-on practicing and skills testing to support cognitive learning.

3. The teacher of the cardiopulmonary resuscitation course or unit shall not be required to be a certified trainer of cardiopulmonary resuscitation if the instruction is not designed to result in certification of students. Instruction that is designed to result in certification being earned shall be required to be taught by an authorized cardiopulmonary instructor. Schools may develop agreements with any local chapter of a voluntary organization of first responders to provide the required hands-on practice and skills testing.

4. The department of elementary and secondary education may promulgate rules to implement this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. The requirements of this section shall not apply to a private school that objects on religious grounds, provided the school maintains its own personnel trained in cardiopulmonary resuscitation."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Bahr offered **House Amendment No. 1 to House Amendment No. 3**.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to Senate Bill No. 599, Page 1, Line 5, by removing all of said line and inserting in lieu thereof the following:

"**from any public or charter school unless he or she has**"; and

Further amend said amendment, Page 2, Lines 17-20, by removing all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bahr, **House Amendment No. 1 to House Amendment No. 3** was adopted.

Representative Neth offered **House Amendment No. 2 to House Amendment No. 3**.

House Amendment No. 2
to
House Amendment No. 3

AMEND House Amendment No. 3 to Senate Bill No. 599, Page 1, Line 3, by deleting said line and inserting in lieu thereof the following:

"**170.045. 1. Any public school may offer one or more courses in ballroom dance, square dance, or country dance. These activities shall be treated as a qualified physical education activity and as a fine arts activity for academic credit granting and receiving purposes when offered by a public school.**

2. Any student enrolled in a public school in this state that offers a ballroom dance, square dance, or country dance course or courses may earn academic credit for such course by completing the course with a passing grade.

3. Academic credit received for taking a ballroom dance, square dance, or country dance course shall be counted toward satisfaction of any physical education or fine arts requirements of the public school, including any entrance requirements of any public institution of higher education.

170.310. 1. For school year 2014-15, and each school year"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Neth, **House Amendment No. 2 to House Amendment No. 3** was adopted.

Representative Hough offered **House Amendment No. 3 to House Amendment No. 3**.

Representative Lampe raised a point of order that **House Amendment No. 3 to House Amendment No. 3** goes beyond the scope of the bill.

Representative Keeney requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Stream, **House Amendment No. 3, as amended**, was adopted.

Representative Burlison offered **House Amendment No. 4**.

House Amendment No. 4

AMEND Senate Bill No. 599, Page 2, Section 160.522, Line 31, by inserting immediately after the word "**program.**" the following:

"**Data collected on gifted students shall be collected in such a manner as to make possible tracking postsecondary outcomes of such students, so that comparisons can be made between gifted students who participate in state-approved gifted programs and services and gifted students who do not participate in such programs or services.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nasheed offered **House Amendment No. 1 to House Amendment No. 4**.

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to Senate Bill No. 599, Page 1, Line 6, by inserting after all of said line the following:

'Further amend said bill, section and page, Line 51, by inserting after all of said line the following:

"**167.780. 1. Prior to the end of the student's seventh grade year, and in conjunction with the student's parent or guardian, each school district shall be responsible for ensuring that each student develops a personal plan of study based upon standards adopted under this section.**

2. The school district shall adopt all necessary policies to implement a comprehensive guidance and counseling program focusing on career awareness in the elementary grades, career exploration at the middle grades, and educational and career planning at the high school level, with the goal of ensuring that all students will possess the knowledge and skills to develop and implement a personal plan of study.

3. The school district policy shall include, but not be limited to, the following elements:

(1) Active participation by counselors, teachers, administrators, as well as involvement of the student's parent or guardian in the development, review and revision of personal plans of study;

(2) Adequate resources and training for the development of personal plans of study;

(3) Adequate time and opportunity for schools to implement the individual planning process required in the development of personal plans of study;

(4) Access to the statewide, web-based educational and career planning system sponsored by the department of elementary and secondary education; and

(5) Opportunities for community involvement in the program, including activities such as job shadowing, volunteer experience, and internship experiences related to the educational and career goals of the student.

4. The personal plan of study shall be reviewed at least annually by school personnel and the student's parent or guardian and updated based upon the needs of the student. Each plan shall cover a term of eight years or until the student has reached his or her post-secondary goals, with implementation of the plan of study transferring to the program of post-secondary education or training upon the student's graduation. The plan shall include, but not be limited to:

(1) Requirements for graduation from the school district;

(2) Career or post-secondary goals based on career paths or career clusters;

(3) Course work or program of study related to career and post-secondary goals;

(4) Grade-appropriate, career-related experiences, as outlined in the grade level expectations of the Missouri Comprehensive Guidance Program;

(5) Student assessments, interest inventories or academic results needed to develop, review, and revise the personal plan of study; and

(6) Opportunities for a post-secondary experience based on the results of well-planned exploration and knowledge of all post-secondary opportunities including but not limited to on-site or virtual visits, internship, exploration and planning for financial aid, dual and articulated credit, advanced placement course work and other relevant experiences, as appropriate.

5. Except for transferring the implementation of a student's personal plan on to a training program or higher education institution, nothing in this section shall require a district to be responsible for maintaining or updating a student's personal plan or meeting the annual meeting requirement when the student is no longer enrolled in the district.

6. Notwithstanding any provision of this section, when a student leaves a district, a copy of the student's personal plan shall be made available to the student or student's parents for their review, implementation, and development."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nasheed, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Burlison, **House Amendment No. 4, as amended**, was adopted.

Representative Franz offered **House Amendment No. 5**.

House Amendment No. 5

AMEND Senate Bill No. 599, Page 1, Section A, Line 2, by inserting after all of said section and line, the following:

"160.261. 1. The local board of education of each school district shall clearly establish a written policy of discipline, including the district's determination on the use of corporal punishment and the procedures in which punishment will be applied. A written copy of the district's discipline policy and corporal punishment procedures, if applicable, shall be provided to the pupil and parent or legal guardian of every pupil enrolled in the district at the beginning of each school year and also made available in the office of the superintendent of such district, during normal business hours, for public inspection. All employees of the district shall annually receive instruction related to the specific contents of the policy of discipline and any interpretations necessary to implement the provisions of the policy in the course of their duties, including but not limited to approved methods of dealing with acts of school violence, disciplining students with disabilities and instruction in the necessity and requirements for confidentiality.

2. The policy shall require school administrators to report acts of school violence to all teachers at the attendance center and, in addition, to other school district employees with a need to know. For the purposes of this chapter or chapter 167, "need to know" is defined as school personnel who are directly responsible for the student's education or who otherwise interact with the student on a professional basis while acting within the scope of their assigned duties. As used in this section, the phrase "act of school violence" or "violent behavior" means the exertion of physical force by a student with the intent to do serious physical injury as defined in subdivision (6) of section 565.002 to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. The policy shall at a minimum require school administrators to report, as soon as reasonably practical, to the appropriate law enforcement agency any of the following crimes, or any act which if committed by an adult would be one of the following crimes:

(1) First degree murder under section 565.020;
(2) Second degree murder under section 565.021;
(3) Kidnapping under section 565.110;
(4) First degree assault under section 565.050;
(5) Forcible rape under section 566.030;
(6) Forcible sodomy under section 566.060;
(7) Burglary in the first degree under section 569.160;
(8) Burglary in the second degree under section 569.170;
(9) Robbery in the first degree under section 569.020;

(10) Distribution of drugs under section 195.211;
(11) Distribution of drugs to a minor under section 195.212;
(12) Arson in the first degree under section 569.040;
(13) Voluntary manslaughter under section 565.023;
(14) Involuntary manslaughter under section 565.024;
(15) Second degree assault under section 565.060;
(16) Sexual assault under section 566.040;
(17) Felonious restraint under section 565.120;
(18) Property damage in the first degree under section 569.100;
(19) The possession of a weapon under chapter 571;
(20) Child molestation in the first degree pursuant to section 566.067;
(21) Deviate sexual assault pursuant to section 566.070;
(22) Sexual misconduct involving a child pursuant to section 566.083;
(23) Sexual abuse pursuant to section 566.100;
(24) Harassment under section 565.090; or
(25) Stalking under section 565.225; committed on school property, including but not limited to actions on any school bus in service on behalf of the district or while involved in school activities. The policy shall require that any portion of a student's individualized education program that is related to demonstrated or potentially violent behavior shall be provided to any teacher and other school district employees who are directly responsible for the student's education or who otherwise interact with the student on an educational basis while acting within the scope of their assigned duties. The policy shall also contain the consequences of failure to obey standards of conduct set by the local board of education, and the importance of the standards to the maintenance of an atmosphere where orderly learning is possible and encouraged.

3. The policy shall provide that any student who is on suspension for any of the offenses listed in subsection 2 of this section or any act of violence or drug-related activity defined by school district policy as a serious violation of school discipline pursuant to subsection 9 of this section shall have as a condition of his or her suspension the requirement that such student is not allowed, while on such suspension, to be within one thousand feet of any school property in the school district where such student attended school or any activity of that district, regardless of whether or not the activity takes place on district property unless:

(1) Such student is under the direct supervision of the student's parent, legal guardian, or custodian and the superintendent or the superintendent's designee has authorized the student to be on school property;

(2) Such student is under the direct supervision of another adult designated by the student's parent, legal guardian, or custodian, in advance, in writing, to the principal of the school which suspended the student and the superintendent or the superintendent's designee has authorized the student to be on school property;

(3) Such student is enrolled in and attending an alternative school that is located within one thousand feet of a public school in the school district where such student attended school; or

(4) Such student resides within one thousand feet of any public school in the school district where such student attended school in which case such student may be on the property of his or her residence without direct adult supervision.

4. Any student who violates the condition of suspension required pursuant to subsection 3 of this section may be subject to expulsion or further suspension pursuant to the provisions of sections 167.161, 167.164, and 167.171. In making this determination consideration shall be given to whether the student poses a threat to the safety of any child or school employee and whether such student's unsupervised presence within one thousand feet of the school is disruptive to the educational process or undermines the effectiveness of the school's disciplinary policy. Removal of any pupil who is a student with a disability is subject to state and federal procedural rights. This section shall not limit a school district's ability to:

(1) Prohibit all students who are suspended from being on school property or attending an activity while on suspension;

(2) Discipline students for off-campus conduct that negatively affects the educational environment to the extent allowed by law.

5. The policy shall provide for a suspension for a period of not less than one year, or expulsion, for a student who is determined to have brought a weapon to school, including but not limited to the school playground or the school parking lot, brought a weapon on a school bus or brought a weapon to a school activity whether on or off of the school property in violation of district policy, except that:

(1) The superintendent or, in a school district with no high school, the principal of the school which such child attends may modify such suspension on a case-by-case basis; and

(2) This section shall not prevent the school district from providing educational services in an alternative setting to a student suspended under the provisions of this section.

6. For the purpose of this section, the term "weapon" shall mean a firearm as defined under 18 U.S.C. 921 and the following items, as defined in section 571.010: a blackjack, a concealable firearm, an explosive weapon, a firearm, a firearm silencer, a gas gun, a knife, knuckles, a machine gun, a projectile weapon, a rifle, a shotgun, a spring gun or a switchblade knife; except that this section shall not be construed to prohibit a school board from adopting a policy to allow a Civil War reenactor to carry a Civil War era weapon on school property for educational purposes so long as the firearm is unloaded. The local board of education shall define weapon in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.

7. All school district personnel responsible for the care and supervision of students are authorized to hold every pupil strictly accountable for any disorderly conduct in school or on any property of the school, on any school bus going to or returning from school, during school-sponsored activities, or during intermission or recess periods.

8. Teachers and other authorized district personnel in public schools responsible for the care, supervision, and discipline of schoolchildren, including volunteers selected with reasonable care by the school district, shall not be civilly liable when acting in conformity with the established policies developed by each board, including but not limited to policies of student discipline or when reporting to his or her supervisor or other person as mandated by state law acts of school violence or threatened acts of school violence, within the course and scope of the duties of the teacher, authorized district personnel or volunteer, when such individual is acting in conformity with the established policies developed by the board. Nothing in this section shall be construed to create a new cause of action against such school district, or to relieve the school district from liability for the negligent acts of such persons.

9. Each school board shall define in its discipline policy acts of violence and any other acts that constitute a serious violation of that policy. "Acts of violence" as defined by school boards shall include but not be limited to exertion of physical force by a student with the intent to do serious bodily harm to another person while on school property, including a school bus in service on behalf of the district, or while involved in school activities. School districts shall for each student enrolled in the school district compile and maintain records of any serious violation of the district's discipline policy. Such records shall be made available to teachers and other school district employees with a need to know while acting within the scope of their assigned duties, and shall be provided as required in section 167.020 to any school district in which the student subsequently attempts to enroll.

10. Spanking, when administered by certificated personnel and in the presence of a witness who is an employee of the school district, or the use of reasonable force to protect persons or property, when administered by personnel of a school district in a reasonable manner in accordance with the local board of education's written policy of discipline, is not abuse within the meaning of chapter 210. The provisions of sections 210.110 to 210.165 notwithstanding, the children's division shall not have jurisdiction over or investigate any report of alleged child abuse arising out of or related to the use of reasonable force to protect persons or property when administered by personnel of a school district or any spanking administered in a reasonable manner by any certificated school personnel in the presence of a witness who is an employee of the school district pursuant to a written policy of discipline established by the board of education of the school district, as long as no allegation of sexual misconduct arises from the spanking or use of force.

11. If a student reports alleged sexual misconduct on the part of a teacher or other school employee to a person employed in a school facility who is required to report such misconduct to the children's division under section 210.115, such person and the superintendent of the school district shall forward the allegation to the children's division within twenty-four hours of receiving the information. Reports made to the children's division under this subsection shall be investigated by the division in accordance with the provisions of sections 210.145 to 210.153 and shall not be investigated by the school district under subsections 12 to 20 of this section for purposes of determining whether the allegations should or should not be substantiated. The district may investigate the allegations for the purpose of making any decision regarding the employment of the accused employee.

12. Upon receipt of any reports of child abuse by the children's division other than reports provided under subsection 11 of this section, pursuant to sections 210.110 to 210.165 which allegedly involve personnel of a school district, the children's division shall notify the superintendent of schools of the district or, if the person named in the alleged incident is the superintendent of schools, the president of the school board of the school district where the alleged incident occurred.

13. If, after an initial investigation, the superintendent of schools or the president of the school board finds that the report involves an alleged incident of child abuse other than the administration of a spanking by certificated school personnel or the use of reasonable force to protect persons or property when administered by school personnel pursuant to a written policy of discipline or that the report was made for the sole purpose of harassing a public school employee, the superintendent of schools or the president of the school board shall immediately refer the matter back to the children's

division and take no further action. In all matters referred back to the children's division, the division shall treat the report in the same manner as other reports of alleged child abuse received by the division.

14. If the report pertains to an alleged incident which arose out of or is related to a spanking administered by certificated personnel or the use of reasonable force to protect persons or property when administered by personnel of a school district pursuant to a written policy of discipline or a report made for the sole purpose of harassing a public school employee, a notification of the reported child abuse shall be sent by the superintendent of schools or the president of the school board to the **[**juvenile officer of**]** **law enforcement in** the county in which the alleged incident occurred.

15. The report shall be jointly investigated by the **[**juvenile officer or a**]** law enforcement officer **[**designated by the juvenile officer**]** and the superintendent of schools or, if the subject of the report is the superintendent of schools, by **[**the juvenile officer or**]** a law enforcement officer **[**designated by the juvenile officer**]** and the president of the school board or such president's designee.

16. The investigation shall begin no later than forty-eight hours after notification from the children's division is received, and shall consist of, but need not be limited to, interviewing and recording statements of the child and the child's parents or guardian within two working days after the start of the investigation, of the school district personnel allegedly involved in the report, and of any witnesses to the alleged incident.

17. The **[**juvenile officer or a**]** law enforcement officer **[**designated by the juvenile officer**]** and the investigating school district personnel shall issue separate reports of their findings and recommendations after the conclusion of the investigation to the school board of the school district within seven days after receiving notice from the children's division.

18. The reports shall contain a statement of conclusion as to whether the report of alleged child abuse is substantiated or is unsubstantiated.

19. The school board shall consider the separate reports referred to in subsection 17 of this section and shall issue its findings and conclusions and the action to be taken, if any, within seven days after receiving the last of the two reports. The findings and conclusions shall be made in substantially the following form:

(1) The report of the alleged child abuse is unsubstantiated. The **[**juvenile officer or a**]** law enforcement officer **[**designated by the juvenile officer**]** and the investigating school board personnel agree that there was not a preponderance of evidence to substantiate that abuse occurred;

(2) The report of the alleged child abuse is substantiated. The **[**juvenile officer or a**]** law enforcement officer **[**designated by the juvenile officer**]** and the investigating school district personnel agree that the preponderance of evidence is sufficient to support a finding that the alleged incident of child abuse did occur;

(3) The issue involved in the alleged incident of child abuse is unresolved. The **[**juvenile officer or a**]** law enforcement officer **[**designated by the juvenile officer**]** and the investigating school personnel are unable to agree on their findings and conclusions on the alleged incident.

20. The findings and conclusions of the school board under subsection 19 of this section shall be sent to the children's division. If the findings and conclusions of the school board are that the report of the alleged child abuse is unsubstantiated, the investigation shall be terminated, the case closed, and no record shall be entered in the children's division central registry. If the findings and conclusions of the school board are that the report of the alleged child abuse is substantiated, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school district and shall include the information in the division's central registry. If the findings and conclusions of the school board are that the issue involved in the alleged incident of child abuse is unresolved, the children's division shall report the incident to the prosecuting attorney of the appropriate county along with the findings and conclusions of the school board, however, the incident and the names of the parties allegedly involved shall not be entered into the central registry of the children's division unless and until the alleged child abuse is substantiated by a court of competent jurisdiction.

21. Any superintendent of schools, president of a school board or such person's designee or **[**juvenile**]** **law enforcement** officer who knowingly falsifies any report of any matter pursuant to this section or who knowingly withholds any information relative to any investigation or report pursuant to this section is guilty of a class A misdemeanor.

22. In order to ensure the safety of all students, should a student be expelled for bringing a weapon to school, violent behavior, or for an act of school violence, that student shall not, for the purposes of the accreditation process of the Missouri school improvement plan, be considered a dropout or be included in the calculation of that district's educational persistence ratio."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 5** was adopted.

On motion of Representative Dieckhaus, **SB 599, as amended**, was read the third time and passed by the following vote:

AYES: 144

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Quinn
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Wells	Weter
Wieland	Wright	Wyatt	Zerr	

NOES: 009

Asbury	Brattin	Burlison	Koenig	Lasater
Marshall	Pollock	Schad	White	

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Funderburk	Grisamore	Hughes	Meadows
Oxford	Redmon	Riddle	Shumake	Mr Speaker

Representative Keeney declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 116

Allen	Aull	Barnes	Bernskoetter	Berry
Black	Brandom	Brown 50	Brown 85	Brown 116
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McDonald	McManus	McNary	Molendorp	Morgan
Nance	Nasheed	Neth	Nolte	Phillips
Quinn	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Silvey	Smith 71
Smith 150	Solon	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 031

Anders	Asbury	Atkins	Bahr	Brattin
Burlison	Colona	Ellington	Koenig	Lasater
Marshall	May	McCreery	McGeoghegan	McNeil
Montecillo	Newman	Nichols	Oxford	Pace
Parkinson	Pierson	Rizzo	Schupp	Sifton
Sommer	Spreng	Still	Taylor	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 016

Carlson	Carter	Curtman	Ellinger	Funderburk
Grisamore	Hughes	McGhee	Meadows	Pollock
Redmon	Riddle	Scharnhorst	Shumake	Webber
Mr Speaker				

HCS SCS SB 631, relating to agriculture, was taken up by Representative Reiboldt.

Representative Reiboldt offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 20, Section 537.850, Line 1, by deleting the number "**537.862**" and inserting in lieu thereof the number "**537.859**"; and

Further amend said bill, page and section, Line 26, by deleting the number "**537.853**" and inserting in lieu thereof the number **"261.230**"; and

Further amend said bill, Page 21, Section 537.856, Line 22, by deleting the phrase "**section 537.853**" and inserting in lieu thereof the words "**subdivision (6) of subsection 2 of section 537.850**"; and

Further amend said bill, page, section and line, by deleting the number "**537.862**" and inserting in lieu thereof the number "**537.859**"; and

Further amend said bill, Page 22, Section 537.859, Line 8, by deleting the number "**537.862**" and inserting in lieu thereof the number "**537.859**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Reiboldt, **House Amendment No. 1** was adopted.

Representative Guernsey offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 18, Section 304.180, Line 133, by inserting after all of said section and line the following:

"350.015. After September 28, 1975, no corporation not already engaged in farming shall engage in farming; nor shall any corporation, directly or indirectly, acquire, or otherwise obtain an interest, whether legal, beneficial or otherwise, in any title to agricultural land in this state; provided, however, that the restrictions set forth in this section shall not apply to the following:

(1) A bona fide encumbrance taken for purposes of security;

(2) A family farm corporation or an authorized farm corporation as defined in section 350.010;

(3) Agricultural land and land capable of being used for farming owned by a corporation as of September 28, 1975, including the normal expansion of such ownership at a rate not to exceed twenty percent, measured in acres, in any five-year period, or agricultural land and land capable of being used for farming which is leased by a corporation in an amount, measured in acres, not to exceed the acreage under lease to such corporation as of September 28, 1975, and the additional acreage for normal expansion at a rate not to exceed twenty percent in any five-year period, and the additional acreage reasonably necessary, whether to be owned or leased by a corporation, to meet the requirements of pollution control regulations;

(4) A farm operated wholly for research or experimental purposes, including seed research and experimentation and seed stock production for genetic improvements, provided that any commercial sales from such farm shall be incidental to the research or experimental objectives of the corporation;

(5) Agricultural land operated by a corporation for the purposes of growing nursery plants, vegetables, grain or fruit used exclusively for brewing or winemaking or distilling purposes and not for resale, for forest cropland or for the production of poultry, poultry products, fish or mushroom farming, production of registered breeding stock for sale to farmers to improve their breeding herds, for the production of raw materials for pharmaceutical manufacture, chemical processing, food additives and related products, and not for resale;

(6) Agricultural land operated by a corporation for the purposes of alfalfa dehydration exclusively and only as to said lands lying within fifteen miles of a dehydrating plant, and provided further said crops raised thereon shall be used only for further processing and not for resale in its original form;

(7) Any interest, when acquired by an educational, religious, or charitable not-for-profit or pro forma corporation or association;

(8) Agricultural land or any interest therein acquired by a corporation other than a family farm corporation or authorized farm corporation, as defined in section 350.010, for immediate or potential use in nonfarming purposes. A corporation may hold such agricultural land in such acreage as may be necessary to its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, such land may not be used for farming except under lease to a family farm unit, a family farm corporation or an authorized farm corporation, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation which has entered into an agreement with the United States of America pursuant to the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, 42 U.S.C. 3901-3914), as amended, or a subsidiary or assign of such a corporation;

(9) Agricultural lands acquired by a corporation by process of law or voluntary conveyance in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that any corporation may hold for ten years real estate acquired in payment of a debt, by foreclosure or otherwise, and for such longer period as may be provided by law;

(10) The provisions of sections 350.010 to 350.030 shall not apply to the raising of hybrid hogs in connection with operations designed to improve the quality, characteristics, profitability, or marketability of hybrid hogs through selective breeding and genetic improvement where the primary purpose of such livestock raising is to produce hybrid hogs to be used by farmers and livestock raisers for the improvement of the quality of their herds;

(11) A bank or trust company acting as administrator or executor under the terms of a will or trustee under the terms of a testamentary or inter vivos trust created by the owner of a family farm, or an inter vivos or testamentary trust, the principal of which is shares of a family farm corporation or authorized farm corporation and which trust is created by a shareholder of the family farm corporation or authorized farm corporation. However, a bank or trust company acting in the administration of an investment trust or a management trust formed with the primary purpose of making or managing investments or income-producing property and purchasing agricultural real estate with trust funds with the primary benefits accruing to investors or shareholders in the trust is not exempt from the provisions of sections 350.010 to 350.030;

(12) Agricultural land that on June 1, 1998, was in compliance with section 350.016**;**

(13) Agricultural land in compliance with section 350.017.

350.017. The restrictions under section 350.015 shall not apply to agricultural land in use as of September 28, 2007 by a corporation, limited liability company, or limited liability partnership for the production of swine or swine products located in:

(1) Any county of the third classification without a township form of government and with fewer than two thousand five hundred inhabitants;

(2) Any county of the third classification with a township form of government and with more than six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than one thousand seven hundred but fewer than one thousand nine hundred inhabitants as the county seat; or

(3) Any county of the third classification with a township form of government and with more than eight thousand but fewer than nine thousand inhabitants and with a city of the fourth classification with more than one thousand seven hundred but fewer than one thousand nine hundred inhabitants as the county seat."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Loehner offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 3, Line 2, by inserting immediately following the number "**350.017.**" the number "**1.**"; and

Further amend said page, Line 14, by deleting all of said line and inserting in lieu thereof the following:

"**hundred inhabitants as the county seat.**

2. Any such corporation, limited liability company, or limited liability partnership engaged in such farming activity or land ownership as of September 28, 2007, shall not expand its operations, including but not limited to purchasing land or constructing new buildings."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Sater moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Nolte	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McGeoghegan
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 024

Brattin	Brown 50	Carter	Cross	Dieckhaus
Diehl	Franklin	Funderburk	Hinson	Hubbard
Hughes	Jones 117	Long	McDonald	McManus
McNary	Meadows	Nasheed	Parkinson	Phillips
Pollock	Riddle	Shumake	Mr Speaker	

Representative Loehner moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Denison moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
Molendorp	Nance	Neth	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 019

Carter	Cross	Dieckhaus	Flanigan	Franklin
Funderburk	Hinson	Hughes	Lair	Long
McNary	Meadows	Nasheed	Nolte	Parkinson
Riddle	Schoeller	Shumake	Weter	

On motion of Representative Guernsey, **House Amendment No. 2** was adopted.

Representative Smith (150) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 28, Section 2, Line 6, by inserting after all of said line the following:

"**Section 3. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.**

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 3 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 3 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 3** was adopted.

Representative Torpey offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 28, Section 578.030, Line 29, by inserting after all of said section and line, the following:

"**620.2400. 1. There is hereby established the "Missouri Entrepreneur Resource Virtual Network (MERVN)" to be managed by Missouri small business and technology development centers. The centers shall seek sufficient private sector funding to develop, maintain, and market a virtual network to provide seamless access to statewide resources and expertise for entrepreneurs and existing businesses using private sector funding. Private sector funding shall be for general support of the virtual network and shall not be used to sponsor specific portions of the network. The network shall disclose the value of the donations and names of private sector organizations providing funding for the network. The network shall provide resources for small businesses**

regarding requirements for starting a business. The network shall connect Missouri entrepreneurs to available state and nonstate supported services and technical assistance. In developing and maintaining the network, the centers shall ensure that all listed resources meet established standards. The goal of the network is to assist in the creation of new Missouri ventures, the growth of existing businesses, and the ability of Missouri entrepreneurs to compete globally. To the greatest extent possible, the network shall be built on and linked to existing resources designed to make business assistance resources more accessible to Missouri businesses.

2. The network must have specific sections containing information for anyone considering starting a business, information for anyone that has decided to start a Missouri business, information about expanding a Missouri business, information about moving a business to Missouri from another state, and information about moving a business to Missouri from another country, with links to each section prominently displayed on the website home page. Missouri small business and technology development centers must apply search engine optimization to the website's content to achieve top search engine rankings.

3. Any portion of the network that involves state information systems or state websites is subject to the authority of the centers, including, but not limited to:

(1) Evaluation and approval;

(2) Review to ensure compliance with security policies, guidelines, and standards; and

(3) Assurance of compliance with accessibility standards.

3. By September 30, 2012, the centers shall report to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over economic development and state government finances on the centers' plans and progress toward the development of the network under this section. Included in the report shall be detailed information on donations received and expenditures by the Missouri small business and technology development centers on the MERVN."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Torpey, **House Amendment No. 4** was adopted.

Representative Kelley (126) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 1, Section 1.195, Line 4, by inserting after all of said section and line, the following:

"**9.155. The month of November shall be designated as "Pancreatic Cancer Awareness Month" in Missouri. The citizens of the state of Missouri are encouraged to participate in appropriate activities and events to increase awareness of pancreatic cancer, which is incurable and has a low rate of survival due to the advanced stage of the disease when symptoms typically present themselves.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelley (126), **House Amendment No. 5** was adopted.

Representative Nance offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 5, Section 178.530, Line 30, by inserting after all of said section and line the following:

"208.182. 1. **[**The division of family services shall establish pilot projects in St. Louis City and in any county with a population of six hundred thousand or more, which shall provide for a system of electronic transfer of benefits to public assistance recipients. Such system shall allow recipients to obtain cash from automated teller machines or point of sale terminals. If less than the total amount of benefits is withdrawn, the recipient shall be given a receipt showing

the current status of his account.**] The department of social services shall seek a waiver from the federal government to mandate the use of photo identification for continued eligibility in the food stamp program administered in Missouri. Upon one year after approval by the federal government, the department shall issue a photo identification card to each eligible household member who is sixteen years of age or older. Upon request, a household member, or the household's authorized representative, shall present the photo identification card at issuance points, retail food stores, or meal services when exchanging benefits for eligible food.**

2. The disclosure of any information provided to a financial institution, business or vendor by the **[**division of family services**] department** pursuant to this section is prohibited. Such financial institution, business or vendor may not use or sell such information and may not divulge the information without a court order. Violation of this subsection is a class A misdemeanor.

3. **[**Subject to appropriations and subject to receipt of waivers from the federal government to prevent the loss of any federal funds, the department of social services shall require the use of photographic identification on electronic benefit transfer cards issued to recipients in this system. Such photographic identification electronic benefit transfer card shall be in a form approved by the department of social services.

4.**]** The **[**division of family services**] department** shall promulgate rules and regulations necessary to implement the provisions of this section pursuant to section 660.017 and chapter 536. **The rules shall ensure compliance with federal law, taking into account individuals and households with special needs as well as ensuring that all appropriate household members or authorized representatives are able to access benefits from the account as necessary.**

[5.**] 4.** The delivery of electronic benefits and the electronic eligibility verification, including, but not limited to, **[**aid to families with dependent children (AFDC)**] temporary assistance for needy families (TANF)**, women, infants and children (WIC), early periodic screening diagnosis and treatment (EPSDT), food stamps, supplemental security income (SSI), including Medicaid, child support, and other programs, shall reside in one card that may be enabled by function from time to time in a convenient manner.

208.247. 1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance and has no prior convictions under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for food stamp program benefits for such convictions, if such person, as determined by the department to meet at least one of the following conditions:

(1) Is currently successfully participating in a substance abuse treatment program approved by the division of alcohol and drug abuse within the department of mental health;

(2) Is currently accepted for treatment in and participating in a substance abuse treatment program approved by the division of alcohol and drug abuse, but is subject to a waiting list to receive available treatment, and the individual remains enrolled in the treatment program and enters the treatment program at the first available opportunity;

(3) Has satisfactorily completed a substance abuse treatment program approved by the division of alcohol and drug abuse;

(4) Is successfully complying with, or has already complied with, all obligations imposed by the court, the division of alcohol and drug abuse, and the division of probation and parole;

(5) Has demonstrated sobriety through voluntary urinalysis testing paid for by the participant; or

(6) It has been more than four years since the conviction for a drug related felony.

2. Eligibility based upon the factors in subsection 1 of this section shall be based upon documentary or other evidence satisfactory to the department of social services, and the applicant shall meet all other factors for program eligibility.

3. The department of social services, in consultation with the division of alcohol and drug abuse, shall promulgate rules to carry out the provisions of this section, including specifying criteria for determining active participation in and completion of a substance abuse treatment program."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nance moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative McCreery offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 5, Section 262.005, Lines 4-5, by deleting all of said lines and inserting in lieu thereof the following:

"**a manner adhering to state and local laws and ordinances.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McCreery moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Smith (150) offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 25, Section 575.124, Line 6, by inserting after all of said section, the following:

"578.005. As used in sections 578.005 to 578.023, the following terms shall mean:

(1) "Adequate care", normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter and health care as necessary to maintain good health in a specific species of animal;

(2) "Adequate control", to reasonably restrain or govern an animal so that the animal does not injure itself, any person, any other animal, or property;

(3) "Animal", every living vertebrate except a human being;

(4) "Animal shelter", a facility which is used to house or contain animals and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other not-for-profit organization devoted to the welfare, protection, and humane treatment of animals;

(5) "Farm animal", an animal raised on a farm or ranch and used or intended for use in farm or ranch production, or as food or fiber;

(6) **"Farm animal professional", any individual employed at a location where farm animals are harbored;**

(7) "Harbor", to feed or shelter an animal at the same location for three or more consecutive days;

[(7)**] (8)** "Humane killing", the destruction of an animal accomplished by a method approved by the American Veterinary Medical Association's Panel on Euthanasia (JAVMA 173: 59-72, 1978); or more recent editions, but animals killed during the feeding of pet carnivores shall be considered humanely killed;

[(8)**] (9)** "Owner", in addition to its ordinary meaning, any person who keeps or harbors an animal or professes to be owning, keeping, or harboring an animal;

[(9)**] (10)** "Person", any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity;

[(10)**] (11)** "Pests", birds, rabbits, or rodents which damage property or have an adverse effect on the public health, but shall not include any endangered species listed by the United States Department of the Interior nor any endangered species listed in the Wildlife Code of Missouri.

578.013. 1. Whenever any farm animal professional videotapes or otherwise makes a digital recording of what he or she believes to depict a farm animal subjected to abuse or neglect under sections 578.009 or 578.012, such farm animal professional shall have a duty to submit such videotape or digital recording to a law enforcement agency within twenty-fours of the recording.

2. No videotape or digital recording submitted under subsection 1 of this section shall be spliced, edited, or manipulated in any way prior to its submission.

3. A violation of any provision of this section is a class A misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Harris offered **House Amendment No. 1 to House Amendment No. 8**.

House Amendment No. 1
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 2, Line 10, by deleting the words, "**A violation**" and inserting in lieu thereof the words, "**An intentional violation**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Harris, **House Amendment No. 1 to House Amendment No. 8** was adopted.

On motion of Representative Smith (150), **House Amendment No. 8, as amended**, was adopted.

Representative Holsman offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, Page 9, Section 262.750, Line 8, by inserting after all of said line the following:

"**262.900. 1. As used in this section, the following terms mean:**

(1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable product, growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product, planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either in its natural or processed state, that has been produced, processed, or otherwise had value added to it in this state;

(2) "Blighted area", that portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration have become economic and social liabilities, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes;

(3) "Department", department of agriculture;

(4) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(5) "Grower UAZ", a type of UAZ:

(a) That can either grow produce, raise livestock, or produce other value-added agricultural products;

(b) That does not exceed fifty laying hens, six hundred fifty broiler chickens, or thirty domesticated animals; and

(c) Is a qualifying small business that is approved by the department;

(6) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(7) "Locally grown", a product that was grown or raised in the same county or city not within a county in which the UAZ is located or in an adjoining county or city not within a county. For a product raised or sold in a city not within a county, locally grown also includes an adjoining county with a charter form of government with more than nine hundred fifty thousand and those counties adjoining said county;

(8) "Processing UAZ", a type of UAZ:

(a) That processes livestock or poultry for human consumption;

(b) That meets federal and state processing laws and standards; and

(c) Is a qualifying small business approved by the department;

(9) "Meat", any edible portion of a livestock or poultry carcass or part thereof;

(10) "Meat product", anything containing meat intended for or capable of use for human consumption, which is derived, in whole or in part, from livestock or poultry;

(11) "Poultry", any domesticated bird intended for human consumption;

(12) "Qualifying small business", those enterprises which are established within an urban agricultural zone subsequent to its creation, and which meet the definition established for the small business administration and set forth in Section 121.301 of Part 121 of Title 13 of the Code of Federal Regulations;

(13) "Value-added agricultural products", any product or products that are the result of:

(a) Using an agricultural product grown in this state to produce a meat or dairy product in this state;

(b) A change in the physical state or form of the original agricultural product;

(c) An agricultural product grown in this state which has had its value enhanced by special production methods such as organically grown products; or

(d) A physical segregation of a commodity or agricultural product grown in this state that enhances its value such as identity preserved marketing systems;

(14) "Urban agricultural zone" or "UAZ", a zone within a metropolitan statistical area as defined by the United States Office of Budget and Management that has one or more of the following entities that is a qualifying small businesses, and approved by the department, as follows:

(a) Any organization or person who grows produce or other agricultural products;

(b) Any organization or person who raises livestock or poultry;

(c) Any organization or person who processes livestock or poultry; or

(d) Any organization that sells at a minimum seventy-five percent locally grown food;

(15) "Vending UAZ", a type of UAZ:

(a) That sells produce, meat, or locally grown value-added agricultural products;

(b) That is able to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program as a form of payment; and

(c) Is a qualifying small business that is approved by the department for an UAZ vendor license.

2. (1) A person or organization shall submit to any incorporated municipality an application to develop an UAZ on a blighted area of land. Such application shall demonstrate or identify on the application:

(a) If the person or organization is a grower UAZ, processing UAZ, vending UAZ, or a combination of all three types of UAZs provided in this paragraph, in which case the person or organization shall meet the requirements of each type of UAZ in order to qualify;

(b) The number of jobs to be created;

(c) The types of products to be produced; and

(d) If applying for a vending UAZ, the ability to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program if selling products to consumers.

(2) A municipality shall review and modify the application as necessary before either approving or denying the request to establish an UAZ.

(3) Approval of the UAZ by such municipality shall be reviewed five and ten years after the development of the UAZ. After twenty-five years, the UAZ shall dissolve. If the municipality finds during its review that the UAZ is not meeting the requirements set out in this section, the municipality may dissolve the UAZ.

3. The governing authority of any municipality planning to seek designation of an urban agricultural zone shall establish an urban agricultural zone board. The number of members on the board shall be seven. One member of the board shall be appointed by the school district or districts located within the area proposed for designation as an enhanced enterprise zone. Two members of the board shall be appointed by other affected taxing districts. The remaining four members shall be chosen by the chief elected official of the municipality. The four members chosen by the chief elected officer of the municipality shall each be residents of the county or city not within a county in which the UAZ is to be located, and at least one of such four members shall have experience in or represent organizations associated with sustainable agriculture, urban farming, community gardening, or any of the activities or products authorized by this section for UAZs.

4. The school district member and the two affected taxing district members shall each have initial terms of five years. Of the four members appointed by the chief elected official, two shall have initial terms of four years, and two shall have initial terms of three years. Thereafter, members shall serve terms of five years. Each commissioner shall hold office until a successor has been appointed. All vacancies shall be filled in the same

manner as the original appointment. For inefficiency or neglect of duty or misconduct in office, a member of the board may be removed by the applicable appointing authority.

5. A majority of the members shall constitute a quorum of such board for the purpose of conducting business and exercising the powers of the board and for all other purposes. Action may be taken by the board upon a vote of a majority of the members present.

6. The members of the board annually shall elect a chair from among the members.

7. The role of the board shall be to conduct the activities necessary to advise the governing authority on the designation of an urban agricultural zone and any other advisory duties as determined by the governing authority. The role of the board after the designation of an urban agricultural zone shall be review and assessment of zone activities.

8. Prior to the adoption of an ordinance proposing the designation of an urban agricultural zone, the urban agricultural board shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed urban agricultural zone. The board shall send, by certified mail, a notice of such hearing to all taxing districts and political subdivisions in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the designation at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing. At the public hearing any interested person or affected taxing district may file with the board written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The board shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing.

9. Following the conclusion of the public hearing required under subsection 8 of this section, the governing authority of the municipality may adopt an ordinance designating an urban agricultural zone.

10. The real property of the UAZ shall not be subject to assessment or payment of ad valorem taxes on real property imposed by the cities affected by this section, or by the state or any political subdivision thereof, for a period of up to twenty-five years as specified by ordinance under subsection 9 of this section, except to such extent and in such amount as may be imposed upon such real property during such period, as was determined by the assessor of the county in which such real property is located, or, if not located within a county, then by the assessor of such city, in an amount not greater than the amount of taxes due and payable thereon during the calendar year preceding the calendar year during which the urban agricultural zone was designated. The amounts of such tax assessments shall not be increased during such period so long as the real property is used in furtherance of the activities provided under the provisions of subdivision (13) of subsection 1 of this section. At the conclusion of the period of abatement provided by the ordinance, the property shall then be reassessed. If only a portion of real property is used as an UAZ, then only that portion of real property shall be exempt from assessment or payment of ad valorem taxes on such property, as provided by this section.

11. If the water services for the UAZ are provided by the municipality, the municipality may authorize a grower UAZ to pay wholesale water rates, if available, for the cost of water consumed on the UAZ and pay fifty percent of the standard cost to hook onto the water source.

12. (1) Any local sales tax revenues received from the sale of agricultural products sold in the UAZ shall be deposited in the urban agricultural zone fund established in subdivision (2) of this subsection. An amount equal to one percent shall be retained by the director of revenue for deposit in the general revenue fund to offset the costs of collection.

(2) There is hereby created in the state treasury the "Urban Agricultural Zone Fund", which shall consist of money collected under subdivision (1) of this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, shall be used for the purposes authorized by this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. School districts may apply to the department for money in the fund to be used for the development of curriculum on or the implementation of urban farming practices under the guidance of the University of Missouri extension service and a certified vocational agricultural instructor. The funds are to be distributed on a competitive basis within the school district or districts in which the UAZ is located under rules to be promulgated by the department, with special consideration given to the relative number of students eligible for free and reduced-price lunches attending the schools within such district or districts.

13. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated under this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Holsman moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

On motion of Representative Reiboldt, **HCS SCS SB 631, as amended**, was adopted.

On motion of Representative Reiboldt, **HCS SCS SB 631, as amended**, was read the third time and passed by the following vote:

AYES: 107

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
Meadows	Molendorp	Nance	Neth	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Shively
Silvey	Smith 150	Solon	Sommer	Stream
Swearingen	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 036

Anders	Carlson	Colona	Ellinger	Ellington
Holsman	Hummel	Jones 63	Kelly 24	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Carter	Casey	Denison	Dieckhaus
Diehl	Dugger	Flanigan	Franz	Funderburk
Hughes	Long	McNary	Nasheed	Nolte
Parkinson	Riddle	Schneider	Shumake	Mr Speaker

Representative Keeney declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 109

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McGhee	Meadows	Molendorp	Nance	Neth
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schoeller
Shively	Silvey	Smith 150	Solon	Sommer
Stream	Swearingen	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 039

Anders	Atkins	Carlson	Colona	Ellinger
Ellington	Hodges	Holsman	Hummel	Jones 63
Kelly 24	Kirkton	Lampe	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Carter	Casey	Dugger	Flanigan
Franz	Funderburk	Hughes	McNary	Nasheed
Nolte	Parkinson	Riddle	Schneider	Shumake

HCS SS SCS SB 469, relating to a state administrative rules review, was taken up by Representative Smith (150).

Representative Smith (150) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 469, Pages 1-3, Section 197.080, Lines 1-66, by removing all of said section and lines from the bill; and

Further amend said bill, Pages 3-4, Section 197.100, Lines 1-33, by removing all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller resumed the Chair.

On motion of Representative Smith (150), **House Amendment No. 1** was adopted by the following vote:

AYES: 098

Allen	Bahr	Barnes	Bernskoetter	Berry
Black	Brandom	Brown 50	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Day	Denison
Dugger	Elmer	Fisher	Fitzwater	Flanigan
Fraker	Franz	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Holsman
Hoskins	Hough	Houghton	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Korman	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Loehner	Marshall	McCaherty	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	Molendorp	Nance
Nasheed	Neth	Nichols	Parkinson	Phillips
Quinn	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Wieland	Wright		

NOES: 044

Anders	Atkins	Aull	Casey	Davis
Ellinger	Ellington	Entlicher	Fallert	Franklin
Frederick	Fuhr	Harris	Higdon	Hodges
Hubbard	Kirkton	Klippenstein	Koenig	Kratky
Lichtenegger	Long	May	McCreery	McDonald
McNeil	Montecillo	Morgan	Newman	Oxford
Pace	Pierson	Sater	Schupp	Smith 71
Spreng	Still	Swinger	Walton Gray	Webb
Weter	White	Wyatt	Zerr	

PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Brattin	Brown 116	Carlson	Carter
Colona	Conway 27	Dieckhaus	Diehl	Funderburk
Hughes	Hummel	Meadows	Nolte	Pollock
Redmon	Riddle	Scharnhorst	Shumake	Webber
Mr Speaker				

Representative Schad assumed the Chair.

On motion of Representative Smith (150), **HCS SS SCS SB 469, as amended**, was adopted.

On motion of Representative Smith (150), **HCS SS SCS SB 469, as amended**, was read the third time and passed by the following vote:

AYES: 146

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Torpey
Wallingford	Walton Gray	Webb	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 003

Ellington	Morgan	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 014

Allen	Brattin	Carter	Conway 27	Diehl
Funderburk	Hughes	Hummel	Pollock	Riddle
Scharnhorst	Shumake	Thomson	Webber	

Representative Schad declared the bill passed.

HCS SCS SB 711, relating to adoption and juvenile jurisdiction, was taken up by Representative Largent.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 9, Section 453.005, Line 14, by inserting after all of said section and line the following:

"453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child **[**is located at the time of**]** **has resided for at least ninety days prior to** the filing of the **adoption** petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

On motion of Representative Largent, **HCS SCS SB 711, as amended**, was adopted.

On motion of Representative Largent, **HCS SCS SB 711, as amended**, was read the third time and passed by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brattin	Carter	Day	Dieckhaus	Diehl
Flanigan	Funderburk	Hughes	Molendorp	Nolte
Pollock	Riddle	Scharnhorst	Shumake	Webber
Mr Speaker				

Representative Schad declared the bill passed.

HCS SB 739, relating to judicial procedures, was taken up by Representative Cox.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child **[**is located at the time of**]** **has resided for at least ninety days prior to** the filing of the **adoption** petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"211.444. 1. The juvenile court may, upon petition of the juvenile officer or a child-placing agency licensed under sections 210.481 to 210.536 in conjunction with a placement with such agency under subsection 6 of section 453.010, **the children's division,** or the court before which a petition for adoption has been filed pursuant to the provisions of chapter 453, terminate the rights of a parent **or approve the consent to adoption or waiver of consent to adoption by a parent, as defined in section 211.442, or of a named father** to a child**, including a child who is a ward of the court,** if the court finds that such termination **or consent to adoption or waiver of consent to adoption** is in the best interests of the child and the parent**, as defined in section 211.442,** has consented in writing to the termination of his or her parental rights **or consented or waived consent to the adoption**.

2. The written consent required by subsection 1 of this section may be executed before or after the institution of the proceedings and shall be acknowledged before a notary public. In lieu of such acknowledgment, the signature of the person giving the written consent shall be witnessed by at least two adult persons who are present at the execution

whose signatures and addresses shall be plainly written thereon and who determine and certify that the consent is knowingly and freely given. The two adult witnesses shall not be the prospective parents. The notary public or witnesses shall verify the identity of the party signing the consent.

3. The written consent required by subsection 1 of this section shall be valid and effective only after the child is at least forty-eight hours old and if it complies with the other requirements of section 453.030.

453.065. As used in sections 453.065 to 453.074, the following words and terms shall have the meanings indicated:

(1) "Child", a person within the state who is under the age of eighteen or in the custody of the division of family services who is in need of medical, dental, educational, mental or other related health services and treatment, as defined in this section, or who belongs to a racial or ethnic minority, who is five years of age or older, or who is a member of a sibling group, and for whom an adoptive home is not readily available. If the physical, dental or mental condition of the child requires care after the age of eighteen, payment can be continued with the approval of the division of family services of the department of social services and subject to annual review;

(2) "Diminishing allotment", a monthly payment which periodically diminishes over a period of not longer than four years at which time it ceases;

(3) "Long term subsidy", a continuous monthly payment toward the child's care for a period of more than four years;

(4) **"Post adoption contract agreement", a written agreement approved by the court under subsection 4 of section 453.080;**

(5) "Special services", an allotment to a child who is in need of medical, dental, educational, mental health or other related health services and treatment, including treatment for physical handicap, intellectual impairment, developmental disability, mental or emotional disturbance, social maladjustment;

[(5)**] (6)** "Time limited subsidy", a monthly allotment which is continued for a limited time after legal adoption, not exceeding four years. This compensation is to aid the family in integrating the care of the new child in their home.

453.080. 1. The court shall conduct a hearing to determine whether the adoption shall be finalized. During such hearing, the court shall ascertain whether:

(1) The person sought to be adopted, if a child, has been in the lawful and actual custody of the petitioner for a period of at least six months prior to entry of the adoption decree; except that the six-month period may be waived if the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to chapter 211 and the person desiring to adopt the child is the child's current foster parent. "Lawful and actual custody" shall include a transfer of custody pursuant to the laws of this state, another state, a territory of the United States, or another country;

(2) The court has received and reviewed a postplacement assessment on the monthly contacts with the adoptive family pursuant to section 453.077, except for good cause shown in the case of a child adopted from a foreign country;

(3) The court has received and reviewed an updated financial affidavit;

(4) The court has received the recommendations of the guardian ad litem and has received and reviewed the recommendations of the person placing the child, the person making the assessment and the person making the postplacement assessment;

(5) **[**There is compliance with the uniform child custody jurisdiction act, sections 452.440 to 452.550;

(6)**]** There is compliance with the Indian Child Welfare Act, if applicable;

[(7)**] (6)** There is compliance with the Interstate Compact on the Placement of Children pursuant to section 210.620; and

[(8)**] (7)** It is fit and proper that such adoption should be made.

2. If a petition for adoption has been filed pursuant to section 453.010 and a transfer of custody has occurred pursuant to section 453.110, the court may authorize the filing for finalization in another state if the adoptive parents are domiciled in that state.

3. If the court determines the adoption should be finalized, a **[**decree**] judgment** shall be issued setting forth the facts and ordering that from the date of the **[**decree**] judgment** the adoptee shall be for all legal intents and purposes the child of the petitioner or petitioners. The court may decree that the name of the person sought to be adopted be changed, according to the prayer of the petition.

4. Before the completion of an adoption, the exchange of information among the parties shall be at the discretion of the parties. **Prospective adoptive parents and parents of a prospective adoptee may enter into a written post adoption contract agreement to allow contact after the adoption between the parents, siblings, or other relatives of the adoptee and the adoptee and the adoptive parents.** Upon completion of an adoption, further

contact among the parties shall be at the discretion of the adoptive parents**, and such adoptive parents may exercise their discretion to enter into a written post adoption contract agreement with the former parents of an adoptee to allow contact between a former parent, sibling, or other relative of the adoptee and the adoptee or adoptive parents. The agreement shall be in writing, signed by the parties thereto, and be made a part of the court record. The agreement shall include:**

(1) An acknowledgment by the former parents that the adoption is irrevocable, even if the adoptive parents do not abide by the post adoption contract agreement;

(2) An acknowledgment by the adoptive parents that the agreement grants the former parents the right to seek to enforce the post adoption privileges set forth in the agreement.

The court shall enforce a written post adoption contract agreement made in accordance with this subsection unless enforcement is not in the best interest of the adoptee. The court shall not have jurisdiction to deny continuing contact between the adopted person and the birth parent, or an adoptive parent and a birth parent. Additionally, the court shall not have jurisdiction to deny an exchange of identifying information between an adoptive parent and a birth parent."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) assumed the Chair.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Redmon
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo

Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 116	Carter	Cross	Flanigan	Franklin
Funderburk	Holsman	Hughes	McNary	Pollock
Reiboldt	Riddle	Shumake	Swearingen	Webb
Webber	Wyatt	Mr Speaker		

On motion of Representative Barnes, **House Amendment No. 2** was adopted.

Representative Diehl offered **House Amendment No 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 739, Page 1, Line 3 of the Title, by deleting said line and inserting in lieu thereof the following:

"relating to the judiciary"; and

Further amend said bill, Page 3, Section 454.475, Line 69, by inserting after said line the following:

"483.015. 1. At the general election in the year 1982, and every four years thereafter, except as herein provided and except as otherwise provided by law, circuit clerks shall be elected by the qualified voters of each county **[**and of the city of St. Louis**]**, who shall be commissioned by the governor, and shall enter upon the discharge of their duties on the first day in January next ensuing their election, and shall hold their offices for the term of four years, and until their successors shall be duly elected and qualified, unless sooner removed from office.

2. The court administrator for Jackson County provided by the charter of Jackson County shall be selected as provided in the county charter and shall exercise all of the powers and duties of the circuit clerk of Jackson County. The director of judicial administration and the circuit clerk of St. Louis County shall be selected as provided in the charter of St. Louis County.

3. When provision is made in a county charter for the appointment of a court administrator to perform the duties of a circuit clerk or for the appointment of a circuit clerk, such provisions shall prevail over the provisions of this chapter providing for a circuit clerk to be elected. The persons appointed to fill any such appointive positions shall be paid by the counties as provided by the county charter or ordinance; provided, however, that if provision is now or hereafter made by law for the salaries of circuit clerks to be paid by the state, the state shall pay over to the county a sum which is equivalent to the salary that would be payable by law by the state to an elected circuit clerk in such county if such charter provision was not in effect. The sum shall be paid in semimonthly or monthly installments, as designated by the commissioner of administration.

4. The circuit clerk in the sixth judicial circuit and in the seventh judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in those circuits shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. This subsection shall become effective on January 1, 2004, and the elected circuit clerks in those circuits in office at that time shall continue to hold such office for the remainder of their elected terms as if they had been appointed pursuant to the terms of this subsection.

5. The circuit clerk in the twenty-second judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in such circuit shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. The elected circuit clerk in such circuit in office on the effective date of this section shall continue to hold such office for the remainder of his or her elected term."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 3** was adopted.

Representative Davis offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**452.413. 1. As used in this section, the following terms shall mean:**

(1) "Deploying parent", a parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction or a guardian of a child less than eighteen years of age who is deployed or who has received written orders to deploy with the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(2) "Deployment", military service in compliance with military orders received by a member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof to report for combat operations, contingency operations, peacekeeping operations, temporary duty (TDY), a remote tour of duty, or other service for which the deploying parent is required to report unaccompanied by any family member. Military service includes a period during which a military parent remains subject to deployment orders and remains deployed on account of sickness, wounds, leave, or other lawful cause;

(3) "Military parent", the legal parent of a child less than eighteen years of age whose parental rights have not been terminated by a court of competent jurisdiction, and who is a service member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, or any other reserve component thereof;

(4) "Nondeploying parent", a parent or guardian not subject to military deployment.

2. If a military parent is required to be separated from a child due to deployment, a court shall not enter a final order modifying the terms establishing custody or visitation contained in an existing order until ninety days after the deployment ends.

3. In accordance with section 452.412, deployment or the potential for future deployment shall not be the sole factor supporting a change in circumstances or grounds sufficient to support a permanent modification of the custody or visitation terms established in an existing order.

4. (1) An existing order establishing the terms of custody or visitation in place at the time a military parent is deployed may be temporarily modified to make reasonable accommodation for the parties due to the deployment.

(2) A temporary modification order issued under this section shall provide that the deploying parent shall have custody of the child or reasonable visitation, whichever is applicable under the original order, during a period of leave granted to the deploying parent.

(3) Any court order modifying a previously ordered custody or visitation due to deployment shall specify that the deployment is the basis for the order and shall be entered by the court as a temporary order.

(4) Any such custody or visitation order shall further require the nondeploying parent to provide the court and the deploying parent with a thirty day advance written notice of any change of address and any change of telephone number. However, if a valid domestic violence court order from this or another jurisdiction is in effect that requires that the address or contact information of the parent who is not deployed be kept confidential, the notification shall be made to the court only, and a copy of the order shall be included in the notification.

(5) Upon motion of a deploying parent, upon reasonable advance notice and for good cause shown, the court shall hold an expedited hearing in any custody or visitation matters instituted under this section when the military duties of the deploying parent have a material effect on his or her ability or anticipated ability to appear in person at a regularly scheduled hearing.

5. (1) A temporary modification of such an order automatically ends no later than thirty days after the return of the deploying parent and the original terms of the custody or visitation order in place at the time of deployment are automatically reinstated.

(2) Nothing in this section shall limit the power of the court to conduct an expedited or emergency hearing regarding custody or visitation upon return of the deploying parent, and the court shall do so within ten days of the filing of a motion alleging an immediate danger or irreparable harm to the child.

(3) The nondeploying parent shall bear the burden of showing that reentry of the custody or visitation order in effect before the deployment is no longer in the child's best interests. The court shall set any nonemergency motion by the nondeploying parent for hearing within thirty days of the filing of the motion and this shall take precedence on the court's docket.

6. (1) Upon motion of the deploying parent or upon motion of a family member of the deploying parent with his or her consent, the court may delegate his or her visitation rights, or a portion of such rights, to a family member with a close and substantial relationship to the minor child or children for the duration of the deployment if it is in the best interest of the child.

(2) Such delegated visitation time or access does not create an entitlement or standing to assert separate rights to parent time or access for any person other than a parent, and shall terminate by operation of law upon the end of the deployment, as set forth in this section.

(3) Such delegated visitation time shall not exceed the visitation time granted to the deploying parent under the existing order; except that, the court may take into consideration the travel time necessary to transport the child for such delegated visitation time.

(4) In addition, there is a rebuttable presumption that a deployed parent's visitation rights shall not be delegated to a family member who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner, or to a family member with an individual in the family member's household who has a history of perpetrating domestic violence against a spouse, child, or a domestic living partner.

(5) The person or persons to whom delegated visitation time has been granted shall have full legal standing to enforce such rights.

7. Upon motion of a deploying parent and upon reasonable advance notice and for good cause shown, the court shall permit such parent to present testimony and evidence by affidavit or electronic means in support, custody, and visitation matters instituted under this section when the military duties of such parent have a material effect on his or her ability to appear in person at a regularly scheduled hearing. Electronic means includes communication by telephone, video conference, or the internet.

8. Any order entered under this section shall require that the nondeploying parent shall:

(1) Make the child or children reasonably available to the deploying parent when the deploying parent has leave;

(2) Facilitate opportunities for telephonic and electronic mail contact between the deploying parent and the child or children during deployment; and

(3) Provide timely information regarding the deploying parent's leave schedule to the nondeploying parent.

9. (1) If there is no existing order establishing the terms of custody and visitation and it appears that deployment is imminent, upon the filing of initial pleadings and motion by either parent, the court shall expedite a temporary hearing to establish temporary custody or visitation to ensure the deploying parent has access to the child, to ensure disclosure of information, to grant other rights and duties set forth in this section, and to provide other appropriate relief.

(2) Any initial pleading filed to establish custody or visitation for a child of a deploying parent shall be so identified at the time of filing by stating in the text of the pleading the specific facts related to deployment.

10. (1) Since military necessity may preclude court adjudication before deployment, the parties shall cooperate with each other in an effort to reach a mutually agreeable resolution of custody, visitation, and child support. Each party shall provide information to each other in an effort to facilitate agreement on custody and visitation.

(2) A deploying parent shall provide a copy of his or her orders to the nondeploying parent promptly and without delay prior to deployment. Notification shall be made within ten days' of receipt of deployment orders. If less than ten days notice is received by the deploying parent, notice shall be given immediately upon receipt of military orders. If all or part of the orders are classified or restricted as to release, the deploying parent shall provide, under the terms of this subdivision, all such nonclassified or nonrestricted information to the nondeploying parent.

11. In an action brought under this chapter, whenever the court declines to grant or extend a stay of proceedings under the Servicemembers Civil Relief Act, 50 U.S.C. Appendix Sections 521-522, and decides to proceed in the absence of the deployed parent, the court shall appoint at the request of the deployed parent or on its own motion a guardian ad litem to represent the minor child's interests.

12. Service of process on a nondeploying parent whose whereabouts are unknown may be accomplished by certified mail, return receipt requested, to the nondeploying parent's last known address based on an affidavit of the deploying parent.

13. In determining whether a parent has failed to exercise visitation rights, the court shall not count any time periods during which the parent did not exercise visitation due to the material effect of such parent's military duties on visitation time.

14. Once an order for custody has been entered in Missouri, any absence of a child from this state during deployment shall be denominated a temporary absence for the purposes of application of the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). For the duration of the deployment, Missouri shall retain exclusive jurisdiction under the UCCJEA and deployment shall not be used as a basis to assert inconvenience of the forum under the UCCJEA.

15. In making determinations under this section, the court may award attorney's fees and costs based on the court's consideration of:

(1) The failure of either party to reasonably accommodate the other party in custody or visitation matters related to a military parent's service;

(2) Unreasonable delay caused by either party in resolving custody or visitation related to a military parent's service;

(3) Failure of either party to timely provide military orders, income, earnings, or payment information, housing or education information, or physical location of the child to the other party; and

(4) Other factors as the court may consider appropriate and as may be required by law."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Davis, **House Amendment No. 4** was adopted.

Representative Fisher offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 739, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"285.304. The content of the withholding form shall be determined by the director of the department of revenue, in consultation with the department of social services, but, at a minimum, the form shall include the name, address and Social Security number of the employee, **the date services for remuneration were first performed by the employee,** and the name and address of, and identifying number assigned to the employer under section 6109 of the Internal Revenue Code of 1986, as amended. If the employer chooses to submit a form other than the federal W-4 withholding form, the form shall also include the date the employee signed the W-4 form or the date the employer hired the employee as defined in section 285.300."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fisher, **House Amendment No. 5** was adopted.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison

Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franz	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 116	Carter	Cross	Diehl	Flanigan
Franklin	Funderburk	Holsman	Hough	Hughes
Long	Riddle	Shumake	Smith 71	Wallingford
Webb	Webber	Wyatt	Mr Speaker	

On motion of Representative Cox, **HCS SB 739, as amended**, was adopted.

On motion of Representative Cox, **HCS SB 739, as amended**, was read the third time and passed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins

Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Nolte	Pace
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 011

Colona	Ellinger	Ellington	Kirkton	May
McCreery	Newman	Oxford	Pierson	Schupp
Sifton				

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 116	Carter	Conway 14	Cross	Diehl
Flanigan	Funderburk	Holsman	Hough	Hughes
Riddle	Shumake	Silvey	Webber	Mr Speaker

Representative Jones (89) declared the bill passed.

SS SCS SB 576, relating to charter schools, was taken up by Representative Richardson.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp

Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb		

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 116	Carter	Elmer	Funderburk	Grisamore
Hughes	Lasater	Meadows	Riddle	Schad
Shumake	Webber			

On motion of Representative Richardson, **SS SCS SB 576** was truly agreed to and finally passed by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Burlison
Cauthorn	Cierpiot	Colona	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dieckhaus	Diehl	Dugger	Elmer
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Koenig
Lair	Lant	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McCaherty	McCann Beatty
McGhee	McManus	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Silvey	Smith 150	Solon	Sommer
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Webb	Wells	Weter
Wieland	Wyatt	Zerr	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Denison	Ellinger
Ellington	Entlicher	Fallert	Franklin	Hampton
Harris	Hodges	Hummel	Johnson	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lampe
Largent	Loehner	May	McCreery	McDonald
McGeoghegan	McNeil	Meadows	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swinger	Walton Gray	White	Wright	

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 116	Carter	Funderburk	Grisamore	Hughes
Lasater	Riddle	Schad	Shumake	Webber

Representative Jones (89) declared the bill passed.

Representative Silvey assumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1171**, entitled:

An act to repeal section 211.031, RSMo, and to enact in lieu thereof one new section relating to juvenile court jurisdiction.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1171, Page 1, Section Title, Line 3, by striking all of said line and inserting in lieu thereof the following:

"courts."; and

Further amend said bill and page, Section A, Line 2, by inserting immediately after said line the following:

"67.320. 1. Any county of the first classification with more than one hundred ninety-eight thousand but less than one hundred ninety-nine thousand two hundred inhabitants **or any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants** may prosecute and punish violations of its county orders in the circuit court of such counties in the manner and to the extent herein provided or in a county municipal court if creation of a county municipal court is approved by order of the county commission. The county may adopt orders with penal provisions consistent with state law, but only in the areas of traffic violations, solid waste management, county building codes, on-site sewer treatment, zoning orders, and animal control. Any county municipal court established pursuant to the provisions of this section shall have jurisdiction over violations of that county's orders and the ordinances of municipalities with which the county has a contract to prosecute and punish violations of municipal ordinances of the municipality.

2. **Except as provided in subsection 5 of this section** in any county which has elected to establish a county municipal court pursuant to this section, the judges for such court shall be appointed by the county commission of such county, subject to confirmation by the legislative body of such county in the same manner as confirmation for other county appointed officers. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission.

3. The practice and procedure of each prosecution shall be conducted in compliance with all of the terms and provisions of sections 66.010 to 66.140, except as provided for in this section.

4. Any use of the term ordinance in sections 66.010 to 66.140 shall be synonymous with the term order for purposes of this section.

5. In any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants the first judges shall be appointed by the county commission for a term of four years, and thereafter the judges shall be elected for a term of four years. The number of judges appointed, and qualifications for their appointment, shall be established by order of the commission."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1540**, entitled:

An act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Bill No. 1540, Page 3, Section 287.120, Line 67, by inserting immediately after said line the following:

"287.450. If the employer and employee or his dependents do not agree in regard to compensation payable under this chapter, either party may make application **in a manner determined by the division** for a hearing in regard to the matters at issue and for a ruling thereon, except that no application for a hearing shall be considered until fourteen days after the receipt by the division of the report of accident required under section 287.380. The fourteen-day waiting period is not applicable to applications for hardship hearings. After the application has been received, the division shall set a date for a hearing, which shall be held as soon as practicable, and shall notify the interested parties of the time and place of the hearing.

287.460. 1. The division, through an administrative law judge, shall hear in a summary proceeding the parties at issue and their representatives and witnesses and shall determine the dispute by issuing the written award within ninety days of the last day of the hearing. The hearing shall be concluded within thirty days of the date of commencement of the hearing, except in extraordinary circumstances where a lengthy trial or complex issues necessitate a longer time than ninety days. All evidence introduced at any such hearings shall be reported by a competent reporter appointed by the division or be recorded by electronic means. The award, together with a statement of the findings of fact, rulings of law and any other matters pertinent to the question at issue, shall be filed with the record of proceedings, and a copy of the award shall immediately be sent by **electronic means or in the case of an unrepresented employee, by** United States mail**,** to the parties in dispute and the employer's insurer.

2. The division of workers' compensation shall develop by rule procedures whereby mediation services are provided to the parties in a claim for workers' compensation benefits whereby claims may be mediated by the parties at a prehearing conference when the division determines that a claim may be settled or upon application for a mediation settlement conference filed by either party.

3. The division may require the parties to produce at the mediation conference all available medical records and reports. Such mediation conference shall be informal to ascertain the issues and attempt to resolve the claim or other pending issues. Such mediation conference may be set at any time prior to the commencement of the evidentiary hearing

and nothing in this section shall be interpreted to delay the setting of the matter for hearing. Upon the request of any party, a person providing mediation settlement services shall be disqualified from conducting any evidentiary hearing relating to the claim without limiting the rights conferred by section 287.810.

287.520. **1.** Any notice required under this chapter shall be deemed to have been properly given and served when sent by registered or certified mail properly stamped and addressed to the person or entity to whom given, at the last known address in time to reach the person or entity in due time to act thereon, or to counsel for that person or entity in like manner. Notice may also be given and served in like manner as summons in civil actions.

2. Notwithstanding the provisions of subsection 1 of this section, the division may serve or send any notices required under this chapter by electronic means, except that any notices required to be sent to an employee not represented by counsel shall be sent by registered or certified mail to the last known address of the employee unless the employee consents to receive notices by electronic means. In the event the employee is represented by counsel and counsel is sent proper notice under this chapter, notice to the employee may be sent by regular mail.

287.650. 1. The division of workers' compensation shall have such powers as may be necessary to carry out all the provisions of this chapter **including the use of electronic processes**, and it may make such rules and regulations as may be necessary for any such purpose, subject to the approval of the labor and industrial relations commission of Missouri. The division shall have power to strike pleadings and enter awards against any party or parties who fail or refuse to comply with its lawful orders.

2. (1) The division shall have the power upon the expiration of five years after their receipt to destroy reports of injuries on which no compensation (exclusive of medical costs) was due or paid, together with the papers attendant to the filing of such reports, and also to destroy records in compensable cases after the expiration of ten years from the date of the termination of compensation.

(2) Records in cases that are submitted for hearing in the division shall include all documentary exhibits admitted as evidence at the hearing. Records in all other cases shall include all documents required to be filed with the division by this chapter or by rule of the division, medical reports or records which are relied upon by the administrative law judge or legal advisor in approving the compromise lump sum settlement, and copies of the compromise lump sum settlement. These records shall be kept and stored by the division for a minimum of ten years and shall include the originals or duplicate originals stored by electronic or other means approved by the division.

3. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

287.655. Any claim before the division may be dismissed for failure to prosecute in accordance with rules and regulations promulgated by the commission**. Such notice shall be made in a manner determined by the division**, except **that for the employee** such notice **[**need not**] shall** be by certified or registered mail **[**if**] unless** the **[**person or entity**] employee** to whom notice is directed is represented by counsel and counsel is also given such notice **[**at counsel's last known address**]**. To dismiss a claim the administrative law judge shall enter an order of dismissal which shall be deemed an award and subject to review and appeal in the same manner as provided for other awards in this chapter."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has third read and passed **HCS HB 1549.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1827**, entitled:

An act to amend chapter 338, RSMo, by adding thereto one new section relating to the Missouri electronic prior authorization committee.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 485, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, as amended, HA 3, as amended, HA 4, as amended & HA 5 to SB 599**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 631, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6 to SS SB 665**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 711, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 739, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

HOUSE BILL WITH SENATE AMENDMENTS

HB 1540, with Senate Amendment No. 1, relating to workers' compensation, was taken up by Representative Jones (89).

On motion of Representative Jones (89) the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Lair	Lampe	Lant	Largent

Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Spreng	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 030

Carlson	Ellinger	Ellington	Harris	Hummel
Jones 63	Kratky	Marshall	May	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Still	Webb	Wright

PRESENT: 000

ABSENT WITH LEAVE: 010

Carter	Dieckhaus	Franklin	Funderburk	Hughes
Jones 117	Lasater	Riddle	Schieffer	Webber

On motion of Representative Jones (89), **HB 1540, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 122

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCaherty	McCann Beatty	McGhee
Molendorp	Nance	Nasheed	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Talboy

Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 029

Anders	Carlson	Ellinger	Ellington	Hummel
Jones 63	Kratky	Marshall	May	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieber	Schupp
Sifton	Smith 71	Spreng	Webb	

PRESENT: 000

ABSENT WITH LEAVE: 012

Carter	Denison	Dieckhaus	Funderburk	Hughes
Lasater	McNary	Riddle	Schieffer	Still
Webber	Mr Speaker			

Representative Silvey declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SB 636, as amended, relating to judicial procedure, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to recede from its position on **HCS SB 636, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 636: Representatives Diehl, Cox, Elmer, Hummel and Colona

THIRD READING OF SENATE BILL

HCS SCS SB 726, relating to financial transactions, was taken up by Representative Wells.

Representative Nolte offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 7, Section 67.085, Line 22, by inserting after all of said section and line the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy**."; and

Further amend said bill, Page 8, Section 161.424, Line 13, by inserting after all of said section and line the following:

"238.415. 1. A road and bridge revitalization district may be established in the portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county that is located in a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, after voter approval pursuant to this section. A road and bridge revitalization district shall exist to revitalize, repair, replace, and construct new roads, bridges, and related public infrastructure, including storm water control systems. The boundaries of the district may be of any dimensions within the portion of the city within such county that may be deemed necessary or advisable. The governing body of the municipality may establish such district by ordinance and authorize the imposition of a tax to support the district. The ordinance shall require the ad valorem tax to be submitted to the voters for reauthorization and shall specify the period of time before such reauthorization shall be required, which time period shall not be more than ten years. No such ordinance shall become effective unless the governing body of the municipality submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the creation of the district and the imposition of the tax. The municipality shall include in the ballot a provision for a tax to support the district in an amount not to exceed ten cents per one hundred dollars assessed valuation of all taxable property within the district pursuant to available statutory authority.

2. The ballot for the proposition in the district shall be in substantially the following form:

Shall there be established a Road and Bridge Revitalization District with a tax rate of not more than .....(insert amount) cents per hundred dollars assessed valuation of all taxable property within the district for ..... years, unless reauthorized by the voters?

☐ YES ☐ NO

3. In the event that a majority of the voters voting on such proposition in the proposed district at such election cast votes for the proposition, then the district shall be established and the tax rate shall be in full force and effect as of the first day of the year following the year of the election. The results of the election shall be certified by the election officials of the city not less than thirty days after the day of election. In the event the proposition fails to receive a majority of the votes in the proposed district, then such proposition shall not be resubmitted at any election held within one year of the date of the election the proposition was rejected."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Talboy offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 2, Lines 5-38, by deleting all of said lines and inserting in lieu thereof the following:

"**paid as if the funds were paid under the county's special road and bridge levy.**

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; and

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .

Owner's telephone number and mailing address: . . . . . .

If signer is different from owner: Name of signer: . . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: . . . . . .

If the owner is an individual, state if owner is single or married: . . . . . .

If owner is not an individual, state what type of entity: . . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned: . . . . . .

. . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

. . . . . .

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF . . . . . .)

Before me personally appeared . . . . . ., to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this . . . . day of . . . . . (month), ... (year). . . . . .

Notary Public My Commission Expires: . . . . . .

(5) Alternatively, the governing body of any municipality or county may file a petition to initiate the process to establish a district containing the information required in 67.1421.2(3); provided that the only funding methods for the services and improvements will be a sales tax or real property tax .

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to Section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding Sections 67.1531, 67.1545 and 67.1551, if the petition was filed pursuant to subsection 2(5) of section 67.1421, by a governing body of any municipality, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "……Community Improvement District" approved by the …..(insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a community improvement district-wide sales and use tax at the maximum rate of …….(insert amount) for a period of ……(insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for …..(insert general description of purpose)?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO"; or

Shall the community improvement district, to be known as the "……Community Improvement District" approved by the ….. (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ……(insert amount) dollars per hundred dollars assessed valuation for a period of …..(insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for …..(insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

2. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

3. The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087.

4. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

5. In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285.

6. The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

7. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

8. A district may by resolution repeal or lower the rate of any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal or lower rate of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has issued to finance any improvements or services rendered for the district.

9. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

10. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing such district in question** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Nolte, **House Amendment No. 1, as amended**, was adopted.

Representative Molendorp offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 10, Section 335.233, Line 7, by inserting after all of said section and line the following:

"**376.1192. 1. As used in this section, "health benefit plan" and "health carrier" shall have the same meaning as such terms are defined in section 376.1350.**

2. Beginning September 1, 2012, the oversight division of the joint committee on legislative research shall perform an actuarial analysis of the cost impact to health carriers, insureds with a health benefit plan, and other private and public payers if state mandates were enacted to provide health benefit plan coverage for the following:

(1) Orally administered anticancer medication that is used to kill or slow the growth of cancerous cells than what the plan requires for an intravenously administered or injected cancer medication that is provided, regardless of formulation or benefit category determination by the health carrier administering the health benefit plan;

(2) Diagnosis and treatment of eating disorders that include anorexia nervosa, bulimia, binge eating, eating disorders nonspecified, and any other severe eating disorders contained in the most recent version of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. The actuarial analysis shall assume the following are included in health benefit plan coverage:

(a) Residential treatment for eating disorders, if such treatment is medically necessary in accordance with the Practice Guidelines for the Treatment of Patients with Eating Disorders, as most recently published by the American Psychiatric Association; and

(b) Access to psychiatric and medical treatment that provides coverage for integrated care and treatments as prescribed by medical and psychiatric health care professionals, including but not limited to nutrition counseling, physical therapy, dietician services, medical monitoring, and psychiatric monitoring;

(3) Diagnosis and treatment of infertility, including but not limited to in vitro fertilization, uterine embryo lavage, embryo transfer, artificial insemination, gamete intrafallopian tube transfer, zygote intrafallopian tube transfer, and low tubal ovum transfer. For purposes of this subdivision, "infertility" means the inability to conceive after one year of unprotected sexual intercourse or the inability to sustain a successful pregnancy. The actuarial analysis shall assume that included in health benefit plan coverage is coverage for procedures for in vitro fertilization, gamete intrafallopian tube transfer, or zygote intrafallopian tube transfer which shall be required only if:

(a) The covered individual has been unable to attain or sustain a successful pregnancy through reasonable less costly medically appropriate infertility treatments for which coverage is available under the policy, plan, or contract;

(b) The covered individual has not undergone four completed oocyte retrievals; except that if a live birth follows a completed oocyte retrieval, two or more completed oocyte retrievals shall be covered; and

(c) The procedures are performed at medical facilities that conform to the American College of Obstetric and Gynecological guidelines for in vitro fertilization clinics or to the American Fertility Society minimal standards for programs of in vitro fertilization.

3. By December 31, 2012, the director of the oversight division of the joint committee on legislative research shall submit a report of the actuarial findings prescribed by this section to the speaker, the president pro tem, and the chairpersons of the House of Representatives Special Committee on Health Insurance and the Senate Small Business, Insurance and Industry Committee.

4. For the purposes of this section, the actuarial analysis of health benefit plan coverage shall assume that such coverage:

(1) Shall not be subject to any greater deductible or copayment than other health care services provided by the health benefit plan; and

(2) Shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy.

5. The cost for each actuarial analysis shall not exceed thirty thousand dollars and the oversight division of the joint committee on legislative research may utilize any actuary contracted to perform services for the Missouri consolidated health care plan to perform the analysis required under this section.

6. The provisions of this section shall expire on December 31, 2012.

376.1226. 1. No contract between a health carrier or health benefit plan and a dentist for the provision of dental services under a dental plan shall require that the dentist provide dental services to insureds in the dental plan at a fee established by the health carrier or health benefit plan if such dental services are not covered services under the dental plan.

2. For purposes of this section, the following terms shall mean:

(1) "Covered services", dental services reimbursable by a health carrier or health benefit plan or third party administrator under an applicable dental plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, copayments, coinsurance, waiting periods, annual or lifetime maximums, alternative benefit payments, or frequency limitations;

(2) "Dental plan", any policy or contract of insurance which provides for coverage of dental services;

(3) "Health benefit plan", the same meaning as such term is defined in section 376.1350;

(4) "Health carrier", the same meaning as such term is defined in section 376.1350.

376.1227. 1. No contract between a health carrier or health benefit plan and an optometrist for the provision of optometric services under a vision plan shall require that the optometrist provide optometric services to insureds in the vision plan at a fee established by the health carrier or health benefit plan if such optometric services are not covered services under the vision plan.

2. For purposes of this section, the following terms shall mean:

(1) "Covered services", services reimbursable by a health carrier or health benefit plan under an applicable vision plan, subject to such contractual limitations on benefits as may apply, including but not limited to deductibles, waiting periods, or frequency limitations;

(2) "Health benefit plan", the same meaning as such term is defined in section 376.1350;

(3) "Health carrier", the same meaning as such term is defined in section 376.1350;

(4) "Vision plan", any policy or contract of insurance which provides for coverage of vision care services."; and

Further amend said bill, Section 643.079, Page 31, Line 102, by inserting after all of said section and line the following:

"**Section 1. The board of trustees of the Missouri consolidated health care plan shall conduct an actuarial analysis and report to the general assembly, on or before December 31, 2012, of the feasibility of including the**

health plan sponsored by the department of transportation into the Missouri consolidated health care plan. The health plan sponsored by the department of transportation shall provide the Missouri consolidated health care plan actuary the data and funding necessary to perform the actuarial analysis."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Molendorp, **House Amendment No. 2** was adopted.

Representative Leara offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 7, Section 34.057, Line 152, by inserting after all of said line the following:

"50.1130. 1. **Notwithstanding the provisions of section 50.1150 to the contrary,** a death benefit of ten thousand dollars **and, in the case of an active member who dies after December 31, 2002, and before becoming vested, an amount equal to the amount of the member's accumulated contributions standing to his or her credit in the fund** shall be paid to the designated beneficiary of every active member upon his or her death or, if the member fails to designate a beneficiary, then to the member's surviving spouse or, if there is no spouse, then in equal shares to the member's surviving children. If there is neither a surviving spouse or surviving children, then the benefit shall be paid to the active member's estate.

2. If the member executes a beneficiary designation form and lists more than one beneficiary but fails to list the percentage of benefit that each beneficiary should receive, then the benefit shall be divided equally among the named beneficiaries.

50.1140. 1. Upon termination of employment, any member with less than eight years of creditable service shall forfeit all rights in the fund, including the member's accrued creditable service as of the date of the member's termination of employment, but may receive any refund of contributions to which the member is entitled pursuant to subsection 3 of this section **or subsection 1 of section 50.1130**.

2. A member who terminates employment with at least eight years of creditable service shall be entitled to an annuity from the fund, determined in accordance with the formula described in section 50.1060. The member may elect to defer the receipt of his or her annuity, until the member's attainment of age sixty-two, or the member may elect to begin receiving his or her annuity on the first day of any month following the later of the date of termination of employment or age fifty-five. If the member begins receiving an annuity before age sixty-two and termination of employment occurs on or after age fifty-five, the annuity shall be reduced by four-tenths of one percent for each month the commencement date of the annuity precedes age sixty-two, and an additional three-tenths of one percent for each month the commencement date of the annuity precedes age sixty.

3. In the event a member ceases to be a member other than by death before the date the member becomes vested in the system, the member shall be paid, upon his or her written application filed with the board, the member's accumulated contributions standing to his or her credit in the members' deposit fund.

4. A former member who has forfeited creditable service may have the creditable service restored by again becoming an employee, completing a total of eight years of uninterrupted creditable service, and purchasing the forfeited service by paying into the fund the forfeited amount previously refunded to the participant or credited to the participant's county plus interest equal to the current prime rate plus two percent."; and

Further amend said page, Section 67.085, Line 22, by inserting after all of said line the following:

"104.603. 1. Effective with transfers of service between the Missouri department of transportation and highway patrol employees' retirement system and the Missouri state employees' retirement system that occur on or after September 1, 2011, upon a reciprocal transfer of creditable or credited service pursuant to section 104.602 or subsection 8 of section 104.1021, the sending system from which the service is transferred shall pay the receiving system to which the service is transferred the present value of the accrued benefit as determined pursuant to subsection 2 of this section.

2. For purposes of this section, the present value of the accrued benefit shall be determined using the actuarial assumptions of the sending system used in that system's last regular valuation assuming active member status and using

the unit credit actuarial cost method. However, in no event shall the payment amount be less than the sum of the member's accumulated contributions and interest plus any purchased service payments from the member held on deposit by the sending system. If the member had received a refund of accumulated contributions from the sending system and forfeited service credit with that system, the member would need to reestablish that service with the sending system by again becoming an active member of a system covered by this chapter and satisfying requirements otherwise stipulated for reestablishing service credit. **However, in the event the member had previously transferred service from the receiving system to the sending system which was not subject to an asset transfer under this section, then that service will be excluded from the computation of the accrued benefit. In the event any prior payments by a sending system under this section included an amount for previously transferred service that was not subject to this section, the receiving system shall return to the sending system the present value amount attributable to such service, including interest as determined and agreed to by both systems.**

3. The service transfer shall not be deemed completed until the sending system makes payment to the receiving system as prescribed in this section. Payments shall be made within ninety days of the date that a completed transfer request is submitted by a member.

4. When the transfer payment includes an amount identified as corresponding to a member's accumulated contributions, the accumulated contributions portion shall be identified, and further, the accumulated contributions balance as of the preceding July first shall be identified and the receiving system shall be responsible for crediting interest according to the terms of the receiving plan.

5. The systems shall coordinate their plan administration for reciprocal transfers to give full effect to the transfer including the transfer and acceptance of corresponding division of benefit orders.

6. The member or survivor obtaining a reciprocal transfer of service covered by this section shall satisfy all requirements under section 104.602 or subsection 8 of section 104.1021 to obtain a transfer of credited or creditable service and shall satisfy the requirements under section 104.1091 with the receiving system to reestablish forfeited service previously accrued at either system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Leara, **House Amendment No. 3** was adopted.

Representative Smith (150) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 31, Section 643.079, Line 102, by inserting after all of said line the following:

"**Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.**

2. The department of elementary and secondary education shall continue to handle the dues from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Rowland offered **House Substitute Amendment No. 1 for House Amendment No 4**.

House Substitute Amendment No. 1
for
House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 31, Section 643.079, Line 102, by inserting after all of said line the following:

"**Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.**

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.

Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4**.

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 4

AMEND House Substitute Amendment No. 1 for House Amendment No. 4 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 1, Line 15, by inserting after all of said line the following:

'Further amend said bill, Page 8, Section 161.424, Line 13, by inserting after all of said section and line the following:

"178.530. **1.** The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be

certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 4** was adopted.

On motion of Representative Rowland, **House Substitute Amendment No. 1 for House Amendment No. 4, as amended**, was adopted.

Representative Franz offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 7, Section 67.085, Line 22, by inserting after all of said section and line, the following:

"67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefitted in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special

assessment lien as provided in section 88.861. Notwithstanding the provisions of this subsection and section 67.1541 to the contrary, **[**in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants,**]** the county collector may, upon certification by the district for collection, add each special assessment to the annual real estate tax bill for the property and collect the assessment in the same manner the collector uses for real estate taxes. **[**In said counties, each**] Any** special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 5** was adopted.

Representative Cox offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Pages 22-23, Section 443.812, Lines 1-47, by deleting all of said section and lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Denison	Dieckhaus
Dugger	Entlicher	Fisher	Fitzwater	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Lichtenegger	Long
Marshall	McNary	Molendorp	Nance	Neth
Nolte	Phillips	Redmon	Reiboldt	Richardson

Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Carter	Cross	Day	Diehl
Elmer	Flanigan	Funderburk	Guernsey	Holsman
Hughes	Leara	Loehner	May	McCaherty
McDonald	McGhee	Meadows	Parkinson	Pollock
Riddle	Schieffer	Schneider	Webb	Webber
Wyatt				

On motion of Representative Cox, **House Amendment No. 6** was adopted by the following vote:

AYES: 098

Anders	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Brattin	Brown 50	Brown 85
Brown 116	Carlson	Casey	Cierpiot	Colona
Conway 14	Conway 27	Cox	Curtman	Davis
Dieckhaus	Ellington	Fallert	Fisher	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Grisamore
Haefner	Harris	Higdon	Hodges	Houghton
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Lauer
Leach	Long	Marshall	McCann Beatty	McGeoghegan
McGhee	McManus	McNary	McNeil	Montecillo
Morgan	Nasheed	Neth	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Weter
White	Wieland	Wright		

NOES: 038

Asbury	Black	Brandom	Burlison	Cauthorn
Cookson	Crawford	Denison	Dugger	Ellinger
Entlicher	Fitzwater	Franklin	Gosen	Hampton
Hinson	Hoskins	Hough	Jones 63	Kander
Keeney	Kirkton	Largent	Lasater	Lichtenegger
McCreery	Molendorp	Nance	Newman	Nichols
Nolte	Rowland	Spreng	Thomson	Torpey
Wallingford	Wells	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 027

Allen	Carter	Cross	Day	Diehl
Elmer	Flanigan	Funderburk	Guernsey	Holsman
Hughes	Leara	Loehner	May	McCaherty
McDonald	Meadows	Pollock	Riddle	Schad
Schieffer	Schneider	Sommer	Webb	Webber
Wyatt	Mr Speaker			

Representative Dieckhaus offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 726, Page 10, Section 287.745, Line 14, by inserting after all of said section the following:

"313.800. 1. As used in sections 313.800 to 313.850, unless the context clearly requires otherwise, the following terms mean:

(1) "Adjusted gross receipts", the gross receipts from licensed gambling games and devices less winnings paid to wagerers;

(2) "Applicant", any person applying for a license authorized under the provisions of sections 313.800 to 313.850;

(3) "Bank", the elevations of ground which confine the waters of the Mississippi or Missouri Rivers at the ordinary high water mark as defined by common law;

(4) "Capital, cultural, and special law enforcement purpose expenditures" shall include any disbursement, including disbursements for principal, interest, and costs of issuance and trustee administration related to any indebtedness, for the acquisition of land, land improvements, buildings and building improvements, vehicles, machinery, equipment, works of art, intersections, signing, signalization, parking lot, bus stop, station, garage, terminal, hanger, shelter, dock, wharf, rest area, river port, airport, light rail, railroad, other mass transit, pedestrian shopping malls and plazas, parks, lawns, trees, and other landscape, convention center, roads, traffic control devices, sidewalks, alleys, ramps, tunnels, overpasses and underpasses, utilities, streetscape, lighting, trash receptacles, marquees, paintings, murals, fountains, sculptures, water and sewer systems, dams, drainage systems, creek bank restoration, any asset with a useful life greater than one year, cultural events, and any expenditure related to a law enforcement officer deployed as horse-mounted patrol, school resource or drug awareness resistance education (D.A.R.E) officer;

(5) "Cheat", to alter the selection of criteria which determine the result of a gambling game or the amount or frequency of payment in a gambling game;

(6) "Commission", the Missouri gaming commission;

(7) **"Credit instrument", a writing which evidences a gaming debt that is owed to an excursion gambling boat licensee or any of its affiliated companies licensed by the commission, and includes any writing taken in consolidation, redemption or payment of a previous credit instrument;**

(8) "Dock", the location in a city or county authorized under subsection 10 of section 313.812 which contains any natural or artificial space, inlet, hollow, or basin, in or adjacent to a bank of the Mississippi or Missouri Rivers, next to a wharf or landing devoted to the embarking of passengers on and disembarking of passengers from a gambling

excursion but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(8)**] (9)** "Excursion gambling boat", a boat, ferry or other floating facility licensed by the commission on which gambling games are allowed;

[(9)**] (10)** "Fiscal year" shall for the purposes of subsections 3 and 4 of section 313.820 mean the fiscal year of a home dock city or county;

[(10)**] (11)** "Floating facility", any facility built or originally built as a boat, ferry or barge licensed by the commission on which gambling games are allowed;

[(11)**] (12)** "Gambling excursion", the time during which gambling games may be operated on an excursion gambling boat whether docked or during a cruise;

[(12)**] (13)** "Gambling game" includes, but is not limited to, games of skill or games of chance on an excursion gambling boat but does not include gambling on sporting events; provided such games of chance are approved by amendment to the Missouri Constitution;

[(13)**] (14)** "Games of chance", any gambling game in which the player's expected return is not favorably increased by his or her reason, foresight, dexterity, sagacity, design, information or strategy;

[(14)**] (15)** "Games of skill", any gambling game in which there is an opportunity for the player to use his or her reason, foresight, dexterity, sagacity, design, information or strategy to favorably increase the player's expected return; including, but not limited to, the gambling games known as "poker", "blackjack" (twenty-one), "craps", "Caribbean stud", "pai gow poker", "Texas hold'em", "double down stud", and any video representation of such games;

[(15)**] (16)** "Gross receipts", the total sums wagered by patrons of licensed gambling games;

[(16)**] (17)** "Holder of occupational license", a person licensed by the commission to perform an occupation within excursion gambling boat operations which the commission has identified as requiring a license;

[(17)**] (18)** "Licensee", any person licensed under sections 313.800 to 313.850;

[(18)**] (19)** "Mississippi River" and "Missouri River", the water, bed and banks of those rivers, including any space filled by the water of those rivers for docking purposes in a manner approved by the commission but shall not include any artificial space created after May 20, 1994, and is located more than one thousand feet from the closest edge of the main channel of the river as established by the United States Army Corps of Engineers;

[(19)**] (20)** "Supplier", a person who sells or leases gambling equipment and gambling supplies to any licensee.

2. In addition to the games of skill **[**referred to in subdivision (14) of**]** **defined in** subsection 1 of this section, the commission may approve other games of skill upon receiving a petition requesting approval of a gambling game from any applicant or licensee. The commission may set the matter for hearing by serving the applicant or licensee with written notice of the time and place of the hearing not less than five days prior to the date of the hearing and posting a public notice at each commission office. The commission shall require the applicant or licensee to pay the cost of placing a notice in a newspaper of general circulation in the applicant's or licensee's home dock city or county. The burden of proof that the gambling game is a game of skill is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing his or her case by a preponderance of evidence including:

(1) Is it in the best interest of gaming to allow the game; and

(2) Is the gambling game a game of chance or a game of skill? All testimony shall be given under oath or affirmation. Any citizen of this state shall have the opportunity to testify on the merits of the petition. The commission may subpoena witnesses to offer expert testimony. Upon conclusion of the hearing, the commission shall evaluate the record of the hearing and issue written findings of fact that shall be based exclusively on the evidence and on matters officially noticed. The commission shall then render a written decision on the merits which shall contain findings of fact, conclusions of law and a final commission order. The final commission order shall be within thirty days of the hearing. Copies of the final commission order shall be served on the petitioner by certified or overnight express mail, postage prepaid, or by personal delivery.

313.812. 1. The commission may issue licenses pursuant to subsection 1 of section 313.807 when it is satisfied that the applicant has complied with all rules and regulations, including an update of all information provided to the commission in the licensee's initial application. The commission shall decide the number, location and type of excursion gambling boat in a city or county under subsection 10 of this section. The license shall set forth the name of the licensee, the type of license granted, the place where the excursion gambling boat will operate and dock, including the docking of an excursion gambling boat which is continuously docked, and other information the commission deems appropriate. The commission shall have the ultimate responsibility of deciding the number, location, and type of excursion gambling boats licensed in a city or county; however, any city or county which has complied with the provisions of subsection 10 of this section shall submit to the commission a plan outlining the following:

(1) The recommended number of licensed excursion gambling boats operating in such city or county;

(2) The recommended licensee or licensees operating in such city or county;

(3) The community's economic development or impact and affirmative action plan concerning minorities' and women's ownership, contracting and employment for the waterfront development;

(4) The city or county proposed sharing of revenue with any other municipality;

(5) Any other information such city or county deems necessary; and

(6) Any other information the commission may determine is necessary. The commission shall provide for due dates for receiving such plan from the city or county.

2. A license to operate an excursion gambling boat shall only be granted to an applicant upon the express conditions that:

(1) The applicant shall not, by a lease, contract, understanding, or arrangement of any kind, grant, assign, or turn over to a person the operation of an excursion gambling boat licensed under this section or of the system of wagering described in section 313.817. This section does not prohibit a management contract with a person licensed by the commission; and

(2) The applicant shall not in any manner permit a person other than the licensee and the management licensee to have a share, percentage, or proportion of the money received for admissions to the excursion gambling boat.

3. The commission shall require, as a condition of granting a license, that an applicant operate an excursion gambling boat which, as nearly as practicable, resembles or is a part of Missouri's or the home dock city's or county's riverboat history.

4. The commission shall encourage through its rules and regulations the use of Missouri resources, goods and services in the operation of any excursion gambling boat.

5. The excursion gambling boat shall provide for nongaming areas, food service and a Missouri theme gift shop. The amount of space used for gaming shall be determined in accordance with all rules and regulations of the commission and the United States Coast Guard safety regulations.

6. A license to operate gambling games or to operate an excursion gambling boat shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated financial responsibility sufficient to meet adequately the requirements of the proposed enterprise.

7. Each applicant shall establish by clear and convincing evidence its fitness to be licensed. Without limitation, the commission may deny a license based solely on the fact that there is evidence that any of the following apply:

(1) The applicant has been suspended from operating an excursion gambling boat or a game of chance or gambling operation in another jurisdiction by a board or commission of that jurisdiction;

(2) The applicant is not the true owner of the enterprise proposed;

(3) The applicant is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed;

(4) The applicant is a corporation that is not publicly traded and ten percent or more of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license;

(5) The applicant has knowingly made a false statement of a material fact to the commission; or

(6) The applicant has failed to meet a valid, bona fide monetary obligation in connection with an excursion gambling boat.

8. A license shall not be granted if the applicant has not established **[**his**]** **the applicant's** good repute and moral character or if the applicant has pled guilty to, or has been convicted of, a felony. No licensee shall employ or contract with any person who has pled guilty to, or has been convicted of, a felony to perform any duties directly connected with the licensee's privileges under a license granted pursuant to this section, except that employees performing nongaming related occupations as determined by the commission shall be exempt from the requirements of this subsection.

9. **Except as provided in section 313.817,** a licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed**, other than a credit instrument,** must be deposited within twenty-four hours. The commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the commission.

10. Gambling excursions including the operation of gambling games on an excursion gambling boat which is not continuously docked shall be allowed only on the Mississippi River and the Missouri River. No license to conduct gambling games on an excursion gambling boat in a city or county shall be issued unless and until the qualified voters of the city or county approve such activities pursuant to this subsection. The question shall be submitted to the qualified

voters of the city or county at a general, primary or special election upon the motion of the governing body of the city or county or upon the petition of fifteen percent of the qualified voters of the city or county determined on the basis of the number of votes cast for governor in the city or county at the last election held prior to the filing of the petition. The question shall be submitted in substantially the following form:

Shall the City (County) of ..... allow the licensing of excursion gambling boats or floating facilities as now or hereafter provided by Missouri gaming law in the city (county)?

☐ YES ☐ NO .

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the commission may license excursion gambling boats in that city or county and such boats may operate on the Mississippi River and the Missouri River. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the commission shall not license such excursion gambling boats in such city or county unless and until the question is again submitted to and approved by a majority of the qualified voters of the city or county at a later election. Excursion gambling boats may only dock in a city or unincorporated area of a county which approves licensing of such excursion gambling boats pursuant to this subsection, but gambling operations may be conducted at any point on the Mississippi River or the Missouri River during an excursion. Those cities and counties which have approved by election pursuant to this subsection, except those cities or counties which have subsequently rejected by election, the licensing of any type of excursion gambling boats in the city or county prior to April 6, 1994, are exempt from any local election requirement of this section as such previous election shall have the same effect as if held after May 20, 1994.

11. If a docking fee is charged by a city or a county, a licensee operating an excursion gambling boat shall pay the docking fee prior to the start of the excursion season.

12. Any licensee shall not be delinquent in the payment of property taxes or other taxes or fees or in the payment of any other contractual obligation or debt due or owed to the state or a political subdivision of the state.

13. An excursion gambling boat licensed by the state shall meet all of the requirements of chapter 306 and is subject to an inspection of its sanitary facilities to protect the environment and water quality by the commission or its designee before a license to operate an excursion gambling boat is issued by the commission. Licensed excursion gambling boats shall also be subject to such inspections during the period of the license as may be deemed necessary by the commission. The cost of such inspections shall be paid by the licensee.

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming;

(3) Receiving goods or services from a person or business entity who does not hold a supplier's license but who is required to hold such license by the provisions of sections 313.800 to 313.850 or the rules and regulations of the commission;

(4) Being suspended or ruled ineligible or having a license revoked or suspended in any state of gaming jurisdiction;

(5) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;

(6) Employing in any gambling games' operation or any excursion gambling boat operation, any person known to have been found guilty of cheating or using any improper device in connection with any gambling game;

(7) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to sections 313.800 to 313.850;

(8) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;

(9) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by sections 313.800 to 313.850.

313.817. 1. Except as permitted in this section, the licensee licensed to operate gambling games shall permit no form of wagering on gambling games.

2. The licensee may receive wagers only from a person present on a licensed excursion gambling boat.

3. Wagering shall not be conducted with money or other negotiable currency. The licensee shall exchange the money **or credit instrument** of each wagerer for electronic or physical tokens, chips, or other forms of credit to be wagered on the gambling games. The licensee shall exchange the tokens, chips, or other forms of wagering credit for money at the request of the wagerer.

4. A person under twenty-one years of age shall not make a wager on an excursion gambling boat and shall not be allowed in the area of the excursion boat where gambling is being conducted; provided that employees of the licensed operator of the excursion gambling boat who have attained eighteen years of age shall be permitted in the area in which gambling is being conducted when performing employment-related duties, except that no one under twenty-one years of age may be employed as a dealer or accept a wager on an excursion gambling boat. The governing body of a home dock city or county may restrict the age of entrance onto an excursion gambling boat by passage of a local ordinance.

5. In order to help protect patrons from invasion of privacy and the possibility of identity theft, patrons shall not be required to provide fingerprints, retinal scans, biometric forms of identification, any type of patron-tracking cards, or other types of identification prior to being permitted to enter the area where gambling is being conducted on an excursion gambling boat or to make a wager, except that, for purposes of establishing that a patron is at least twenty-one years of age as provided in subsection 4 above, a licensee operating an excursion gambling boat shall be authorized to request such patron to provide a valid state or federal photo identification or a valid passport. This section shall not prohibit enforcement of identification requirements that are required by federal law. This section shall not prohibit enforcement of any Missouri statute requiring identification of patrons for reasons other than being permitted to enter the area of an excursion gambling boat where gambling is being conducted or to make a wager.

6. A licensee shall only allow wagering and conduct gambling games at the times allowed by the commission.

7. It shall be unlawful for a person to present false identification to a licensee or a gaming agent in order to gain entrance to an excursion gambling boat, cash a check**, obtain a credit instrument** or verify that such person is legally entitled to be present on the excursion gambling boat. Any person who violates the provisions of this subsection shall be guilty of a class B misdemeanor for the first offense and a class A misdemeanor for second and subsequent offenses.

8. Credit instruments executed on or after August 28, 2012, are valid contracts creating debt that are enforceable by legal process. A licensee may accept credit instruments from a qualified person in exchange for physical tokens or chips that can be wagered on gambling games at the licensee's excursion gambling boat, or money that can be exchanged for electronic or physical tokens, chips or other forms of credit to be wagered on gambling games at the licensee's excursion gambling boat. "Qualified person" means a person who has completed a credit application provided by the licensee and who is determined by the licensee, after performing a credit check and applying usual standards to establish creditworthiness, to qualify for a line of credit of at least five thousand dollars. Approval to accept a credit instrument from a qualified person shall be made by the holder of an occupational license, except that such approval shall not be made less than twenty-four hours after the determination that a person is a qualified person. A licensee may accept multiple credit instruments from the same person to consolidate or redeem a previous credit instrument. A lost or destroyed credit instrument shall remain valid and enforceable if the party seeking enforcement can prove its existence and terms. Any person who violates this subsection is subject only to the penalties provided in section 313.812. The commission shall have no authority to determine the validity or enforceability of a credit instrument or the enforceability of the debt that the credit instrument represents. Failure to comply with any regulation promulgated by the commission shall not impact the validity or enforceability of the credit instrument or the debt that the credit instrument represents."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dieckhaus, **House Amendment No. 7** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Long	Marshall	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Zerr

NOES: 047

Anders	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 026

Atkins	Barnes	Carter	Cross	Diehl
Funderburk	Guernsey	Holsman	Hughes	Leara
Loehner	May	McCaherty	McDonald	McGhee
Meadows	Pollock	Riddle	Schad	Schieffer
Schneider	Webb	Webber	Wright	Wyatt
Mr Speaker				

On motion of Representative Wells, **HCS SCS SB 726, as amended**, was adopted.

On motion of Representative Wells, **HCS SCS SB 726, as amended**, was read the third time and passed by the following vote:

AYES: 090

Allen	Atkins	Bahr	Bernskoetter	Brandom
Brattin	Brown 116	Burlison	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Kratky	Lair	Largent	Lasater
Lauer	Leach	Lichtenegger	Long	McGhee
McNary	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pollock	Redmon
Richardson	Rowland	Ruzicka	Scharnhorst	Schatz
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Zerr

NOES: 050

Anders	Aull	Barnes	Berry	Black
Brown 50	Brown 85	Carlson	Casey	Colona
Ellinger	Ellington	Fallert	Frederick	Fuhr
Harris	Holsman	Hummel	Jones 63	Kelly 24
Kirkton	Lampe	Lant	Marshall	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Oxford	Pace	Pierson
Quinn	Reiboldt	Rizzo	Schieber	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	White

PRESENT: 000

ABSENT WITH LEAVE: 023

Asbury	Carter	Cross	Diehl	Funderburk
Hughes	Leara	Loehner	May	McCaherty
McDonald	Meadows	Molendorp	Riddle	Sater
Schad	Schieffer	Schneider	Thomson	Webb
Webber	Wyatt	Mr Speaker		

Representative Silvey declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 107

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Long	McGhee
McNary	Molendorp	Morgan	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Scharnhorst	Schatz	Schieber	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr			

NOES: 038

Anders	Asbury	Atkins	Carlson	Colona
Conway 27	Ellinger	Ellington	Harris	Holsman
Hummel	Jones 63	Kelly 24	Kirkton	Lampe
Marshall	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 018

Carter	Cross	Funderburk	Hughes	Leara
Loehner	May	McCaherty	Meadows	Riddle
Sater	Schad	Schieffer	Schneider	Webb
Webber	Wyatt	Mr Speaker		

COMMITTEE REPORTS

Committee on Rural Community Development, Chairman Weter reporting:

Mr. Speaker: Your Committee on Rural Community Development, to which was referred **SCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 464**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 729**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 755**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 758**, begs leave to report it has examined the same and recommends that it **Do Pass**.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SS SCS SB 755 - Fiscal Review
HCS SCS SB 758 - Fiscal Review

CONFERENCE COMMITTEE REPORT
ON
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1135

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 1135, with Senate Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. The Senate recede from its position on Senate Committee Substitute for House Bill No. 1135, as amended;

2. That the House recede from its position on House Bill No. 1135;

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1135 be Third Read and Finally Passed.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Jason Smith	/s/ Bob Dixon
/s/ Cole McNary	/s/ Jane Cunningham
/s/ Lyndall Fraker	/s/ Luann Ridgeway
/s/ Sara Lampe	/s/ Timothy Green
/s/ Gail McCann Beatty	/s/ Joseph Keaveny

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 9:30 a.m., Wednesday, May 16, 2012.

COMMITTEE MEETINGS

FISCAL REVIEW
Wednesday, May 16, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW
Thursday, May 17, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

FISCAL REVIEW
Friday, May 18, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

HEALTH CARE POLICY
Wednesday, May 16, 2012, Upon Morning Recess House Hearing Room 6.
Executive session may be held on any matter referred to the committee.

JOINT COMMITTEE ON EDUCATION
Wednesday, May 16, 2012, 8:40 AM House Hearing Room 7.
Executive session may be held on any matter referred to the committee.
Election of Chairman and Vice-Chairman

RULES - PURSUANT TO RULE 25(32)(F)
Wednesday, May 16, 2012, 8:45 AM North Gallery.
Executive session may be held on any or all bills referred to this committee.
CORRECTED

RULES - PURSUANT TO RULE 25(32)(F)
Thursday, May 17, 2012, 8:45 AM North Gallery.
Executive session may be held on any or all bills referred to this committee.
CORRECTED

RULES - PURSUANT TO RULE 25(32)(F)
Friday, May 18, 2012, 8:45 AM North Gallery.
Executive session may be held on any or all bills referred to this committee.
CORRECTED

HOUSE CALENDAR

SEVENTY-FOURTH DAY, WEDNESDAY, MAY 16, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 89 - Schoeller
2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
4 HCS HB 1210, as amended - Gatschenberger
5 HCS HB 1795 - Ruzicka
6 HB 1966 - Burlison
7 HB 1779 - Flanigan
8 HCS HB 1794 - Grisamore
9 HCS HB 1754 - Cox
10 HCS HB 1815 - Pollock
11 HB 1842 - Lant
12 HCS HB 1935 - Franz
13 HB 2063, as amended - Denison
14 HCS HB 2100 - Denison
15 HCS HB 1709 - Hough
16 HCS#2 HB 1358 - Gatschenberger
17 HCS HB 1397 - Gatschenberger
18 HCS HBs 1542 & 1101 - Koenig
19 HCS#2 HB 1213 - Franklin
20 HCS HB 1846 - Long
21 HCS HB 1585 - Cross
22 HCS HB 1971 - Schneider
23 HB 1690 - May
24 HB 1728 - Johnson
25 HB 1790 - Torpey
26 HCS HB 1970 - Jones (117)

27 HB 1144 - Gatschenberger
28 HB 1394 - Brandom
29 HB 1456 - Black
30 HCS HB 1609 - Nasheed
31 HCS HB 1612 - Burlison
32 HB 2038 - Wallingford
33 HCS HB 1877 - Sommer

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1328 - Cox
2 HCS HB 1922 - Molendorp
3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HCS HBs 1298 & 1180 - Parkinson
2 HB 1066 - McGhee

HOUSE BILLS FOR THIRD READING - INFORMAL

1 HB 1277 - Long
2 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

1 HCR 55 - Nolte
2 HCR 57 - McNary

SENATE BILLS FOR THIRD READING

1 HCS SB 620 - Gosen
2 HCS#2 SCS SB 480 - Burlison
3 HCS SCS SB 673 - Day
4 SCS SB 789 - Cox
5 HCS SB 813 - Dieckhaus
6 HCS SCS SB 856 - Barnes
7 SS SCS SBs 489 & 637, E.C. - Franz
8 SS SCS SB 633 - Largent
9 SCS SB 788 - Diehl
10 HCS SCS SB 655 - Kelly (24)
11 HCS SB 667 - Korman
12 HCS SCS SB 671, E.C. - Dugger

HCS SCS SB 510 - Schneider
HCS SB 557 - Franz
HCS SB 594 - Pollock
HCS SCS SB 625 - Jones (117)
HCS SCS SB 648 - Sommer
HCS SB 668 - Diehl
HCS SCS SB 692, E.C. - Asbury
HCS SB 701 - Wright
HCS SCS SB 722 - Jones (89)
HCS SS SB 749 - Crawford
HCS SB 760, E.C. - Ruzicka
HCS SS SB 769 - Cierpiot
HCS SS SB 854 - Long
SB 893 - Richardson
HCS#2 SCS SB 729, E.C. - Kelly (24)
HCS SS SCS SB 755, (Fiscal Review 5/15/12) - Cookson
HCS SCS SB 758, (Fiscal Review 5/15/12) - Black
HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847 - Sater
SCS SB 835, E.C. - Bernskoetter

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1495 - Nance
SCS HB 1112 - Gosen
SCS HCS HB 1042, as amended - Thomson
SS SCS HCS HB 1400, E.C. - Richardson
HB 1250, with SA 1 & SA 2 - Ruzicka
SS HB 1128 - Largent
HB 1103, with SA 1 & SA 2 - Crawford
SCS HB 1460 - Jones (117)
SCS HB 1036 - Dugger
SCS HCS HB 1072 - Sater
SS SCS HCS HB 1563, as amended, E.C. - Sater
SS SCS HCS HB 1094, as amended - Wieland
SS SCS HCS HB 1150, as amended - Smith (150)
SS SCS HCS HB 1498 - Hough
SCS HCS HB 1758 - Long
SCS HCS#2 HB 1323 - Black
SS SCS HCS HB 1280 - Korman
SCS HCS HB 1827 - Richardson
HCS HB 1171, with SA 1 - Franz

BILLS CARRYING REQUEST MESSAGES

1 SB 736, with HA1 (request House recede/grant conference), E.C. - Gatschenberger
2 SCS SB 715, with HA 1 and HA 2, (request House recede/take up and pass bill) - Day
3 SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868, and HB 1878, as amended (request Senate recede/grant conference) - Marshall
4 HCS SCS SB 485, as amended, (request House recede/grant conference) - Kelly (24)
5 SS SB 665, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, (request House recede/grant conference) - Asbury
6 HCS SCS SB 711, as amended, (request House recede/grant conference) - Largent
7 HCS SB 739, as amended, (request House recede/grant conference) - Cox
8 HCS SCS SB 631, as amended, (request House recede/grant conference), E.C. - Reiboldt
9 SB 599, with HA 1, HA 2, as amended, HA 3, as amended, HA 4, as amended & HA 5, (request House recede/grant conference), E.C. - Dieckhaus

BILLS IN CONFERENCE

1 CCR HCS SB 568, as amended, E.C. - Franz
2 CCR SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis
3 CCR SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
4 CCR#2 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. - Brown (116)
5 CCR HCS SCS SB 569, as amended - Dugger
6 SS SCS HB 1073 AND HCS HB 1477, as amended - Sater
7 CCR SCS HB 1135, as amended - Smith (150)
8 HCS SCS SB 498, as amended, E.C. - Shumake
9 HCS SS SCS SB 467, as amended - Cox
10 SCS SB 566, with HA 1 & HA 2 - Jones (117)
11 HCS SB 455, as amended - Thomson
12 HCS SB 578, as amended, E.C. - Cox
13 HCS SB 628, as amended - Kelly (24)
14 HCS SCS SB 635, as amended, E.C. - Phillips
15 SS SCS HCS HB 1402, as amended - Burlison
16 HCS SS SCS SB 470, as amended - Burlison
17 HCS SB 636, as amended - Diehl

SENATE CONCURRENT RESOLUTIONS

1 SS SCR 16 - Asbury
2 SCS SCR 17 - Diehl
3 SCR 24 - Davis

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-FOURTH DAY, WEDNESDAY, MAY 16, 2012

The House met pursuant to adjournment.

Representative Keeney in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

It is more blessed to give than to receive. (Acts 20:35)

O God, Who created us in Your own image and gave us a living soul that we might live in fellowship with You, grant unto us Your blessings as we wait upon You in prayer on this last week of session. Make us good in thought, gentle in work, and generous in deed.

Call to our minds again that it is better to give than to receive, better to minister unto others than to be ministered unto ourselves, better to be governed by Your spirit than to be goaded by our own selfish desires.

Bless our Speaker and these representatives of our people. May the benediction of Your spirit abide in their hearts and lead them in the paths of righteousness, truth, and good will that the lamp of freedom may burn more brightly in our day and the banner of honor may fly forever above our state.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sam Ward and Lydia Foss.

The Journal of the seventy-third day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3223 through House Resolution No. 3261

COMMITTEE REPORTS

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 755**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 758**, begs leave to report it has examined the same and recommends that it **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1231**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1576**, entitled:

An act to amend chapters 103 and 210, RSMo, by adding thereto two new sections relating to the purchase of state health insurance by certain foster parents.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1576, Page 1, Section 103.078, Line 10, by inserting immediately before the word "Foster" the following:

"**In order to qualify for the purchase of state health insurance under this section,**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 636, as amended**: Senators Keaveny, Justus, Goodman, Dixon and Lamping.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 726, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

BILLS CARRYING REQUEST MESSAGES

SS SB 665, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6, relating to conveyance of state property, was taken up by Representative Asbury.

Representative Asbury moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6** to **SS SB 665** and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 485, as amended, relating to security interests and liens, was taken up by Representative Kelly (24).

Representative Kelly (24) moved that the House refuse to recede from its position on **HCS SCS SB 485, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 711, as amended, relating to adoption and juvenile jurisdiction, was taken up by Representative Largent.

Representative Largent moved that the House refuse to recede from its position on **HCS SCS SB 711, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 739, as amended, relating to judicial proceedings, was taken up by Representative Cox.

Representative Cox moved that the House refuse to recede from its position on **HCS SB 739, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 631, as amended, relating to agriculture, was taken up by Representative Reiboldt.

Representative Reiboldt moved that the House refuse to recede from its position on **HCS SCS SB 631, as amended**, and grant the Senate a conference.

Which motion was adopted.

Representative Jones (89) suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 119

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hoskins
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kirkton

Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNary
Molendorp	Montecillo	Nance	Neth	Newman
Nolte	Oxford	Parkinson	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Spreng	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	Wright	Wyatt	Zerr	

NOES: 003

Ellington	McNeil	Smith 71

PRESENT: 024

Atkins	Bahr	Black	Colona	Conway 27
Ellinger	Elmer	Fallert	Hodges	Holsman
Hummel	Kelly 24	Leara	Marshall	McCreery
Morgan	Nichols	Pace	Solon	Sommer
Swearingen	Walton Gray	White	Wieland	

ABSENT WITH LEAVE: 017

Carter	Day	Diehl	Franz	Funderburk
Hough	Hughes	Koenig	May	Meadows
Nasheed	Pollock	Riddle	Still	Webb
Webber	Mr Speaker			

SB 599, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, as amended, House Amendment No. 4, as amended, and House Amendment No. 5, relating to gifted education, was taken up by Representative Dieckhaus.

Representative Dieckhaus moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, as amended, House Amendment No. 4, as amended, and House Amendment No. 5** to **SB 599**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SCS SB 692, relating to political subdivisions, was taken up by Representative Gatschenberger.

Representative Gatschenberger offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Section 192.300, Pages 66-67, by deleting all of said section from the bill; and

Further amend said bill, Section 339.501, Pages 75-76, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 1** was adopted.

Representative Jones (89) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 13, Section 67.2010, Line 16, by inserting after all of said line the following:

"**67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**

(1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of revenue;

(6) "Eligible costs", shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 2** was adopted.

Representative Jones (89) offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 13, Section 71.009, Line 8, by inserting after all of said section, the following:

"72.401. 1. If a commission has been established pursuant to section 72.400 in any county with a charter form of government where fifty or more cities, towns and villages have been established, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.423, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.423, then boundary changes in such county shall proceed only as provided in sections 72.400 to 72.423.

3. The commission shall be composed of eleven members as provided in this subsection. No member, employee or contractor of the commission shall be an elective official, employee or contractor of the county or of any political subdivision within the county or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (3) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name two members to the commission as prescribed in this subsection each of whom is a resident of a municipality within the county of more than twenty thousand persons;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of twenty thousand or less but more than ten thousand persons;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name one member to the commission as prescribed in this subsection who is a resident of a municipality within the county with a population of ten thousand persons or less;

(4) An appointive body consisting of the director of the county department of planning, the president of the municipal league of the county, one additional person designated by the county executive, and one additional person named by the board of the municipal league of the county, which appointive body, acting by a majority of all of its members, shall name three members of the commission who are residents of the county; and

(5) The county executive of the county, who shall name four members of the commission, three of whom shall be from the unincorporated area of the county and one of whom shall be from the incorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner changes his or her residence so as to no longer conform to the terms of the requirements of the commissioner's appointment. The commission shall promptly notify the appointing authority of such change of residence.

4. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county.

5. Each of the appointing authorities described in subdivisions (1) to (4) of subsection 3 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 3 of this section before the sixtieth day from the passage of the ordinance. At the first meeting of the commission appointed after the effective date of the ordinance, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

6. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

7. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498 and to the requirements for open meetings and records under chapter 610.

8. Notwithstanding any provisions of law to the contrary, **(1)** any boundary adjustment approved by the residential property owners and the governing bodies of the affected municipalities or the county, if involved, **and (2) any voluntary annexation approved by municipal ordinance provided that the municipality owns the area to be annexed, that the area is contiguous with the municipality, and that the area is utilized only for parks and recreation purposes,** shall not be subject to commission review. Such a boundary adjustment **or annexation** is not prohibited by the existence of an established unincorporated area."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 3** was adopted.

Representative Scharnhorst offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Sections 79.050 and 79.055, Pages 13-14, by deleting all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scharnhorst, **House Amendment No. 4** was adopted.

Representative Schatz offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Section 12, Page 89, Line 19, by inserting after all of said line the following:

"**Section 1. If new lateral sewer pipes or water service lines are installed or connected from or to an underground facility, as defined in section 219.015, or if such infrastructure is repaired, replaced, or rehabilitated, the contractor, utility, or person conducting the installation, connection, repair, replacement, or rehabilitation shall be required to use trace wire, or a similar device capable of being located by an above surface detection system designed to give approximate locations of the underground lateral sewer pipe or water service line, to mark the location of such pipes and lines in those areas that are located within a public right-of-way, easement, or street.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schatz, **House Amendment No. 5** was adopted.

Representative Lasater offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Section 79.050, Page 13, Line 8, by inserting immediately before the word "If" the following:

"**Except as provided in subsection 4 of this section,**"; and

Further amend said bill, section, and page, Lines 11-13, by deleting all of said lines and inserting in lieu thereof the following:

"be elected**[**, and**]**. The board of alderman may provide by ordinance that the same person may be elected marshal and collector, at the same election, and hold both offices and the"; and

Further amend said bill and section, Page 14, Line 30, by inserting the following after all of said line:

"**4. In any city of the fourth classification with more than three thousand three hundred but fewer than three thousand seven hundred inhabitants and located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the board of aldermen may provide by ordinance that the city marshal or chief of police shall be appointed instead of elected.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lasater, **House Amendment No. 6** was adopted.

Representative Stream offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 2, Section 44.035, Line 8, by inserting after all of said line the following:

"**49.295. Notwithstanding any provision of law to the contrary, county commissioners may comply with section 67.285 regarding any contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities that does not change the size or capacity.**"; and

Further amend said bill, Page 8, Section 67.136, Line 8, by inserting after all of said line the following:

"**67.285. 1. The following political subdivisions may enter into, by direct negotiation or through the solicitation of requests for proposals or requests for qualifications, a multiyear, asset management professional service contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities that does not change the size or capacity, which are owned, controlled, or operated by that political subdivision. Notwithstanding any other provision of law to the contrary, any of the following political subdivisions entering into or maintaining such an asset management professional services contract as described in this section shall not be required to pay prevailing wages for the maintenance work performed under such asset management contract. The provisions of this section shall apply only if the contract complies with subsection 2 of this section:**

(1) County commissioners, a board of directors of a public water supply district, a board of trustees of a sanitary district, or a board of trustees of a sewer district;

(2) A municipal corporation through its director, mayor, city manager, village administrator, or other contracting officer, commission, board, or authority as authorized by ordinance of the municipal corporation's legislative authority.

2. A contract entered into under subsection 1 of this section shall include provisions that do all of the following:

(1) Provide that the contracting political subdivision is not required to make total payments in a single year that exceed the excess of:

(a) The political subdivision's water utility charges less;

(b) The operating expenses of the water system payable from such charges and the principal, interest, and other debt charges, including reserves and coverage requirements, for outstanding debt due in that year;

(2) Require that the work performed be done under the supervision of a professional engineer licensed under chapter 327, who certifies that the work will be performed in compliance with all applicable codes and engineering standards; and

(3) Provide that if, on the date of commencement of the contract, the water tank or appurtenant facilities require engineering, repair, sustainability, water quality management, or service in order to bring the tank or facilities into compliance with federal, state, or local requirements, the party contracting with the political subdivision shall provide the engineering, repair, sustainability, water quality management, or service. The cost of the work necessary to ensure such compliance shall be itemized separately and may be charged to the political subdivision in payments spread over a period of not less than three years from the date of commencement of the contract. The charges shall be paid after provision is made to pay operating expenses and the principal, interest, and other debt service charges, including reserves and coverage requirements for outstanding debt due in that year."; and

Further amend said bill, Page 13, Section 67.2010, Line 8, by inserting after all of said line the following:

"**71.289. Notwithstanding any provision of law to the contrary, any municipal corporation that may be required by law to award contracts may comply with section 67.285 regarding any contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities.**"; and

Further amend said bill, Page 68, Section 205.042, Line 41, by inserting after all of said line the following:

"**247.700. Notwithstanding any provision of the law to the contrary, a board of directors of a public water supply district may comply with section 67.285 regarding any contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities.**

248.210. Notwithstanding any provision of law to the contrary, a board of trustees of a sanitary district may comply with section 67.285 regarding any contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities.

249.1200. Notwithstanding any provision of law to the contrary, a board of trustees of a sewer district may comply with section 67.285 regarding any contract for the engineering, repair, sustainability, water quality management, and maintenance of an existing water storage tank and appurtenant facilities."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Smith (150) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schoeller	Shumake	Silvey

Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 012

Carter	Franz	Funderburk	Hinson	Hughes
Meadows	Nasheed	Pollock	Riddle	Schneider
Webb	Webber			

On motion of Representative Stream, **House Amendment No. 7** was adopted by the following vote:

AYES: 082

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Lair	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
McGhee	McNary	Nance	Parkinson	Phillips
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schoeller
Shumake	Smith 150	Sommer	Stream	Thomson
Wallingford	Wells	Weter	White	Wright
Wyatt	Mr Speaker			

NOES: 065

Anders	Atkins	Aull	Berry	Black
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Korman	Kratky	Lampe	Lasater
Loehner	Marshall	May	McCaherty	McCann Beatty

McCreery	McDonald	McGeoghegan	McManus	McNeil
Molendorp	Montecillo	Morgan	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieber	Schieffer	Schneider	Schupp
Shively	Sifton	Silvey	Smith 71	Solon
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Torpey	Walton Gray	Wieland	Zerr

PRESENT: 000

ABSENT WITH LEAVE: 016

Carter	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Hinson	Hughes	Long	Meadows
Nasheed	Nolte	Pollock	Riddle	Webb
Webber				

Representative Cierpiot offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 77, Section 442.404, Line 28, by inserting immediately after said line the following:

"**701.550. 1. As used in this section the following terms mean:**

(1) "Anemometer", an instrument for measuring and recording the speed of the wind;

(2) "Anemometer tower", a structure, including all guy wires and accessory facilities, that has been constructed solely for the purpose of mounting an anemometer to document whether a site has wind resources sufficient for the operation of a wind turbine generator;

(3) "Area surrounding the anchor point", an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point.

2. Any anemometer tower that is fifty feet in height above the ground or higher that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law, shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before August 28, 2012, shall be marked as required in this section by January 1, 2014. Any anemometer tower that is erected on or after August 28, 2012, shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

3. A violation of this section is a class B misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 8** was adopted.

Representative Hummel offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 14, Section 79.055, Line 16, by inserting after all of said section and line the following:

"84.190. 1. The boards of police commissioners are hereby authorized to provide themselves with such office and office furniture, and such clerks and subordinates as they shall need; and to have and use a common seal. They may divide such cities into **[**not more than twelve nor less than nine**]** police districts, **in such number and with such boundaries as the boards deem appropriate** and provide in each of them, if necessary, a station house or houses, with all things and equipments required for the same, and all such other accommodations as may be required for the use of the police.

2. The boards, for all the purposes of sections 84.010 to 84.340, shall have the use of the fire alarm telegraph of such cities for police purposes, and all station houses, watch boxes, firearms, equipments, accoutrements and other accommodations and things provided by such cities, for the use and service of the police, as fully and to the same extent as the same are now used by or for any present police, or as fully and to the same extent as the same may be used by any police force in any of the cities to which sections 84.010 to 84.340 may hereafter apply; and the mayor and common council or municipal assembly, and all persons and municipal officers in charge thereof, are hereby ordered and required to allow such use accordingly. In case the mayor and common council or municipal assembly of any of such cities, or its officers or agents, refuse or neglect to allow such use, as and whenever the same shall be required by the boards created by sections 84.010 to 84.340, or refuse to set aside and appropriate the revenue necessary to carry out the provisions of sections 84.010 to 84.340, or place obstructions or hindrances in the way of the proper discharge of the powers of such boards, the boards may apply to the circuit courts of the judicial circuit in which such cities may be located, in the name of the state, for a mandamus to compel a compliance with the provisions of this section, and the application thereof shall be heard and decided by the court. One week's notice of the application shall be given, and the respondent or respondents shall have the right to answer within the week; and if testimony be needed on either side, the same shall be taken within ten days after the same is filed, or the week shall be expired. From the decision in the circuit court in the premises either party may appeal within ten days; and it shall be the duty of the clerk of such courts to send up the record immediately, and the appeal shall be heard immediately by the supreme court, if then in session, and if not in session, at the next term. In both courts the case shall be taken up and tried in preference to all others."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hummel, **House Amendment No. 9** was adopted.

Representative Kelly (24) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 74, Section 313.321, Line 51, by inserting after all of said section and line, the following:

"321.015. **1.** No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to**:**

(1) Members of the organized militia, of the reserve corps, public school employees and notaries public**; [**, or to**]**

(2) Fire protection districts located wholly within counties of the second, third or fourth **[**class or**] classification;**

(3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;

(4) Fire protection districts located within **[**first class**]** counties **of the first classification** not adjoining any other **[**first class**]** county **of the first classification; [**, nor shall this section apply to**]**

(5) Fire protection districts located within any county of the first or second **[**class**]** **classification** not having more than nine hundred thousand inhabitants which borders any three **[**first class**]** counties **of the first classification**; **[**nor shall this section apply to**]**

(6) Fire protection districts located within any **[**first class**]** county **of the first classification [**without a charter form of government**]** which adjoins both a **[**first class**]** **charter** county **of the first classification [**with a charter form of government**]** with at least nine hundred thousand inhabitants, and adjoins at least four other counties**;**

(7) Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 10** was adopted.

Representative Gatschenberger offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Section 442.404, Pages 76-77, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nolte offered **House Substitute Amendment No. 1 for House Amendment No. 11**.

House Substitute Amendment No. 1
for
House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 12, Section 67.1018, Line 30, by inserting immediately after said line the following:

"67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; **[**and**]**

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .

Owner's telephone number and mailing address: . . . . . .

If signer is different from owner:

Name of signer:. . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: . . . . . .

If the owner is an individual, state if owner is single or married:. . . . . .

If owner is not an individual, state what type of entity:. . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

. . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

. . . .

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF . . . . . .)

Before me personally appeared . . . . . ., to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this . . . . . day of . . . . . (month), ... (year).

. . . . . .

Notary Public

My Commission Expires: . . . . . **; and**

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting

party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Substitute Amendment No. 1 for House Amendment No. 11** was adopted.

Representative Talboy offered **House Amendment No. 12**.

House Amendment No.12

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 11, Section 67.548, Line 37, by inserting after all of said section, the following:

"67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:

(1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(2) "County", any county or any city not within a county;

(3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;

(5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**

(6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;

[(6)**]** **(7)** "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;

[(7)**]** **(8)** "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

[(8)**]** **(9)** "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769."; and

Further amend said bill, Page 12, Section 67.1018, Line 30, by inserting after all of said section, the following:

"67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district**, including any areas under concurrent jurisdiction with an agency of the United States government**. Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. **1.** The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the

county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The **[**tax**]** **taxes** authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the **[**proposed**]** metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. **1. For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712,** the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of . . . ., state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall . . . . . County join such other of . . . . . (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". . . . . Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to . . . . County for local park improvements, all as authorized by the . . . . . (insert name of governing body) of . . . . . County pursuant to (insert ordinance number), on the . . . . day of . . . . (insert month), ... (insert year)?

☐ YES ☐ NO

2. For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing expanded activities and improvements of such areas, shall ..... (insert county name) County join such other of ..... (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a ..... (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to ..... (insert county name) County for local and county park improvements as authorized by the ..... (insert governing body name) of ..... (insert county name) County under ..... (insert ordinance number), on the ..... (insert day) day of ..... (insert month), ... (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?".

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and **[**sections**]** **subsection 1 of section** 67.1715 and **in section** 67.1718.

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769**. No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of**

paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754;

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district**. Any contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712**;

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. **1.** The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization."; and

Further amend said bill, Page 13, Section 67.2010, Line 16, by inserting after all of said section, the following:

"**67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:**

(1) Later establishment or cessation of any park or recreation system provided by law; or

(2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". . . . . Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

(1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;

(2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;

(3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;

(4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;

(5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

(6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;

(7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;

(8) Establish and collect reasonable charges for the use of the facilities of the district;

(9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and

(10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of . . . . ., state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". . . . . Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in ..... County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to . . . . County and the cities within the County for local park improvements?

☐ YES ☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project

administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant

to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042."; and

Further amend said bill, Page 60, Section 143.790, Line 265, by inserting after all of said section, the following:

"144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, **[**2013**]** **2023**.

182.802. 1. **[**A**]** **(1) Any** public library district located **in any of the following counties may impose a tax as provided in this section:**

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; **[**or**]**

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants**;**

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No

tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district."; and

Further amend said bill, Page 93, Section B, Line 6, by inserting after all of said section, the following:

"Section C. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 12** was adopted.

Representative Diehl offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 1, Line 13 of the Title, by deleting the words "political subdivisions" and inserting in lieu thereof the words "local government"; and

Further amend said bill, Page 76, Section 339.501, Line 36, by inserting after said line the following:

"483.015. 1. At the general election in the year 1982, and every four years thereafter, except as herein provided and except as otherwise provided by law, circuit clerks shall be elected by the qualified voters of each county **[**and of the city of St. Louis**]**, who shall be commissioned by the governor, and shall enter upon the discharge of their duties on the first day in January next ensuing their election, and shall hold their offices for the term of four years, and until their successors shall be duly elected and qualified, unless sooner removed from office.

2. The court administrator for Jackson County provided by the charter of Jackson County shall be selected as provided in the county charter and shall exercise all of the powers and duties of the circuit clerk of Jackson County. The

director of judicial administration and the circuit clerk of St. Louis County shall be selected as provided in the charter of St. Louis County.

3. When provision is made in a county charter for the appointment of a court administrator to perform the duties of a circuit clerk or for the appointment of a circuit clerk, such provisions shall prevail over the provisions of this chapter providing for a circuit clerk to be elected. The persons appointed to fill any such appointive positions shall be paid by the counties as provided by the county charter or ordinance; provided, however, that if provision is now or hereafter made by law for the salaries of circuit clerks to be paid by the state, the state shall pay over to the county a sum which is equivalent to the salary that would be payable by law by the state to an elected circuit clerk in such county if such charter provision was not in effect. The sum shall be paid in semimonthly or monthly installments, as designated by the commissioner of administration.

4. The circuit clerk in the sixth judicial circuit and in the seventh judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in those circuits shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. This subsection shall become effective on January 1, 2004, and the elected circuit clerks in those circuits in office at that time shall continue to hold such office for the remainder of their elected terms as if they had been appointed pursuant to the terms of this subsection.

5. The circuit clerk in the twenty-second judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in such circuit shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. The elected circuit clerk in such circuit in office on the effective date of this section shall continue to hold such office for the remainder of his or her elected term."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 13** was adopted.

Representative Bahr offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 60, Section 143.790, Line 265, by inserting after all of said section and line the following:

"**188.125. 1. It is the intent of the general assembly to acknowledge the rights of an alternatives-to-abortion agency and its officers, agents, employees, and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference, and that the constitutions and laws of the United States and the state of Missouri shall be interpreted, construed, applied, and enforced to fully protect such rights.**

2. A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, controls, directs, interferes with, or otherwise adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech, including but not limited to counseling, referrals, or education of, advertising or information to, or other communications with, clients, patients, other persons, or the public.

3. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, provided that such political subdivision treats an alternatives-to-abortion agency in the same manner as a similarly situated agency and that such authority is not used to circumvent the intent of this section.

4. In any action to enforce the provisions of this section, a court of competent jurisdiction may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney's fees, costs, and expenses. The remedies set forth shall not be deemed exclusive and shall be in addition to any other remedies permitted by law.

5. As used in this section, "alternatives-to-abortion agency" means:

(1) A maternity home as defined in section 135.600;

(2) A pregnancy resource center as defined in section 135.630; or

(3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist such women in carrying their unborn children to term instead of having abortions, and to assist such women in caring for their dependent children or placing their children for adoption, as described in section 188.325."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bahr, **House Amendment No. 14** was adopted.

Representative Cookson offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 692, Page 11, Section 67.1018, Lines 2 and 3, by deleting said lines and inserting in lieu thereof the following:

"township form of government and with more than **[**five thousand nine hundred but fewer than six thousand inhabitants**] six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat** may impose a tax on the charges for all sleeping rooms**, RV sites, and**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Entlicher	Fisher
Fitzwater	Fraker	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman

Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Cookson	Dieckhaus	Elmer	Flanigan
Franz	Fuhr	Hughes	Jones 117	Long
Meadows	Nasheed	Riddle	Shumake	Mr Speaker

On motion of Representative Cookson, **House Amendment No. 15** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Oxford	Pace

Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 011

Carter	Elmer	Flanigan	Franz	Fuhr
Hughes	Meadows	Nasheed	Nichols	Riddle
Taylor				

On motion of Representative Gatschenberger, **HCS SCS SB 692, as amended**, was adopted.

Representative Gatschenberger moved that **HCS SCS SB 692, as amended**, be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 076

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brown 50	Brown 85	Brown 116	Cauthorn
Cierpiot	Cookson	Cox	Cross	Day
Dieckhaus	Diehl	Elmer	Fisher	Fitzwater
Fraker	Frederick	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Loehner	McGhee	McNary	Nance	Neth
Nolte	Phillips	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schneider	Schoeller	Shumake	Silvey
Smith 150	Stream	Thomson	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 077

Anders	Atkins	Aull	Berry	Black
Brattin	Burlison	Carlson	Casey	Colona
Conway 14	Conway 27	Crawford	Curtman	Davis
Denison	Dugger	Ellinger	Ellington	Entlicher
Fallert	Franklin	Funderburk	Guernsey	Harris
Hodges	Holsman	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Koenig	Kratky
Lampe	Lasater	Lichtenegger	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Parkinson	Pierson
Pollock	Quinn	Rizzo	Schieber	Schieffer
Schupp	Shively	Sifton	Smith 71	Solon

Sommer	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Torpey	Walton Gray	Webb
Webber	Wieland			

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 009

Carter	Flanigan	Franz	Fuhr	Hughes
Long	Meadows	Nasheed	Riddle	

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1329**, entitled:

An act to repeal sections 32.087, 144.069, 144.757, and 301.140, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with an emergency clause and a contingent effective date for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1909**, entitled:

An act to repeal section 144.805, RSMo, and to enact in lieu thereof one new section relating to sales of aviation jet fuel.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND House Bill No. 1909, Page 1, Section Title, Lines 2-3 of the Title, by striking "sales of aviation jet fuel" and inserting in lieu thereof the following:

"aviation"; and

Further amend said bill, Page 2, Section 144.805, Line 34, by inserting immediately after said line the following:

"430.020. Every person who shall keep or store any vehicle**[**,**]** **or** part or equipment thereof, shall, for the amount due therefor, have a lien; and every person who furnishes labor or material on any vehicle **[**or aircraft,**]** or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner of the vehicle **[**or aircraft**]**, or part or equipment thereof**, and every person who furnishes labor or material on any aircraft or part or equipment thereof, who shall obtain a written memorandum of the work or material furnished, or to be furnished, signed by the owner, authorized agent of the owner, or person in lawful possession of the aircraft or part or equipment thereof**, shall have a lien for the amount of such work or material as is ordered or stated in such written memorandum. Such liens shall be on the vehicle or aircraft, or part or equipment thereof, as shall be kept or stored, or be placed in the possession of the person furnishing the labor or material; provided,

however, the person furnishing the labor or material **on the aircraft or part or equipment thereof,** may retain the lien after surrendering possession of the aircraft or part or equipment thereof by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof resides, if known to the claimant, and in the office of the county recorder of the county where the labor or material was furnished. Such statement shall be filed within **[**thirty**] one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless said lien has also been filed with the Federal Aviation Administration Aircraft Registry.

430.082. 1. Every person expending labor, services, skill or material upon any motor vehicle or trailer, as defined in chapter 301, vessel, as defined in chapter 306, outboard motor **[**or**], or** aircraft**, or part or equipment of an aircraft,** at a written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or who provides storage for a motor vehicle, trailer, outboard motor or vessel, at the written request of its owner, authorized agent of the owner, or person in lawful possession thereof, or at the written request of a peace officer in lieu of the owner or owner's agent, where such owner or agent is not available to request storage thereof, shall, where the maximum amount to be charged for labor, services, skill or material has been stated as part of the written request or the daily charge for storage has been stated as part of the written request, have a lien upon the chattel beginning upon the date of commencement of the expenditure of labor, services, skill, materials or storage for the actual value of all the expenditure of labor, services, skill, materials or storage until the possession of that chattel is voluntarily relinquished to the owner, authorized agent, or one entitled to possession thereof. The person furnishing labor, services, skill or material **upon an aircraft or part or equipment thereof,** may retain the lien after surrendering possession of the aircraft or part or equipment thereof**,** by filing a statement in the office of the county recorder of the county where the owner of the aircraft or part or equipment thereof**,** resides, if known to the claimant, and in the office of the county recorder of the county where the claimant performed the services. Such statement shall be filed within **[**thirty**] one hundred eighty** days after surrendering possession of the aircraft or part or equipment thereof and shall state the claimant's name and address, the items on account, the name of the owner and a description of the property, and shall not bind a bona fide purchaser unless the lien has also been filed with the Federal Aviation Administration Aircraft Registry.

2. If the chattel is not redeemed within forty-five days of the completion of the requested labor, services, skill or material, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title.

3. If the charges are for storage or the service of towing the motor vehicle, trailer, outboard motor or vessel, and the chattel has not been redeemed within forty-five days after the charges for storage commenced, the lienholder shall notify by certified mail, postage prepaid, the owner and any lienholders of record other than the person making the notification, at the person's last known address that application for a lien title will be made unless the owner or lienholder within thirty days makes satisfactory arrangements with the person holding the chattel for payment of storage or service towing charges, if any, or makes satisfactory arrangements with the lienholder for paying such charges or for continued storage of the chattel if desired. Thirty days after the notification has been mailed and the chattel is unredeemed, or the notice has been returned marked "not fowardable" or "addressee unknown", and no satisfactory arrangement has been made with the lienholder for payment or continued storage, the lienholder may apply to the director of revenue for a certificate of ownership or certificate of title as provided in this section.

4. The application shall be accompanied by:

(1) The original or a conformed or photostatic copy of the written request of the owner or the owner's agent or of a peace officer with the maximum amount to be charged stated therein;

(2) An affidavit from the lienholder that written notice was provided to all owners and lienholders of the applicants' intent to apply for a certificate of ownership and the owner has defaulted on payment of labor, services, skill or material and that payment is forty-five days past due, or that owner has defaulted on payment or has failed to make satisfactory arrangements for continued storage of the chattel for thirty days since notification of intent to make application for a certificate of ownership or certificate of title. The affidavit shall be accompanied by a copy of the thirty-day notice given by certified mail to any owner and person holding a valid security interest and a copy of the certified mail receipt indicating that the owner and lienholder of record was sent a notice as required in this section;

(3) A statement of the actual value of the expenditure of labor, services, skill or material, or the amount of storage due on the date of application for a certificate of ownership or certificate of title, and the amount which is unpaid; and

(4) A fee of ten dollars.

5. If the director is satisfied with the genuineness of the application, proof of lienholder notification in the form of a certified mail receipt, and supporting documents, and if no lienholder or the owner has redeemed the chattel or no satisfactory arrangement has been made concerning payment or continuation of storage, and if no owner or lienholder

has informed the director that the owner or lienholder demands a hearing as provided in this section, the director shall issue, in the same manner as a repossessed title is issued, a certificate of ownership or certificate of title to the applicant which shall clearly be captioned "Lien Title".

6. Upon receipt of a lien title, the holder shall within ten days begin proceedings to sell the chattel as prescribed in section 430.100.

7. The provisions of section 430.110 shall apply to the disposition of proceeds, and the lienholder shall also be entitled to any actual and necessary expenses incurred in obtaining the lien title, including, but not limited to, court costs and reasonable attorney's fees."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Bill No. 1909, Page 1, Section Title, Lines 2-3, by striking the words "sales of aviation jet fuel" and inserting in lieu thereof the following:

"aviation"; and

Further amend said bill, Page 2, Section 144.805, Line 34, by inserting immediately after said line the following:

"**701.550. 1. As used in this section the following terms mean:**

(1) "Anemometer", an instrument for measuring and recording the speed of the wind;

(2) "Anemometer tower", a structure, including all guy wires and accessory facilities, that has been constructed solely for the purpose of mounting an anemometer to document whether a site has wind resources sufficient for the operation of a wind turbine generator;

(3) "Area surrounding the anchor point", an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point.

2. Any anemometer tower that is fifty feet in height above the ground or higher that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law, shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before August 28, 2012, shall be marked as required in this section by January 1, 2014. Any anemometer tower that is erected on or after August 28, 2012, shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

3. A violation of this section is a class B misdemeanor."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

THIRD READING OF SENATE BILL

HCS#2 SCS SB 480, relating to transportation, was taken up by Representative Burlison.

Representative Burlison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 8, Section 144.030, Line 36, by removing the opening and closing brackets "**[ ]**" around the phrase "motor vehicles," on said line; and

Further amend said bill, Page 9, Section 144.030, Line 64, by inserting after the word, "state" the following, "**, including any titled manufacturing or mining equipment,**"; and

Further amend said bill, Section 301.010, Page 27, Line 283, by inserting after all of said section and line the following:

"**301.4036. 1. Notwithstanding any other provision of law, any member of the National Wild Turkey Federation, after an annual payment of an emblem-use fee to the National Wild Turkey Federation, may receive personalized specialty license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The National Wild Turkey Federation hereby authorizes the use of its official emblem to be affixed on multiyear personalized specialty license plates as provided in this section. Any contribution to the National Wild Turkey Federation derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the National Wild Turkey Federation. Any member of the National Wild Turkey Federation may annually apply for the use of the emblem.**

2. Upon annual application and payment of a fifteen dollar emblem-use contribution to the National Wild Turkey Federation, the National Wild Turkey Federation shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a fifteen-dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a personalized specialty license plate which shall bear the emblem of the National Wild Turkey Federation. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, and prescribed by section 301.130. In addition, upon each set of license plates shall be inscribed, in lieu of the words "SHOW-ME STATE", the words "National Wild Turkey Federation". Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalized specialty plates issued under this section.

3. A vehicle owner who was previously issued a plate with the National Wild Turkey Federation's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the National Wild Turkey Federation's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a National Wild Turkey Federation specialty plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such personalized specialty license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates."; and

Further amend said bill, Page 39, Section 302.768, Line 56, by inserting after all of said section and line the following:

"303.200. After consultation with insurance companies authorized to issue automobile liability policies in this state, the director of the department of insurance, financial institutions and professional registration shall approve a reasonable plan or plans for the equitable apportionment among such companies of applicants for such policies and for motor vehicle liability policies who are in good faith entitled to but are unable to procure such policies through ordinary methods. When any such plan has been approved, all such insurance companies shall subscribe thereto and participate therein. **Any such plan shall contract with an entity or entities to accept and service applicants and policies for any company that does not elect to accept and service applicants and policies. By October 1 of each year any company that elects to accept and service applicants and policies for the next calendar year for any such plan shall so notify the plan. Any company that does not so notify a plan shall be excused form accepting and servicing applicants and policies for the next calendar year for such plan and shall pay a fee to the plan or servicing entity for providing such services. The fee shall be based on the company's market share on the kinds of insurance offered by the plan.** Any applicant for any such policy, any person insured under any such plan, and any insurance company affected, may appeal to the director from any ruling or decision of the manager or committee designated to operate such plan. Any person aggrieved hereunder by any order or act of the director may, within ten days after notice thereof, file a petition in the circuit court of the county of Cole for a review thereof. The court shall summarily hear the petition and may make any appropriate order or decree."; and

Further amend said bill, Section 577.606, Line 21, Page 52, by inserting after all of said section and line the following:

"**Section 1. 1. Any member of the National Rifle Association, after an annual payment of an emblem-use authorization fee to the National Rifle Association, may receive special license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The National Rifle Association hereby authorizes the use of its official emblem to be affixed on multi-year personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the National Rifle Association derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the National Rifle Association. Any member of the National Rifle Association may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the National Rifle Association, that organization shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special license plate which shall bear the emblem of the National Rifle Association and the words "National Rifle Association" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates pursuant to this section.

3. A vehicle owner who was previously issued a plate with the National Rifle Association emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (117) offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Line 6, by inserting after all of said line the following:

'Further amend said bill, Page 27, Section 301.010, Line 283, by inserting after all of said line the following:

"House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7, by inserting after all of said section and line the following:

"301.449. **[**Any**]** **Only a** community college or four-year public or private institution of higher education**, or a foundation or organization representing the college or institution,** located in the state of Missouri may **itself** authorize **or may by the director of revenue be authorized to use the school's [**the use of its**]** official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to such institution derived from this section, except reasonable administrative costs, shall be used for scholarship endowment or other academically related purposes. Any vehicle owner may annually apply to the institution for the use of the emblem. Upon annual application and payment of an emblem use contribution to the institution, which shall be set by the governing body of the institution at an amount of at least twenty-five dollars, the institution shall issue to the vehicle owner, without further charge, an "emblem use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the seal, emblem or logo of the institution, to the vehicle owner. The license plate authorized by this section shall use the school colors of the institution, and those colors shall be constructed upon the license plate using a process to ensure that the school emblem shall be displayed upon the license plate in the clearest and most attractive manner possible. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. The license plate authorized by this section shall be issued with a design approved by both the institution of higher education and the advisory committee established in section 301.129. A vehicle owner, who was previously issued a plate with an institutional emblem authorized by this section and does not provide an emblem use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the institutional emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms including establishing a minimum number of license plates which can be issued with the authorized emblem of a participating institution.

301.3150. 1. An organization, other than an organization seeking a special military license plate **or a collegiate or university plate**, that seeks authorization to establish a new specialty license plate shall initially petition the department of revenue by submitting the following:

(1) An application in a form prescribed by the director for the particular specialty license plate being sought, describing the proposed specialty license plate in general terms and have a sponsor of at least one current member of the general assembly **in the same legislative session in which the application is reviewed pursuant to subsection 5 of section 21.795, RSMo**. The application may contain written testimony for support of this specialty plate;

(2) Each application submitted pursuant to this section shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate if the specialty plate is approved pursuant to this section;

(3) An application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing and programming the implementation of the specialty plate, if authorized; and

(4) All moneys received by the department of revenue, for the reviewing and development of specialty plates shall be deposited in the state treasury to the credit of the "Department of Revenue Specialty Plate Fund" which is hereby created. The state treasurer shall be custodian of the fund and shall make disbursements from the fund requested by the Missouri director of revenue for personal services, expenses, and equipment required to prepare, review, develop, and disseminate a new specialty plate and process the two hundred applications to be submitted once the plate is approved and to refund deposits for the application of such specialty plate, if the application is not approved by the joint committee on transportation oversight and for no other purpose.

2. At the end of each state fiscal year, the director of revenue shall:

(1) Determine the amount of all moneys deposited into the department of revenue specialty plate fund;

(2) Determine the amount of disbursements from the department of revenue specialty plate fund which were made to produce the specialty plate and process the two hundred applications; and

(3) Subtract the amount of disbursements from the income figure referred to in subdivision (1) of this subsection and deliver this figure to the state treasurer.

3. The state treasurer shall transfer an amount of money equal to the figure provided by the director of revenue from the department of revenue specialty plate fund to the state highway department fund. An unexpended balance in the department of revenue specialty plate fund at the end of the biennium not exceeding twenty-five thousand dollars shall be exempt from the provisions of section 33.080 relating to transfer of unexpended balances to the general revenue fund.

4. The documents and fees required pursuant to this section shall be submitted to the department of revenue by July first prior to the next regular session of the general assembly to be approved or denied by the joint committee on transportation oversight during that legislative session.

5. The department of revenue shall give notice of any proposed specialty plate in a manner reasonably calculated to advise the public of such proposal. Reasonable notice shall include posting the proposal for the specialty plate on the department's official public website, and making available copies of the specialty plate application to any representative of the news media or public upon request and posting the application on a bulletin board or other prominent public place which is easily accessible to the public and clearly designated for that purpose at the principal office.

6. Adequate notice conforming with all the requirements of subsection 5 of this section shall be given not less than four weeks, exclusive of weekends and holidays when the facility is closed, after the submission of the application by the organization to the department of revenue. Written or electronic testimony in support or opposition of the proposed specialty plate shall be submitted to the department of revenue by November thirtieth of the year of filing of the original proposal. All written testimony shall contain the printed name, signature, address, phone number, and email address, if applicable, of the individual giving the testimony.

7. The department of revenue shall submit for approval all applications for the development of specialty plates to the joint committee on transportation oversight during a regular session of the general assembly for approval.

8. If the specialty license plate requested by an organization is approved by the joint committee on transportation oversight, the organization shall submit the proposed art design for the specialty license plate to the department as soon as practicable, but no later than sixty days after the approval of the specialty license plate. If the specialty license plate requested by the organization is not approved by the joint committee on transportation oversight, ninety-seven percent of the application fee shall be refunded to the requesting organization.

9. An emblem-use authorization fee may be charged by the organization prior to the issuance of an approved specialty plate. The organization's specialty plate proposal approved by the joint committee on transportation oversight shall state what fee is required to obtain such statement and if such fee is required annually or biennially, if the applicant has a two-year registration. An organization applying for specialty plates shall authorize the use of its official emblem to be affixed on multiyear personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the organization derived from the emblem-use contribution, except reasonable administrative costs, shall be used solely for the purposes of the organization. Any member of the organization or nonmember, if applicable, may annually apply for the use of the emblem, if applicable.

10. The department shall begin production and distribution of each new specialty license plate within one year after approval of the specialty license plate by the joint committee on transportation oversight.

11. The department shall issue a specialty license plate to the owner who meets the requirements for issuance of the specialty plate for any motor vehicle such owner owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.

12. Each new or renewed application for an approved specialty license plate shall be made to the department of revenue, accompanied by an additional fee of fifteen dollars and the appropriate emblem-use authorization statement.

13. The appropriate registration fees, fifteen dollar specialty plate fee, processing fees and documents otherwise required for the issuance of registration of the motor vehicle as set forth by law must be submitted at the time the specialty plates are actually issued and renewed or as otherwise provided by law. However, no additional fee for the personalization of this plate shall be charged.

14. Once a specialty plate design is approved, a request for such plate may be made any time during a registration period. If a request is made for a specialty license plate to replace a current valid license plate, all documentation, credits, and fees provided for in this chapter when replacing a current license plate shall apply.

15. A vehicle owner who was previously issued a plate with an organization emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration if required, shall be issued a new plate which does not bear the organization's emblem, as otherwise provided by law.

16. Specialty license plates shall bear a design approved by the organization submitting the original application for approval by the joint committee on transportation oversight. The design shall be within the plate area prescribed by the director of revenue, and the designated organization's name or slogan shall be in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130 and as provided in this section. In addition to a design, the specialty license plates shall be in accordance with criteria and plate design set forth in this chapter.

17. The department is authorized to discontinue the issuance and renewal of a specialty license plate if the organization has stopped providing services and emblem-use authorization statements are no longer being issued by the organization. Such organizations shall notify the department immediately to discontinue the issuance of a specialty plate.

18. The organization that requested the specialty license plate shall not redesign the specialty personalized license plate unless such organization pays the director in advance all redesigned plate fees. All plate holders of such plates must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty plate. All other applicable license plate fees in accordance with this chapter shall be required."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 051

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 015

Anders	Carter	Elmer	Franz	Fuhr
Hughes	McGhee	Meadows	Nasheed	Riddle
Sater	Schatz	Stream	Talboy	Mr Speaker

On motion of Representative Burlison, **House Amendment No. 1, as amended**, was adopted.

Representative Smith (150) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 39, Section 302.768, Line 56, by inserting after said line the following:

"304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes of any group of two or more consecutive axles, measured to the nearest foot, except where indicated otherwise	Maximum load in pounds				
feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				

7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	
17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000
47		60,000	73,500	77,500	80,000
48		60,000	74,000	78,000	80,000
49		60,000	74,500	78,500	80,000
50		60,000	75,500	79,000	80,000
51		60,000	76,000	80,000	80,000
52		60,000	76,500	80,000	80,000
53		60,000	77,500	80,000	80,000
54		60,000	78,000	80,000	80,000
55		60,000	78,500	80,000	80,000
56		60,000	79,500	80,000	80,000
57		60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the state highways and transportation commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of Section 127 of Title 23 of the United States Code.

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in **[**subsection**]** **subsections** 9 **and 10** of this section.

7. Notwithstanding any provision of this section to the contrary, the department of transportation shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The department of transportation shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. **(1)** Notwithstanding subsection 3 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock **or agricultural products not including local log trucks as defined in section 301.010** may be as much as, but shall not exceed, eighty-five thousand five hundred pounds **[**while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36**]**. **The provisions of this subsection, however, shall not apply to vehicles operated on the Dwight D. Eisenhower System of Interstate and Defense Highways.**

(2) Any vehicle hauling greater than eighty thousand pounds under the provisions of this subsection, shall apply yearly to the department of transportation for a permit and upon payment of a twenty-five dollar fee, the department shall grant the applicant a permit. Upon renewal of the permit, an applicant shall submit to the department a list of roads traveled and the number of miles traveled on each road during the year.

10. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk from a farm to a processing facility may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 2** was adopted.

Representative Denison offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Pages 15 to 19, Section 260.392, by deleting all of said section and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each **[**cask transported**]** **truck transporting** through or within the state **[**by truck of**]** high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All **[**casks**]** **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments **[**transported by truck**]** are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative McCreery offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

House Substitute Amendment No. 1
for
House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Pages 15-19, Section 260.392, Lines 1-151, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Reiboldt	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 050

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 017

Anders	Carter	Cierpiot	Dieckhaus	Fraker
Fuhr	Holsman	Hughes	Kelly 24	McCaherty
Meadows	Nasheed	Redmon	Richardson	Riddle
Smith 150	Mr Speaker			

Representative McCreery moved that **House Substitute Amendment No. 1 for House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Atkins	Aull	Black	Carlson	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Hubbard	Jones 63	Kirkton
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Molendorp	Morgan
Newman	Nichols	Oxford	Pace	Quinn
Sater	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Wyatt

NOES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Montecillo	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Reiboldt
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Wallingford	Webber	Wells	White
Wieland	Wright	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 020

Anders	Brown 50	Carter	Dieckhaus	Fraker
Fuhr	Holsman	Hughes	Hummel	Kelly 24
Kratky	Meadows	Nasheed	Pierson	Redmon
Richardson	Riddle	Torpey	Weter	Mr Speaker

On motion of Representative Denison, **House Amendment No. 3** was adopted.

Representative Pollock offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 27, Section 301.010, Line 283, by inserting after all of said line the following:

"**301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Korman offered **House Amendment No. 1 to House Amendment No. 4**.

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 2, Line 23, by inserting after all of said line the following:

'Further amend said bill, Section 577.606, Page 52, Line 21, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 1 to House Amendment No. 4** was adopted.

Representative Hough offered **House Amendment No. 2 to House Amendment No. 4**.

House Amendment No. 2
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 2, Line 22, by inserting after all of said line the following:

'Further amend said bill, Page 39, Section 302.768, Line 56, by inserting after all of said section and line the following:

"304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours, shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles**, except that each municipality shall allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize a municipality to limit the use of all routes in the municipality**;

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle**;**

5. No ordinance shall deny the use of commercial vehicles on all routes within the municipality. For purposes of this section, the term route shall mean any state road, county road, or public street, avenue, boulevard, or parkway."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 2 to House Amendment No. 4** was adopted.

On motion of Representative Pollock, **House Amendment No. 4, as amended**, was adopted.

Representative Guernsey offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 39, Section 302.768, Line 56, by inserting after all of said section and line the following:

"**304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:**

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for

the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Line 11, by inserting after the word "**residence**" the phrase "**or property owned or leased by the operator**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 5** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Elmer	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hinson	Hoskins	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150

Solon	Sommer	Stream	Thomson	Torpey
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 044

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Fallert
Harris	Hodges	Hummel	Kander	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 027

Carter	Colona	Dieckhaus	Diehl	Ellington
Entlicher	Franz	Fuhr	Funderburk	Hampton
Higdon	Holsman	Hough	Hubbard	Hughes
Jones 63	Kelly 24	May	Meadows	Nasheed
Newman	Parkinson	Riddle	Schad	Talboy
Wallingford	Mr Speaker			

On motion of Representative Guernsey, **House Amendment No. 5, as amended**, was adopted.

Representative Brown (116) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 40, Section 306.532, Lines 1-8, by deleting all of said lines and inserting in lieu thereof the following:

"306.532. Effective **[**January 1, 2011**]** **August 28, 2012**, the certificate of title for a new outboard motor shall designate the year the outboard motor was manufactured as the "Year Manufactured" and shall further designate the year the dealer received the new outboard motor from the manufacturer as the "Model Year-NEW". **Any outboard motor manufactured on or after July first of any year shall be labeled with the "Year Manufactured" with the calendar year immediately following the year manufactured unless the manufacturer indicates a specific model or program year**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (116), **House Amendment No. 6** was adopted.

Representative Jones (117) offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 27, Section 301.010, Line 283, by inserting after all of said line the following:

"302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction. If the court finds that the petitioner has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has been convicted twice within a five-year period of violating state law, or a county or municipal ordinance, of driving while intoxicated, or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023, or who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. The director shall not issue a license to such person for five years from the date such person was convicted or pled guilty for involuntary manslaughter while operating a motor vehicle in an intoxicated condition or for driving while intoxicated or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023 for the second time;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. **The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.** The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered**

any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible."; and

Further amend said bill, Pages 27 through 31, Section 302.304, by deleting all of said section and inserting in lieu thereof the following:

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated**. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations**.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, **or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,** the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with

the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the armed forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on

or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

(b) Seeking medical treatment for such operator;

(c) Attending school or other institution of higher education;

(d) Attending alcohol or drug treatment programs;

(e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with

chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, **or a license revocation under paragraph (h) of subdivision (6) of this subsection,** until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. **The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.**

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; **[**or**]**

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed **the first forty-five days of** such revocation**, provided the person is not otherwise ineligible for a limited driving privilege**.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**three years**]** **forty-five days** of such disqualification or revocation.

Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**three years**]** **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**two years**]** **forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**two years**]** **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void."; and

Further amend said bill, Page 32, Section 302.341, Line 46, by inserting after all of said line the following:

"302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.

If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section**. If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. Upon completion of such ninety-day period of restricted driving privilege, upon**

compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Page 52, Section B, Line 7, by inserting after all of said line the following:

"Section C. The repeal and reenactment of sections 302.304, 302.309, and 302.525 shall become effective July 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 050

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 017

Anders	Berry	Carter	Conway 27	Dieckhaus
Fisher	Fuhr	Higdon	Hughes	Meadows
Nasheed	Parkinson	Riddle	Stream	Swearingen
Wallingford	Mr Speaker			

On motion of Representative Jones (117), **House Amendment No. 7** was adopted.

Representative Nolte offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Section A, Line 5, by inserting after all of said section, the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy**.

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; **[**and**]**

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .

Owner's telephone number and mailing address: . . . . . .

If signer is different from owner:

Name of signer:. . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: . . . . . .

If the owner is an individual, state if owner is single or married:. . . . . .

If owner is not an individual, state what type of entity:. . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

. . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

. . . . . .

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 8** was adopted.

Representative Gatschenberger offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 15, Section 144.030, Line 287, by after all of said section and line inserting the following:

"**227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.**"; and

Further amend said bill, Page 27, Section 301.010, Line 283, by after all of said section and line inserting the following:

"301.3163. Any person may apply for **[**special**]** **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**]** **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**]** **director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**]** **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Marshall offered **House Amendment No. 1 to House Amendment No. 9**.

House Amendment No. 1
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Line 7, by inserting after all of said line, the following:

'Further amend said bill, page, section, and line, by inserting all of said line, the following:

"**227.510. The portion of Interstate 29 in Platte County, from the intersection of Missouri 273/371 north to the intersection of Route U/E shall be designated the "Trooper Fred F. Guthrie Jr. Memorial Highway". Costs for such designation shall be paid by private donations.**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schneider	Shumake
Silvey	Smith 150	Solon	Sommer	Thomson
Wallingford	Weter	White	Wieland	Wyatt
Zerr				

NOES: 045

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Kander
Kelly 24	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 027

Anders	Carter	Denison	Dieckhaus	Dugger
Hubbard	Hughes	Hummel	Jones 63	Jones 117
May	McManus	Meadows	Molendorp	Nasheed
Phillips	Quinn	Richardson	Riddle	Rizzo
Schieber	Schoeller	Stream	Torpey	Wells
Wright	Mr Speaker			

On motion of Representative Marshall, **House Amendment No. 1 to House Amendment No. 9** was adopted.

Representative Brattin offered **House Amendment No. 2 to House Amendment No. 9**.

House Amendment No. 2
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 1, Line 25, by inserting after all of said line the following:

'Further amend House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, Page 27, Section 301.010, Line 283, by inserting after all of said section and line the following:

"301.3161. 1. **Notwithstanding any other provision of law to the contrary,** any person may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual contribution of twenty-five dollars to the Cass County collector of revenue. Any contribution derived from this section, except reasonable administrative costs, shall be distributed within the county as follows:

(1) **[**Eighty**]** **Seventy** percent to public safety; **[**and**]**

(2) **Fifteen percent to the Cass County Historical Society; and**

(3) [Twenty**]** **Fifteen** percent to the Cass County parks and recreation **[**department**]**.

2. Upon annual application and payment of twenty-five dollars the county shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a **[**personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" in the place of the words "SHOW-ME STATE"**]** **speciality personalized license plate which shall bear the emblem of the Cass County Burnt District and the words "CASS COUNTY -- THE BURNT DISTRICT" at the bottom of the plate in a manner prescribed by the director of revenue**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for personalization of license plates under this section.

3. **[**The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void**]** **Prior to the issuance of a specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.**

4. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 2 to House Amendment No. 9** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Pollock
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Wallingford
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 046

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Fallert
Harris	Hodges	Holsman	Hubbard	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 016

Anders	Carter	Ellington	Hughes	Hummel
May	McManus	Meadows	Phillips	Riddle
Schieffer	Torpey	Walton Gray	Webb	Wells
Mr Speaker				

On motion of Representative Gatschenberger, **House Amendment No. 9, as amended**, was adopted.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 116	Burlison	Cauthorn
Conway 14	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fisher
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Hinson	Hoskins	Hough	Houghton	Johnson
Keeney	Kelley 126	Klippenstein	Koenig	Lair
Lant	Largent	Lasater	Lauer	Leach
Lichtenegger	Long	Marshall	McCaherty	McGhee
McNary	Molendorp	Nance	Neth	Nolte
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Wallingford	Weter
White	Wright	Wyatt	Zerr	

NOES: 041

Atkins	Aull	Black	Brown 50	Carlson
Casey	Conway 27	Fallert	Harris	Hodges
Holsman	Hubbard	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McNeil	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Smith 71	Spreng	Swearingen	Talboy	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 038

Allen	Anders	Brown 85	Carter	Cierpiot
Colona	Ellinger	Ellington	Fitzwater	Flanigan
Franz	Grisamore	Higdon	Hughes	Hummel
Jones 89	Jones 117	Korman	Leara	Loehner
May	McDonald	McManus	Meadows	Parkinson
Phillips	Pollock	Redmon	Riddle	Schieffer
Still	Swinger	Taylor	Torpey	Webb
Wells	Wieland	Mr Speaker		

On motion of Representative Burlison, **HCS#2 SCS SB 480, as amended**, was adopted.

On motion of Representative Burlison, **HCS#2 SCS SB 480, as amended**, was read the third time and passed by the following vote:

AYES: 112

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Flanigan
Fraker	Franklin	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 032

Atkins	Carlson	Ellinger	Hodges	Holsman
Hubbard	Jones 63	Kirkton	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McNeil	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 019

Anders	Carter	Colona	Ellington	Fitzwater
Franz	Grisamore	Higdon	Hughes	Hummel
Loehner	May	McManus	Meadows	Riddle
Schieffer	Taylor	Webb	Mr Speaker	

Representative Keeney declared the bill passed.

Representative Smith (150) assumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SCS SB 485: Representatives Wells, Cierpiot, Richardson, Kelly (24) and Atkins
SB 599: Representatives Dieckhaus, Stream, Fitzwater, Lampe and Aull
SS SB 665: Representatives Cox, Asbury, Richardson, McManus and Hummel
HCS SCS SB 711: Representatives Largent, Cox, Long, Carlson and Colona
HCS SB 739: Representatives Cox, Diehl, Jones (89), McManus and Kelly (24)

THIRD READING OF SENATE BILLS

HCS SCS SB 673, relating to motor vehicles, was taken up by Representative Day.

Representative Johnson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 20, Section 302.020, Lines 17-19, by deleting all of said lines; and

Further amend said bill and section, by renumbering subsections accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 1** was adopted by the following vote:

AYES: 103

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Day
Denison	Diehl	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Marshall	McCaherty
McGhee	McNary	Molendorp	Montecillo	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 032

Carlson	Colona	Ellinger	Ellington	Hodges
Holsman	Hubbard	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schupp	Still	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 028

Anders	Atkins	Carter	Curtman	Dieckhaus
Dugger	Franz	Grisamore	Harris	Higdon
Hughes	Hummel	Lasater	Long	May
McManus	Meadows	Nasheed	Redmon	Richardson
Riddle	Scharnhorst	Sifton	Smith 71	Spreng
Webb	Wyatt	Mr Speaker		

Representative Wright offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7, by inserting after all of said section and line the following:

"**301.580. 1. The department of revenue may issue special event motor vehicle auction licenses under the provisions of this section. For purposes of this section, a "special event motor vehicle auction" is a motor vehicle auction which:**

(1) Ninety percent of the vehicles being auctioned are at least ten years old or older;

(2) The licensee shall auction no more than three percent of the total number of vehicles presented for auction which are owned and titled in the name of the licensee or its owners; and

(3) The duration is no more than three consecutive calendar days and is held no more than three times in a calendar year by a licensee.

2. A special event motor vehicle auction shall be considered a public motor vehicle auction for purposes of sections 301.559 and 301.564.

3. Special event motor vehicle auction licensees shall be exempt from the requirements of section 301.560, with the exception of subdivision (4) of subsection 1 of section 301.560.

4. An application for a special event motor vehicle auction license must be received by the department at least ninety days prior to the beginning of the special event auction.

5. Applicants for a special motor vehicle auction are limited to no more than three special event auctions in any calendar year. A separate application is required for each special event motor vehicle auction.

6. At least ninety percent of the vehicles being auctioned at a special event motor vehicle auction shall be ten years old or older. The licensee shall, within ten days of the conclusion of a special event motor vehicle auction, submit a report in the form approved by the director to the department that includes the make, model, year, and vehicle identification number of each vehicle included in the auction. Every vehicle included in the special event auction shall be listed, including those vehicles that were auctioned and sold and those vehicles that were auctioned but did not sell. Violation of this subsection is a class A misdemeanor.

7. The applicant for the special event motor vehicle auction shall be responsible for ensuring that a sales tax license or special event sales tax license is obtained for the event if one is required.

8. The fee for a special event motor vehicle auction license shall be one thousand dollars. For every vehicle auctioned in violation of subsection 6 of this section, an administrative fee of five hundred dollars shall be paid to the department. Such fees shall be deposited in like manner as other license fees of this section.

9. In addition to the causes set forth in section 301.562, the department may promulgate rules that establish additional causes to refuse to issue or to revoke a special event license.

10. A special motor vehicle auction shall last no more than three consecutive days.

11. The applicant for a special event motor vehicle auction shall be registered to conduct business in this state.

12. Every applicant for a special event motor vehicle auction license shall furnish with the application a corporate surety bond or an irrevocable letter of credit as defined in section 400.5-102 issued by any state or federal financial institution in the penal sum of one hundred thousand dollars on a form approved by the department. The bond or irrevocable letter of credit shall be conditioned upon the applicant complying with the provisions of the statutes applicable to a special event auction license holder and the bond shall be an indemnity for any loss sustained by reason of the acts of the person bonded when such acts constitute grounds for the revocation or denial of a special event auction license. The bond shall be executed in the name of the state of Missouri for the benefit of all aggrieved parties or the irrevocable letter of credit shall name the state of Missouri as the beneficiary. The aggregate liability of the surety or financial institution to the aggrieved parties shall not exceed the amount of the bond or irrevocable letter of credit. The proceeds of the bond or irrevocable letter of credit shall be paid upon receipt by the department of a final judgment from a Missouri court of competent jurisdiction against the principal and in favor of an aggrieved party.

13. No dealer, driveaway, auction, or wholesale plates, or temporary permit booklets, shall be issued in conjunction with a special event motor vehicle auction license.

14. Any person or entity who sells a vehicle at a special event motor vehicle auction shall provide, to the buyer, current contact information including, but not limited to, name, address, and telephone number.

15. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wright, **House Amendment No. 2** was adopted.

Representative Houghton offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 2, Section 136.055, Line 47, by inserting after all of said section and line, the following:

"**227.512. The portion of Route 94 in Callaway County from one mile east of Route D to the intersection of U.S. 54 shall be designated the "AMVETS Memorial Highway". Costs for such designation shall be paid by private donation.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Houghton, **House Amendment No. 3** was adopted.

Representative Jones (117) offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 20, Section 302.020, Line 40, by inserting after all of said line the following:

"302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction. If the court finds that the petitioner has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has been convicted twice within a five-year period of violating state law, or a county or municipal ordinance, of driving while intoxicated, or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023, or who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. The director shall not issue a license to such person for five years from the date such person was convicted or pled guilty for involuntary manslaughter while operating a motor vehicle in an intoxicated condition or for driving while intoxicated or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023 for the second time;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. **The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.** The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered**

any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible."; and

Further amend said bill, Page 25, Section 302.173, Line 66, by inserting after all of said line the following:

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated**. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations**.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, **or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,** the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from

the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the armed forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent

for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

(b) Seeking medical treatment for such operator;

(c) Attending school or other institution of higher education;

(d) Attending alcohol or drug treatment programs;

(e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with

chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, **or a license revocation under paragraph (h) of subdivision (6) of this subsection,** until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. **The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.**

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; **[**or**]**

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed **the first forty-five days of** such revocation**, provided the person is not otherwise ineligible for a limited driving privilege**.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**three years**]** **forty-five days** of such disqualification or revocation.

Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**three years**]** **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**two years**]** **forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**two years**]** **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.

If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section**. If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then there shall be no period of suspension and the person shall instead be subject to a ninety-day period of restricted driving privilege. Upon completion of such ninety-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated.**

However, if the monthly monitoring reports during such ninety-day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional ninety-day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Page 25, Section C, Line 2, by inserting after all of said line the following:

"Section D. The repeal and reenactment of sections 302.304, 302.309, and 302.525 of this act shall become effective July 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 4** was adopted.

Representative Pollock offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 25, Section 302.173, Line 66, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 5** was adopted.

Representative Guernsey offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 2, Section 136.055, Line 47, by inserting after all of said section and line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest

products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor

vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Recreational off-highway vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is **[**sixty**]** **sixty-four** inches or less in width, with an unladen dry weight of **[**one**]** **two** thousand **[**eight hundred fifty**]** pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat, and steering wheel, which may have access to ATV trails;

(49) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(50) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(51) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(52) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words "salvage/abandoned property". The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(53) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(54) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(62) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(65) "Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 302.010; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, Page 25, Section 302.173, Line 66, by inserting after all of said section and line the following:

"**304.033. 1. No person shall operate a recreational off-highway vehicle, as defined in section 301.010, upon the highways of this state, except as follows:**

(1) Recreational off-highway vehicles owned and operated by a governmental entity for official use;

(2) Recreational off-highway vehicles operated for agricultural purposes or industrial on-premises purposes;

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(4) Recreational off-highway vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits;

(6) Governing bodies of counties may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on county roads within the county. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a recreational off-highway vehicle within any stream or river in this state, except that recreational off-highway vehicles may be operated within waterways which flow within the boundaries of land which a recreational off-highway vehicle operator owns, or for agricultural purposes within the boundaries of land which a recreational off-highway vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a recreational off-highway vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle pursuant to subdivision (4) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle. An individual shall not operate a recreational off-highway vehicle upon on a highway in this state without displaying a lighted headlamp and a lighted tail lamp. A person may not operate a recreational off-highway vehicle upon a highway of this state unless such person wears a seat belt. When operated on a highway, a recreational off-highway vehicle shall be equipped with a roll bar or roll cage construction to reduce the risk of injury to an occupant of the vehicle in case of the vehicle's rollover."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Barnes offered **House Amendment No. 1 to House Amendment No. 6**.

House Amendment No. 1
to
House Amendment No. 6

AMEND House Amendment No. 6 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 8, Line 13, by inserting after the word "**residence**" on said line, the phrase "**or property owned or leased by the operator**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Guernsey, **House Amendment No. 6, as amended**, was adopted.

Representative Grisamore offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 17, Section 301.142, Line 215, by inserting after said line the following:

"301.143. 1. As used in this section, the term "vehicle" shall have the same meaning given it in section 301.010, and the term "physically disabled" shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or

301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or 301.142. Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and may also include any appropriate wording such as "Accessible Parking" to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard**. The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "$50 to $300 fine.". **[**Beginning August 28, 2011, When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot, one in every four accessible spaces, but not less than one, shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto.**]** **When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot with twenty-five or more parking spaces, the parking lot and accessible signs shall meet the minimum requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto, for the number of required accessible parking spaces, which shall not be less than one, and shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "van accessible". If any accessible space is one hundred thirty-two inches wide or wider, then the adjacent access aisle shall be a minimum of sixty inches wide. If any accessible space is less than one hundred thirty-two inches wide, then the adjacent access aisle shall be a minimum of ninety-six inches wide.**

3. Any political subdivision, by ordinance or resolution, and any person or corporation in lawful possession of a public off-street parking facility or any other owner of private property may designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or 301.142 as close as possible to the nearest accessible entrance. Such designation shall be made by posting immediately adjacent to, and visible from, each space, a sign upon which is inscribed the international symbol of accessibility, and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard**.

4. The local police or sheriff's department may cause the removal of any vehicle not displaying a distinguishing license plate or **[**card**]** **placard** on which is inscribed the international symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or **[**card**]** **placard** issued by any other state from a space designated for physically disabled persons if there is posted immediately adjacent to, and readily visible from, such space a sign on which is inscribed the international symbol of accessibility and may include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard**. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a **[**card**]** **placard** is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars. Any vehicle which has been removed and which is not properly claimed within thirty days thereafter shall be considered to be an abandoned vehicle.

5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated by political subdivisions in residential areas for the exclusive use of vehicles displaying a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or 301.142 shall meet the requirements of the federal Americans with Disabilities Act pursuant to this subsection and any such space shall have clearly and visibly painted upon it the international symbol of accessibility **[**and any curb adjacent to the space shall be clearly and visibly painted blue**]**.

6. Any person who, without authorization, uses a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority of this section shall be guilty of a class B misdemeanor.

7. Law enforcement officials may enter upon private property open to public use to enforce the provisions of this section and section 301.142, including private property designated by the owner of such property for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or 301.142.

8. Nonconforming signs or spaces otherwise required pursuant to this section which are in use prior to August 28, 2011, shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or spaces be extended by means other than those means used to maintain any sign or space on the owner's property which is not used for vehicles displaying a disabled license plate.

9. Beginning August 28, 2011, all new signs erected under this section shall not contain the words "Handicap Parking" or "Handicapped Parking".”; and

Further amend said bill, Page 25, Section C, Line 2, by inserting after said line the following:

“Section D. Because immediate action is necessary to ensure compliance with the federal Americans With Disabilities Act, the repeal and reenactment of section 301.143 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 301.143 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Grisamore, **House Amendment No. 7** was adopted.

Representative Brattin offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7, by inserting after all of said section and line the following:

“301.3161. 1. **Notwithstanding any other provision of law to the contrary,** any person may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual contribution of twenty-five dollars to the Cass County collector of revenue. Any contribution derived from this section, except reasonable administrative costs, shall be distributed within the county as follows:

(1) **[**Eighty**]** **Seventy** percent to public safety; **[**and**]**

(2) **Fifteen percent to the Cass County Historical Society; and**

(3) [Twenty**]** **Fifteen** percent to the Cass County parks and recreation **[**department**]**.

2. Upon annual application and payment of twenty-five dollars the county shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a **[**personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" in the place of the words "SHOW-ME STATE"**] speciality personalized license plate which shall bear the emblem of the Cass County Burnt District and the words "CASS COUNTY -- THE BURNT DISTRICT" at the bottom of the plate in a manner prescribed by the director of revenue**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for personalization of license plates under this section.

3. **[**The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void**] Prior to the issuance of a specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two**

hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

4. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 8** was adopted.

Representative Gatschenberger offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 4, Section 136.055, Line 41, by after all of said section and line inserting the following:

"**227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.**"; and

Further amend said bill, Page 19, Section 301.302, Line 7, by after all of said section and line inserting the following:

"301.3163. Any person may apply for **[**special**]** **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**]** **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**]** **director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**]** **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend said bill, Page 25, Section 302.173, Line 66, by inserting after the word "**revenue**" on said line the phrase "**and deposited into the state road fund**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 9** was adopted.

Representative Rowland offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 2, Section 136.055, Line 47, by inserting after all of said section and line the following:

"**227.501. The portion of highway 5 between the city of Ava and the city of Mansfield shall be designated the "Missouri Fox Trotting Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs for such designation to be paid for by private donation.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cauthorn offered **House Amendment No. 1 to House Amendment No. 10**.

House Amendment No. 1
to
House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 1, Line 7, by inserting after all of said line, the following:

'Further amend said bill, Page 2, Section 136.055, Line 47, by inserting after all of said section and line, the following:

"**227.511. A portion of Business Route 54 within the city limits of Mexico, in Audrain County, shall be designated the "Christopher S. 'Kit' Bond Highway". Costs for such designation shall be paid by private donation.**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 1 to House Amendment No. 10** was adopted.

On motion of Representative Rowland, **House Amendment No. 10, as amended**, was adopted.

Representative Elmer offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 19, Section 301.302, Line 7, by inserting after all of said section and line the following:

"**301.4038. Any person who has received a Navy Cross awarded under Section 6242 of Title 20 of the United States Code may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Navy Cross as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the advisory committee established in section 301.129, with the words "NAVY CROSS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the Navy Cross. There shall be an additional fee charged for each set of Navy Cross license plates issued under this section equal to the fee charged for personalized license plates. There shall be no limit on the number of license plates any person qualified under**

this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 11** was adopted.

Representative Conway (14) offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 17, Section 301.160, Line 6, by inserting after all of said section and line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number ....." (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be **[**displayed**] a plate or,** on each side of such motor vehicle, **[**in**]** letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no. ....." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (14), **House Amendment No. 12** was adopted.

Representative Nance offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 673, Page 17, Section 301.160, Line 6, by inserting after all of said line the following:

"301.193. 1. Any person who purchases or is the owner of real property on which vehicles, as defined in section **[**301.011**]** **301.010**, vessels or watercraft, as defined in section 306.010, or outboard motors, as that term is used in section 306.530, have been abandoned, without the consent of said purchaser or owner of the real property, may apply to the department of revenue for a certificate of title. Any insurer which purchases a vehicle through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make an application to the department of revenue for a salvage certificate of title pursuant to this section. Prior to making application for a certificate of title on a vehicle under this section, the insurer or owner of the real estate shall have the vehicle inspected by law enforcement pursuant to subsection 9 of section 301.190, and shall have law enforcement perform a check in the national crime information center and any appropriate statewide law enforcement computer to determine if the vehicle has been reported stolen and the name and address of the person to whom the vehicle was last titled and any lienholders of record. The insurer or owner or purchaser of the real estate shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle by certified mail that the owner intends to apply for a certificate of title from the director for the abandoned vehicle. The application for title shall be accompanied by:

(1) A statement explaining the circumstances by which the property came into the insurer, owner or purchaser's possession; a description of the property including the year, make, model, vehicle identification number and any decal or license plate that may be affixed to the vehicle; the current location of the property; and the retail value of the property;

(2) An inspection report of the property, if it is a vehicle, by a law enforcement agency pursuant to subsection 9 of section 301.190; and

(3) A copy of the thirty-day notice and certified mail receipt mailed to any owner and any person holding a valid security interest of record.

2. Upon receipt of the application and supporting documents, the director shall search the records of the department of revenue, or initiate an inquiry with another state, if the evidence presented indicated the property described in the application was registered or titled in another state, to verify the name and address of any owners and any lienholders. If the latest owner or lienholder was not notified the director shall inform the insurer, owner, or purchaser of the real estate of the latest owner and lienholder information so that notice may be given as required by subsection 1 of this section. Any owner or lienholder receiving notification may protest the issuance of title by, within the thirty-day notice period and may file a petition to recover the vehicle, naming the insurer or owner of the real estate and serving a copy of the petition on the director of revenue. The director shall not be a party to such petition but shall, upon receipt of the petition, suspend the processing of any further certificate of title until the rights of all parties to the vehicle are determined by the court. Once all requirements are satisfied the director shall issue one of the following:

(1) An original certificate of title if the vehicle examination certificate, as provided in section 301.190, indicates that the vehicle was not previously in a salvaged condition or rebuilt;

(2) An original certificate of title designated as prior salvage if the vehicle examination certificate as provided in section 301.190 indicates the vehicle was previously in a salvaged condition or rebuilt;

(3) A salvage certificate of title designated with the words "salvage/abandoned property" or junking certificate based on the condition of the property as stated in the inspection report. An insurer purchasing a vehicle through the claims adjustment process under this section shall only be eligible to obtain a salvage certificate of title or junking certificate.

3. Any insurer which purchases a vehicle that is currently titled in Missouri through the claims adjustment process for which the insurer is unable to obtain a negotiable title may make application to the department of revenue for a salvage certificate of title or junking certificate. Such application may be made by the insurer or its designated salvage pool on a form provided by the department and signed under penalty of perjury. The application shall include a declaration that the insurer has made at least two written attempts to obtain the certificate of title, transfer documents, or other acceptable evidence of title, and be accompanied by proof of claims payment from the insurer, evidence that letters were delivered to the vehicle owner, a statement explaining the circumstances by which the property came into the insurer's possession, a description of the property including the year, make, model, vehicle identification number, and current location of the property, and the fee prescribed in subsection 5 of section 301.190. The insurer shall, thirty days prior to making application for title, notify any owners or lienholders of record for the vehicle that the insurer intends to apply for a certificate of title from the director for the vehicle. Upon receipt of the application and supporting

documents, the director shall search the records of the department of revenue to verify the name and address of any owners and any lienholders. After thirty days from receipt of the application, if no valid lienholders have notified the department of the existence of a lien, the department shall issue a salvage certificate of title or junking certificate for the vehicle in the name of the insurer."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Brown (50) offered **House Amendment No. 1 to House Amendment No. 13**.

House Amendment No. 1 to House Amendment No. 13 was withdrawn.

On motion of Representative Nance, **House Amendment No. 13** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Bahr	Barnes	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Loehner	Long	Marshall
McGhee	Nance	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Rowland	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 044

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Ellinger	Ellington	Fallert
Harris	Hodges	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCreery	McDonald
McGeoghegan	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 034

Bernskoetter	Carter	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Curtman	Diehl	Entlicher
Funderburk	Grisamore	Higdon	Holsman	Hubbard
Hughes	Hummel	Leach	May	McCaherty
McCann Beatty	McManus	McNary	Meadows	Molendorp
Nasheed	Neth	Nolte	Riddle	Ruzicka
Scharnhorst	Spreng	Wyatt	Mr Speaker	

On motion of Representative Day, **HCS SCS SB 673, as amended**, was adopted.

On motion of Representative Day, **HCS SCS SB 673, as amended**, was read the third time and passed by the following vote:

AYES: 106

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Harris	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McGhee
Nance	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 035

Carlson	Ellinger	Ellington	Franklin	Hodges
Hubbard	Jones 63	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Sifton	Smith 71	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 022

Bernskoetter	Carter	Colona	Conway 14	Conway 27
Curtman	Funderburk	Grisamore	Higdon	Holsman
Hughes	Hummel	Jones 117	May	McNary
Meadows	Molendorp	Nichols	Riddle	Scharnhorst
Spreng	Mr Speaker			

Representative Smith (150) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 114

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Kratky	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCreery	McGhee	McNary
Molendorp	Nance	Neth	Newman	Nolte
Oxford	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Stream	Swinger	Thomson	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 032

Asbury	Bahr	Brattin	Carlson	Colona
Ellinger	Ellington	Franklin	Hubbard	Jones 63
Koenig	Lampe	Marshall	McCann Beatty	McDonald
McGeoghegan	McNeil	Montecillo	Morgan	Pace
Pierson	Rizzo	Schieber	Schupp	Smith 71
Sommer	Spreng	Still	Swearingen	Talboy
Taylor	Webb			

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Conway 27	Funderburk	Higdon	Holsman
Hughes	Hummel	May	McManus	Meadows
Nasheed	Nichols	Parkinson	Riddle	Scharnhorst
Torpey	Mr Speaker			

Representative Zerr assumed the Chair.

HCS SS SB 749, relating to religious beliefs and convictions, was taken up by Representative Crawford.

Representative Barnes offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 7, Section 376.1199, Line 78, by inserting opening and closing brackets around the word "and"; and

Further amend said bill, section and page, Line 80, by inserting immediately after the second occurrence of the word "contraceptives" the following:

"**;**

(4) Whether an optional rider for elective abortions has been purchased by the group contract holder pursuant to section 376.805; and

(5) That an enrollee who is a member of a group health plan with coverage for elective abortions has the right to exclude and not pay for coverage for elective abortions if such coverage is contrary to his or her moral, ethical or religious beliefs. For purposes of this subsection, if new premiums are charged for a contract, plan or policy, it shall be determined to be a new contract, plan or policy"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 1** was adopted by the following vote:

AYES: 101

Allen	Asbury	Bahr	Barnes	Berry
Black	Brandom	Brattin	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Schad	Schatz	Schieffer	Schneider	Schoeller
Shively	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 039

Anders	Atkins	Aull	Brown 50	Carlson
Colona	Ellinger	Ellington	Holsman	Hubbard
Jones 63	Kander	Kelly 24	Kirkton	Lampe
May	McCann Beatty	McCreery	McDonald	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 023

Bernskoetter	Brown 85	Carter	Conway 27	Cross
Dieckhaus	Funderburk	Guernsey	Hinson	Hough
Hughes	Hummel	McGhee	McManus	Meadows
Pace	Riddle	Sater	Scharnhorst	Schieber
Shumake	Thomson	Mr Speaker		

Representative Cox offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 2, Section 191.724, Line 17, by inserting after all of said line the following:

"**4. Whenever the attorney general has a reasonable cause to believe that any person or entity or group of persons or entities is being, has been, or is threatened to be, denied any of the rights granted by this section or other law that protects the religious beliefs or moral convictions of such persons or entities, and such denial raises an issue of general public importance, the attorney general may bring a civil action in any appropriate state or federal court. Such complaint shall set forth the facts and request such appropriate relief, including, but not limited to, an application for a permanent or temporary injunction, restraining order, mandamus, an order under the federal Administrative Procedure Act, Religious Freedom Restoration Act, or other federal law, an order under section 1.302 relating to free exercise of religion, or other order against the governmental entity, public official, or entity acting in a governmental capacity responsible for such denial or threatened denial of rights, as the attorney general deems necessary to ensure the full enjoyment of the rights granted by law. Nothing contained herein shall preclude a private cause of action against a governmental entity, public official, or entity acting in a governmental capacity by any person or entity or group of persons or entities aggrieved by a violation of this section or other law that protects the religious beliefs or moral convictions of such persons or entities, or be considered a limitation on any other remedy permitted by law. A court may order any appropriate relief, including recovery of damages, payment of reasonable attorney's fees, costs, and expenses.**"; and

Further amend said bill, Page 8, Section 338.255, Line 3, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to preserve the religious freedom and moral convictions of persons and entities who provide or obtain health plans or health care for themselves, their employees, patients or others, and because certain actions by the federal government threaten the obtaining or providing of such health plans and health care as of August 1, 2012, section 191.724 is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 191.724 shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McNary	Molendorp	Nance	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 001

Quinn

ABSENT WITH LEAVE: 021

Barnes	Carter	Conway 27	Day	Dieckhaus
Ellinger	Elmer	Funderburk	Grisamore	Hughes
Hummel	Jones 117	McGhee	McManus	Meadows
Neth	Riddle	Scharnhorst	Webb	Wyatt
Mr Speaker				

On motion of Representative Cox, **House Amendment No. 2** was adopted by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Fuhr	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGeoghegan	McNary	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 040

Anders	Atkins	Carlson	Colona	Conway 27
Ellinger	Ellington	Holsman	Hubbard	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McNeil
Molendorp	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 013

Carter	Day	Dieckhaus	Hughes	Hummel
McGhee	McManus	Meadows	Riddle	Scharnhorst
Webb	Wyatt	Mr Speaker		

Representative Brattin offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"**191.334. 1. This section shall be known and may be cited as "Chloe's Law".**

2. By January 1, 2013, the department of health and senior services shall expand the newborn screening requirements in section 191.331 to include critical congenital heart disease, using a test approved by the department, prior to discharge of the newborn from the health care facility.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

On motion of Representative Brattin, **House Amendment No. 3** was adopted by the following vote:

AYES: 139

Allen	Atkins	Aull	Bahr	Barnes
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Denison	Diehl	Dugger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Anders	Asbury	Bernskoetter	Carter	Cross
Day	Dieckhaus	Ellinger	Funderburk	Gatschenberger
Hughes	Hummel	McGhee	McManus	McNary
Meadows	Molendorp	Nance	Riddle	Sater
Webb	Webber	Wyatt	Mr Speaker	

Representative Frederick offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 749, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"191.227. 1. All physicians, chiropractors, hospitals, dentists, and other duly licensed practitioners in this state, herein called "providers", shall, upon written request of a patient, or guardian or legally authorized representative of a patient, furnish a copy of his or her record of that patient's health history and treatment rendered to the person submitting a written request, except that such right shall be limited to access consistent with the patient's condition and sound therapeutic treatment as determined by the provider. Beginning August 28, 1994, such record shall be furnished within a reasonable time of the receipt of the request therefor and upon payment of a fee as provided in this section.

2. Health care providers may condition the furnishing of the patient's health care records to the patient, the patient's authorized representative or any other person or entity authorized by law to obtain or reproduce such records upon payment of a fee for:

(1) (a) **[**Copying**]** **Search and retrieval**, in an amount not more than **[**twenty-one**]** **twenty-two** dollars and **[**thirty-six cents**]** **one cent** plus **copying in an amount of** fifty **two** cents per page for the cost of supplies and labor plus, if the health care provider has contracted for off-site records storage and management, any additional labor costs of outside storage retrieval, not to exceed twenty dollars, as adjusted annually pursuant to subsection 5 of this section; or

(b) **[**If the health care provider stores records in an electronic or digital format, and provides the requested records and affidavit, if requested, in an electronic or digital format, not more than five dollars plus fifty cents per page or twenty-five dollars total, whichever is less**]** **The records shall be furnished electronically upon payment of the search, retrieval and copying fees set under this section at the time of the request or one hundred dollars total, whichever is less, if such person:**

a. Requests health records to be delivered electronically in a format of the health care provider's choice;

b. The health care provider stores such records completely in an electronic health record; and

c. The health care provider is capable of providing the requested records and affidavit, if requested, in an electronic format;

(2) Postage, to include packaging and delivery cost; and

(3) Notary fee, not to exceed two dollars, if requested.

3. Notwithstanding provisions of this section to the contrary, providers may charge for the reasonable cost of all duplications of health care record material or information which cannot routinely be copied or duplicated on a standard commercial photocopy machine.

4. The transfer of the patient's record done in good faith shall not render the provider liable to the patient or any other person for any consequences which resulted or may result from disclosure of the patient's record as required by this section.

5. Effective February first of each year, the fees listed in subsection 2 of this section shall be increased or decreased annually based on the annual percentage change in the unadjusted, U.S. city average, annual average inflation rate of the medical care component of the Consumer Price Index for All Urban Consumers (CPI-U). The current reference base of the index, as published by the Bureau of Labor Statistics of the United States Department of Labor, shall be used as the reference base. For purposes of this subsection, the annual average inflation rate shall be based on a twelve-month calendar year beginning in January and ending in December of each preceding calendar year. The

department of health and senior services shall report the annual adjustment and the adjusted fees authorized in this section on the department's internet website by February first of each year."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frederick, **House Amendment No. 4** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 102

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Redmon
Reiboldt	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 044

Atkins	Aull	Black	Carlson	Colona
Conway 27	Ellinger	Ellington	Fallert	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Nasheed	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 006

Casey	Harris	Quinn	Schieffer	Shively
Swinger				

ABSENT WITH LEAVE: 011

Anders	Brown 50	Carter	Day	McManus
Meadows	Newman	Pollock	Richardson	Riddle
Webb				

On motion of Representative Crawford, **HCS SS SB 749, as amended**, was adopted.

On motion of Representative Crawford, **HCS SS SB 749, as amended**, was read the third time and passed by the following vote:

AYES: 117

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hughes	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 037

Atkins	Carlson	Colona	Ellinger	Ellington
Holsman	Hubbard	Jones 63	Kander	Kelly 24
Kirkton	Lampe	May	McCann Beatty	McCreery
McDonald	McNeil	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 009

Anders	Brown 50	Carter	Day	Hummel
McManus	Meadows	Riddle	Webb	

Representative Zerr declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 111

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 043

Atkins	Aull	Brown 50	Carlson	Colona
Conway 27	Ellinger	Ellington	Holsman	Hubbard
Hughes	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Molendorp	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Smith 71	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 009

Anders	Carter	Conway 14	Day	Hummel
McManus	Meadows	Riddle	Webb	

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1608**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 1659 & 1116**, entitled:

An act to repeal sections 141.210, 141.220, 141.250, 141.290, 141.300, 141.320, 141.410, 141.480, 141.540, 141.550, 141.560, 141.570, 141.580, 141.720, 141.770, 141.790, RSMo, and section 141.530 as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 141.530 as enacted by conference committee substitute no. 2 for house committee substitute for senate bill no. 778, eighty-ninth general assembly, second regular session, and to enact in lieu thereof thirty-four new sections relating to land tax collection, with a penalty provision for a certain section.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1659 & 1116, Page 25, Section 141.980, Line 13 of said page, by inserting at the end of said line the following:

"**Such land bank agency shall not be authorized to sell more than five contiguous parcels to the same entity in the course of a year.**"; and

Further amend said bill, Page 32, Section 141.985, Line 6, by inserting immediately after the word "agency." the following:

"**This inventory shall be available on the land bank agency website and include at a minimum whether a parcel is available for sale, the address of the parcel if an address has been assigned, the parcel number, if no address has been assigned, and the year that a parcel entered the land bank agency's inventory**"; and

Further amend said bill and section, Page 33, Line 29, by inserting after all of said line the following:

"**If a municipality in its resolution or ordinance creating a land bank agency establishes priorities for the use of real property conveyed by the land bank agency, such priorities shall be consistent with and no more restrictive than municipal planning and zoning ordinances.**"; and

Further amend Lines 30-36, by striking all of said lines and inserting in lieu thereof the following:

"**6. The board may delegate to officers and**"; and

Further amend Lines 40-45, by striking all of said lines and inserting in lieu thereof the following:

"**7. A land bank agency shall accept written offers equal to or greater than fair market value to purchase real property held by the land bank agency. If a land bank agency rejects a written offer equal to or greater than fair market value, or does not respond to a written offer equal to or greater than fair market value within sixty days, the land bank agency's action shall be subject to judicial review under chapter 536 or any other applicable provision of law unless the basis for the land bank agency's rejection is that is has accepted another offer equal to or greater than fair market value for that property. Venue shall be in the circuit court of the county in which the land bank agency is located.**"; and

Further amend said bill and section, Page 34, Line 92, by inserting after all of said line the following:

"**10. If a land bank agency owns more than five parcels of real property in a single city block and no written offer to purchase any of those properties has been submitted to the agency in the past twelve months, the land bank shall reduce its requested price for those properties and advertise the discount publicly.**".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1659 & 1116, Page 25, Section 141.980, Lines 8-10, by striking all of said lines from the bill and inserting in lieu thereof the following:

"**status to use in private ownership. Such land bank agency shall be**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1820**, entitled:

An act to authorize the conveyance of certain state properties, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conferees on **HCS SCS SB 635, as amended**, are allowed to exceed the differences by correcting a reference to the date of the filing of the consent decree in *U.S.A. and State of Missouri v. Doe Run Resources Corporation*.

BILL IN CONFERENCE

HCS SCS SB 635, as amended, relating to financial transactions, was taken up by Representative Phillips.

Representative Phillips moved that the House conferees be allowed to exceed the differences on **HCS SCS SB 635, as amended**, by correcting a reference to the date of the filing of the consent decree in *U.S.A. and State of Missouri v. Doe Run Resources Corporation*.

Which motion was adopted.

On motion of Representative Jones (89), the House recessed until 3:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Silvey.

THIRD READING OF SENATE BILL

HCS SB 668, relating to taxation and property, was taken up by Representative Diehl.

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 668, Page 1, Title, Line 4, by deleting all of said line and inserting in lieu thereof the phrase "to local government."; and

Further amend said bill, Page 20, Section 339.501, Line 36, by inserting after all of said section and line, the following:

"483.015. 1. At the general election in the year 1982, and every four years thereafter, except as herein provided and except as otherwise provided by law, circuit clerks shall be elected by the qualified voters of each county **[**and of the city of St. Louis**]**, who shall be commissioned by the governor, and shall enter upon the discharge of their duties on the first day in January next ensuing their election, and shall hold their offices for the term of four years, and until their successors shall be duly elected and qualified, unless sooner removed from office.

2. The court administrator for Jackson County provided by the charter of Jackson County shall be selected as provided in the county charter and shall exercise all of the powers and duties of the circuit clerk of Jackson County. The director of judicial administration and the circuit clerk of St. Louis County shall be selected as provided in the charter of St. Louis County.

3. When provision is made in a county charter for the appointment of a court administrator to perform the duties of a circuit clerk or for the appointment of a circuit clerk, such provisions shall prevail over the provisions of this chapter providing for a circuit clerk to be elected. The persons appointed to fill any such appointive positions shall be paid by the counties as provided by the county charter or ordinance; provided, however, that if provision is now or hereafter made by law for the salaries of circuit clerks to be paid by the state, the state shall pay over to the county a sum which is equivalent to the salary that would be payable by law by the state to an elected circuit clerk in such county if such charter provision was not in effect. The sum shall be paid in semimonthly or monthly installments, as designated by the commissioner of administration.

4. The circuit clerk in the sixth judicial circuit and in the seventh judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in those circuits shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. This subsection shall become effective on January 1, 2004, and the elected circuit clerks in those circuits in office at that time shall continue to hold such office for the remainder of their elected terms as if they had been appointed pursuant to the terms of this subsection.

5. The circuit clerk in the twenty-second judicial circuit shall be appointed by a majority of the circuit judges and associate circuit judges of the circuit court, en banc. The circuit clerk in such circuit shall be removable for cause by a majority of the circuit judges and associate circuit judges of such circuit, en banc, in accordance with supreme court administrative rules governing court personnel. The elected circuit clerk in such circuit in office on the effective date of this section shall continue to hold such office for the remainder of his or her elected term."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Jones (89) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 668, in the Title, Line 3, by deleting from said line the phrase:

"bills of certain counties"; and

Further amend said bill, Page 2, Section 64.930, Line 36, by inserting after all of said section and line the following:

"**67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**

(1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of revenue;

(6) "Eligible costs", shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by

sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 2** was adopted.

Representative Nolte offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36, by inserting after all of said section and line the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy**.

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; **[**and**]**

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner:. . . . . .

Owner's telephone number and mailing address: .. . . . .

If signer is different from owner:

Name of signer:. . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: .. . . . .

If the owner is an individual, state if owner is single or married:.. . . . .

If owner is not an individual, state what type of entity:. . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

. . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

. . . . . .

return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 3** was adopted.

Representative Flanigan offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 668, Page 5, Section 94.902, Line 100, by inserting after all of said section and line, the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the

existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) **"Disaster area", a blighted area located within a municipality for which public and individual assistance has been requested by the President under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., provided that the municipality adopts an ordinance approving the redevelopment project within five years after the President declares such disaster;**

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)**] (6)** "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

(a) Discourage commerce, industry or manufacturing from moving their operations to another state; or

(b) Result in increased employment in the municipality; or

(c) Result in preservation or enhancement of the tax base of the municipality;

[(6)**] (7)** "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)**] (8)** "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)**] (9)** "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)**] (10)** "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)**] (11)** "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)**] (12)** "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use,

which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)**] (13)** "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)**] (14)** "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)**] (15)** "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)**] (16)** "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

(a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs **and, in the case of a redevelopment area that contains a disaster area, all or a portion of a taxing district's operating costs and its debt service costs** resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

[(16)**] (17)** "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)**] (18)** "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(18)**] (19)** "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)**] (20)** "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to

be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is**:**

(a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met**; or**

(b) A blighted area in which a majority of the property is located within a disaster area;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible**, provided that, in the case of a redevelopment area that contains a disaster area, such information regarding financial feasibility may be provided by and attested to by the governing body of the municipality**;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in subsection 4 **or 15** of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction."; and

Further amend said bill, Page 13, Section 99.845, Line 290, by inserting after all of said line, the following:

"**15. Beginning August 28, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, the following revenues may be available for appropriation by the general assembly as provided in subsection 21 of this section to the Missouri supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects:**

(1) Up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect; and

(2) Any additional state revenues in excess of the amount in subdivision (1) of this subsection, to the extent requested by the department of economic development in accordance with subsection 23 of this section.

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after August 28, 2012, appropriations from the state disaster recovery revenues and any additional state revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenues described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the

municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The incremental increase in state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas in which a majority of the property is located within disaster areas.

21. The initial appropriation of state disaster recovery revenues and any additional state revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues and any additional state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The estimate of additional state revenues being requested in excess of the amount of state disaster recovery revenues in one or more fiscal years in accordance with subsection 23 of this section;

(e) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;

(f) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(g) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

(h) The estimated redevelopment project costs;

(i) The anticipated sources of funds to pay such redevelopment project costs;

(j) Evidence of the commitments to finance such redevelopment project costs;

(k) The anticipated type and term of the sources of funds to pay such redevelopment project costs;

(l) The anticipated type and terms of the obligations to be issued;

(m) The most recent equalized assessed valuation of the property within the redevelopment project area;

(n) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;

(o) The general land uses to apply in the redevelopment area;

(p) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;

(q) The total number of full-time equivalent positions in the redevelopment area;

(r) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;

(s) A list of other community and economic benefits to result from the redevelopment project;

(t) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;

(u) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(v) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(w) A market study for the redevelopment area;

(x) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;

(3) The appropriation may be made from one or more of the following sources, as approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;

(a) The estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area;

(b) The estimate of the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application; and

(c) Any additional amount requested by the department of economic development in accordance with subsection 23 of this section, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee.

(4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project and any additional state revenues shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues and any additional state revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year of additional state revenues from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 21 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

(1) The amount and source of revenue in the special allocation fund;

(2) The amount and purpose of expenditures from the special allocation fund;

(3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;

(4) The original assessed value of the redevelopment project;

(5) The assessed valuation added to the redevelopment project;

(6) Payments made in lieu of taxes received and expended;

(7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include **the following:**

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; **or**

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

(8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include **the following:**

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; **or**

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area and a separate entry for any additional state revenues received in accordance with subsection 23 of section 99.845;

(9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

(10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

(11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

(12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

(13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects. Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating

all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting."; and

Further amend said bill, Page 20, Section 339.501, Line 36, by inserting after all of said section and line, the following:

"Section B. Because immediate action is necessary to provide tax relief as the result of the recent natural disasters in this state, sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative White offered **House Amendment No. 1 to House Amendment No. 4**.

House Amendment No. 1
to
House Amendment No. 4

AMEND House Amendment No. 4 to House Committee Substitute for Senate Bill No. 668, Page 5, Line 27, by inserting after all of said line the following:

"**99.826. No project, plan, designation, or amendments thereto shall be approved under sections 99.800 to 99.865 as a result of a natural disaster unless such project, plan, designation, or amendments are placed before the qualified voters of all taxing entities that would be affected by the tax increment financing proposal and the question is approved by the voters voting thereon upon the next regularly scheduled municipal or general election.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative White moved that **House Amendment No. 1 to House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Flanigan, **House Amendment No. 4** was adopted.

Representative Gatschenberger offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 668, in the Title, Line 4, by deleting all of said line and inserting in lieu thereof the following:

"to the regulation and taxation of property by political subdivisions."; and

Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said section and line the following:

"**188.125. 1. It is the intent of the general assembly to acknowledge the rights of an alternatives-to-abortion agency and its officers, agents, employees, and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference, and that the constitutions and laws of the United States and the state of Missouri shall be interpreted, construed, applied, and enforced to fully protect such rights.**

2. A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, controls, directs, interferes with, or otherwise adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech, including but not limited to counseling, referrals, or education of, advertising or information to, or other communications with, clients, patients, other persons, or the public.

3. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, provided that such political subdivision treats an alternatives-to-abortion agency in the same manner as a similarly situated agency and that such authority is not used to circumvent the intent of this section.

4. In any action to enforce the provisions of this section, a court of competent jurisdiction may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney's fees, costs, and expenses. The remedies set forth shall not be deemed exclusive and shall be in addition to any other remedies permitted by law.

5. As used in this section, "alternatives-to-abortion agency" means:

(1) A maternity home as defined in section 135.600;

(2) A pregnancy resource center as defined in section 135.630; or

(3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist such women in carrying their unborn children to term instead of having abortions, and to assist such women in caring for their dependent children or placing their children for adoption, as described in section 188.325."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Diehl	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney

Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 015

Cauthorn	Curtman	Dieckhaus	Elmer	Frederick
Grisamore	Loehner	McDonald	Nasheed	Pollock
Riddle	Scharnhorst	Walton Gray	Webb	Mr Speaker

On motion of Representative Gatschenberger, **House Amendment No. 5** was adopted by the following vote:

AYES: 121

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rowland	Ruzicka

Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 030

Atkins	Carlson	Carter	Colona	Ellington
Holsman	Hughes	Jones 63	Kirkton	Lampe
May	McCann Beatty	McCreery	McDonald	McNeil
Montecillo	Morgan	Newman	Oxford	Pace
Rizzo	Schupp	Sifton	Smith 71	Spreng
Still	Swearingen	Talboy	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Dieckhaus	Frederick	Hummel	Kander
Korman	McManus	Pierson	Riddle	Schatz
Webb	Mr Speaker			

Representative Franz offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 668, Page 1, Section 52.225, Line 4, by inserting after all of said section and line, the following:

"57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service

for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section**[**; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence**]. The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year**, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars**[**, other than regular budget allocations or land sale proceeds,**] in any calendar year** shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Swinger offered **House Amendment No. 1 to House Amendment No. 6**.

House Amendment No. 1
to
House Amendment No. 6

AMEND House Amendment No. 6 to House Committee Substitute for Senate Bill No. 668, Page 2, Line 25, by inserting after all of said line the following:

'Further amend said bill, Page 18, Section 143.115, Lines 12-13, by deleting all of said lines and inserting in lieu thereof the following:

"**Publication 320 or its successor publication in effect at the time the storm shelter was completed, and in compliance with the International Code Council 500/National Storm Shelter Association standards with the National Storm Shelter Association seal of quality verification, serial number and Certificate of Installation provided with each storm shelter that is installed, and that is made in America;**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Swinger, **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Franz, **House Amendment No. 6, as amended**, was adopted.

Representative Hinson offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 668, Page 19, Section 143.115, Line 52, by inserting after all of said section and line, the following:

"321.015. **1.** No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to**:**

(1) Members of the organized militia, of the reserve corps, public school employees and notaries public**; [**, or to**]**

(2) Fire protection districts located wholly within counties of the second, third or fourth **[**class or**]** classification;

(3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;

(4) Fire protection districts located within **[**first class**]** counties **of the first classification** not adjoining any other **[**first class**]** county **of the first classification; [**, nor shall this section apply to**]**

(5) Fire protection districts located within any county of the first or second **[**class**]** classification not having more than nine hundred thousand inhabitants which borders any three **[**first class**]** counties **of the first classification**; **[**nor shall this section apply to**]**

(6) Fire protection districts located within any **[**first class**]** county **of the first classification [**without a charter form of government**]** which adjoins both a **[**first class**]** charter county **[**with a charter form of government**]** with at least nine hundred thousand inhabitants, and adjoins at least four other counties**;**

(7) Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof.

321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district at least one year before the election or appointment and be over the age of twenty-five years; except as provided in subsections 2 and 3 of this section. The person shall also be a resident of such fire protection district. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than one year before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

5. Any director who has been found guilty of or pled guilty to any felony offense shall immediately forfeit his or her office.

6. No person shall be qualified to serve as a director, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid or past due county taxes."; and

Further amend said bill and page, Section 321.228, Line 27, by inserting after all of said section and line, the following:

"321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part,** as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the ..... Fire Protection Districts and the ..... Fire Protection District be consolidated into one fire protection district to be known as the ..... Fire Protection District, with tax levies not in excess of the following amounts: maintenance fund ..... cents per one hundred dollars assessed valuation; ambulance service ..... cents per one hundred dollars assessed valuation; pension fund ..... cents per one hundred dollars assessed valuation; and dispatching fund ..... cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl offered **House Amendment No. 1 to House Amendment No. 7**.

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Bill No. 668, Page 4, Line 14, by inserting after all of said line the following:

'Further amend said bill, Section 321.228, Page 19, Lines 22-27, by deleting all of said lines and inserting in lieu thereof the following:

"**3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:**

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1 to House Amendment No. 7** was adopted.

Representative Korman offered **House Amendment No. 2 to House Amendment No. 7**.

House Amendment No. 2
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Bill No. 668, Page 4, Line 14, by inserting after all of said line the following:

'Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said line the following:

"**144.059. 1. As used in this section, the term "'Made in USA' product" means any new product that supports a claim to be made in the United States under the policy on "Made in USA" claims enforced by the Federal Trade Commission, and that is not already exempt from state sales taxes under any provision of state law.**

2. In each year beginning on or after January 1, 2013, but ending on or before December 31, 2014, there is hereby specifically exempted from state sales tax law all retail sales of any "Made in USA" product during a seven-day period beginning at 12:01 a.m. on July first and ending at midnight on July seventh, unless July first is a Sunday. If July first is a Sunday, the seven-day period shall begin on July second and end on July eighth. The exemption provided in this section shall apply only to the first fifteen thousand dollars of each purchase of a "Made in USA" product.

3. Any political subdivision may, by order or ordinance, allow the sales tax holiday established in this section to apply to its local sales taxes. A political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance applying the sales tax holiday to its local sales taxes.

4. After adopting an order or ordinance to apply the sales tax holiday established in this section to the political subdivision's local sales taxes, a political subdivision may, by order or ordinance, rescind the order or ordinance applying the sales tax holiday to its local sales taxes. The political subdivision shall notify the department of revenue not less than forty-five calendar days before the beginning date of the sales tax holiday occurring in that year of any order or ordinance rescinding an order or ordinance to apply the sales tax holiday to its local sales taxes.

5. This section shall not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.

6. No sale of any motor vehicle, as defined in section 301.010, shall be exempt from any sales tax under this section."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Korman, **House Amendment No. 2 to House Amendment No. 7** was adopted.

On motion of Representative Hinson, **House Amendment No. 7, as amended**, was adopted.

Representative Fuhr offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36, by inserting immediately after said line the following:

"84.190. 1. The boards of police commissioners are hereby authorized to provide themselves with such office and office furniture, and such clerks and subordinates as they shall need; and to have and use a common seal. They may divide such cities into **[**not more than twelve nor less than nine**]** police districts, **in such number and with such boundaries as the boards deem appropriate** and provide in each of them, if necessary, a station house or houses, with all things and equipments required for the same, and all such other accommodations as may be required for the use of the police.

2. The boards, for all the purposes of sections 84.010 to 84.340, shall have the use of the fire alarm telegraph of such cities for police purposes, and all station houses, watch boxes, firearms, equipments, accoutrements and other accommodations and things provided by such cities, for the use and service of the police, as fully and to the same extent as the same are now used by or for any present police, or as fully and to the same extent as the same may be used by any police force in any of the cities to which sections 84.010 to 84.340 may hereafter apply; and the mayor and common council or municipal assembly, and all persons and municipal officers in charge thereof, are hereby ordered and required to allow such use accordingly. In case the mayor and common council or municipal assembly of any of such cities, or its officers or agents, refuse or neglect to allow such use, as and whenever the same shall be required by the boards created by sections 84.010 to 84.340, or refuse to set aside and appropriate the revenue necessary to carry out the provisions of sections 84.010 to 84.340, or place obstructions or hindrances in the way of the proper discharge of the powers of such boards, the boards may apply to the circuit courts of the judicial circuit in which such cities may be located, in the name of the state, for a mandamus to compel a compliance with the provisions of this section, and the application thereof shall be heard and decided by the court. One week's notice of the application shall be given, and the respondent or respondents shall have the right to answer within the week; and if testimony be needed on either side, the same shall be taken within ten days after the same is filed, or the week shall be expired. From the decision in the circuit court in the premises either party may appeal within ten days; and it shall be the duty of the clerk of such courts to send up the record immediately, and the appeal shall be heard immediately by the supreme court, if then in session, and if not in session, at the next term. In both courts the case shall be taken up and tried in preference to all others."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 8** was adopted.

Representative Talboy offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36, by inserting after all of said section, the following:

"67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:

(1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(2) "County", any county or any city not within a county;

(3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;

(5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**

(6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;

[(6)**]** **(7)** "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;

[(7)**]** **(8)** "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

[(8)**]** **(9)** "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district**, including any areas under concurrent jurisdiction with an agency of the United States government**. Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. **1.** The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The **[**tax**]** **taxes** authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the **[**proposed**]** metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. **1. For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712,** the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of . . . ., state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall . . . . . County join such other of . . . . . (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". . . . . Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to . . . . County for local park improvements, all as authorized by the . . . . . (insert name of governing body) of . . . . . County pursuant to (insert ordinance number), on the . . . . day of . . . . (insert month), ... (insert year)?

☐ YES ☐ NO

2. For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing expanded activities and improvements of such areas, shall ..... (insert county name) County join such other of ..... (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a ..... (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to ..... (insert county name) County for local and county park improvements as authorized by the ..... (insert governing body name) of ..... (insert county name) County under ..... (insert ordinance number), on the ..... (insert day) day of ..... (insert month), ... (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?".

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and **[**sections**]** **subsection 1 of section** 67.1715 and **in section** 67.1718.

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769**. No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754**;

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district**. Any**

contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712;

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. **1.** The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the

metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization.

67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:

(1) Later establishment or cessation of any park or recreation system provided by law; or

(2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". . . . . Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

(1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;

(2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;

(3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;

(4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;

(5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

(6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;

(7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;

(8) Establish and collect reasonable charges for the use of the facilities of the district;

(9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and

(10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of . . . . ., state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". . . . . Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in ..... County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to . . . . County and the cities within the County for local park improvements?

☐ YES ☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued.

Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042."; and

Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said section, the following:

"144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to **[**144.748**]**

144.746, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, **[**2013**]** **2023**.

182.802. 1. **[**A**]** **(1) Any** public library district located **in any of the following counties may impose a tax as provided in this section:**

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; **[**or**]**

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants**;**

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district.”; and

Further amend said bill, Page 20, Section 339.501, Line 36, by inserting after all of said section, the following:

“Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cierpiot offered **House Substitute Amendment No. 1 for House Amendment No. 9**.

House Substitute Amendment No. 1
for
House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 668, in the Title, Line 2, by inserting after the phrase “64.930,” the phrase:

“67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill no. 1504,”; and

Further amend said bill, Section A, Line 1, by inserting after the phrase “Sections 64.930,” the phrase:

“67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill no. 1504,”; and

Further amend said Section A, Line 3, by inserting after the phrase “Sections 64.930,” the phrase:

“67.5012”; and

Further amend said bill, Page 2, Section 64.930, Line 36, by inserting after all of said section, the following:

“67.750. As used in sections 67.750 to 67.799 and sections 67.1700 to 67.1769, the following terms mean:

(1) "Board", any board, commission, committee or council appointed or designated to carry out the provisions of sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(2) "County", any county or any city not within a county;

(3) "District", any regional recreational district proposed or created pursuant to sections 67.750 to 67.799 and sections 67.1700 to 67.1769;

(4) "Executive", any mayor, county executive, presiding commissioner, or other chief executive of a county;

(5) **"Gateway Arch grounds", the Jefferson National Expansion Memorial National Historic Site as defined by the United States Department of the Interior, and related public property and improvements;**

(6) "Governing body", any city council, county commission, board of aldermen, county council, board of education or township board;

[(6)**] (7)** "Metropolitan district", any metropolitan park and recreation district established pursuant to sections 67.1700 to 67.1769;

[(7)**] (8)** "Political subdivision", any county, township, city, incorporated town or village in the state of Missouri, and any school district in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants;

[(8)**] (9)** "Regional recreation fund" or "metropolitan park and recreation fund", the fund held in the treasury of the county providing the largest financial contribution to the district or metropolitan district, as appropriate, which shall be the repository for all taxes and other moneys raised by or for the regional recreation district or metropolitan park and recreation district pursuant to sections 67.792 to 67.799 and sections 67.1700 to 67.1769.

67.1706. The metropolitan district shall have as its duty the development, operation and maintenance of a public system of interconnecting trails and parks throughout the counties comprising the district**, including any areas under concurrent jurisdiction with an agency of the United States government**. Nothing in this section shall restrict the district's entering into and initiating projects dealing with parks not necessarily connected to trails. The metropolitan district shall supplement but shall not substitute for the powers and responsibilities of the other parks and recreation systems within the metropolitan district or other conservation and environmental regulatory agencies and shall have the power to contract with other parks and recreation systems as well as with other public and private entities. Nothing in this section shall give the metropolitan district authority to regulate water quality, watershed or land use issues in the counties comprising the district.

67.1712. **1.** The governing body of any county located within the proposed metropolitan district is hereby authorized to impose by ordinance a one-tenth of one cent sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding the creation, operation and maintenance of a metropolitan park and recreation district.

2. In addition to the tax authorized in subsection 1 of this section, the governing body of any county located within the metropolitan district as of January 1, 2012, is authorized to impose by ordinance an incremental sales tax of up to three-sixteenths of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of the metropolitan park and recreation district. Such incremental sales tax shall not be implemented unless approved by the voters of the county with the largest population within the district and at least one other such county under subsection 2 of section 67.1715.

3. The **[**tax**] taxes** authorized by sections 67.1700 to 67.1769 shall be in addition to all other sales taxes allowed by law. The governing body of any county within the **[**proposed**]** metropolitan district enacting such an ordinance shall submit to the voters of such county a proposal to approve its ordinance imposing **or increasing** the tax. Such ordinance shall become effective only after the majority of the voters voting on such ordinance approve such ordinance. The provisions of sections 32.085 and 32.087 shall apply to any tax **and increase in tax** approved pursuant to this section and sections 67.1715 to 67.1721.

67.1715. **1. For the original sales tax of up to one-tenth of one cent authorized in subsection 1 of section 67.1712,** the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

Shall there be organized in the County of . . . . ., state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing neighborhood trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall . . . . . County join such other of . . . . . (insert all counties within proposed district) Counties that approve the formation of such a district in their respective counties to form one metropolitan district to be known as ". . . . . Metropolitan Park and Recreation District", with funding authority not to exceed one-tenth of one cent sales taxation,

subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to . . . . County for local park improvements, all as authorized by the . . . . . (insert name of governing body) of . . . . . County pursuant to (insert ordinance number), on the . . . . day of . . . . (insert month), ... (insert year)?

☐ YES ☐ NO

2. For the additional sales tax of up to three-sixteenths of one cent authorized in subsection 2 of section 67.1712, the question shall be submitted to the voters in each county of the proposed metropolitan district in substantially the following form:

"SAFE AND ACCESSIBLE ARCH AND PUBLIC PARKS INITIATIVE

For the purpose of increasing safety, security, and public accessibility for the Gateway Arch grounds and local, county, and regional parks and trails for families and disabled and elderly visitors, and for providing expanded activities and improvements of such areas, shall ..... (insert county name) County join such other of ..... (insert names of all counties within the metropolitan district considering the increase in sales tax for the metropolitan district) to impose a ..... (insert rate) of one cent sales tax in addition to the existing one-tenth of one cent sales tax applied to such purposes, with sixty percent of the revenues derived from the added tax allocated to the Metropolitan Park and Recreation District for Gateway Arch grounds and other regional park and trail improvements, and the remaining forty percent allocated to ..... (insert county name) County for local and county park improvements as authorized by the ..... (insert governing body name) of ..... (insert county name) County under ..... (insert ordinance number), on the ..... (insert day) day of ..... (insert month), ... (insert year), with such tax not to include the sale of food and prescription drugs and to be subject to an independent annual public audit?".

67.1721. In the event that the proposed metropolitan district consists of more than one county, if a majority of the votes cast on the proposal by the qualified voters voting in a county proposed for inclusion in the metropolitan district are in favor of the proposal, then the metropolitan district shall be deemed organized and that county shall be included in the metropolitan district, but if a majority of the votes cast on the proposal by the qualified voters voting in the county proposed for inclusion are opposed to the proposal, then the county shall not be included in the metropolitan district. After the metropolitan district has been created, counties eligible for inclusion in the metropolitan district and not already included in the metropolitan district may join the metropolitan district after such a proposal is submitted to the voters of the county proposed for subsequent inclusion and such proposal is approved by a majority of the qualified voters voting thereon in the county proposed for inclusion in the manner described in this section and **[**sections**]** **subsection 1 of section** 67.1715 and **in section** 67.1718.

67.1742. A metropolitan park and recreation district shall have the power to:

(1) Issue bonds, notes or other obligations for any of the purposes of the district, and to refund such bonds, notes or obligations, as provided in sections 67.1760 to 67.1769**. No bonds, notes, or obligations issued to fund activities under subsection 1 of section 67.1754, subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754, shall be secured by tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754, and no bonds, notes, or obligations issued to fund activities under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall be secured by tax revenues allocated under subparagraph b. of paragraph (a) or subparagraph b. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 or subdivision (2) of subsection 2 of section 67.1754**;

(2) Contract with public and private entities or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any of the purposes of the district**. Any contract for capital improvement or maintenance activities in the area to be improved with tax revenues allocated under subparagraph a. of paragraph (a) or subparagraph a. of paragraph (b) of subdivision (1) of subsection 2 of section 67.1754 shall require the concurrent approval of the metropolitan district, the public entity owning or controlling the real property being improved or maintained, and the public or not-for-profit entities directly providing supplemental funding for such contract, and all such capital improvements or maintenance activities shall be constructed and performed in accordance with a comprehensive capital improvements program agreement approved by the metropolitan district before the vote of the public relating to a sales tax authorized in subsection 2 of section 67.1712**;

(3) Own, hold, control, lease, purchase from willing sellers, contract and sell any and all rights in land, buildings, improvements, and any and all other real, personal or mixed property, provided that real property within a

county may only be purchased by the metropolitan district if a majority of the board members from the county in which such real property is located consent to such acquisition;

(4) Receive property, both real and personal, or money which has been granted, donated, devised or bequeathed to the district;

(5) Establish and collect reasonable charges for the use of the facilities of the district; and

(6) Maintain an office and staff at such place or places in this state as it may designate and conduct such business and operations as is necessary to fulfill the district's duties pursuant to sections 67.1700 to 67.1769.

67.1754. **1.** The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and allocated as follows:

(1) Fifty percent of the sales taxes collected from each county shall be deposited in the metropolitan park and recreational fund to be administered by the board of directors of the district to pay costs associated with the establishment, administration, operation and maintenance of public recreational facilities, parks, and public recreational grounds associated with the district. Costs for office administration beginning in the second fiscal year of district operations may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this subdivision;

(2) Fifty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of such fifty percent amount shall be reserved for distribution to municipalities within the county in the form of grant revenue-sharing funds. Each county in the district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes provided the purposes of such grants are consistent with the purpose of the district. In the case of a county of the first classification with a charter form of government having a population of at least nine hundred thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757; in such county, notwithstanding other provisions to the contrary, the grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

2. The sales tax authorized under subsection 2 of section 67.1712 shall be collected and allocated as follows:

(1) Sixty percent of the sales taxes collected from all counties shall be deposited in a separate metropolitan park and recreational fund to be administered by the board of directors of the metropolitan district to pay costs associated with the administration, operation, and maintenance of public recreational facilities, parks, and public recreational grounds associated with the metropolitan district. Of this amount:

(a) For a period ending twenty years after the issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative under subsection 2 of section 67.1715:

a. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Fifty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(b) After the period described in paragraph (a) of this subdivision:

a. Twenty percent shall be apportioned to accessibility, safety, improvement, and maintenance of the Gateway Arch grounds; and

b. Eighty percent shall be apportioned to accessibility, safety, improvement, and maintenance of park projects other than the Gateway Arch grounds;

(c) Costs for office administration beginning in the second fiscal year of collection and allocation may be up to but shall not exceed fifteen percent of the amount deposited under this subdivision;

(2) Forty percent of the sales taxes collected from each county shall be returned to the source county for park purposes, except that forty percent of the amount allocated to each source county shall be reserved for distribution to municipalities within the county in the form of grant-sharing funds. Each county in the metropolitan district shall establish its own process for awarding the grant proceeds to its municipalities for park purposes, provided the purposes of such grants are consistent with the purpose of the metropolitan district. In the case of any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, such grant proceeds shall be awarded to municipalities by a municipal grant commission as described in section 67.1757, and in such county, notwithstanding any other provision of law to the contrary, such grant proceeds may be used to fund any recreation program or park improvement serving municipal residents and for such other purposes as set forth in section 67.1757.

3. At a general election occurring not less than six months before the expiration of twenty years after issuance of any bonds issued for the purpose of improving and maintaining the Gateway Arch grounds, but no later than twenty-three years after the effective date of the incremental sales tax as approved by voter initiative

under subsection 2 of section 67.1715, the governing body of any county within the metropolitan district whose voters approved such incremental tax shall submit to its voters a proposal to reauthorize such tax after the expiration of such period. The form of the question shall be determined by the metropolitan district. Such reauthorization shall become effective only after a majority of the voters of each such county who vote on such reauthorization approve the reauthorization.

67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:

(1) Later establishment or cessation of any park or recreation system provided by law; or

(2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". . . . . Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

(1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;

(2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;

(3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;

(4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;

(5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

(6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;

(7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;

(8) Establish and collect reasonable charges for the use of the facilities of the district;

(9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and

(10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of . . . . ., state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". . . . . Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in ..... County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to . . . . County and the cities within the County for local park improvements?

☐ YES ☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038. The question of whether to continue to impose the one-tenth of one cent local sales tax authorized under this section shall be submitted to the voters of the county every twelve years after the voters of that county approve the initial imposition of the tax.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for

the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the

staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing

the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042."; and

Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said section, the following:

"144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly

to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, **[**2013**]** **2023**.

182.802. 1. **[**A**]** **(1) Any** public library district located **in any of the following counties may impose a tax as provided in this section:**

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; **[**or**]**

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants**;**

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district."; and

Further amend said bill, Section 339.501, Page 20, Line 36, by inserting after all of said line the following:

"**[67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.]**

Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Scharnhorst offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 9**.

House Amendment No. 1
to
House Substitute Amendment No. 1
for
House Amendment No. 9

AMEND House Substitute Amendment No. 1 for House Amendment No. 9 to House Committee Substitute for Senate Bill No. 668, Page 14, Line 25, by inserting after all of said line the following:

'Further amend said bill, Page 19, Section 143.115, Line 52, by inserting after all of said section and line, the following:

"**144.055. 1. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, supplies, parts and materials used or consumed in testing, installing, calibrating, maintaining, repairing, or restoring any machinery or equipment that is exempted from sales and use taxes in accordance with section 144.054.**

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, supplies, parts and materials used or consumed in the manufacturing, processing, preparing, furnishing, compounding, or producing of food, or used in research and development related to manufacturing, processing, preparing, furnishing, compounding or producing food. For the purposes of this subsection, the term "processing" shall mean any mode of treatment, act, or series of acts performed upon materials or food products to transform or reduce them to a different state, thing or product, including treatment necessary to maintain or preserve such processing by the producer at the location at which the food product is produced."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scharnhorst, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 9** was adopted.

On motion of Representative Cierpiot, **House Substitute Amendment No. 1 for House Amendment No. 9, as amended**, was adopted.

Representative Weter offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 668, Page 19, Section 143.115, Line 52, by inserting after all of said section and line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of ..... (insert name of county) impose a county sales tax of ..... (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants **or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants** that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. **Except as provided in subdivision (4) of this subsection,** each member shall be one of the following:

(a) The head of any of the county's fire protection districts, or a designee;

(b) The head of any of the county's ambulance districts, or a designee;

(c) The county sheriff, or a designee;

(d) The head of any of the police departments in the county, or a designee; and

(e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 10** was adopted.

Representative Holsman offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 668, Page 19, Section 143.115, Line 52, by inserting after all of said line the following:

"262.900. 1. As used in this section, the following terms mean:

(1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable product, growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product, planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either in its natural or processed state, that has been produced, processed, or otherwise had value added to it in this state;

(2) "Blighted area", that portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration have become economic and social liabilities, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes;

(3) "Department", department of agriculture;

(4) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(5) "Grower UAZ", a type of UAZ:

(a) That can either grow produce, raise livestock, or produce other value-added agricultural products;

(b) That does not exceed fifty laying hens, six hundred fifty broiler chickens, or thirty domesticated animals; and

(c) Is a qualifying small business that is approved by the department;

(6) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(7) "Locally grown", a product that was grown or raised in the same county or city not within a county in which the UAZ is located or in an adjoining county or city not within a county. For a product raised or sold in a city not within a county, locally grown also includes an adjoining county with a charter form of government with more than nine hundred fifty thousand and those counties adjoining said county;

(8) "Processing UAZ", a type of UAZ:

(a) That processes livestock or poultry for human consumption;

(b) That meets federal and state processing laws and standards; and

(c) Is a qualifying small business approved by the department;

(9) "Meat", any edible portion of a livestock or poultry carcass or part thereof;

(10) "Meat product", anything containing meat intended for or capable of use for human consumption, which is derived, in whole or in part, from livestock or poultry;

(11) "Poultry", any domesticated bird intended for human consumption;

(12) "Qualifying small business", those enterprises which are established within an urban agricultural zone subsequent to its creation, and which meet the definition established for the small business administration and set forth in Section 121.301 of Part 121 of Title 13 of the Code of Federal Regulations;

(13) "Value-added agricultural products", any product or products that are the result of:

(a) Using an agricultural product grown in this state to produce a meat or dairy product in this state;

(b) A change in the physical state or form of the original agricultural product;

(c) An agricultural product grown in this state which has had its value enhanced by special production methods such as organically grown products; or

(d) A physical segregation of a commodity or agricultural product grown in this state that enhances its value such as identity preserved marketing systems;

(14) "Urban agricultural zone" or "UAZ", a zone within a metropolitan statistical area as defined by the United States Office of Budget and Management that has one or more of the following entities that is a qualifying small businesses, and approved by the department, as follows:

(a) Any organization or person who grows produce or other agricultural products;

(b) Any organization or person who raises livestock or poultry;

(c) Any organization or person who processes livestock or poultry; or

(d) Any organization that sells at a minimum seventy-five percent locally grown food;

(15) "Vending UAZ", a type of UAZ:

(a) That sells produce, meat, or locally grown value-added agricultural products;

(b) That is able to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program as a form of payment; and

(c) Is a qualifying small business that is approved by the department for an UAZ vendor license.

2. (1) A person or organization shall submit to any incorporated municipality an application to develop an UAZ on a blighted area of land. Such application shall demonstrate or identify on the application:

(a) If the person or organization is a grower UAZ, processing UAZ, vending UAZ, or a combination of all three types of UAZs provided in this paragraph, in which case the person or organization shall meet the requirements of each type of UAZ in order to qualify;

(b) The number of jobs to be created;

(c) The types of products to be produced; and

(d) If applying for a vending UAZ, the ability to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program if selling products to consumers.

(2) A municipality shall review and modify the application as necessary before either approving or denying the request to establish an UAZ.

(3) Approval of the UAZ by such municipality shall be reviewed five and ten years after the development of the UAZ. After twenty-five years, the UAZ shall dissolve. If the municipality finds during its review that the UAZ is not meeting the requirements set out in this section, the municipality may dissolve the UAZ.

3. The governing authority of any municipality planning to seek designation of an urban agricultural zone shall establish an urban agricultural zone board. The number of members on the board shall be seven. One member of the board shall be appointed by the school district or districts located within the area proposed for designation as an enhanced enterprise zone. Two members of the board shall be appointed by other affected taxing districts. The remaining four members shall be chosen by the chief elected official of the municipality. The four members chosen by the chief elected officer of the municipality shall each be residents of the county or city not within a county in which the UAZ is to be located, and at least one of such four members shall have experience in or represent organizations associated with sustainable agriculture, urban farming, community gardening, or any of the activities or products authorized by this section for UAZs.

4. The school district member and the two affected taxing district members shall each have initial terms of five years. Of the four members appointed by the chief elected official, two shall have initial terms of four years, and two shall have initial terms of three years. Thereafter, members shall serve terms of five years. Each commissioner shall hold office until a successor has been appointed. All vacancies shall be filled in the same manner as the original appointment. For inefficiency or neglect of duty or misconduct in office, a member of the board may be removed by the applicable appointing authority.

5. A majority of the members shall constitute a quorum of such board for the purpose of conducting business and exercising the powers of the board and for all other purposes. Action may be taken by the board upon a vote of a majority of the members present.

6. The members of the board annually shall elect a chair from among the members.

7. The role of the board shall be to conduct the activities necessary to advise the governing authority on the designation of an urban agricultural zone and any other advisory duties as determined by the governing authority. The role of the board after the designation of an urban agricultural zone shall be review and assessment of zone activities.

8. Prior to the adoption of an ordinance proposing the designation of an urban agricultural zone, the urban agricultural board shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed urban agricultural zone. The board shall send, by certified mail, a notice of such hearing to all taxing districts and political subdivisions in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the designation at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing. At the public hearing any interested person or affected taxing district may file with the board written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The board shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing.

9. Following the conclusion of the public hearing required under subsection 8 of this section, the governing authority of the municipality may adopt an ordinance designating an urban agricultural zone.

10. The real property of the UAZ shall not be subject to assessment or payment of ad valorem taxes on real property imposed by the cities affected by this section, or by the state or any political subdivision thereof, for a period of up to twenty-five years as specified by ordinance under subsection 9 of this section, except to such extent and in such amount as may be imposed upon such real property during such period, as was determined by the assessor of the county in which such real property is located, or, if not located within a county, then by the assessor of such city, in an amount not greater than the amount of taxes due and payable thereon during the calendar year preceding the calendar year during which the urban agricultural zone was designated. The amounts of such tax assessments shall not be increased during such period so long as the real property is used in furtherance of the activities provided under the provisions of subdivision (13) of subsection 1 of this section. At the conclusion of the period of abatement provided by the ordinance, the property shall then be reassessed. If only a portion of real property is used as an UAZ, then only that portion of real property shall be exempt from assessment or payment of ad valorem taxes on such property, as provided by this section.

11. If the water services for the UAZ are provided by the municipality, the municipality may authorize a grower UAZ to pay wholesale water rates, if available, for the cost of water consumed on the UAZ and pay fifty percent of the standard cost to hook onto the water source.

12. (1) Any local sales tax revenues received from the sale of agricultural products sold in the UAZ shall be deposited in the urban agricultural zone fund established in subdivision (2) of this subsection. An amount equal to one percent shall be retained by the director of revenue for deposit in the general revenue fund to offset the costs of collection.

(2) There is hereby created in the state treasury the "Urban Agricultural Zone Fund", which shall consist of money collected under subdivision (1) of this subsection. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, shall be used for the purposes authorized by this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. School districts may apply to the department for money in the fund to be used for the development of curriculum on or the implementation of urban farming practices under the guidance of the University of Missouri extension service and a certified vocational agricultural instructor. The funds are to be distributed on a competitive basis within the school district or districts in which the UAZ is located under rules to be promulgated by the department, with special consideration given to the relative number of students eligible for free and reduced-price lunches attending the schools within such district or districts.

13. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated under this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Holsman, **House Amendment No. 11** was adopted.

Representative Johnson offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 668, Page 20, Section 339.501, Line 36, by inserting after the phrase "**chapter 138**" on said line the following:

"**; or**

(7) Any person employed by the property owner or agent of the property owner to create, design, or maintain a website or multiple websites that advertise real estate for sale on the internet"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 12** was adopted.

Representative Largent offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Bill No. 668, Pages 19-20, Section 339.501, by striking all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Largent, **House Amendment No. 13** was adopted.

Representative Talboy offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Bill No. 668, Page 20, Section 339.501, Line 36, by inserting after all of said section and line the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public.
As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) **Records, data, and reports that are in the possession of a business entity formed under section 537.620, and used by such business entity in the calculation of rates or assessments, or in adjusting claims;**

(17) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

[(17)**] 18.** Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

[(18)**] 19.** Operational guidelines and policies developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, the agency shall affirmatively state in writing that disclosure would impair its ability to protect the safety or health of persons, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records. This exception shall sunset on December 31, **[**2012**]2016**;

[(19)**] 20.** Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(d) This exception shall sunset on December 31, **[**2012**]2016**;

[(20)**] 21.** Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

[(21)**] 22.** Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body

or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

[(22)**]** **23.** Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 14** was adopted.

Representative Franz offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36, by inserting after all of said section and line, the following:

"67.1521. 1. A district may levy by resolution one or more special assessments against real property within its boundaries, upon receipt of and in accordance with a petition signed by:

(1) Owners of real property collectively owning more than fifty percent by assessed value of real property within the boundaries of the district; and

(2) More than fifty percent per capita of the owners of all real property within the boundaries of the district.

2. The special assessment petition shall be in substantially the following form:

The ..... (insert name of district) Community Improvement District ("District") shall be authorized to levy special assessments against real property benefitted within the District for the purpose of providing revenue for ..... (insert general description of specific service and/or projects) in the district, such special assessments to be levied against each tract, lot or parcel of real property listed below within the district which receives special benefit as a result of such service and/or projects, the cost of which shall be allocated among this property by ..... (insert method of allocation, e.g., per square foot of property, per square foot on each square foot of improvement, or by abutting foot of property abutting streets, roads, highways, parks or other improvements, or any other reasonable method) in an amount not to exceed ..... dollars per (insert unit of measure). Such authorization to levy the special assessment shall expire on ..... (insert date). The tracts of land located in the district which will receive special benefit from this service and/or projects are: ..... (list of properties by common addresses and legal descriptions).

3. The method for allocating such special assessments set forth in the petition may be any reasonable method which results in imposing assessments upon real property benefitted in relation to the benefit conferred upon each respective tract, lot or parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a special assessment rate lower than the rate ceiling set forth in the petition authorizing the special assessment and may increase such lowered special assessment rate to a level not exceeding the special assessment rate ceiling set forth in the petition without further approval of the real property owners; provided that a district imposing a special assessment pursuant to this section may not repeal or amend such special assessment or lower the rate of such special assessment if such repeal, amendment or lower rate will impair the district's ability to pay any liabilities that it has incurred, money that it has borrowed or obligations that it has issued.

5. Each special assessment which is due and owing shall constitute a perpetual lien against each tract, lot or parcel of property from which it is derived. Such lien may be foreclosed in the same manner as any other special assessment lien as provided in section 88.861. Notwithstanding the provisions of this subsection and section 67.1541 to the contrary, **[**in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants,**]** the county collector may, upon certification by the district for collection, add each special assessment to the annual real estate tax bill for the property and collect the assessment in the same manner the collector uses for real estate taxes. **[**In said counties, each**]** **Any** special assessment remaining unpaid on the first day of January annually is delinquent and enforcement of collection of the delinquent bill by the county collector shall be governed by the laws concerning delinquent and back taxes. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale under chapter 140 or, if applicable to that county, chapter 141.

6. A separate fund or account shall be created by the district for each special assessment levied and each fund or account shall be identifiable by a suitable title. The proceeds of such assessments shall be credited to such fund or account. Such fund or account shall be used solely to pay the costs incurred in undertaking the specified service or project.

7. Upon completion of the specified service or project or both, the balance remaining in the fund or account established for such specified service or project or both shall be returned or credited against the amount of the original assessment of each parcel of property pro rata based on the method of assessment of such special assessment.

8. Any funds in a fund or account created pursuant to this section which are not needed for current expenditures may be invested by the board in accordance with applicable laws relating to the investment of funds of the city in which the district is located.

9. The authority of the district to levy special assessments shall be independent of the limitations and authorities of the municipality in which it is located; specifically, the provisions of section 88.812 shall not apply to any district."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 15** was adopted.

Representative Klippenstein moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Scharnhorst	Schatz	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn

Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Carter	Cookson	Day	Dieckhaus
Frederick	Nasheed	Riddle	Schad	Schneider
Stream	Webb			

On motion of Representative Diehl, **HCS SB 668, as amended**, was adopted.

On motion of Representative Diehl, **HCS SB 668, as amended**, was read the third time and passed by the following vote:

AYES: 087

Allen	Barnes	Bernskoetter	Black	Brandom
Brown 85	Brown 116	Cauthorn	Cierpiot	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Higdon
Hinson	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Korman	Lair	Lant	Largent
Lauer	Leara	Lichtenegger	Loehner	Long
McGhee	McNary	Nance	Neth	Nolte
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schoeller	Shumake	Silvey	Smith 150
Solon	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Wells	Weter	Wright
Wyatt	Zerr			

NOES: 067

Anders	Asbury	Atkins	Aull	Bahr
Berry	Brattin	Brown 50	Burlison	Carlson
Casey	Colona	Conway 14	Conway 27	Ellinger
Ellington	Fallert	Gatschenberger	Harris	Hodges
Holsman	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Koenig	Kratky	Lampe
Lasater	Leach	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Parkinson	Pierson
Quinn	Rizzo	Schieber	Schieffer	Schupp
Shively	Sifton	Smith 71	Sommer	Spreng
Still	Swinger	Taylor	Walton Gray	Webber
White	Wieland			

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 008

Carter	Dieckhaus	Hampton	Nasheed	Riddle
Schneider	Webb	Mr Speaker		

Representative Silvey declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 088

Allen	Aull	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Cauthorn	Cierpiot
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hinson
Holsman	Hoskins	Hough	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Lair	Lampe	Lant	Largent
Lauer	Leara	Lichtenegger	Loehner	Long
McGhee	McNary	Nance	Neth	Nolte
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
Wright	Zerr	Mr Speaker		

NOES: 060

Anders	Asbury	Atkins	Bahr	Barnes
Brown 50	Burlison	Carlson	Casey	Colona
Conway 14	Conway 27	Curtman	Ellinger	Ellington
Fallert	Gosen	Harris	Hodges	Houghton
Hummel	Jones 63	Kirkton	Koenig	Korman
Kratky	Lasater	Leach	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Parkinson
Pierson	Rizzo	Schieber	Schieffer	Schupp
Smith 71	Sommer	Spreng	Still	Swearingen
Taylor	Walton Gray	White	Wieland	Wyatt

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 014

Brattin	Carter	Frederick	Hampton	Higdon
Hubbard	Hughes	Nasheed	Riddle	Schatz
Schneider	Talboy	Webb	Webber	

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HBs 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 and 1878, as amended**, and request the House take up and pass **SS SCS HBs 1807, 1093, 1107, 1156, 1221, 1261, 1269, 1641, 1668, 1737, 1782, 1868 and 1878, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SCS SB 480, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 673, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

THIRD READING OF SENATE BILLS

HCS SB 760, relating to outdoor resources, was taken up by Representative Ruzicka.

Representative Ruzicka offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 760, Page 5, Section 60.540, Line 4, by deleting the word "**surveyor**" and inserting in lieu thereof the word "**survey**"; and

Further amend said bill, Pages 26-27, Section 571.020, by deleting all of said section from the bill; and

Further amend said bill, Page 29, Section 571.030, Line 73, by inserting immediately following the words "**eighteen years of age**" the words "**or older**"; and

Further amend said bill, Page 32, Section 571.101, Line 19, by inserting immediately following the words "**eighteen years of age**" the words "**or older**"; and

Further amend said bill and section, Page 33, Line 62, by inserting immediately following the words "**years of age**" the words "**or older**"; and

Further amend said bill, Page 39, Section 571.117, Line 32, by inserting immediately following the words "**eighteen years of age**" the words "**or older**"; and

Further amend said bill, Page 44, Section 640.100, Line 106, by inserting after all of said section and line the following:

"643.225. 1. The provisions of sections 643.225 to 643.250 shall apply to all projects subject to 40 CFR Part 61, Subpart M as adopted by 10 CSR 10-6.080. The commission shall promulgate rules and regulations it deems

necessary to implement and administer the provisions of sections 643.225 to 643.250, including requirements, procedures and standards relating to asbestos projects, as well as the authority to require corrective measures to be taken in asbestos abatement, renovation, or demolition projects as are deemed necessary to protect public health and the environment. The director shall establish any examinations for certification required by this section and shall hold such examinations at times and places as determined by the director.

2. Except as otherwise provided in sections 643.225 to 643.250, no individual shall engage in an asbestos abatement project, inspection, management plan, abatement project design or asbestos air sampling unless the person has been issued a certificate by the director, or by the commission after appeal, for that purpose.

3. In any application made to the director to obtain such certification as an inspector, management planner, abatement project designer, supervisor, contractor or worker from the department, the applicant shall include his diploma providing proof of successful completion of either a state accredited or United States Environmental Protection Agency (EPA) accredited training course as described in section 643.228. In addition, an applicant for certification as a management planner shall first be certified as an inspector. All applicants for certification as an inspector, management planner, abatement project designer, supervisor, contractor or worker shall successfully pass a state examination on Missouri state asbestos statutes and rules relating to asbestos. Certification issued hereunder shall expire one year from its effective date. Individuals applying for state certification as an asbestos air sampling professional shall have the following credentials:

(1) A bachelor of science degree in industrial hygiene plus one year of experience in the field; or

(2) A master of science degree in industrial hygiene; or

(3) Certification as an industrial hygienist as designated by the American Board of Industrial Hygiene; or

(4) Three years of practical experience in the field of industrial hygiene, including significant asbestos air monitoring experience and the completion of a forty-hour asbestos course which includes air monitoring instruction (National Institute of Occupational Safety and Health 582 course on air sampling or equivalent). In addition to these qualifications, the individual must also pass the state of Missouri asbestos examination. All asbestos air sampling technicians shall be trained and overseen by an asbestos air sampling professional and shall meet the requirements of training found in OSHA's 29 CFR 1926.1101. Certification under this section as an abatement project designer does not qualify an individual as an architect, engineer or land surveyor, as defined in chapter 327.

4. An application fee of seventy-five dollars shall be assessed for each category, except asbestos abatement worker, to cover administrative costs incurred. An application fee of twenty-five dollars shall be assessed for each asbestos abatement worker to cover administrative costs incurred. A fee of twenty-five dollars shall be assessed per state examination.

5. In order to qualify for renewal of a certificate, an individual shall have successfully completed an annual refresher course from a state of Missouri accredited training program. For each discipline, the refresher course shall review and discuss current federal and state statute and rule developments, state-of-the-art procedures and key aspects of the initial training course, as determined by the state of Missouri. For all categories except inspectors, individuals shall complete a one-day annual refresher training course for recertification. Refresher courses for inspectors shall be at least a half-day in length. Management planners shall attend the inspector refresher course, plus an additional half-day on management planning. All refresher courses shall require an individual to successfully pass an examination upon completion of the course. In the case of significant changes in Missouri state asbestos statutes or rules, an individual shall also be required to take and successfully pass an updated Missouri state asbestos examination. An individual who has failed the Missouri state asbestos examination may retake it on the next scheduled examination date. If an individual has not successfully completed the annual refresher course within twelve months of the expiration of his or her certification, the individual shall be required to retake the course in his or her specialty area as described in this section. Failure to comply with the requirements for renewal of certification in this section will result in decertification. In no event shall certification or recertification constitute permission to violate sections 643.225 to 643.250 or any standard or rule promulgated under sections 643.225 to 643.250.

6. A fee of five dollars shall be paid to the state for renewal of certificates to cover administrative costs.

7. The provisions of subsections 2 to 6 of this section, section 643.228, subdivision (4) of subsection 1 of section 643.230, sections 643.232 and 643.235, subdivisions (1) to (3) of subsection 1 of section 643.237, and subsection 2 of section 643.237 shall not apply to a person that is subject to requirements and applicable standards of the United States Environmental Protection Agency (EPA) and the United States Occupational Safety and Health Administration's (OSHA) 29 Code of Federal Regulations 1926.58 and which engages in asbestos abatement projects as part of normal operations in the facility solely at its own place or places of business. A person shall receive an exemption upon submitting to the director, on a form provided by the department, documentation of the training provided to its employees to meet the requirements of applicable OSHA and EPA rules and regulations and the type of asbestos abatement projects which constitute normal operations performed

by the applicant. If the application does not meet the requirements of this subsection and the rules and regulations promulgated by the department, the applicant shall be notified, within one hundred eighty days of the receipt of the application, that the exemption has been denied. An applicant may appeal the denial of an exemption to the commission within thirty days of the notice of denial. This exemption shall not apply to asbestos abatement contractors, to those persons who the commission by rule determines provide a service to the public in its place or places of business as the economic foundation of the facility, or to those persons subject to the requirements of the federal Asbestos Hazard Emergency Response Act of 1986 (P.L. 99-519). A representative of the department shall be permitted to attend, monitor, and evaluate any training program provided by the exempted person. Such evaluations may be conducted without prior notice. Refusal to allow such an evaluation is sufficient grounds for loss of exemption status.

8. A fee of two hundred fifty dollars shall be submitted with the application for exemption under subsection 7 of this section. This shall be a one-time fee. An exempted person shall submit to the director changes in curricula or other significant revisions to its training program under this section as they occur.

9. All applications for exemption under this section that are received and approved by the department prior to August 28, 2012, shall be considered valid. An exempted person under this subsection shall not be subject to the fee under subsection 8 of this section but shall submit to the director changes in curricula or other significant revisions to its training program as they occur."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 1** was adopted.

Representative Barnes offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 760, Page 24, Section 393.1003, Line 25, by inserting after all of said line the following:

"**488.650. There shall be assessed as costs a surcharge in the amount of one hundred dollars on all petitions for expungement filed under the provisions of section 610.140. Such surcharge shall be collected and disbursed by the clerk of the court as provided by sections 488.010 to 488.020. Moneys collected from this surcharge shall be payable to the general revenue fund.**"; and

Further amend said bill, Page 24, Section 393.1003, Line 25, by inserting after all of said line the following:

"561.026. Notwithstanding any other provision of law **except for section 610.140,** a person who is convicted:

(1) Of any crime shall be disqualified from registering and voting in any election under the laws of this state while confined under a sentence of imprisonment;

(2) Of a felony or misdemeanor connected with the exercise of the right of suffrage shall be forever disqualified from registering and voting;

(3) Of any felony shall be forever disqualified from serving as a juror."; and

Further amend said bill, Page 41, Section 577.073, Line 16, by inserting immediately after said line the following:

"**610.140. 1. Notwithstanding any other provision of law and subject to the provisions of this section, any person may apply to any court in which such person was found guilty of any of the offenses specified in subsection 2 of this section for an order to expunge recordations of such arrest, plea, trial, or conviction. A person may apply to have one or more offenses expunged so long as such person lists all the offenses he or she is seeking to have expunged in the same petition and so long as all such offenses are eligible under subsection 2 of this section. No person, however, who has been issued a commercial driver's license or is required to possess a commercial driver's license issued by this state or any other state may have any offenses expunged under this section.**

2. The following offenses that occurred within the state of Missouri, and were prosecuted under the jurisdiction of a Missouri municipal court or associate or circuit court, are eligible to be expunged:

(1) Any felony offense of passing a bad check under 570.120, fraudulently stopping payment of an instrument under 570.125, or fraudulent use of a credit device or debit device;

(2) Any misdemeanor offense, except any offense of chapter 565, 566, 568, or 573, any other offense that requires registration under sections 589.400 to 589.425, or any alcohol-related driving offense; and

(3) Any municipal offense or infraction, except any alcohol-related driving offense.

3. The petition shall name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses listed in the petition. The court's order of expungement shall not affect any person or entity not named as a defendant in the action.

4. The petition shall be dismissed if it does not include the following information:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Driver's license number, if applicable; and

(e) Current address;

(2) Each offense charged against the petitioner for which the petitioner is requesting expungement;

(3) The date the petitioner was arrested for each offense;

(4) The name of the county where the petitioner was arrested for each offense and if any of the offenses occurred in a municipality, the name of the municipality for each offense;

(5) The name of the agency that arrested the petitioner for each offense;

(6) The case number and name of the court for each offense; and

(7) Petitioner's fingerprints on a standard fingerprint card at the time of filing a petition for expungement which will be forwarded to the central repository for the sole purpose of positively identifying the petitioner.

5. The court shall set a hearing on the matter no sooner than thirty days from the filing of the petition and shall give reasonable notice of the hearing to each entity named in the petition. At the hearing, the court may accept evidence and hear testimony on, and shall consider, the following criteria for each of the offenses listed in the petition for expungement:

(1) It has been at least twenty years if the offense is a felony, or at least ten years if the offense is a misdemeanor, municipal offense, or infraction, since the person making the application completed:

(a) Any sentence of imprisonment; or

(b) Any period of probation or parole;

(2) The person has not been found guilty of a misdemeanor or felony, not including violations of the traffic regulations provided under chapters 304 and 307, during the time period specified for the underlying offense in subdivision (1) of this subsection;

(3) The person has paid any amount of restitution ordered by the court;

(4) The circumstances and behavior of the petitioner warrant the expungement; and

(5) The expungement is consistent with the public welfare.

6. If the court determines at the conclusion of the hearing that such person meets all the criteria set forth in subsection 5 of this section for each of the offenses listed in the petition for expungement, the court shall enter an order of expungement. A copy of the order shall be provided to each entity named in the petition, and, upon receipt of the order, each entity must destroy any record in its possession relating to any offense listed in the petition. If destruction of the record is not feasible because of the permanent nature of the record books, such record entries shall be blacked out. Entries of a record ordered expunged shall be removed from all electronic files maintained with the state of Missouri, except for the files of the court. The records and files maintained in any administrative or court proceeding in a municipal court, an associate circuit or circuit court division of the circuit court for any offense ordered expunged under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.

7. The order shall not limit any of the petitioner's rights that were restricted as a collateral consequence of such person's criminal record, and such rights shall be restored upon issuance of the order of expungement. Except as otherwise provided under this section, the effect of such order shall be to restore such person to the status he or she occupied prior to such arrests, pleas, trials, or convictions as if such events had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such

arrests, pleas, trials, convictions, or expungement in response to an inquiry made of him or her and no such inquiry shall be made for information relating to an expungement, except the petitioner shall disclose the expunged offense to any court when asked or upon being charged with any subsequent offense. The expunged offense may be considered a prior offense in determining a sentence to be imposed for any subsequent offense that the person is found guilty of committing.

8. Notwithstanding the provisions of subsection 7 of this section to the contrary, a person granted an expungement shall disclose all expunged offenses on any application for:

(1) A license, certificate, or permit issued by this state to practice such individual's profession;

(2) Any license issued under chapter 313; or

(3) Paid or unpaid employment with an entity licensed under chapter 313, any state-operated lottery, or any emergency services provider, including any law enforcement agency.

Such person shall also disclose any expunged felony offenses when filing as a candidate for election to any public office. Notwithstanding any provision of law to the contrary, an expunged offense shall not be grounds for automatic disqualification of a candidate or applicant, but may be a factor for denying employment, or a professional license, certificate, or permit.

9. If the court determines that such person has not met the criteria for any of the offenses listed in the petition for expungement, the court shall enter an order dismissing the petition. Any person whose petition for expungement has been dismissed by the court for failure to meet the criteria set forth in subsection 5 of this section may not refile another petition until a year has passed since the date of filing for the previous petition.

10. The Missouri supreme court shall promulgate rules establishing procedures for the handling of cases filed under the provisions of this section. Such procedures shall be similar to the procedures established in chapter 482 for the handling of small claims.

11. A person may be granted more than one expungement under this section provided that no person shall be granted more than one order of expungement from the same court. Nothing contained in this section shall prevent the court from maintaining records to ensure that an individual has only one petition for expungement granted by such court under this section.

12. All rights under the Second Amendment of the United States Constitution and enjoyment of outdoor resources shall be restored to any petitioner who is granted expungement under this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Barnes, **House Amendment No. 2** was adopted by the following vote:

AYES: 120

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Kander	Keeney
Kelley 126	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Meadows
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Richardson
Rowland	Ruzicka	Sater	Scharnhorst	Schatz

Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Stream	Swinger	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 029

Atkins	Carlson	Carter	Ellington	Holsman
Jones 63	Kelly 24	Kirkton	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Still
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 014

Cross	Day	Diehl	Gosen	Hughes
Jones 117	Klippenstein	May	Nasheed	Reiboldt
Riddle	Schad	Swearingen	Webb	

Representative Pollock offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 760, Page 41, Section 577.073, Lines 9-12, by inserting after all of said section and line the following:

"the department of natural resources**; except that, the provisions of this subsection shall not apply to the normal and customary use of public roads by commercial and noncommercial organizations for the purpose of transporting persons or vehicles, including but not limited to canoes as defined in section 537.327**."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 3** was adopted.

Representative Solon offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 760, Page 9, Section 60.620, Line 51, by inserting after all of said line the following:

"67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the

improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county **[**of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants**]**, the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or**, if applicable to that county, chapter 141, or, [**by judicial foreclosure proceeding,**]** at the option of the governing body**, by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 4** was adopted.

Representative Cauthorn offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 760, Page 41, Section 577.073, Line 16, by inserting after all of said section and line the following:

"621.250. 1. All authority to hear appeals granted in chapters 260, 444, 640, 643, and 644, and to the hazardous waste management commission in chapter 260, the land reclamation commission in chapter 444, the safe drinking water commission in chapter 640, the air conservation commission in chapter 643, and the clean water commission in chapter 644 shall be transferred to the administrative hearing commission under this chapter. The authority to render final decisions after hearing on appeals heard by the administrative hearing commission shall remain with the commissions listed in this subsection. The administrative hearing commission may render a recommended final decision after hearing or through stipulation, consent order, agreed settlement or by disposition in the nature of default judgment, judgment on the pleadings, or summary determination, consistent with the requirements of this subsection and the rules and procedures of the administrative hearing commission.

2. Except as otherwise provided by law, any person or entity who is a party to, or who is aggrieved or adversely affected by, any finding, order, decision, or assessment for which the authority to hear appeals was transferred to the administrative hearing commission in subsection 1 of this section may file a notice of appeal with the administrative hearing commission within thirty days after any such finding, order, decision, or assessment is placed in the United States mail or within thirty days of any such finding, order, decision, or assessment being delivered, whichever is earlier. Within **[**sixty**]** **ninety** days after the date on which the notice of appeal is filed the administrative hearing commission **[**shall**]** **may** hold hearings and **within one hundred twenty days after the date on which the notice of appeal is filed shall** make a recommended decision based on those hearings or shall make a recommended decision based on stipulation of the parties, consent order, agreed settlement or by disposition in the nature of default judgment, judgment on the pleadings, or summary determination, in accordance with the requirements of this subsection and the rules and procedures of the administrative hearing commission**; provided, however, that the dates by which the administrative hearing commission is required to hold hearings and make a recommended decision may be extended at the sole discretion of the permittee as either petitioner or intervenor in the appeal**.

3. Any decision by the director of the department of natural resources that may be appealed as provided in subsection 1 of this section shall contain a notice of the right of appeal in substantially the following language: "If you were adversely affected by this decision, you may appeal to have the matter heard by the administrative hearing commission. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission.". Within fifteen days after the administrative hearing commission renders its recommended decision, it shall transmit the record and a transcript of the proceedings, together with the administrative hearing commission's recommended decision to the commission having authority to issue a final decision. The final decision of the commission shall be issued within **[**ninety**]** **one hundred eighty** days of the date the notice of appeal **in subsection 2 of this section** is filed and shall be based only on the facts and evidence in the hearing record**; provided, however, that the date by which the commission is required to issue a final decision may be extended at the sole discretion of the permittee as either petitioner or intervenor in the appeal**. The commission may adopt the recommended decision as its final decision. The commission may change a finding of fact or conclusion of law made by the administrative hearing commission, or may vacate or modify the recommended decision issued by the administrative hearing commission, only if the commission states in writing the specific reason for a change made under this subsection.

4. In the event the person filing the appeal prevails in any dispute under this section, interest shall be allowed upon any amount found to have been wrongfully collected or erroneously paid at the rate established by the director of the department of revenue under section 32.065.

5. Appropriations shall be made from the respective funds of the various commissions to cover the administrative hearing commission's costs associated with these appeals.

6. In all matters heard by the administrative hearing commission under this section, the burden of proof shall comply with section 640.012. The hearings shall be conducted by the administrative hearing commission in accordance with the provisions of chapter 536 and its regulations promulgated thereunder.

7. No cause of action or appeal arising out of any finding, order, decision, or assessment of any of the commissions listed in subsection 1 of this section shall accrue in any court unless the party seeking to file such cause of action or appeal shall have filed a notice of appeal and received a final decision in accordance with the provisions of this section.

640.018. 1. In any case where the department has not issued a permit or rendered a permit decision by the expiration of a statutorily required time frame for any application for a permit under this chapter or chapters 260, 278, 319, 444, 643, or 644, **upon request of the permit applicant the department shall issue** the permit **[**shall be issued as of**]** the first day following the expiration of the required time frame, provided all necessary information has been submitted for the application and the department has been in possession of all such information for the duration of the required time frame. This subsection shall be considered in addition to, and not in lieu thereof, any other provision of law regarding consequences of failure by the department to issue a permit or permit decision by the expiration of a required time frame.

2. If engineering plans, specifications, and designs prepared by a registered professional engineer are submitted to the department of natural resources as a part of a permit application or permit modification, the permit application or permit modification shall include a statement that the plans, specifications, and designs were prepared in accordance with the applicable requirements and shall be sealed by the registered professional engineer in accordance with section 327.411, as applicable. The department shall use the complete, sealed engineering plans, specifications, and designs

as submitted in addition to permit applications and other relevant information, documents, and materials in developing comments on the engineering submittals and in determining whether to issue or deny permits. The review of documents, plans, specifications, and designs sealed by a registered professional engineer for an applicant shall be conducted by a registered professional engineer or an engineering intern on behalf of the department.

3. The department shall designate supervisory registered professional engineers for permitting purposes under this chapter and chapters 260, 278, 319, 444, 643, and 644. Any permit applicant receiving written comments on an engineering submittal may request a determination from the department's supervisory registered professional engineer as to a final disposition of the department's comments regarding engineering submittals in determining a decision on the permit. The department's supervisory engineer shall inform the permit applicant of a preliminary decision within fifteen days after the permit applicant's request for a determination and shall make a final determination within thirty days of such request.

4. Nothing in this section shall be construed to require plans or other submittals to the department pursuant to an application to come under a general permit or an application for a site-specific permit to be prepared by a registered professional engineer, unless otherwise required under state or federal law."; and

Further amend said bill, Page 44, Section 640.100, Line 106, by inserting after all of said section and line the following:

"643.130. All final orders or determinations of the commission or the director hereunder shall be subject to judicial review pursuant to the provisions of sections 536.100 to 536.140, except that, the provisions of section 536.110 notwithstanding, all actions seeking judicial review of any final determination of the commission or the director **relating to part 70 operating permits and construction permits or permit applications filed under or related to the prevention of significant deterioration, major nonattainment area source, or major new source review programs** shall be filed in the court of appeals instead of in the circuit court. No judicial review shall be available hereunder, however, unless and until all administrative remedies are exhausted."; and

Further amend said bill, Page 48, Section 644.026, Line 134, by inserting after all of said section and line the following:

"644.071. 1. All final orders or determinations of the commission or the director made pursuant to the provisions of sections 644.006 to 644.141 are subject to judicial review pursuant to the provisions of chapter 536, except that, the provisions of section 536.110 notwithstanding, all actions seeking judicial review of any final order or determination of the commission or the director **that relates to permits affecting a utility** shall be filed in the court of appeals instead of in the circuit court. No judicial review shall be available, however, unless and until all administrative remedies are exhausted.

2. In any suit filed pursuant to section 536.050 concerning the validity of the commission's standards, rules and regulations, the court shall review the record made before the commission to determine the validity and reasonableness of such standards, rules, limitations, and regulations and may hear such additional evidence as it deems necessary."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Redmon offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 760, Page 4, Line 5, by inserting after all of said line, the following:

"Further amend said bill, Page 32, Section 571.101, Line 19, by deleting the number "(2)" on said line and inserting in lieu there of the letter "**(c)**"; and

Further amend said bill, page, and section, Line 21, by deleting the letter "**(a)**" on said line and inserting in lieu thereof the letter "**a.**"; and

Further amend said bill, page, and section, Line 22, by deleting the letter "**(b)**" on said line and inserting in lieu thereof the letter "**b.**"; and

Further amend said section by renumbering said subsection and subdivisions accordingly; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Redmon, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Cauthorn, **House Amendment No. 5, as amended**, was adopted.

Representative Brown (50) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 760, Page 19, Section 292.606, Line 71, by inserting after all of said section and line the following:

"300.390. 1. **Except as otherwise provided in subsection 4 of this section,** every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

3. The foregoing rules in this section have no application under the conditions stated in section 300.395 when pedestrians are prohibited from crossing at certain designated places.

4. In any home rule city with more than four hundred thousand inhabitants and located in more than one county, vehicles shall yield the right-of-way to all pedestrians and bicyclists crossing in an appropriate crosswalk on a city or neighborhood street. For purposes of this subsection, "yield" means slowing to a stop within forty feet of a pedestrian. A violation of this subsection shall be a class A misdemeanor.

304.900. 1. Except as provided in subsection 4 of this section, every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

2. Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles upon the roadway.

3. In any urbanized area as defined in section 304.010, vehicles shall yield the right-of-way to all pedestrians and bicyclists, even those crossing or operating in areas not designated as cross walks. For purposes of this subsection, "yield" means slowing to a stop within forty feet of a pedestrian. A violation of this subsection shall be a class A misdemeanor.

4. Nothing in this section shall be construed to prohibit a political subdivision from enacting laws restricting where a person shall or shall not cross a street within a jurisdiction. Notwithstanding any other law, a pedestrian's act of crossing in a prohibited area shall not preclude a cause of action against a driver who has struck a pedestrian."; and

Further amend said bill, Page 41, Section 571.117, Line 99, by inserting after all of said section and line, the following:

"577.060. 1. A person commits the crime of leaving the scene of a motor vehicle accident when being the operator or driver of a vehicle on the highway or on any publicly or privately owned parking lot or parking facility generally open for use by the public and knowing that an injury has been caused to a person or damage has been caused to property, due to **[**his**] such person's** culpability or to accident, **[**he**] such person** leaves the place of the injury, damage or accident without stopping and giving his **or her** name, residence, including city and street number, motor vehicle

number and driver's license number, if any, to the injured party or to a police officer, or if no police officer is in the vicinity, then to the nearest police station or judicial officer.

2. For the purposes of this section, all peace officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned parking lot or parking facility for the purpose of investigating an accident and performing all necessary duties regarding such accident.

3. Leaving the scene of a motor vehicle accident is a class A misdemeanor, except that it shall be a class D felony if the accident resulted in:

(1) Physical injury to another party; or

(2) Property damage in excess of one thousand dollars; or

(3) If the defendant has previously pled guilty to or been found guilty of a violation of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brown (50), **House Amendment No. 6** was adopted.

Representative Fitzwater offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 760, Page 9, Section 67.4505, Line 19, by inserting after all of said line the following:

"**163.024. All moneys received in the Iron County School Fund, Reynolds County School Fund, Jefferson County School Fund, and Washington County School Fund from the payment of a civil penalty pursuant to a consent decree filed in the United Stated district court for the eastern district of Missouri in December 2011 in the case of United States of America and State of Missouri v. The Doe Run Resources Corporation d/b/a " The Doe Run Company." and the Buick Resource Recycling Facility, LLC, because of environmental violations shall not be included in any district's "local effort" figure, as such term is defined in section 163.011. The provisions of this section shall terminate on July 1, 2016.**"; and

Further amend the title and enacting clause accordingly.

On motion of Representative Fitzwater, **House Amendment No. 7** was adopted.

Representative Ruzicka offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 760, Pages 13-17, Section 260.392, by removing all of said section from the bill and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of

low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each **[**cask transported**]** **truck transporting** through or within the state **[**by truck of**]** high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All **[**casks**]** **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments **[**transported by truck**]** are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 8** was adopted.

Representative Cauthorn offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 760, Page 44, Section 640.100, Line 106, by inserting after all of said section and line the following:

"644.016. When used in sections 644.006 to 644.141 and in standards, rules and regulations promulgated pursuant to sections 644.006 to 644.141, the following words and phrases mean:

(1) "Aquaculture facility", a hatchery, fish farm, or other facility used for the production of aquatic animals that is required to have a permit pursuant to the federal Clean Water Act, as amended, 33 U.S.C. 1251, et seq.;

(2) "Commission", the clean water commission of the state of Missouri created in section 644.021;

(3) "Conference, conciliation and persuasion", a process of verbal or written communications consisting of meetings, reports, correspondence or telephone conferences between authorized representatives of the department and the alleged violator. The process shall, at a minimum, consist of one offer to meet with the alleged violator tendered by the department. During any such meeting, the department and the alleged violator shall negotiate in good faith to eliminate the alleged violation and shall attempt to agree upon a plan to achieve compliance;

(4) "Department", the department of natural resources;

(5) "Director", the director of the department of natural resources;

(6) "Discharge", the causing or permitting of one or more water contaminants to enter the waters of the state;

(7) "Effluent control regulations", limitations on the discharge of water contaminants;

(8) "General permit", a permit written with a standard group of conditions and with applicability intended for a designated category of water contaminant sources that have the same or similar operations, discharges and geographical locations, and that require the same or similar monitoring, and that would be more appropriately controlled pursuant to a general permit rather than pursuant to a site-specific permit;

(9) **"General permit template", a draft general permit that is being developed through a public participation process;**

(10) "Human sewage", human excreta and wastewater, including bath and toilet waste, residential laundry waste, residential kitchen waste, and other similar waste from household or establishment appurtenances;

[(10)**]** **(11)** "Income" includes retirement benefits, consultant fees, and stock dividends;

[(11)**]** **(12)** "Minor violation", a violation which possesses a small potential to harm the environment or human health or cause pollution, was not knowingly committed, and is not defined by the United States Environmental Protection Agency as other than minor;

[(12)**]** **(13)** "Permit by rule", a permit granted by rule, not by a paper certificate, and conditioned by the permit holder's compliance with commission rules;

[(13)**]** **(14)** "Permit holders or applicants for a permit" shall not include officials or employees who work full time for any department or agency of the state of Missouri;

[(14)**]** **(15)** "Person", any individual, partnership, copartnership, firm, company, public or private corporation, association, joint stock company, trust, estate, political subdivision, or any agency, board, department, or bureau of the state or federal government, or any other legal entity whatever which is recognized by law as the subject of rights and duties;

[(15)**]** **(16)** "Point source", any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. Point source does not include agricultural storm water discharges and return flows from irrigated agriculture;

[(16)**]** **(17)** "Pollution", such contamination or other alteration of the physical, chemical or biological properties of any waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the state as will or is reasonably certain to create a nuisance or render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, industrial, agricultural, recreational, or other legitimate beneficial uses, or to wild animals, birds, fish or other aquatic life;

[(17)**]** **(18)** "Pretreatment regulations", limitations on the introduction of pollutants or water contaminants into publicly owned treatment works or facilities which the commission determines are not susceptible to treatment by such works or facilities or which would interfere with their operation, except that wastes as determined compatible for treatment pursuant to any federal water pollution control act or guidelines shall be limited or treated pursuant to this chapter only as required by such act or guidelines;

[(18)**]** **(19)** "Residential housing development", any land which is divided or proposed to be divided into three or more lots, whether contiguous or not, for the purpose of sale or lease as part of a common promotional plan for residential housing;

[(19)**]** **(20)** "Sewer system", pipelines or conduits, pumping stations, and force mains, and all other structures, devices, appurtenances and facilities used for collecting or conducting wastes to an ultimate point for treatment or handling;

[(20)**]** **(21)** "Significant portion of his or her income" shall mean ten percent of gross personal income for a calendar year, except that it shall mean fifty percent of gross personal income for a calendar year if the recipient is over sixty years of age, and is receiving such portion pursuant to retirement, pension, or similar arrangement;

[(21)**]** **(22)** "Site-specific permit", a permit written for discharges emitted from a single water contaminant source and containing specific conditions, monitoring requirements and effluent limits to control such discharges;

[(22)**]** **(23)** "Treatment facilities", any method, process, or equipment which removes, reduces, or renders less obnoxious water contaminants released from any source;

[(23)**]** **(24)** "Water contaminant", any particulate matter or solid matter or liquid or any gas or vapor or any combination thereof, or any temperature change which is in or enters any waters of the state either directly or indirectly by surface runoff, by sewer, by subsurface seepage or otherwise, which causes or would cause pollution upon entering waters of the state, or which violates or exceeds any of the standards, regulations or limitations set forth in sections 644.006 to 644.141 or any federal water pollution control act, or is included in the definition of pollutant in such federal act;

[(24)**]** **(25)** "Water contaminant source", the point or points of discharge from a single tract of property on which is located any installation, operation or condition which includes any point source defined in sections 644.006 to 644.141 and nonpoint source pursuant to any federal water pollution control act, which causes or permits a water contaminant therefrom to enter waters of the state either directly or indirectly;

[(25)**]** **(26)** "Water quality standards", specified concentrations and durations of water contaminants which reflect the relationship of the intensity and composition of water contaminants to potential undesirable effects;

[(26)**]** **(27)** "Waters of the state", all rivers, streams, lakes and other bodies of surface and subsurface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned, leased or otherwise controlled by a single person or by two or more persons jointly or as tenants in common and includes waters of the United States lying within the state."; and

Further amend said bill, Page 48, Section 644.026, Line 134, by inserting after all of said section and line the following:

"644.051. 1. It is unlawful for any person:

(1) To cause pollution of any waters of the state or to place or cause or permit to be placed any water contaminant in a location where it is reasonably certain to cause pollution of any waters of the state;

(2) To discharge any water contaminants into any waters of the state which reduce the quality of such waters below the water quality standards established by the commission;

(3) To violate any pretreatment and toxic material control regulations, or to discharge any water contaminants into any waters of the state which exceed effluent regulations or permit provisions as established by the commission or required by any federal water pollution control act;

(4) To discharge any radiological, chemical, or biological warfare agent or high-level radioactive waste into the waters of the state.

2. It shall be unlawful for any person to build, erect, alter, replace, operate, use or maintain any water contaminant or point source in this state that is subject to standards, rules or regulations promulgated pursuant to the provisions of sections 644.006 to 644.141 unless such person holds a permit from the commission, subject to such exceptions as the commission may prescribe by rule or regulation. However, no permit shall be required of any person for any emission into publicly owned treatment facilities or into publicly owned sewer systems tributary to publicly owned treatment works.

3. Every proposed water contaminant or point source which, when constructed or installed or established, will be subject to any federal water pollution control act or sections 644.006 to 644.141 or regulations promulgated pursuant to the provisions of such act shall make application to the director for a permit at least thirty days prior to the initiation of construction or installation or establishment. Every water contaminant or point source in existence when regulations or sections 644.006 to 644.141 become effective shall make application to the director for a permit within sixty days after the regulations or sections 644.006 to 644.141 become effective, whichever shall be earlier. The director shall promptly investigate each application, which investigation shall include such hearings and notice, and consideration of such

comments and recommendations as required by sections 644.006 to 644.141 and any federal water pollution control act. If the director determines that the source meets or will meet the requirements of sections 644.006 to 644.141 and the regulations promulgated pursuant thereto, the director shall issue a permit with such conditions as he or she deems necessary to ensure that the source will meet the requirements of sections 644.006 to 644.141 and any federal water pollution control act as it applies to sources in this state. If the director determines that the source does not meet or will not meet the requirements of either act and the regulations pursuant thereto, the director shall deny the permit pursuant to the applicable act and issue any notices required by sections 644.006 to 644.141 and any federal water pollution control act.

4. Before issuing a permit to build or enlarge a water contaminant or point source or reissuing any permit, the director shall issue such notices, conduct such hearings, and consider such factors, comments and recommendations as required by sections 644.006 to 644.141 or any federal water pollution control act. The director shall determine if any state or any provisions of any federal water pollution control act the state is required to enforce, any state or federal effluent limitations or regulations, water quality-related effluent limitations, national standards of performance, toxic and pretreatment standards, or water quality standards which apply to the source, or any such standards in the vicinity of the source, are being exceeded, and shall determine the impact on such water quality standards from the source. The director, in order to effectuate the purposes of sections 644.006 to 644.141, shall deny a permit if the source will violate any such acts, regulations, limitations or standards or will appreciably affect the water quality standards or the water quality standards are being substantially exceeded, unless the permit is issued with such conditions as to make the source comply with such requirements within an acceptable time schedule. **[**Prior to the development or renewal of a general permit or permit by rule, for aquaculture, the director shall convene a meeting or meetings of permit holders and applicants to evaluate the impacts of permits and to discuss any terms and conditions that may be necessary to protect waters of the state. Following the discussions, the director shall finalize a draft permit that considers the comments of the meeting participants and post the draft permit on notice for public comment. The director shall concurrently post with the draft permit an explanation of the draft permit and shall identify types of facilities which are subject to the permit conditions. Affected public or applicants for new general permits, renewed general permits or permits by rule may request a hearing with respect to the new requirements in accordance with this section. If a request for a hearing is received, the commission shall hold a hearing to receive comments on issues of significant technical merit and concerns related to the responsibilities of the Missouri clean water law. The commission shall conduct such hearings in accordance with this section. After consideration of such comments, a final action on the permit shall be rendered. The time between the date of the hearing request and the hearing itself shall not be counted as time elapsed pursuant to subdivision (1) of subsection 14 of this section.**]**

5. The director shall grant or deny the permit within sixty days after all requirements of the Federal Water Pollution Control Act concerning issuance of permits have been satisfied unless the application does not require any permit pursuant to any federal water pollution control act. The director or the commission may require the applicant to provide and maintain such facilities or to conduct such tests and monitor effluents as necessary to determine the nature, extent, quantity or degree of water contaminant discharged or released from the source, establish and maintain records and make reports regarding such determination.

6. The director shall promptly notify the applicant in writing of his or her action and if the permit is denied state the reasons therefor. The applicant may appeal to the commission from the denial of a permit or from any condition in any permit by filing notice of appeal with the commission within thirty days of the notice of denial or issuance of the permit. After a final action is taken on a new or reissued general permit **[**template**]**, a potential applicant for the general permit who can demonstrate that he or she is or may be adversely affected by any permit term or condition may appeal the terms and conditions of the general permit **[**template**]** within thirty days of the department's issuance of the general permit **[**template. The commission shall set the matter for hearing not less than thirty days after the notice of appeal is filed**]**. In no event shall a permit constitute permission to violate the law or any standard, rule or regulation promulgated pursuant thereto.

7. In any hearing held pursuant to this section that involves a permit, license, or registration, the burden of proof is on the party specified in section 640.012. Any decision of the commission made pursuant to a hearing held pursuant to this section is subject to judicial review as provided in section 644.071.

8. In any event, no permit issued pursuant to this section shall be issued if properly objected to by the federal government or any agency authorized to object pursuant to any federal water pollution control act unless the application does not require any permit pursuant to any federal water pollution control act.

9. Permits may be modified, reissued, or terminated at the request of the permittee. All requests shall be in writing and shall contain facts or reasons supporting the request.

10. **[**Unless a site-specific permit is requested by the applicant, aquaculture facilities shall be governed by a general permit issued pursuant to this section with a fee not to exceed two hundred fifty dollars pursuant to subdivision

(5) of subsection 6 of section 644.052. However, any aquaculture facility which materially violates the conditions and requirements of such permit may be required to obtain a site-specific permit.

11.**]** No manufacturing or processing plant or operating location shall be required to pay more than one operating fee. Operating permits shall be issued for a period not to exceed five years after date of issuance, except that general permits shall be issued for a five-year period, and also except that neither a construction nor an annual permit shall be required for a single residence's waste treatment facilities. Applications for renewal of **[**an**]** **a site-specific** operating permit shall be filed at least one hundred eighty days prior to the expiration of the existing permit. **Applications seeking to renew coverage under a general permit shall be submitted at least thirty days prior to the expiration of the general permit, unless the permittee has been notified by the director that an earlier application must be made. General permits may be applied for and issued electronically once made available by the director.**

[12.**]** **11.** Every permit issued to municipal or any publicly owned treatment works or facility shall require the permittee to provide the clean water commission with adequate notice of any substantial new introductions of water contaminants or pollutants into such works or facility from any source for which such notice is required by sections 644.006 to 644.141 or any federal water pollution control act. Such permit shall also require the permittee to notify the clean water commission of any substantial change in volume or character of water contaminants or pollutants being introduced into its treatment works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility by a source which was introducing water contaminants or pollutants into its works at the time of issuance of the permit. Notice must describe the quality and quantity of effluent being introduced or to be introduced into such works or facility and the anticipated impact of such introduction on the quality or quantity of effluent to be released from such works or facility into waters of the state.

[13.**]** **12.** The director or the commission may require the filing or posting of a bond as a condition for the issuance of permits for construction of temporary or future water treatment facilities or facilities that utilize innovative technology for wastewater treatment in an amount determined by the commission to be sufficient to ensure compliance with all provisions of sections 644.006 to 644.141, and any rules or regulations of the commission and any condition as to such construction in the permit. For the purposes of this section, "innovative technology for wastewater treatment" shall mean a completely new and generally unproven technology in the type or method of its application that bench testing or theory suggest has environmental, efficiency, and cost benefits beyond the standard technologies. No bond shall be required for designs approved by any federal agency or environmental regulatory agency of another state. The bond shall be signed by the applicant as principal, and by a corporate surety licensed to do business in the state of Missouri and approved by the commission. The bond shall remain in effect until the terms and conditions of the permit are met and the provisions of sections 644.006 to 644.141 and rules and regulations promulgated pursuant thereto are complied with.

[14.**]** **13.** (1) The department shall issue or deny applications for construction and site-specific operating permits received after January 1, 2001, within one hundred eighty days of the department's receipt of an application. For general construction and operating permit applications received after January 1, 2001, that do not require a public participation process, the department shall issue or deny the **[**requested**]** permits within sixty days of the department's receipt of an application. **For an application seeking coverage under a renewed general permit that does not require an individual public participation process, the director shall issue or deny the permit within sixty days of the director's receipt of the application, or upon issuance of the general permit, whichever is later. In regard to an application seeking coverage under an initial general permit that does not require an individual public participation process, the director shall issue or deny the permit within sixty days of the department's receipt of the application. For an application seeking coverage under a renewed general permit that requires an individual public participation process, the director shall issue or deny the permit within ninety days of the director's receipt of the application, or upon issuance of the general permit, whichever is later. In regard to an application for an initial general permit that requires an individual public participation process, the director shall issue or deny the permit within ninety days of the director's receipt of the application.**

(2) If the department fails to issue or deny with good cause a construction or operating permit application within the time frames established in subdivision (1) of this subsection, the department shall refund the full amount of the initial application fee within forty-five days of failure to meet the established time frame. If the department fails to refund the application fee within forty-five days, the refund amount shall accrue interest at a rate established pursuant to section 32.065.

(3) Permit fee disputes may be appealed to the commission within thirty days of the date established in subdivision (2) of this subsection. If the applicant prevails in a permit fee dispute appealed to the commission, the commission may order the director to refund the applicant's permit fee plus interest and reasonable attorney's fees as

provided in sections 536.085 and 536.087. A refund of the initial application or annual fee does not waive the applicant's responsibility to pay any annual fees due each year following issuance of a permit.

(4) No later than December 31, 2001, the commission shall promulgate regulations defining shorter review time periods than the time frames established in subdivision (1) of this subsection, when appropriate, for different classes of construction and operating permits. In no case shall commission regulations adopt permit review times that exceed the time frames established in subdivision (1) of this subsection. The department's failure to comply with the commission's permit review time periods shall result in a refund of said permit fees as set forth in subdivision (2) of this subsection. On a semiannual basis, the department shall submit to the commission a report which describes the different classes of permits and reports on the number of days it took the department to issue each permit from the date of receipt of the application and show averages for each different class of permits.

(5) During the department's technical review of the application, the department may request the applicant submit supplemental or additional information necessary for adequate permit review. The department's technical review letter shall contain a sufficient description of the type of additional information needed to comply with the application requirements.

(6) Nothing in this subsection shall be interpreted to mean that inaction on a permit application shall be grounds to violate any provisions of sections 644.006 to 644.141 or any rules promulgated pursuant to sections 644.006 to 644.141.

[15.**]** **14.** The department shall respond to all requests for individual certification under Section 401 of the Federal Clean Water Act within the lesser of sixty days or the allowed response period established pursuant to applicable federal regulations without request for an extension period unless such extension is determined by the commission to be necessary to evaluate significant impacts on water quality standards and the commission establishes a timetable for completion of such evaluation in a period of no more than one hundred eighty days.

[16.**]** **15.** All permit fees generated pursuant to this chapter shall not be used for the development or expansion of total maximum daily loads studies on either the Missouri or Mississippi rivers.

[17.**]** **16.** The department shall implement permit shield provisions equivalent to the permit shield provisions implemented by the U.S. Environmental Protection Agency pursuant to the Clean Water Act Section 402(k), 33 U.S.C. 1342(k), and its implementing regulations, for permits issued pursuant to chapter 644.

17. Prior to the development of a new general permit or reissuance of a general permit for aquaculture, land disturbance requiring a stormwater permit, or reissuance of a general permit under which fifty or more permits were issued under a general permit during the immediately preceding five-year period for a designated category of water contaminant sources, the director shall implement a public participation process complying with the following minimum requirements:

(1) For a new general permit or reissuance of a general permit, a general permit template shall be developed for which comments shall be sought from permittees and other interested persons prior to issuance of the general permit;

(2) The director shall publish notice of his intent to issue a new general permit or reissue a general permit by posting notice on the department's website at least one-hundred eighty days before the proposed effective date of the general permit;

(3) The director shall hold a public informational meeting to provide information on anticipated permit conditions and requirements and to receive informal comments from permittees and other interested persons. The director shall include notice of the public informational meeting with the notice of intent to issue a new general permit or reissue a general permit under subdivision (2) of this subsection. The notice of the public informational meeting, including the date, time and location, shall be posted on the department's website at least thirty days in advance of the public meeting. If the meeting is being held for reissuance of a general permit, notice shall also be made by electronic mail to all permittees holding the current general permit which is expiring. Notice to current permittees shall be made at least twenty days prior to the public meeting;

(4) The director shall hold a thirty-day public comment period to receive comments on the general permit template with the thirty-day comment period expiring at least sixty days prior to the effective date of the general permit. Scanned copies of the comments received during the public comment period shall be posted on the department's website within five business days after close of the public comment period;

(5) A revised draft of a general permit template and the director's response to comments submitted during the public comment period shall be posted on the department's website at least forty-five days prior to issuance of the general permit. At least forty-five days prior to issuance of the general permit the department shall notify all persons who submitted comments to the department that these documents have been posted to the department's website;

(6) Upon issuance of a new or renewed general permit, the general permit shall be posted to the department's website.

18. Notices required to be made by the department pursuant to subsection 17 of this section may be made by electronic mail. The department shall not be required to make notice to any permittee or other person who has not provided a current electronic mail address to the department. In the event the department chooses to make material modifications to the general permit before its expiration, the department shall follow the public participation process described in subsection 17 of this section.

19. The provisions of subsection 17 of this section shall become effective beginning January 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 9** was adopted.

On motion of Representative Ruzicka, **HCS SB 760, as amended**, was adopted.

On motion of Representative Ruzicka, **HCS SB 760, as amended**, was read the third time and passed by the following vote:

AYES: 123

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McDonald	McGhee
McNary	Meadows	Molendorp	Nasheed	Nolte
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Stream	Swearingen
Swinger	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 030

Atkins	Aull	Carlson	Carter	Colona
Ellington	Holsman	Hughes	Jones 63	Kirkton
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Spreng	Still	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 010

Day	Diehl	Fraker	Gosen	Keeney
Nance	Neth	Riddle	Scharnhorst	Webb

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 114

Allen	Anders	Asbury	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McManus	Meadows	Molendorp
Nance	Nasheed	Nolte	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 71	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 035

Atkins	Aull	Bahr	Carlson	Carter
Colona	Ellinger	Ellington	Holsman	Hughes
Hummel	Jones 63	Kirkton	Marshall	May
McCann Beatty	McCreery	McDonald	McGeoghegan	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schupp	Sifton
Still	Swearingen	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 014

Brattin	Cierpiot	Conway 14	Diehl	Gosen
Grisamore	Keeney	McNary	Neth	Parkinson
Riddle	Scharnhorst	Spreng	Webb	

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SCS SB 631: Representatives Reiboldt, Guernsey, Loehner, Schieffer and Taylor

Speaker Pro Tem Schoeller assumed the Chair.

THIRD READING OF SENATE BILL

HCS SS SB 854, relating to home health care, was taken up by Representative Long.

Representative Long offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 854, Page 1, in the Title, Line 3, by deleting the phrase "employment disqualification list for home care employees" and inserting in lieu thereof the phrase "home- and community-based services"; and

Further amend said bill, Section 208.895, Page 2, Lines 42-45, by deleting all of said lines from the bill and renumber subsequent subsections accordingly; and

Further amend said bill, section and page, Line 48, by deleting the words "**section, the**" and inserting in lieu thereof the following:

"**section, a provider has the option of completing an assessment and care plan recommendation. At such time that the department approves or modifies the assessment and care plan, the care plan shall become effective; such approval or modification shall occur within five business days after receipt of the assessment and care plan from the provider. If such approval, modification, or denial by the department does not occur within five business days the provider's care plan shall be approved and payment shall begin no later than five business days after receipt of the assessment and care plan from the provider. The**"; and

Further amend said bill and section, Page 3, Line 67, by deleting all of said line and insert in lieu thereof the following:

"**shall include a review of the client plan of care and provider assessments, choice and communication of home-**"; and

Further amend said bill, section and page, Line 69, by inserting after the word "**services.**" the following:

"**Such auditing shall be conducted utilizing a statistically valid sample.**"; and

Further amend said bill and section, Page 3, Lines 73-74, by deleting all of said lines and insert in lieu thereof the following:

"**(1) "Assessment" means a face-to-face determination that a Medicaid participant is eligible for home- and community-based services and:**"; and

Further amend said bill, Section 660.315, Page 6, Lines 75-78, by deleting all of said lines and inserting in lieu thereof the word "disqualification list."; and

Further amend said bill and section, Pages 6-7, Lines 82-87, by deleting all of said lines and inserting in lieu thereof the word "writing"; and

Further amend said bill and section, Page 7, Line 97, by inserting after the word "employer" the phrase "**or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250**"; and

Further amend said bill, section and page, Lines 99-104, by deleting all of said lines and inserting lieu thereof the following:

"after the date of hire**] deny employment to an applicant or to discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or**"; and

Further amend said bill, section and page, Line 107, by inserting after the word "**employer**" the phrase "**or vendor as defined in sections 197.250, 197.400, 198.006, 208.900, or 660.250**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 117
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Thomson
Torpey	Wallingford	Wells	Weter	Wieland
Wright	Zerr			

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe

May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 85	Cross	Diehl	Gosen	Jones 89
Keeney	McGhee	McNary	McNeil	Riddle
Scharnhorst	Stream	Webb	White	Wyatt
Mr Speaker				

On motion of Representative Long, **House Amendment No. 1** was adopted.

Representative Weter offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 854, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

"208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children's diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the

term "temporary leave of absence" shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, **[**or**]** podiatrist**, or an advanced practice registered nurse with a collaborative practice agreement**; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, **[**or**]** podiatrist**, or an advanced practice registered nurse with a collaborative practice agreement** may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in his professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if her or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. 301, et seq.) subject to appropriation by the general assembly;

(17) **[**Beginning July 1, 1990,**]** The services of **[**a certified pediatric or family nursing practitioner] **an advanced practice registered nurse** with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would

have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

(24) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the division of medical services, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as defined in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subsection, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15)

of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the Missouri MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. 1396a (a)(13)(C).

10. The MO HealthNet division, may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 2** was adopted.

Representative Silvey offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 854, Page 8, Section 660.315, Line 136, by inserting after all of said section and line the following:

"**Section 1. 1. The department of social services is authorized to pay for coverage for health services for non-Medicaid eligible blind individuals who receive benefits under the Missouri blind pension cash grant and have a gross family income of between zero percent and three hundred percent of the federal poverty level. Such individuals shall pay the following health care premiums based on such individual's gross income to be eligible to receive such benefits:**

(1) No premium for an individual with a gross income of up to one hundred fifty percent of the federal poverty level;

(2) Three percent of one hundred fifty percent of the federal poverty level for an individual for individuals with a gross income of more than one hundred fifty and up to one hundred eighty-five percent of the federal poverty level;

(3) Four percent of one hundred eighty-five percent of the federal poverty level for an individual for individuals with a gross income of more than one hundred eighty-five and up to two hundred twenty-five percent of the federal poverty level; and

(4) Five percent of two hundred twenty-five percent of the federal poverty level for an individual for individuals with a gross income of more than two hundred twenty-five and up to three hundred percent of the federal poverty level.

Any individual with a gross income of greater than three hundred percent of the federal poverty level is ineligible for benefits under this section.

2. (1) There is hereby created in the state treasury the "Blind Pension Health Care Fund" which shall consist of all federal moneys received by the state for the purpose of providing health care services for non-Medicaid eligible blind individuals who receive benefits under the Missouri blind pension cash grant. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of the program of health care benefits described in subsection 1 of this section.

(2) Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. (1) There is hereby created in the state treasury the "Blind Pension Premium Fund" which shall consist of all premiums collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of the program of health care benefits described in subsection 1 of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

Section B. Because of the need to protect funding for the blind pension health care fund, the enactment of section 1 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 3** was adopted.

On motion of Representative Long, **HCS SS SB 854, as amended**, was adopted.

On motion of Representative Long, **HCS SS SB 854, as amended**, was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
Molendorp	Montecillo	Nance	Nasheed	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 010

Ellington	Hughes	Kirkton	McCreery	McNeil
Morgan	Newman	Schupp	Sifton	Swearingen

PRESENT: 000

ABSENT WITH LEAVE: 011

Cross	Diehl	Ellinger	Gosen	Kelly 24
McNary	Meadows	Neth	Riddle	Scharnhorst
Webb				

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Curtman	Davis	Day
Denison	Dieckhaus	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McDonald
McGeoghegan	McGhee	McManus	McNeil	Montecillo
Morgan	Nance	Nasheed	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 006

Ellington	Hughes	McCreery	Newman	Oxford
Schupp				

PRESENT: 000

ABSENT WITH LEAVE: 010

Cross	Diehl	Gosen	McNary	Meadows
Molendorp	Neth	Riddle	Scharnhorst	Webb

On motion of Representative Jones (89), the House recessed until 8:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Silvey.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HB 1170**, entitled:

An act to repeal sections 37.850, 67.463, 67.469, 67.1018, 67.1521, 67.2500, 67.2510, 92.338, 99.845, 135.215, 135.963, 137.016, 137.076, 177.011, 231.444, 321.460, and 610.021, RSMo, and to enact in lieu thereof nineteen new sections relating to local taxation, with an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 20, Section 99.845, Line 11 of said page, by inserting immediately after "system," the following:

"**taxes levied pursuant to subsection 2 of section 67.1712,**".

Senate Amendment No. 2

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 30, Section 99.845, Line 27 of said page, by inserting immediately after said line the following:

"99.848. **[**Notwithstanding subsection 1 of section 99.847,**]** Any district providing emergency services pursuant to chapter 190 or 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent nor more than one hundred percent of the district's tax increment. **The ambulance district board or fire protection board shall set the percentage of the district's reimbursement prior to any funds being deposited in the special allocation fund.** This section shall not apply to tax increment financing projects or districts approved prior to August 28, 2004."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 15, Section 92.338, Line 24, by inserting after all of said line the following:

"99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the

hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. **[**Effective January 1, 2008,**]** If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality. **Except that no municipality which is a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, or a county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, or is located in any such county, shall approve such project, plan, designation, or amendments thereto, unless a majority of the commission members vote to make a recommendation to approve such project, plan, designation, or amendments, or such municipality places the question before the qualified voters of such municipality and the question is approved by a majority of the voters voting thereon at the next regularly scheduled municipal or general election.**

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, Page 3, Section 37.850, Line 16, by inserting after all of said line the following:

"50.622. **1.** Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, 2015.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget pursuant to the terms of its charter."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 668, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 749, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

THIRD READING OF SENATE BILL

HCS SS SB 769, relating to state and local standards, was taken up by Representative Cierpiot.

Representative Torpey offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the

purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments

in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schieber offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 9, Line 8, by inserting after all of said line the following:

'Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieber, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Torpey, **House Amendment No. 1, as amended**, was adopted.

Representative Cierpiot offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 8, Section 321.228, Line 26, by inserting after the word "**construction**" the following:

"**. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 2** was adopted.

Representative Hough offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 1, Section A, Line 3, by inserting after all of said line the following:

"**1.340. No provision of a statute shall require or allow for the extension or reauthorization by resolution or concurrent resolution of a credit against a tax of general applicability. Such provision shall be null and void in its entirety, but the remaining subsections of that statute shall remain in effect.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 3** was adopted.

Representative Franz offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 1, Section A, Line 3, by inserting after all of said line the following:

"57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney.

The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section**[**; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence**]. The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year**, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars**[**, other than regular budget allocations or land sale proceeds,**]** **in any calendar year** shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 4** was adopted.

Representative Brattin offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 2, Section 178.530, Line 26, by inserting after all of said section and line the following:

"**191.334. 1. This section shall be known and may be cited as "Chloe's Law".**

2. By January 1, 2013, the department of health and senior services shall expand the newborn screening requirements in section 191.331 to include critical congenital heart disease, using a test approved by the department, prior to discharge of the newborn from the health care facility.

3. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional reference accordingly.

On motion of Representative Brattin, **House Amendment No. 5** was adopted.

Representative Jones (117) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 769, Page 9, Section 701.550, Line 29, by inserting after all of said section and line the following:

"**Section 1. No law, rule, or contract shall compel, directly or indirectly, health care provider, or hospital to participate in any particular health information exchange.**

2. This section does not:

(1) Affect laws or regulations in effect as of January 1, 2010;

(2) Affect the terms or conditions of any health care system to the extent that those terms and conditions do not have the effect of punishing health care provider, or hospital for participating in any health information exchange.

3. As used in this section, the following terms shall mean:

(1) "Compel", any penalties or fines;

(2) "Health care system", any public or private entity whose function or purpose is the management of, processing of, enrollment of individuals for or payment for, in full or in part, health care services or health care data or health care information for its participants;

(3) "Penalties or fines", any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge or any named fee with a similar effect established by law or rule by a government established, created or controlled agency that is used to punish or discourage the exercise of rights protected under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 6** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Ruzicka	Schad
Schatz	Schieber	Schoeller	Shumake	Silvey
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr			

NOES: 052

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard

Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Carter	Dieckhaus	Entlicher	Fuhr
Hughes	McGhee	McManus	Molendorp	Richardson
Riddle	Rowland	Sater	Scharnhorst	Schneider
Smith 150	Webb	Wyatt	Mr Speaker	

On motion of Representative Cierpiot, **HCS SS SB 769, as amended**, was adopted.

On motion of Representative Cierpiot, **HCS SS SB 769, as amended**, was read the third time and passed by the following vote:

AYES: 118

Anders	Asbury	Aull	Bernskoetter	Berry
Black	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald
McGhee	McManus	McNary	Meadows	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Wells	White
Wyatt	Zerr	Mr Speaker		

NOES: 030

Atkins	Carlson	Carter	Colona	Ellinger
Holsman	Jones 63	Kirkton	Korman	Kratky
Marshall	McCreery	McGeoghegan	McNeil	Montecillo

Morgan	Newman	Nichols	Oxford	Pace
Pierson	Schieffer	Schupp	Sifton	Smith 71
Spreng	Swearingen	Walton Gray	Webber	Wieland

PRESENT: 002

Barnes	Ellington

ABSENT WITH LEAVE: 013

Allen	Bahr	Brown 50	Dieckhaus	Fuhr
Higdon	Hughes	Molendorp	Pollock	Riddle
Webb	Weter	Wright		

Representative Silvey declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1577**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 498, as amended**, and has taken up and passed **CCS HCS SCS SB 498**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 563, as amended**, and has taken up and passed **HCS SCS SB 563, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 569, as amended**, and has taken up and passed **CCS HCS SCS SB 569**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 854, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Speaker Tilley assumed the Chair.

BILLS CARRYING REQUEST MESSAGES

SB 736, with House Amendment No. 1, relating to a St. Francois County Special Road Tax, was taken up by Representative Gatschenberger.

Representative Gatschenberger moved that the House recede from its position on **House Amendment No. 1** to **SB 736**.

Which motion was adopted.

On motion of Representative Gatschenberger, **SB 736** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 002

Burlison	Pierson

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Dieckhaus	Ellington	Fuhr	Hubbard
Hughes	Riddle	Webb		

Speaker Tilley declared the bill passed.

SCS SB 715, with House Amendment No. 1 and House Amendment No. 2, relating to members of the state militia, was taken up by Representative Day.

Representative Day moved that the House recede from its position on **House Amendment No. 1** and **House Amendment No. 2** to **SCS SB 715**.

Which motion was adopted.

On motion of Representative Day, **SCS SB 715** was truly agreed to and finally passed by the following vote:

AYES: 155

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 001

Webber

ABSENT WITH LEAVE: 007

Brown 50	Fuhr	Hughes	McDonald	Riddle
Scharnhorst	Webb			

Speaker Tilley declared the bill passed.

BILLS IN CONFERENCE

CCR HCS SB 568, as amended, relating to motor vehicle operation, was taken up by Representative Franz.

On motion of Representative Franz, **CCR HCS SB 568, as amended**, was adopted by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

McCreery

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Fuhr	Grisamore	Guernsey	Holsman
Hughes	McDonald	Riddle	Webb	

On motion of Representative Franz, **CCS HCS SB 568** was truly agreed to and finally passed by the following vote:

AYES: 153

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Nolte	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 004

Kirkton	McCreery	Newman	Oxford

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 50	Fuhr	Hughes	McDonald	Riddle
Webb				

Speaker Tilley declared the bill passed.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 50	Cierpiot	Elmer	Frederick	Fuhr
Hughes	Loehner	McDonald	Nasheed	Newman
Riddle	Webb	Webber		

The emergency clause was adopted by the following vote:

AYES: 115

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Koenig	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McCaherty	McGeoghegan
McGhee	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 71
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 025

Berry	Carlson	Carter	Colona	Ellington
Hummel	Jones 63	Kirkton	Lasater	McCann Beatty
McCreery	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Rizzo	Schupp	Sifton
Spreng	Still	Swearingen	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 023

Brown 50	Cierpiot	Conway 14	Diehl	Ellinger
Elmer	Fallert	Fuhr	Holsman	Hughes
Kelly 24	Klippenstein	Korman	Loehner	May
McDonald	McManus	McNeil	Riddle	Talboy
Torpey	Webb	Webber		

CCR SCS HB 1135, as amended, relating to a state administrative rules review, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **CCR SCS HB 1135, as amended**, was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Crawford	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 008

Carlson	Colona	Ellinger	Ellington	Morgan
Oxford	Schupp	Smith 71		

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Cox	Cross	Franz	Fuhr
Hughes	Riddle	Sater	Schad	Webb

On motion of Representative Smith (150), **CCS SCS HB 1135** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McDonald
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 011

Carlson	Carter	Colona	Ellinger	Ellington
Jones 63	Morgan	Oxford	Pierson	Schupp
Smith 71				

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Fuhr	Hughes	Jones 89	Leara
McNary	Riddle	Scharnhorst	Schneider	Webb

Speaker Tilley declared the bill passed.

BILLS CARRYING REQUEST MESSAGES

HCS SCS SB 726, as amended, relating to insurance transactions, was taken up by Representative Wells.

Representative Wells moved that the House refuse to recede from its position on **HCS SCS SB 726, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS#2 SCS SB 480, as amended, relating to transportation, was taken up by Representative Burlison.

Representative Burlison moved that the House refuse to recede from its position on **HCS#2 SCS SB 480, as amended**, and grant the Senate a conference.

Representative Cox moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Parkinson	Phillips	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 054

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton

Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Cierpiot	Franz	Fuhr	Hughes
Jones 89	Loehner	McGhee	Nolte	Pollock
Riddle	Scharnhorst	Stream	Webb	Wyatt

Representative Burlison again moved that the House refuse to recede from its position on **HCS#2 SCS SB 480, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 673, as amended, relating to motor vehicles, was taken up by Representative Day.

Representative Day moved that the House refuse to recede from its position on **HCS SCS SB 673, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SS SB 854, as amended, relating to home health care, was taken up by Representative Long.

Representative Long moved that the House refuse to recede from its position on **HCS SS SB 854, as amended**, and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SCS SB 510, relating to political subdivisions, was taken up by Representative Diehl.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"**67.3000. 1. As used in this section and section 67.3005, the following words shall mean:**

(1) "Active member", an organization located in the state of Missouri, which solicits and services sports events, sports organizations, and other types of sports-related activities in that community;

(2) "Applicant" or "applicants", one or more certified sponsors, endorsing counties, endorsing municipalities, or a local organizing committee, acting individually or collectively;

(3) "Certified sponsor" or "certified sponsors", a nonprofit organization which is an active member of the National Association of Sports Commissions;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of revenue;

(6) "Eligible costs", shall include:

(a) Costs necessary for conducting the sporting event;

(b) Costs relating to the preparations necessary for the conduct of the sporting event; and

(c) An applicant's pledged obligations to the site selection organization as evidenced by the support contract for the sporting event.

"Eligible costs" shall not include any cost associated with the rehabilitation or construction of any facilities used to host the sporting event or any direct payments to a for-profit site selection organization, but may include costs associated with the retrofitting of a facility necessary to accommodate the sporting event;

(7) "Eligible donation", donations received, by a certified sponsor or local organizing committee, from a taxpayer that may include cash, publically traded stocks and bonds, and real estate that will be valued and documented according to rules promulgated by the department. Such donations shall be used solely to provide funding to attract sporting events to this state;

(8) "Endorsing municipality" or "endorsing municipalities", any city, town, incorporated village, or county that contains a site selected by a site selection organization for one or more sporting events;

(9) "Joinder agreement", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization setting out representations and assurances by each applicant in connection with the selection of a site in this state for the location of a sporting event;

(10) "Joinder undertaking", an agreement entered into by one or more applicants, acting individually or collectively, and a site selection organization that each applicant will execute a joinder agreement in the event that the site selection organization selects a site in this state for a sporting event;

(11) "Local organizing committee", a nonprofit corporation or its successor in interest that:

(a) Has been authorized by one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, to pursue an application and bid on its or the applicant's behalf to a site selection organization for selection to host one or more sporting events; or

(b) With the authorization of one or more certified sponsors, endorsing municipalities, or endorsing counties, acting individually or collectively, executes an agreement with a site selection organization regarding a bid to host one or more sporting events;

(12) "Site selection organization", the National Collegiate Athletic Association (NCAA); an NCAA member conference, university, or institution; the National Association of Intercollegiate Athletics (NAIA); the United States Olympic Committee (USOC); a national governing body (NGB) or international federation of a sport recognized by the USOC; the United States Golf Association (USGA); the United States Tennis Association (USTA); the Amateur Softball Association of America (ASA); other major regional, national, and international sports associations, and amateur organizations that promote, organize, or administer sporting games, or competitions; or other major regional, national, and international organizations that promote or organize sporting events;

(13) "Sporting event" or "sporting events", an amateur or Olympic sporting event that is competitively bid or is awarded to a community by a site selection organization;

(14) "Support contract" or "support contracts", an event award notification, joinder undertaking, joinder agreement, or contract executed by an applicant and a site selection organization;

(15) "Tax credit" or "tax credits", a credit or credits issued by the department against the tax otherwise due under chapter 143 or 148, excluding withholding tax imposed by sections 143.191 to 143.265;

(16) "Taxpayer", any of the following individuals or entities who make an eligible donation:

(a) A person, firm, partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed under chapter 143;

(b) A corporation subject to the annual corporation franchise tax imposed under chapter 147;

(c) An insurance company paying an annual tax on its gross premium receipts in this state;

(d) Any other financial institution paying taxes to the state of Missouri or any political subdivision of this state under chapter 148;

(e) An individual subject to the state income tax imposed under chapter 143;

(f) Any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. An applicant may submit a copy of a support contract for a sporting event to the department. Within sixty days of receipt of the sporting event support contract, the department may review the applicant's support contract and certify such support contract if it complies with the requirements of this section. Upon certification

of the support contract by the department, the applicant may be authorized to receive the tax credit under subsection 4 of this section.

3. No more than thirty days following the conclusion of the sporting event, the applicant shall submit eligible costs and documentation of the costs evidenced by receipts, paid invoices, or other documentation in a manner prescribed by the department.

4. No later than seven days following the conclusion of the sporting event, the department, in consultation with the director, may determine the total number of tickets sold at face value for such event. No later than sixty days following the receipt of eligible costs and documentation of such costs from the applicant as required in subsection 3 of this section, the department may issue a refundable tax credit to the applicant for the lesser of one hundred percent of eligible costs incurred by the applicant or an amount equal to five dollars multiplied by the event's average per-session admission tickets sold and paid registered participants multiplied by the number of days from the first to the last day of the event. Tax credits authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and the value received for the credit, as well as any other information reasonably requested by the department.

5. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year. In any fiscal year, no more than eight million dollars in tax credits shall be available to all applicants that submit support contracts for sporting events to be held in any city not within a county or in any county with more than three hundred thousand inhabitants.

6. An applicant shall provide any information necessary as determined by the department for the department and the director to fulfill the duties required by this section. At any time upon the request of the state of Missouri, a certified sponsor shall subject itself to an audit conducted by the state.

7. This section shall not be construed as creating or requiring a state guarantee of obligations imposed on an endorsing municipality under a support contract or any other agreement relating to hosting one or more sporting events in this state.

8. The department shall only certify an applicant's support contract for a sporting event in which the site selection organization has yet to select a location for the sporting event as of August 28, 2012. Support contracts shall not be certified by the department after August 28, 2018, provided that the support contracts may be certified on or prior to August 28, 2018, for sporting events that will be held after such date.

9. The department may promulgate rules as necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

67.3005. 1. For all taxable years beginning on or after January 1, 2012, any taxpayer shall be allowed a credit against the taxes otherwise due under chapter 143, 147, or 148, excluding withholding tax imposed by sections 143.191 to 143.265, in an amount equal to fifty percent of the amount of an eligible donation, subject to the restrictions in this section. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state income tax liability in the tax year for which the credit is claimed. Any amount of credit that the taxpayer is prohibited by this section from claiming in a tax year shall not be refundable, but may be carried forward to any of the taxpayer's four subsequent taxable years.

2. To claim the credit authorized in this section, a certified sponsor or local organizing committee shall submit to the department an application for the tax credit authorized by this section on behalf of taxpayers. The department shall verify that the applicant has submitted the following items accurately and completely:

(1) A valid application in the form and format required by the department;

(2) A statement attesting to the eligible donation received, which shall include the name and taxpayer identification number of the individual making the eligible donation, the amount of the eligible donation, and the date the eligible donation was received; and

(3) Payment from the certified sponsor or local organizing committee equal to the value of the tax credit for which application is made.

If the certified sponsor or local organizing committee applying for the tax credit meets all criteria required by this subsection, the department shall issue a certificate in the appropriate amount.

3. Tax credits issued under this section may be assigned, transferred, sold, or otherwise conveyed, and the new owner of the tax credit shall have the same rights in the credit as the taxpayer. Whenever a certificate is assigned, transferred, sold, or otherwise conveyed, a notarized endorsement shall be filed with the department specifying the name and address of the new owner of the tax credit or the value of the credit. In no event shall the amount of tax credits issued by the department under this section exceed ten million dollars in any fiscal year.

4. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly**.**

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Franklin offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting after all of said section and line, the following:

"136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities **whose primary administrative office is located within the same county, legislative district, or senatorial district as the fee office bid upon** that are exempt from taxation under Section 501(c)(3) **[**or**],** 501(c)(6)**, or 501(c)(19)** of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts**, with a point preference given for the following:**

(1) Organizations and entities currently operating fee offices within the municipality or county shall be given points for the immediately preceding year of operation, with additional points awarded for each continuous five-year period of operation beyond the initial year;

(2) Organizations and entities who have previously operated fee offices within the municipality or county shall be given points for a year of operation, with additional points awarded for each continuous five-year period of operation beyond the initial year;

(3) Organizations and entities shall be given points based on lower administrative costs, with preference given to organizations and entities with lower such costs.

3. Any nonprofit entity awarded a contract under this section shall:

(1) Submit the most recent annual report to the director of the department of revenue, prior to February first of each year, which shall contain for the immediately preceding year:

(a) The net receipts of the fee office;

(b) An itemization of all expenditures and administrative fees paid including both operating expenses and charitable contributions; and

(c) A list of all charities benefitting from fees collected under this section;

(2) Prominently display at its business location all charitable entities benefitting from fees collected under this section.

The director of the department of revenue may promulgate rules and regulations necessary to carry out the provisions of this subsection **and subsection 2 of this section**. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

[3.**]** **4.** All fees collected by a tax-exempt organization may be retained and used by the organization.

[4.**]** **5.** All fees charged shall not exceed those in this section. The fees imposed by this section shall be collected by all permanent offices and all full-time or temporary offices maintained by the department of revenue.

[5.**]** **6.** Any person acting as agent of the department of revenue for the sale and issuance of registrations, licenses, and other documents related to motor vehicles shall have an insurable interest in all license plates, licenses, tabs, forms and other documents held on behalf of the department.

[6.**]** **7.** The fees authorized by this section shall not be collected by motor vehicle dealers acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers authorized to collect and remit sales tax under subsection 8 of section 144.070.

[7.**]** **8.** Notwithstanding any other provision of law to the contrary, the state auditor may audit all records maintained and established by the fee office in the same manner as the auditor may audit any agency of the state, and the department shall ensure that this audit requirement is a necessary condition for the award of all fee office contracts. No confidential records shall be divulged in such a way to reveal personally identifiable information."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 2** was adopted.

Representative Nolte offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; **[**and**]**

(2) Grant county **[**sales tax**]** revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233**;**

(3) Enter into agreements with cities, towns, villages, and special road districts organized under chapter 233 for the purpose of working cooperatively on the roads and bridges located within the county, including the distribution of funds to such entities in addition to those funds described in subsection 2 of this section.

2. **[**If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue**] In any county in which the voters have approved a sales tax as provided by section 67.547, each city, town, village, and special road district organized under chapter 233 shall continue to receive its share of the county's special road and bridge levy, if any, that is annually considered by the county commission. In the event that the annual special road and bridge levy is not set at a level of at least fourteen cents on each one hundred dollars assessed valuation, the county commission shall allocate additional funds from any available county source to the cities, towns, villages, and special road districts located within the county in an amount that will, when combined with the revenues received from the special road and bridge levy, distribute funds to such entities in an amount that is at least equal to the funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any city, town, or village which contains at least fifty percent of a special road district organized under chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds were paid under the county's special road and bridge levy**.

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; **[**and**]**

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .

Owner's telephone number and mailing address: . . . . . .

If signer is different from owner:

Name of signer:. . . . . .

State basis of legal authority to sign: . . . . . .

Signer's telephone number and mailing address: . . . . . .

If the owner is an individual, state if owner is single or married:. . . . . .

If owner is not an individual, state what type of entity:. . . . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

. . . . . .

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

. . . . . .

return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot.

67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 3** was adopted.

Representative Weter offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 137.076, Line 5, by inserting after all of said section and line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services,

including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of ..... (insert name of county) impose a county sales tax of ..... (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309

which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants **or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants** that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. **Except as provided in subdivision (4) of this subsection,** each member shall be one of the following:

(a) The head of any of the county's fire protection districts, or a designee;

(b) The head of any of the county's ambulance districts, or a designee;

(c) The county sheriff, or a designee;

(d) The head of any of the police departments in the county, or a designee; and

(e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 4** was adopted.

Representative Talboy offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section, the following:

"**67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:**

(1) Later establishment or cessation of any park or recreation system provided by law; or

(2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". . . . . Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted

to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

(1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;

(2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;

(3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;

(4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;

(5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

(6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;

(7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;

(8) Establish and collect reasonable charges for the use of the facilities of the district;

(9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and

(10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of . . . . ., state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". . . . . Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in ..... County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to . . . . County and the cities within the County for local park improvements?

☐ YES ☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any

such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042."; and

Further amend said bill, Page 9, Section 137.076, Line 5, by inserting after all of said section, the following:

"144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to **[**144.748**] 144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to **[**144.748**] 144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, **[**2013**] 2023**.

182.802. 1. **[**A**] (1) Any** public library district located **in any of the following counties may impose a tax as provided in this section:**

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; **[**or**]**

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants**;**

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district.”; and

Further amend said bill, Page 10, Section 339.098, Line 3, by inserting after all of said section, the following:

“Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 5** was adopted.

Representative Flanigan offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting after all of said section and line the following:

"99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) **"Disaster area", a blighted area located within a municipality for which public and individual assistance has been requested by the President under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., provided that the municipality adopts an ordinance approving the redevelopment project within five years after the President declares such disaster;**

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

[(5)**] (6)** "Economic development area", any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

(a) Discourage commerce, industry or manufacturing from moving their operations to another state; or

(b) Result in increased employment in the municipality; or

(c) Result in preservation or enhancement of the tax base of the municipality;

[(6)**] (7)** "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

[(7)**] (8)** "Greenfield area", any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

[(8)**] (9)** "Municipality", a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

[(9)**] (10)** "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

[(10)**] (11)** "Ordinance", an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

[(11)**] (12)** "Payment in lieu of taxes", those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

[(12)**] (13)** "Redevelopment area", an area designated by a municipality, in respect to which the municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)**] (14)** "Redevelopment plan", the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)**] (15)** "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

[(15)**] (16)** "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

(a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs **and, in the case of a redevelopment area that contains a disaster area, all or a portion of a taxing district's operating costs and its debt service costs** resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

[(16)**] (17)** "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)**] (18)** "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(18)**]** **(19)** "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)**]** **(20)** "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is**:**

(a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met**; or**

(b) A blighted area in which a majority of the property is located within a disaster area;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;

(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

(4) A plan has been developed for relocation assistance for businesses and residences;

(5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political subdivision, and sufficient information from the developer for the commission established in section 99.820 to evaluate whether the project as proposed is financially feasible**, provided that, in the case of a redevelopment area that contains a disaster area, such information regarding financial feasibility may be provided by and attested to by the governing body of the municipality**;

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.

2. By the last day of February each year, each commission shall report to the director of economic development the name, address, phone number and primary line of business of any business which relocates to the district. The director of the department of economic development shall compile and report the same to the governor, the speaker of the house and the president pro tempore of the senate on the last day of April each year.

99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds shall be deemed to be surplus funds, except that any moneys allocated to the special allocation fund as provided in

subsection 4 **or 15** of section 99.845, and which are not required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts but shall be returned to the department of economic development for credit to the general revenue fund. In the event a municipality only pledges a portion of the funds in the special allocation fund for the payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund after complying with the requirements of the pledge, including the retention of funds for the payment of future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be distributed annually to the taxing districts in the redevelopment area by being paid by the municipal treasurer to the county collector who shall immediately thereafter make distribution as provided in subdivision (12) of section 99.820.

2. Without limiting the provisions of subsection 1 of this section, the municipality may, in addition to obligations secured by the special allocation fund, pledge any part or any combination of net new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to secure its obligations or other redevelopment costs.

3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding twenty-three years from their respective dates, when secured by the special allocation fund, be in such denomination, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, contain such covenants, terms and conditions, and be subject to redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable solely from the special allocation fund or other funds specifically pledged. No referendum approval of the electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to 99.865.

4. The ordinance authorizing the issuance of obligations may provide that the obligations shall contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.

5. Neither the municipality, its duly authorized commission, the commissioners or the officers of a municipality nor any person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory or charter debt limitation or restriction.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the

payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be

available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

15. Beginning August 28, 2012, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3 of this section, the following revenues may be available for appropriation by the general assembly as provided in subsection 21 of this section to the Missouri supplemental disaster recovery fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects:

(1) Up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 21 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect; and

(2) Any additional state revenues in excess of the amount in subdivision (1) of this subsection, to the extent requested by the department of economic development in accordance with subsection 23 of this section.

16. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established under section 99.805.

17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after August 28, 2012, appropriations from the state disaster recovery revenues and any additional state revenues shall not be distributed from the Missouri supplemental disaster recovery fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

18. In order for the redevelopment plan or project to be eligible to receive the revenues described in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

19. For purposes of this section, "state disaster recovery revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The incremental increase in state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas in which a majority of the property is located within disaster areas.

21. The initial appropriation of state disaster recovery revenues and any additional state revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues and any additional state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The estimate of additional state revenues being requested in excess of the amount of state disaster recovery revenues in one or more fiscal years in accordance with subsection 23 of this section;

(e) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;

(f) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(g) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

(h) The estimated redevelopment project costs;

(i) The anticipated sources of funds to pay such redevelopment project costs;

(j) Evidence of the commitments to finance such redevelopment project costs;

(k) The anticipated type and term of the sources of funds to pay such redevelopment project costs;

(l) The anticipated type and terms of the obligations to be issued;

(m) The most recent equalized assessed valuation of the property within the redevelopment project area;

(n) An estimate as to the equalized assessed valuation after the redevelopment project area is developed in accordance with a redevelopment plan;

(o) The general land uses to apply in the redevelopment area;

(p) The total number of individuals employed in the redevelopment area, broken down by full-time, part-time, and temporary positions;

(q) The total number of full-time equivalent positions in the redevelopment area;

(r) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the redevelopment area;

(s) A list of other community and economic benefits to result from the redevelopment project;

(t) A list of all other public investments made or to be made by the federal government, this state or units of local government to support infrastructure or other needs generated by the redevelopment project for which the funding under this section is being sought;

(u) A statement as to whether the redevelopment project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(v) A statement as to whether or not the redevelopment project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(w) A market study for the redevelopment area;

(x) A certification by the chief officer of the applicant as to the accuracy of the redevelopment plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval, which shall provide for a maximum amount of state disaster recovery revenues available to the municipality for the duration of the redevelopment plans and projects as determined in accordance with subdivision (4) of this subsection. The department of economic development may request the appropriation following application approval;

(3) The appropriation may be made from one or more of the following sources, as approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee;

(a) The estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area;

(b) The estimate of the incremental increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area as indicated in the municipality's application; and

(c) Any additional amount requested by the department of economic development in accordance with subsection 23 of this section, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee.

(4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

22. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic development. The department of economic development shall create a separate subaccount of the Missouri supplemental disaster

recovery fund for each redevelopment project approved under subsections 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such redevelopment project and any additional state revenues shall be deposited at least annually. The department shall annually distribute to each municipality from the corresponding subaccount of the Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues and any additional state revenues as appropriated to each municipality as provided in the provisions of subsections 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster recovery fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided for in section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the department of economic development may request an appropriation for any given fiscal year of additional state revenues from the general fund to a particular subaccount of the Missouri supplemental disaster recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to subsection 21 of this section.

24. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental disaster recovery fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited into the Missouri supplemental disaster recovery fund created under this section.

99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a report concerning the status of each redevelopment plan and redevelopment project, and shall submit a copy of such report to the director of the department of economic development. The report shall include the following:

(1) The amount and source of revenue in the special allocation fund;

(2) The amount and purpose of expenditures from the special allocation fund;

(3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;

(4) The original assessed value of the redevelopment project;

(5) The assessed valuation added to the redevelopment project;

(6) Payments made in lieu of taxes received and expended;

(7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include **the following:**

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; **or**

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

(8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include **the following:**

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; **or**

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area and a separate entry for any additional state revenues received in accordance with subsection 23 of section 99.845;

(9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

(10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

(11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

(12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

(13) Any additional information the municipality deems necessary.

2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section and any information regarding amounts disbursed to municipalities pursuant to the provisions of section 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the payments made in lieu of taxes received and expended in that year, the status of the redevelopment plan and projects therein, amount of outstanding bonded indebtedness and any additional information the municipality deems necessary shall be published in a newspaper of general circulation in the municipality.

3. Five years after the establishment of a redevelopment plan and every five years thereafter the governing body shall hold a public hearing regarding those redevelopment plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion of such projects. Notice of such public hearing shall be given in a newspaper of general circulation in the area served by the commission once each week for four weeks immediately prior to the hearing.

4. The director of the department of economic development shall submit a report to the state auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than February first of each year. The report shall contain a summary of all information received by the director pursuant to this section.

5. For the purpose of coordinating all tax increment financing projects using new state revenues **or state disaster recovery revenues**, the director of the department of economic development may promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may include methods for enumerating all of the municipalities which have established commissions pursuant to section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

6. The department of economic development shall provide information and technical assistance, as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and through consultations with departmental staff.

7. Any municipality which fails to comply with the reporting requirements provided in this section shall be prohibited from implementing any new tax increment finance project for a period of no less than five years from such municipality's failure to comply.

8. Based upon the information provided in the reports required under the provisions of this section, the state auditor shall make available for public inspection on the auditor's website, a searchable electronic database of such municipal tax increment finance reports. All information contained within such database shall be maintained for a period of no less than ten years from initial posting."; and

Further amend said bill, Page 10, Section 339.098, Line 3, by inserting after all of said section and line the following:

"Section B. Because immediate action is necessary to provide tax relief as the result of the recent natural disasters in this state, sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 6** was adopted.

Representative Hinson offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 137.076, Line 5, by inserting after all of said section and line, the following:

"**[**650.325.**]** **190.411.** There is hereby established within the department of public safety the "[Advisory Committee for] 911 Service Oversight **Board**" which is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training and education. The **[**committee for**]** 911 service oversight **board** shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state.

[650.330.**]** **190.415.** 1. The **[**committee for**]** 911 service oversight **board** shall consist of **[**sixteen**]** **seven** members, one of **[**which**]** **whom** shall be **[**chosen from**]** **the director of** the department of public safety **or the director's designee,** who shall serve as chair of the **[**committee**]** **board** and only vote in the instance of a tie vote among the other members, and the other members shall be selected as follows:

(1) **[**One member chosen to represent an association domiciled in this state whose primary interest relates to counties;

(2) One member chosen to represent the Missouri public service commission;

(3)**]** One member chosen to represent emergency medical services;

[(4)**]** **(2)** One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

[(5)**]** **(3)** One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;

[(6)**]** **(4)** One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

[(7)**]** **(5)** One member chosen to represent an association whose primary interest relates to issues pertaining to **[**police chiefs**]** **law enforcement officials**; **and**

[(8) One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;

(9) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;

(10) One member chosen to represent 911 service providers in counties of the second, third and fourth classification;

(11) One member chosen to represent 911 service providers in counties of the first classification, with and without charter forms of government, and cities not within a county;

(12)**]** **(6)** One member chosen to represent telecommunications service providers with **[**at least one hundred thousand**]** access lines located within Missouri**[**;

(13) One member chosen to represent telecommunications service providers with less than one hundred thousand access lines located within Missouri;

(14) One member chosen to represent a professional association of physicians who conduct with emergency care; and

(15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers].

2. Each of the members of the **[**committee for**]** 911 service oversight **board** shall be appointed by the governor with the advice and consent of the senate for a term of four years**[**; except that, of those members first appointed, four members shall be appointed to serve for one year, four members shall be appointed to serve for two years, four members shall be appointed to serve for three years and four members shall be appointed to serve for four years**]**. Members of the **[**committee**]** **board** may serve multiple terms.

3. The **[**committee for**]** 911 service oversight **board** shall meet at least quarterly at a place and time specified by the chairperson of the **[**committee**]** **board** and it shall keep and maintain records of such meetings, as well as the other

activities of the **[**committee**]** **board**. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the **[**committee**]** **board**.

4. The **[**committee for**]** 911 service oversight **board** shall:

(1) Organize and adopt standards governing the **[**committee's**]** **board's** formal and informal procedures;

(2) Provide recommendations for primary answering points and secondary answering points on statewide technical and operational standards for 911 services;

(3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;

(4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that such **[**committee**]** **board** shall not supersede decision-making authority of local political subdivisions in regard to 911 services;

(5) Provide assistance to the governor and the general assembly regarding 911 services;

(6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;

(7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;

(8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state; and

(9) Advise the department of public safety on establishing rules and regulations necessary to administer the provisions of sections **[**650.320 to 650.340**]** **190.400 to 190.445**.

5. The department of public safety shall provide staff assistance to the **[**committee for**]** 911 service oversight **board** as necessary in order for the **[**committee**]** **board** to perform its duties pursuant to sections **[**650.320 to 650.340**]** **190.400 to 190.445**.

6. The department of public safety is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within section [650.340] **190.445**. Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

[650.340.**]** **190.445.** 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

(1) Police telecommunicator. . . . . 16 hours;

(2) Fire telecommunicator. . . . . 16 hours;

(3) Emergency medical services telecommunicator. . . . . 16 hours;

(4) Joint communication center telecommunicator. . . . . 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section. The reporting period for the ongoing training under this subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the **[**committee**]** **board** that such person has completed training in another state which are at least as stringent as the training requirements of subsection 2 of this section.

6. The department of public safety shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or **dispatch** agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides

prearrival medical instructions who works for **[**an**]** **a dispatch** agency which meets the requirements set forth in section 190.134."; and

Further amend said bill, Page 10, Section 250.140, Line 34, by inserting after all of said section and line, the following:

"302.291. 1. The director, having good cause to believe that an operator is incompetent or unqualified to retain his or her license, after giving ten days' notice in writing by certified mail directed to such person's present known address, may require the person to submit to an examination as prescribed by the director. Upon conclusion of the examination, the director may allow the person to retain his or her license, may suspend, deny or revoke the person's license, or may issue the person a license subject to restrictions as provided in section 302.301. If an examination indicates a condition that potentially impairs safe driving, the director, in addition to action with respect to the license, may require the person to submit to further periodic examinations. The refusal or neglect of the person to submit to an examination within thirty days after the date of such notice shall be grounds for suspension, denial or revocation of the person's license by the director, an associate circuit or circuit court. Notice of any suspension, denial, revocation or other restriction shall be provided by certified mail. As used in this section, the term "denial" means the act of not licensing a person who is currently suspended, revoked or otherwise not licensed to operate a motor vehicle. Denial may also include the act of withdrawing a previously issued license.

2. The examination provided for in subsection 1 of this section may include, but is not limited to, a written test and tests of driving skills, vision, highway sign recognition and, if appropriate, a physical and/or mental examination as provided in section 302.173.

3. The director shall have good cause to believe that an operator is incompetent or unqualified to retain such person's license on the basis of, but not limited to, a report by:

(1) Any certified peace officer;

(2) Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334; any chiropractic physician licensed pursuant to chapter 331; any registered nurse licensed pursuant to chapter 335; any psychologist, social worker or professional counselor licensed pursuant to chapter 337; any optometrist licensed pursuant to chapter 336; **any emergency medical technician licensed under chapter 190;** or

(3) Any member of the operator's family within three degrees of consanguinity, or the operator's spouse, who has reached the age of eighteen, except that no person may report the same family member pursuant to this section more than one time during a twelve-month period. The report must state that the person reasonably and in good faith believes the driver cannot safely operate a motor vehicle and must be based upon personal observation or physical evidence which shall be described in the report, or the report shall be based upon an investigation by a law enforcement officer. The report shall be a written declaration in the form prescribed by the department of revenue and shall contain the name, address, telephone number, and signature of the person making the report.

4. Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334, any chiropractor licensed pursuant to chapter 331, any registered nurse licensed pursuant to chapter 335, any psychologist, social worker or professional counselor licensed pursuant to chapter 337, or any optometrist licensed pursuant to chapter 336**, or any emergency medical technician licensed under chapter 190** may report to the department any patient diagnosed or assessed as having a disorder or condition that may prevent such person from safely operating a motor vehicle. Such report shall state the diagnosis or assessment and whether the condition is permanent or temporary. The existence of a physician-patient relationship shall not prevent the making of a report by such medical professionals.

5. Any person who makes a report in good faith pursuant to this section shall be immune from any civil liability that otherwise might result from making the report. Notwithstanding the provisions of chapter 610 to the contrary, all reports made and all medical records reviewed and maintained by the department of revenue pursuant to this section shall be kept confidential except upon order of a court of competent jurisdiction or in a review of the director's action pursuant to section 302.311.

6. The department of revenue shall keep records and statistics of reports made and actions taken against driver's licenses pursuant to this section.

7. The department of revenue shall, in consultation with the medical advisory board established by section 302.292, develop a standardized form and provide guidelines for the reporting of cases and for the examination of drivers pursuant to this section. The guidelines shall be published and adopted as required for rules and regulations pursuant to chapter 536. The department of revenue shall also adopt rules and regulations as necessary to carry out the other provisions of this section. The director of revenue shall provide health care professionals and law enforcement officers with information about the procedures authorized in this section. The guidelines and regulations implementing this section shall be in compliance with the federal Americans with Disabilities Act of 1990.

8. Any person who knowingly violates a confidentiality provision of this section or who knowingly permits or encourages the unauthorized use of a report or reporting person's name in violation of this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

9. Any person who intentionally files a false report pursuant to this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

10. All appeals of license revocations, suspensions, denials and restrictions shall be made as required pursuant to section 302.311 within thirty days after the receipt of the notice of revocation, suspension, denial or restriction.

11. Any individual whose condition is temporary in nature as reported pursuant to the provisions of subsection 4 of this section shall have the right to petition the director of the department of revenue for total or partial reinstatement of his or her license. Such request shall be made on a form prescribed by the department of revenue and accompanied by a statement from a health care provider with the same or similar license as the health care provider who made the initial report resulting in the limitation or loss of the driver's license. Such petition shall be decided by the director of the department of revenue within thirty days of receipt of the petition. Such decision by the director is appealable pursuant to subsection 10 of this section.

302.800. 1. For purposes of this section, the following terms mean:

(1) "Department", the department of revenue;

(2) "Director", the director of the department of revenue;

(3) "Emergency responder", a municipal, county, or state law enforcement officer or firefighter, or other person who has been trained to provide emergency medical first response services;

(4) "Program participant", an individual who has completed a health information card that includes health and emergency contact information, and affixed the decal provided by the department of revenue under this section to the individual's motor vehicle.

2. There is hereby established a "Missouri Yellow Dot Program" in the department of revenue. The purpose of the program is to provide emergency responders with critical health and emergency contact information about program participants so emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate.

3. The department of revenue shall design Missouri yellow dot program materials, giving consideration to the program materials used by other states in similar programs. Program materials shall include, but shall not be limited to:

(1) A yellow decal of a size and design to be determined by the department which shall be affixed to the rear driver's side window of the program participant's vehicle;

(2) A health information card which provides space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physician's names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the director deems relevant to emergency responders in the case of emergency;

(3) A yellow envelope of a size and design to be determined by the director into which the health information card established under this subsection is to be inserted and placed into the program participant's glove compartment; and

(4) A program instruction sheet including an electronic mail address required under subsection 4 of this section.

4. The department shall establish an electronic mail mechanism through which persons may ask questions about the program and receive assistance in completing the health information card.

5. The department shall provide sufficient program materials to other state departments or agencies seeking to distribute or make program materials available to interested persons.

6. The director shall notify the state highway patrol regarding the implementation of the Missouri yellow dot program so that all emergency responders are informed about the program.

7. The department may charge an individual seeking to participate in the program a nominal fee to cover the administrative cost of the program.

8. The department shall make Missouri yellow dot program materials available for pick up by any interested person at any driver's license office and shall provide for an online means through which individuals can request the materials required to participate in the program. Any other state department or agency may make the program materials available for distribution to, or pick up by, any interested person.

9. The department shall develop and undertake a public education campaign to inform the public about the program established in this section.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

320.106. As used in sections 320.106 to 320.161, unless clearly indicated otherwise, the following terms mean:

(1) "American Pyrotechnics Association (APA), Standard 87-1", or subsequent standard which may amend or supersede this standard for manufacturers, importers and distributors of fireworks;

(2) "Chemical composition", all pyrotechnic and explosive composition contained in fireworks devices as defined in American Pyrotechnics Association (APA), Standard 87-1;

(3) "Consumer fireworks", explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UNO336, **[**1.4G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class C common fireworks by regulation of the United States Department of Transportation**] within 49 CFR Part 172**;

(4) "Discharge site", the area immediately surrounding the fireworks mortars used for an outdoor fireworks display;

(5) "Dispenser", a device designed for the measurement and delivery of liquids as fuel;

(6) "Display fireworks", explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two grains (130 mg) of explosive composition intended for public display. These devices are classified as fireworks, **UN0333 or UN0334 or** UNO335, **[**1.3G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class B display fireworks by regulation of the United States Department of Transportation**] within 49 CFR Part 172**;

(7) "Display site", the immediate area where a fireworks display is conducted, including the discharge site, the fallout area, and the required separation distance from mortars to spectator viewing areas, but not spectator viewing areas or vehicle parking areas;

(8) "Distributor", any person engaged in the business of selling fireworks to wholesalers, jobbers, seasonal retailers, other persons, or governmental bodies that possess the necessary permits as specified in sections 320.106 to 320.161, including any person that imports any fireworks of any kind in any manner into the state of Missouri;

(9) "Fireworks", any composition or device for producing a visible, audible, or both visible and audible effect by combustion, deflagration, or detonation and that meets the definition of consumer, proximate, or display fireworks as set forth by 49 CFR Part 171 to end, United States Department of Transportation hazardous materials regulations**[**, and American Pyrotechnics Association 87-1 standards**]**;

(10) "Fireworks season", the period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks;

(11) "Jobber", any person engaged in the business of making sales of consumer fireworks at wholesale or retail within the state of Missouri to nonlicensed buyers for use and distribution outside the state of Missouri during a calendar year from the first day of January through the thirty-first day of December;

(12) "Licensed operator", any person who supervises, manages, or directs the discharge of outdoor display fireworks, either by manual or electrical means; who has met additional requirements established by promulgated rule and has successfully completed a display fireworks training course recognized and approved by the state fire marshal;

(13) "Manufacturer", any person engaged in the making, manufacture, assembly or construction of fireworks of any kind within the state of Missouri;

(14) "NFPA", National Fire Protection Association, an international codes and standards organization;

(15) "Permanent structure", buildings and structures with permanent foundations other than tents, mobile homes, and trailers;

(16) "Permit", the written authority of the state fire marshal issued pursuant to sections 320.106 to 320.161 to sell, possess, manufacture, discharge, or distribute fireworks;

(17) "Person", any corporation, association, partnership or individual or group thereof;

(18) "Proximate fireworks", a chemical mixture used in the entertainment industry to produce visible or audible effects by combustion, deflagration, or detonation, as **[**defined by the most current edition of the American Pyrotechnics Association (APA), Standard 87-1, section 3.8, specific requirements for theatrical pyrotechnics**] classified within 49 CFR Part 172 as UN0431 or UN0432**;

(19) "Pyrotechnic operator" or "special effects operator", an individual who has responsibility for pyrotechnic safety and who controls, initiates, or otherwise creates special effects for proximate fireworks and who has met additional requirements established by promulgated rules and has successfully completed a proximate fireworks training course recognized and approved by the state fire marshal;

(20) "Sale", an exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one or more individuals;

(21) "Seasonal retailer", any person within the state of Missouri engaged in the business of making sales of consumer fireworks in Missouri only during a fireworks season as defined by subdivision (10) of this section;

(22) "Wholesaler", any person engaged in the business of making sales of consumer fireworks to any other person engaged in the business of making sales of consumer fireworks at retail within the state of Missouri.

320.131. 1. It is unlawful for any person to possess, sell or use within the state of Missouri, or ship into the state of Missouri, except as provided in section 320.126, any pyrotechnics commonly known as "fireworks" and defined as consumer fireworks in subdivision (3) of section 320.106 other than items now or hereafter classified as fireworks UNO336, 1.4G by the United States Department of Transportation that comply with the construction, chemical composition, labeling and other regulations relative to consumer fireworks regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public pursuant to such commission's regulations.

2. No wholesaler, jobber, or seasonal retailer, or any other person shall sell, offer for sale, store, display, or have in their possession any consumer fireworks that have not been approved as fireworks UNO336, 1.4G by the United States Department of Transportation.

3. No jobber, wholesaler, manufacturer, or distributor shall sell to seasonal retailer dealers, or any other person, in this state for the purpose of resale, or use, in this state, any consumer fireworks which do not have the numbers and letter "1.4G" printed within an orange, diamond-shaped label printed on or attached to the fireworks shipping carton.

4. This section does not prohibit a manufacturer, distributor or any other person **possessing the proper permits as specified by state and federal law** from storing, selling, shipping or otherwise transporting display or proximate fireworks**[**, defined as fireworks UNO335, 1.3G/UNO431, 1.4G or UNO432, 1.4S by the United States Department of Transportation, provided they possess the proper permits as specified by state and federal law**]**.

5. Matches, toy pistols, toy canes, toy guns, party poppers, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound, provided that they are so constructed that the hand cannot come into contact with the cap when in place for use, and toy pistol paper caps which contain less than twenty-five hundredths grains of explosive mixture shall be permitted for sale and use at all times and shall not be regulated by the provisions of sections 320.106 to 320.161.

320.136. Ground salutes commonly known as "cherry bombs", "M-80's", "M-100's", "M-1000's", and any other tubular salutes or any items described as prohibited chemical components or forbidden devices as listed in the American Pyrotechnics Association Standard 87-1 or which exceed the **[**federal**]** limits set for **consumer** fireworks **[**UNO336, 1.4G formerly known as class C common fireworks, display fireworks UNO335, 1.3F, and proximate fireworks UNO431, 1.4F/UNO432, 1.4S by the United States Department of Transportation**], display fireworks, or proximate fireworks** for explosive composition are expressly prohibited from shipment into, manufacture, possession, sale, or use within the state of Missouri for consumer use. Possession, sale, manufacture, or transport of this type of illegal explosive shall be punished as provided by the provisions of section 571.020.

320.202. 1. There is hereby established within the department of public safety a "Division of Fire Safety", which shall have as its chief executive officer the fire marshal appointed under section 320.205. The fire marshal and the division shall be responsible for:

(1) The voluntary training of firefighters, investigators, inspectors, and public or private employees or volunteers in the field of emergency response, rescue, fire prevention or preparedness;

(2) Establishing and maintaining a statewide reporting system, which shall, as a minimum, include the records required by section 320.235 and a record of all fires occurring in Missouri showing:

(a) The name of all owners of personal and real property affected by the fire;

(b) The name of each occupant of each building in which a fire occurred;

(c) The total amount of insurance carried by, the total amount of insurance collected by, and the total amount of loss to each owner of property affected by the fire; and

(d) All the facts, statistics and circumstances, including, but not limited to, the origin of the fire, which are or may be determined by any investigation conducted by the division or any local firefighting agency under the laws of this state. All records maintained under this subdivision shall be open to public inspections during all normal business hours of the division;

(3) Conducting all investigations of fires mandated by sections 320.200 to 320.270;

(4) Conducting all fire inspections required of any private premises in order for any license relating to such private premises to be issued under any licensing law of this state, except those organizations and institutions licensed pursuant to chapter 197;

(5) Establishing and maintaining a voluntary training and certification program based upon nationally recognized standards. A certification testing fee and recertification fee shall be established by promulgated rules and regulations by the state fire marshal under the provisions of section 536.024.

Fees collected shall be deposited into the **[**general revenue**]** **fire education** fund **established in section 320.094**.

2. The state fire marshal shall exercise and perform all powers and duties necessary to carry out the responsibilities imposed by subsection 1 of this section, including, but not limited to, the power to contract with any person, firm, corporation, state agency, or political subdivision for services necessary to accomplish any of the responsibilities imposed by subsection 1 of this section.

3. The state fire marshal shall have the authority to promulgate rules and regulations under the provisions of section 536.024 to carry out the provisions of this section.

321.015. **1.** No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to**:**

(1) Members of the organized militia, of the reserve corps, public school employees and notaries public**; [**, or to**]**

(2) Fire protection districts located wholly within counties of the second, third or fourth **[**class or**]** classification;

(3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;

(4) Fire protection districts located within **[**first class**]** counties **of the first classification** not adjoining any other **[**first class**]** county **of the first classification; [**, nor shall this section apply to**]**

(5) Fire protection districts located within any county of the first or second **[**class**]** classification not having more than nine hundred thousand inhabitants which borders any three **[**first class**]** counties **of the first classification**; **[**nor shall this section apply to**]**

(6) Fire protection districts located within any **[**first class**]** county **of the first classification [**without a charter form of government**]** which adjoins both a **[**first class**]** charter county **[**with a charter form of government**]** with at least nine hundred thousand inhabitants, and adjoins at least four other counties**;**

(7) Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof.

321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district at least one year before the election or appointment and be over the age of twenty-five years; except as provided in subsections 2 and 3 of this section. The person shall also be a resident of such fire protection district. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than one year before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

5. Any director who has been found guilty of or pled guilty to any felony offense shall immediately forfeit his or her office.

6. No person shall be qualified to serve as a director, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid or past due county taxes.

321.162. 1. **In addition to the qualifications prescribed by law,** all members of the board of directors of a fire protection district first elected **or appointed** on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of a fire protection district. The training required under this section shall be conducted by an entity approved by the office of the state fire marshal. The office of the state fire marshal shall determine the content of the training to fulfill the requirements of this section. Such training shall include, at a minimum:

(1) Information relating to the roles and duties of a fire protection district director;

(2) A review of all state statutes and regulations relevant to fire protection districts;

(3) State ethics laws;

(4) State sunshine laws, chapter 610;

(5) Financial and fiduciary responsibility;

(6) State laws relating to the setting of tax rates; and

(7) State laws relating to revenue limitations.

2. If any fire protection district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session.

321.228. 1. As used in this section, the following terms shall mean:

(1) "Residential construction", new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;

(2) "Residential construction regulatory system", any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board.

3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.

321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part,** as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the ..... Fire Protection Districts and the ..... Fire Protection District be consolidated into one fire protection district to be known as the ..... Fire Protection District, with tax levies not in excess of the following amounts: maintenance fund ..... cents per one hundred dollars assessed valuation; ambulance service ..... cents per one hundred dollars assessed valuation; pension fund ..... cents per one hundred dollars assessed valuation; and dispatching fund ..... cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners.

321.711. 1. A recall petition shall be filed with the election authority not more than one hundred eighty days after the filing of the notice of intention.

2. The number of qualified signatures required in order to recall an officer shall be equal in number to at least **[**twenty-five**]** **twenty** percent of the number of voters who voted in the most recent gubernatorial election in that district.

3. Within twenty days from the filing of the recall petition the election authority shall determine whether or not the petition was signed by the required number of qualified signatures. The election authority shall file with the petition a certificate showing the results of the examination. The authority shall give the proponents a copy of the certificate upon their request.

4. If the election authority certifies the petition to be insufficient, it may be supplemented within ten days of the date of certificate by filing additional petition sections containing all of the information required by section 321.709 and this section. Within ten days after the supplemental copies are filed, the election authority shall file with it a certificate stating whether or not the petition as supplemented is sufficient.

5. If the certificate shows that the petition as supplemented is insufficient, no action shall be taken on it; however, the petition shall remain on file."; and

Further amend said bill and page, Section 339.098, Line 3, by inserting after all of said section and line, the following:

"577.029. A licensed physician, registered nurse, or trained **in hospital** medical technician, acting at the request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his or her good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or her.

Section 1. 1. For purposes of this act, the term "anemometer" means an instrument for measuring and recording the speed of the wind, and the term "anemometer tower" means a structure, including all guy wires and accessory facilities, on which an anemometer is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator.

2. Any anemometer tower that is fifty feet in height above the ground or higher, that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before the effective date of this act shall be marked as required in this section within one year after the effective date of this act. Any anemometer tower that is erected on or after the effective date of this act shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced. For purposes of this section, the term, area surrounding the anchor point, means an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point. A violation of this section is a class C misdemeanor.

[190.400. As used in sections 190.400 to 190.440, the following words and terms shall mean:

(1) "911", the primary emergency telephone number within the wireless system;

(2) "Board", the wireless service provider enhanced 911 advisory board;

(3) "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;

(4) "Public safety answering point", the location at which 911 calls are initially answered;

(5) "Wireless service provider", a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).**]**

[190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:

(1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;

(2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;

(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and

(4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.

2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.

3. The board shall do the following:

(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;

(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;

(3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and

(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.

4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.**]**

[190.420. 1. There is hereby established in the state treasury a fund to be known as the "Wireless Service Provider Enhanced 911 Service Fund". All fees collected pursuant to sections 190.400 to 190.440 by wireless service providers shall be remitted to the director of the department of revenue. The director shall remit such payments to the state treasurer.

2. The state treasurer shall deposit such payments into the wireless service provider enhanced 911 service fund. Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the wireless service provider enhanced 911 system.

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund.**]**

[190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.

2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All

rulemaking authority delegated prior to July 2, 1998, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 2, 1998, shall be invalid and void.

3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:

(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and

(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:

(a) The volume of wireless 911 calls received by each public safety answering point;

(b) The population of the public safety answering point jurisdiction;

(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and

(d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section;

(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;

(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.

4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.

5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.

6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.

7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.

8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.**]**

[190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the voters of this state. The ballot measure shall be submitted by the secretary of state for approval or

rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.

2. The ballot of the submission shall contain, but is not limited to, the following language:

Shall the Missouri Office of Administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless enhanced 911 service?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.**]**

[650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) "Committee", the advisory committee for 911 service oversight established in section 650.325;

(2) "Public safety answering point", the location at which 911 calls are initially answered;

(3) "Telecommunicator", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.**]**

Section B. Because immediate action is necessary to ensure compliance with federal regulations prior to the sale of fireworks for the Independence Day holiday, sections 320.106, 320.131, and 320.136 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 320.106, 320.131, and 320.136 of section A this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 7** was adopted.

Representative Gatschenberger offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 137.076, Line 5, by inserting after all of said section and line the following:

"**188.125. 1. It is the intent of the general assembly to acknowledge the rights of an alternatives-to-abortion agency and its officers, agents, employees, and volunteers to freely assemble and to freely engage in religious practices and speech without governmental interference, and that the constitutions and laws of the United States and the state of Missouri shall be interpreted, construed, applied, and enforced to fully protect such rights.**

2. A political subdivision of this state is preempted from enacting, adopting, maintaining, or enforcing any order, ordinance, rule, regulation, policy, or other similar measure that prohibits, restricts, limits, controls, directs, interferes with, or otherwise adversely affects an alternatives-to-abortion agency or its officers, agents, employees, or volunteers' assembly, religious practices, or speech, including but not limited to counseling,

referrals, or education of, advertising or information to, or other communications with, clients, patients, other persons, or the public.

3. Nothing in this section shall preclude or preempt a political subdivision of this state from exercising its lawful authority to regulate zoning or land use or to enforce a building or fire code regulation, provided that such political subdivision treats an alternatives-to-abortion agency in the same manner as a similarly situated agency and that such authority is not used to circumvent the intent of this section.

4. In any action to enforce the provisions of this section, a court of competent jurisdiction may order injunctive relief, recovery of damages, or both, as well as payment of reasonable attorney's fees, costs, and expenses. The remedies set forth shall not be deemed exclusive and shall be in addition to any other remedies permitted by law.

5. As used in this section, "alternatives-to-abortion agency" means:

(1) A maternity home as defined in section 135.600;

(2) A pregnancy resource center as defined in section 135.630; or

(3) An agency or entity that has the primary purpose of providing services or counseling to pregnant women to assist such women in carrying their unborn children to term instead of having abortions, and to assist such women in caring for their dependent children or placing their children for adoption, as described in section 188.325."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 8** was adopted.

Representative Torpey offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting immediately after said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current

equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of

economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schieber offered **House Amendment No. 1 to House Amendment No. 9**.

House Amendment No. 1
to
House Amendment No. 9

AMEND House Amendment No. 9 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Line 7, by inserting after all of said line the following:

'Further amend said bill, Page 9, Section 94.110, Line 50, by inserting after all of said section and line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one

or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieber, **House Amendment No. 1 to House Amendment No. 9** was adopted.

On motion of Representative Torpey, **House Amendment No. 9, as amended**, was adopted.

Representative Zerr offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting after all of said section and line the following:

"135.680. 1. As used in this section, the following terms shall mean:

(1) "Adjusted purchase price", the product of:

(a) The amount paid to the issuer of a qualified equity investment for such qualified equity investment; and

(b) The following fraction:

a. The numerator shall be the dollar amount of qualified low-income community investments held by the issuer in this state as of the credit allowance date during the applicable tax year; and

b. The denominator shall be the total dollar amount of qualified low-income community investments held by the issuer in all states as of the credit allowance date during the applicable tax year;

c. For purposes of calculating the amount of qualified low-income community investments held by an issuer, an investment shall be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned to or recovered by the issuer from the original investment, exclusive of any profits realized, in another qualified low-income community investment within twelve months of the receipt of such capital. An issuer shall not be required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment shall be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance;

(2) "Applicable percentage", zero percent for each of the first two credit allowance dates, seven percent for the third credit allowance date, and eight percent for the next four credit allowance dates;

(3) "Credit allowance date", with respect to any qualified equity investment:

(a) The date on which such investment is initially made; and

(b) Each of the six anniversary dates of such date thereafter;

(4) "Long-term debt security", any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least seven years from the date of its issuance, with no acceleration of repayment, amortization, or prepayment features prior to its original maturity date, and with no distribution, payment, or interest features related to the profitability of the qualified community development entity or the performance of the qualified community development entity's investment portfolio. The foregoing shall in no way limit the holder's ability to accelerate payments on the debt instrument in situations where the issuer has defaulted on covenants designed to ensure compliance with this section or Section 45D of the Internal Revenue Code of 1986, as amended;

(5) "Qualified active low-income community business", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that any business that derives or projects to derive fifteen percent or more of its annual revenue from the rental or sale of real estate shall not be considered to be a qualified active low-income community business;

(6) "Qualified community development entity", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that such entity has entered into an allocation agreement with the Community Development Financial Institutions Fund of the U.S. Treasury Department with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended, which includes the state of Missouri within the service area set forth in such allocation agreement;

(7) "Qualified equity investment", any equity investment in, or long-term debt security issued by, a qualified community development entity that:

(a) Is acquired after September 4, 2007, at its original issuance solely in exchange for cash;

(b) Has at least eighty-five percent of its cash purchase price used by the issuer to make qualified low-income community investments; and

(c) Is designated by the issuer as a qualified equity investment under this subdivision and is certified by the department of economic development as not exceeding the limitation contained in subsection 2 of this section. This term shall include any qualified equity investment that does not meet the provisions of paragraph (a) of this subdivision if such investment was a qualified equity investment in the hands of a prior holder;

(8) "Qualified low-income community investment", any capital or equity investment in, or loan to, any qualified active low-income community business. With respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments made in such business, on a collective basis with all of its affiliates, that may be used from the calculation of any numerator described in subparagraph a. of

paragraph (b) of subdivision (1) of this subsection shall be ten million dollars whether issued to one or several qualified community development entities;

(9) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or otherwise due under section 375.916 or chapter 147, 148, or 153;

(10) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or the tax imposed in section 375.916 or chapter 147, 148, or 153.

2. A taxpayer that makes a qualified equity investment earns a vested right to tax credits under this section. On each credit allowance date of such qualified equity investment the taxpayer, or subsequent holder of the qualified equity investment, shall be entitled to a tax credit during the taxable year including such credit allowance date. The tax credit amount shall be equal to the applicable percentage of the adjusted purchase price paid to the issuer of such qualified equity investment. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed. No tax credit claimed under this section shall be refundable or transferable. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders. Any amount of tax credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's five subsequent taxable years. The department of economic development shall limit the monetary amount of qualified equity investments permitted under this section to a level necessary to limit tax credit utilization at no more than twenty-five million dollars of tax credits in any fiscal year. Such limitation on qualified equity investments shall be based on the anticipated utilization of credits without regard to the potential for taxpayers to carry forward tax credits to later tax years.

3. The issuer of the qualified equity investment shall certify to the department of economic development the anticipated dollar amount of such investments to be made in this state during the first twelve-month period following the initial credit allowance date. If on the second credit allowance date, the actual dollar amount of such investments is different than the amount estimated, the department of economic development shall adjust the credits arising on the second allowance date to account for such difference.

4. The department of economic development shall recapture the tax credit allowed under this section with respect to such qualified equity investment under this section if:

(1) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(2) The issuer redeems or makes principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of such qualified equity investment. Any tax credit that is subject to recapture shall be recaptured from the taxpayer that claimed the tax credit on a return.

5. The department of economic development shall promulgate rules to implement the provisions of this section, including recapture provisions on a scaled proportional basis, and to administer the allocation of tax credits issued for qualified equity investments, which shall be conducted on a first-come, first-serve basis. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after September 4, 2007, shall be invalid and void.

6. For fiscal years following fiscal year **[**2010**]** **2015**, qualified equity investments shall not be made under this section unless reauthorization is made pursuant to this subsection. For all fiscal years following fiscal year **[**2010**]** **2015**, unless the general assembly adopts a concurrent resolution granting authority to the department of economic development to approve qualified equity investments for the Missouri new markets development program and clearly describing the amount of tax credits available for the next fiscal year, or otherwise complies with the provisions of this subsection, no qualified equity investments may be permitted to be made under this section. The amount of available tax credits contained in such a resolution shall not exceed the limitation provided under subsection 2 of this section. In any year in which the provisions of this section shall sunset pursuant to subsection 7 of this section, reauthorization shall be made by general law and not by concurrent resolution. Nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to the expiration of authority to make qualified equity investments from claiming tax credits relating to such qualified equity investment for each applicable credit allowance date.

7. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after September 4, **[**2007**]** **2012**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. However, nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to sunset of this section under the provisions of section 23.253 from claiming tax credits relating to such qualified equity investment for each credit allowance date."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Zerr, **House Amendment No. 10** was adopted.

Representative Hough offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said line the following:

"**1.340. No provision of a statute shall require or allow for the extension or reauthorization by resolution or concurrent resolution of a credit against a tax of general applicability. Such provision shall be null and void in its entirety, but the remaining subsections of that statute shall remain in effect.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schad offered **House Amendment No. 1 to House Amendment No. 11**.

House Amendment No. 1
to
House Amendment No. 11

AMEND House Amendment No. 11 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Line 6, by inserting after all of said line the following:

'Further amend said bill, Page 10, Section 339.098, Line 3, by inserting after all of said line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is exempted from registering under subsection 8 of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia,** or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state **, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three days of conviction, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration;

(3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of subsection 6 of this section; or

(4) The registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the court orders the removal or exemption of such person from the registry.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. Any person currently on the sexual offender registry for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child shall be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, **or sexual misconduct in the second degree** and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which

the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register.

8. Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

9. (1) The court may grant such relief under subsection 7 or 8 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

10. Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education and is not entitled to relief under the provisions of subsection 9 of this section. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency and is not entitled to the provisions of subsection 9 of this section.

11. Any person whose name is removed or exempted from the sexual offender registry under subsection 7 or 8 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 1 to House Amendment No. 11** was adopted.

On motion of Representative Hough, **House Amendment No. 11, as amended**, was adopted.

Representative Lasater offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 7, Section 71.015, Line 137, by inserting after all of said section and line the following:

"79.050. 1. The following officers shall be elected by the qualified voters of the city, and shall hold office for the term of two years, except as otherwise provided in this section, and until their successors are elected and qualified, to wit: mayor and board of aldermen. The board of aldermen may provide by ordinance, after the approval of a majority of the voters voting at an election at which the issue is submitted, for the appointment of a collector and for the appointment of a chief of police, who shall perform all duties required of the marshal by law, and any other police officers found by the board of aldermen to be necessary for the good government of the city. The marshal or chief of police shall be twenty-one years of age or older. **Except as provided in subsection 4 of this section,** if the board of aldermen does not provide for the appointment of a chief of police and collector as provided by this section, a city marshal, who shall be twenty-one years of age or older, and collector shall be elected**[**, and**]**. The board of aldermen may provide by ordinance that the same person may be elected marshal and collector, at the same election, and hold both offices and the board of aldermen may provide by ordinance for the election of city assessor, city attorney, city clerk and street commissioner, who shall hold their respective offices for a term of two years and until their successors shall be elected or appointed and qualified, except that the term of the city marshal shall be four years.

2. The board of aldermen may provide by ordinance, after the approval of a majority of the voters voting thereon at the next municipal election at which the issue is submitted, that the term of the collector shall be four years and the term of the mayor shall be two, three, or four years. Any person elected as collector after the passage of such an ordinance shall serve for a term of four years and until his successor is elected and qualified. Any person elected as mayor after the passage of such ordinance shall serve for a term of two, three, or four years, as provided, and until his successor is elected and qualified.

3. The board of aldermen may provide by ordinance that the term of the board of aldermen shall be four years. Such ordinance shall be submitted by the board to the voters of the city and shall take effect only upon the approval of a majority of the voters voting at an election at which the issue is submitted. Any person elected to the board of aldermen after the passage of such an ordinance shall serve for a term of four years and until his successor is elected and qualified.

4. In any city of the fourth classification with more than three thousand three hundred but fewer than three thousand seven hundred inhabitants and located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, the board of aldermen may provide by ordinance that the city marshal or chief of police shall be appointed instead of elected."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lasater, **House Amendment No. 12** was adopted.

Representative Cookson offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after said line the following:

"67.1018. 1. The governing body of any county of the third classification without a township form of government and with more than [five thousand nine hundred but fewer than six thousand inhabitants] **six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat** may impose a tax on the charges for all sleeping rooms**, RV sites, and campsites** paid by the transient guests of hotels **[**or**],** motels**, lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall not be **less than two percent nor** more than five percent per occupied room**, RV site, and campsite** per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room**, RV site, or campsite** and all other taxes imposed by law,

and **[**fifty percent of**]** the proceeds of such tax shall be used **[**by the county to fund law enforcement with the remaining fifty percent of such proceeds to be used**]** to fund the promotion**, operation, and development** of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the county) impose a tax on the charges for all sleeping rooms**, RV sites, and campsites** paid by the transient guests of hotels **[**and**],** motels**, lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in ..... (name of county) at a rate of ..... (insert rate of percent) percent for the **[**benefit of the county**] promotion, operation, and development of tourism**?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cookson, **House Amendment No. 13** was adopted.

Representative Wells offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 10, Section 250.140, Line 34, by inserting after all of said line the following:

"**320.400. As used in sections 320.400 to 320.416, the following terms shall mean:**

(1) "Certificate of registration", the document issued to a contractor under sections 320.400 to 320.416;

(2) "Contractor", an organization that offers to undertake, represents itself as being able to undertake, or does undertake the design, planning, installation, or servicing of a fire sprinkler system or any part of such a system for pay;

(3) "Fire sprinkler system", a suppression system which requires individual calculation and layout in accordance with nationally recognized standards, such as those of the National Fire Protection Association, to protect the interior or exterior of a specific building, structure, or special hazard from fire by conveying water, with or without other agents, to dispersal openings or devices. Such systems also include any overhead and underground fire mains beginning at the point of service, fire hydrants and hydrant mains, standpipes and hoses connected to sprinkler systems, sprinkler tank heaters, air lines, thermal systems used in connection with fire sprinkler systems, and tanks and pumps connected to fire sprinkler systems;

(4) "Inspection", a visual examination of a fire sprinkler system or portion thereof to verify that it appears to be in operating condition and is free of physical damage;

(5) "Installation", the initial placement of fire sprinkler equipment or the extension, modification, or alteration of equipment after the initial placement, and includes the inspection and testing of equipment attendant to the placement or alteration of fire sprinkler equipment;

(6) "NICET", National Institute of Certification in Engineering Technologies;

(7) "Organization", a corporation, a partnership or other business association, a sole proprietorship, a governmental entity, or any other legal or commercial entity;

(8) "Person", a natural person, including an owner, manager, officer, employee, or occupant;

(9) "Point of service", the point at which the underground piping for a sprinkler system using water as the extinguishing agent becomes used exclusively for the sprinkler system;

(10) "Registered firm", an organization holding a valid certificate of registration issued under sections 320.400 to 320.416;

(11) "Service", to inspect, test, or repair fire sprinkler equipment in order to furnish or return the fire sprinkler system to operational condition, and including maintenance contracts;

(12) "Special agent fire suppression system", an approved system, and components thereof, which requires individual calculations and layout in accordance with the manufacturer's instructions to determine the flow rates, nozzle pressures, quantities of extinguishing agent, and number and types of nozzles for protecting one or more hazards by suppressing or extinguishing fire. These systems include kitchen hood fire suppression systems, dry chemical systems, carbon dioxide systems, halogenated and gaseous agent systems, foam systems, and wet chemical systems not connected to fire sprinkler systems. Special agent fire suppression systems shall not include a fire sprinkler system.

320.402. 1. Any contractor who engages in the installation of fire sprinkler systems or services fire sprinkler systems may register with the state fire marshal for a certificate of registration.

2. The provisions of sections 320.400 to 320.416 and the rules and regulations promulgated under sections 320.400 to 320.416 shall have uniform force and effect throughout the state. A municipality, county, or any other local governmental body or jurisdiction may enact or enforce registration or licensing requirements, and the registration provisions of sections 320.400 to 320.416 shall not supercede them.

3. A municipality, county, or any other local governmental body or jurisdiction may require a contractor to obtain a permit and pay a fee for the installation of a fire sprinkler system and require the installation of such system in conformance with the building code or other construction requirements of the municipality, county, or any other local governmental body or jurisdiction.

320.406. 1. The state fire marshal is authorized to promulgate rules and regulations regarding:

(1) The content of applications and the procedures for filing an application for an initial or renewal certificate of registration in this state;

(2) All applicable fees, set at a level to produce revenue which shall not exceed the cost and expense of administering the provisions of sections 320.400 to 320.416;

(3) Establishment of procedures for granting reciprocity with other states.

2. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

320.408. 1. One of the following requirements shall be fulfilled in order to obtain a certificate of registration from the state fire marshal:

(1) The applicant shall employ or contract with a person with a bachelors of science degree in fire protection engineering from an accredited university, from which the employee shall have received training in design, planning, and installation of fire sprinkler systems, or such employee shall be a professional engineer licensed in the state of Missouri;

(2) The applicant shall employ or contract with a person with a NICET Level IV certification in the automatic sprinkler system layout subfield demonstrating the certified person has received training in design, planning, and installation of fire sprinkler systems; or

(3) The applicant shall employ or contract with a person with a NICET Level III certification in the automatic sprinkler system layout subfield demonstrating the certified person has received training in design, planning, and installation of fire sprinkler systems.

2. Any organization that holds a certificate of registration in this state under sections 320.400 to 320.416 may use the title "Missouri state certified fire sprinkler contractor". No other person or organization may use the title "Missouri state certified fire sprinkler contractor". No other person or organization shall assume any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person or organization using the same is a Missouri state certified fire sprinkler contractor.

3. A certificate of registration shall be valid for a period of two years from the date of issue and is renewable biennially on payment of a fee; provided however, that the initial certificates of registration issued on or after August 28, 2012, may be issued for periods of less than two years and the fee shall be prorated proportionally.

4. A fee shall be charged by the state fire marshal for any request for a duplicate certificate of registration or any request requiring change to a certificate of registration. The fee shall be set by the fire marshal.

5. Each contractor holding itself out as a "Missouri state certified fire sprinkler contractor" shall display its certificate of registration issued under sections 320.400 to 320.416 in a conspicuous place in the contractor's place of business.

6. Plans, bids, proposals, offers, and installation drawings for fire sprinkler systems may display the contractor's certificate of registration number.

7. A certificate of registration issued under sections 320.400 to 320.416 shall not be transferable.

8. There is hereby created in the state treasury the "Fire Sprinkler Contractor Registration Fund", which shall consist of money collected under sections 320.400 to 320.416. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for the administration of sections 320.400 to 320.416. Any money remaining in the fund at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

320.410. 1. As provided in subsection 3 of section 320.408, each renewal of a certificate of registration issued under sections 320.400 to 320.416 is valid for a period of two years. The certificate of registration fee is payable on renewal.

2. At least thirty days before the expiration of a certificate of registration, the state fire marshal shall send written notice of the impending certificate of registration expiration to the registrant at the last known address.

3. The state fire marshal may, by rule, adopt a system under which certificates of registration expire on various dates during the year. When the certificate of registration expiration date is less than two years from its issuance or anniversary date, the fee shall be prorated on a monthly basis so that each registrant shall pay only that portion of the fee that is allocable to the number of months during which the registration is valid. On each subsequent renewal, the total renewal fee is payable.

320.412. The state fire marshal shall not issue a certificate of registration under sections 320.400 to 320.416 unless the applicant files evidence of a general liability insurance policy that includes products and completed operations coverage. The limits of insurance coverage required by this section shall be in an amount not less than one million dollars aggregate for all occurrences per policy year. The general liability policy shall be conditioned to pay on behalf of the insured those amounts that the insured is legally obligated to pay as damages because of bodily injury and property damage caused by an occurrence involving the insured or the insured's servant, officer, agent, or employee in the conduct of any business registered under sections 320.400 to 320.416.

320.414. 1. The state fire marshal may refuse to issue any certificate of registration or renew any certificate of registration required by one or any provisions of sections 320.400 to 320.416 for one or any combination of reasons stated in subsection 2 of this section. The state fire marshal shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the right to file a complaint with the administrative hearing commission as provided in chapter 621.

2. The state fire marshal may cause a complaint to be filed with the administrative hearing commission as provided in chapter 621 against the holder of any certificate of registration required by sections 320.400 to 320.416 or for any one or any combination of the following causes:

(1) Use of fraud, deception, misrepresentation, or bribery in securing a certificate issued pursuant to the provisions of sections 320.400 to 320.416;

(2) Impersonation of any organization holding a certificate or allowing any person or organization to use his or her certificate;

(3) Disciplinary action against the holder of a certificate by another state, territory, federal agency, or country upon grounds for which revocation or suspension is authorized in this state;

(4) Issuance of a certificate based upon a material mistake of fact;

(5) The person or organization has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of any profession regulated under sections 320.400 to 320.416, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(6) Incompetence, misconduct, gross negligence, fraud, misrepresentation, or dishonesty in the performance of the functions or duties of the profession that is regulated by sections 320.400 to 320.416;

(7) Violation of, or assisting or enabling any person or organization to violate, any provision of sections 320.400 to 320.416, or any lawful rule or regulation adopted pursuant to such sections;

(8) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(9) Operating without at least one million dollars in liability insurance coverage.

3. After the filing of a complaint pursuant to subsection 2 of this section, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the state fire marshal may, singly or in combination, censure or place the person or organization named in the complaint on probation on such terms and conditions as the state fire marshal deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the certificate of registration of the person or organization. An individual whose certificate of registration has been revoked shall wait three years from the date of revocation to apply for another certificate. Certification shall be at the discretion of the state fire marshal after compliance with all requirements of sections 320.400 to 320.416 relative to the certification of an applicant for the first time.

4. The state fire marshal shall maintain an information file containing each complaint filed with the state fire marshal relating to a holder of a certificate of registration.

320.416. 1. Upon proper application by the state fire marshal, a court of competent jurisdiction may grant an injunction, restraining order, or other order as may be appropriate to enjoin a person or organization from holding himself, herself, or itself out as a certified fire sprinkler contractor.

2. Any such actions shall be commenced either in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any action brought under this section shall be in addition and not in lieu of any penalty provided by law and may be brought concurrently with other actions to enforce sections 320.400 to 320.416."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wells, **House Amendment No. 14** was adopted.

Representative Kelly (24) offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Section 94.110, Page 7, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kelly (24), **House Amendment No. 15** was adopted.

Representative Bahr offered **House Amendment No. 16**.

House Amendment No. 16

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 9, Section 94.110, Line 50, by inserting after all of said section and line the following:

"99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect

to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. **[**Effective January 1, 2008,**]** If, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality. **Except that no municipality which is in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, or a county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants, or is located in any such county, shall approve such project, plan, designation, or amendments thereto, unless a majority of the commission members vote to make a recommendation to approve such project, plan, designation, or amendments, or such municipality places the question before the qualified voters of such municipality and the question is approved by a majority of the voters voting thereon at the next regularly scheduled municipal or general election.**

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bahr moved that **House Amendment No. 16** be adopted.

Which motion was defeated.

Representative Johnson offered **House Amendment No. 17**.

House Amendment No. 17

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 10, Section 250.140, Line 34, by inserting after all of said section and line the following:

"**262.975. 1. The department of economic development shall build and maintain, by contract or otherwise, a Missouri solar panel manufacturing website with search engine optimization technology. Such**

website shall contain content licensed by the department to promote the benefits of locating a solar panel manufacturing facility in Missouri.

2. The website shall be designed to attract domestic or international solar panel manufacturers to Missouri. The department must provide links to the new website from at least three other department of economic development websites, and must include content explaining the benefits of manufacturing solar panels in Missouri.

3. The state of Missouri retains ownership of all content on the website. The website developer is authorized to:

(1) Use all informational content provided by the department of economic development, and apply search engine optimization to the website content to achieve a high search engine ranking; and

(2) Sell advertising on the website to any entity that will benefit from marketing to domestic or international solar panel manufacturers. The website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the website, with the website developer retaining all advertising revenues obtained from such website to provide the financing for such website.

4. If contacted, the website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department;

(2) Demonstrate prior experience with website development projects which increased search engine rankings for the client.

5. If contacted, the department of economic development, shall review all applications and award one annual contract for the development, design, marketing, and maintenance of the solar panel manufacturer website, with annual renewals for continuing upgrades, marketing, and maintenance of the website. The department shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department may have a contract terminated for failure to operate under the department's guidelines for the website. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section.

6. The department of economic development may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Diehl moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock

Redmon	Richardson	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Torpey	Wallingford	Wells	Weter
White	Wieland	Zerr	Mr Speaker	

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Brattin	Brown 50	Colona	Day
Dugger	Fuhr	Guernsey	Hubbard	Hughes
McDonald	McManus	Nasheed	Reiboldt	Riddle
Schad	Still	Thomson	Webb	Wright
Wyatt				

On motion of Representative Johnson, **House Amendment No. 17** was adopted.

Representative Ellinger offered **House Amendment No. 18**.

House Amendment No. 18

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 510, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"67.1305. 1. As used in this section, the term "city" shall mean any incorporated city, town, or village.

2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the governing body of any city or county may impose, by order or ordinance, a sales tax on all retail sales made in the city or county which are subject to sales tax under chapter 144. The tax authorized in this section shall not be more than one-half of one percent. The order or ordinance imposing the tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at any citywide, county or state general, primary or special election a proposal to authorize the governing body to impose a tax under this section. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The tax authorized in this section shall not be imposed by any city or county that has imposed a tax under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or been repealed.

3. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city or county) impose a sales tax at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to

the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, provided that no proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last proposal.

4. All sales taxes collected by the director of revenue under this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Option Economic Development Sales Tax Trust Fund".

5. The moneys in the local option economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each city or county imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city or county and the public.

6. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city or county which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be in accordance with this section.

7. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city or county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities and counties.

8. If any county or municipality abolishes the tax, the city or county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city or county, the director of revenue shall remit the balance in the account to the city or county and close the account of that city or county. The director of revenue shall notify each city or county of each instance of any amount refunded or any check redeemed from receipts due the city or county.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

10. (1) No revenue generated by the tax authorized in this section shall be used for any retail development project, except for the redevelopment of downtown areas and historic districts. Not more than twenty-five percent of the revenue generated shall be used annually for administrative purposes, including staff and facility costs.

(2) At least twenty percent of the revenue generated by the tax authorized in this section shall be used solely for projects directly related to long-term economic development preparation, including, but not limited to, the following:

(a) Acquisition of land;

(b) Installation of infrastructure for industrial or business parks;

(c) Improvement of water and wastewater treatment capacity;

(d) Extension of streets;

(e) Public facilities directly related to economic development and job creation; and

(f) Providing matching dollars for state or federal grants relating to such long-term projects.

(3) The remaining revenue generated by the tax authorized in this section may be used for, but shall not be limited to, the following:

(a) Marketing;

(b) Providing grants and loans to companies for job training, equipment acquisition, site development, and infrastructures;

(c) Training programs to prepare workers for advanced technologies and high skill jobs;

(d) Legal and accounting expenses directly associated with the economic development planning and preparation process;

(e) Developing value-added and export opportunities for Missouri agricultural products.

11. All revenue generated by the tax shall be deposited in a special trust fund and shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city or county funds.

12. (1) Any city or county imposing the tax authorized in this section shall establish an economic development tax board. The volunteer board shall receive no compensation or operating budget.

(2) The economic development tax board established by a city shall consist of **at least** five members, **but may be increased to nine members. Either a five-member or nine-member board shall be designated in the order or ordinance imposing the sales tax authorized by this section, and the members are** to be appointed as follows:

(a) One member **of a five member board, or two members of a nine member board,** shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member **or members** shall be appointed in any manner agreed upon by the affected districts;

(b) Three members **of a five member board, or five members of a nine member board,** shall be appointed by the chief elected officer of the city with the consent of the majority of the governing body of the city;

(c) One member **of a five member board, or two members of a nine member board,** shall be appointed by the governing body of the county in which the city is located.

(3) The economic development tax board established by a county shall consist of seven members, to be appointed as follows:

(a) One member shall be appointed by the school districts included within any economic development plan or area funded by the sales tax authorized in this section. Such member shall be appointed in any manner agreed upon by the affected districts;

(b) Four members shall be appointed by the governing body of the county; and

(c) Two members from the cities, towns, or villages within the county appointed in any manner agreed upon by the chief elected officers of the cities or villages.

Of the members initially appointed, three shall be designated to serve for terms of two years, **except that when a nine member board is designated, seven of the members initially appointed shall be designated to serve for terms of two years,** and the remaining members shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments.

(4) If an economic development tax board established by a city is already in existence on August 28, 2012, any increase in the number of members of the board shall be designated in an order or ordinance. The four board members added to the board shall be appointed to a term with an expiration coinciding with the expiration of the terms of the three board member positions that were originally appointed to terms of two years. Thereafter, the additional members appointed shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the additional appointments.

13. The board, subject to approval of the governing body of the city or county, shall consider economic development plans, economic development projects, or designations of an economic development area, and shall hold public hearings and provide notice of any such hearings. The board shall vote on all proposed economic development plans, economic development projects, or designations of an economic development area, and amendments thereto, within thirty days following completion of the hearing on any such plan, project, or designation, and shall make recommendations to the governing body within ninety days of the hearing concerning the adoption of or amendment to economic development plans, economic development projects, or designations of an economic development area. The governing body of the city or county shall have the final determination on use and expenditure of any funds received from the tax imposed under this section.

14. The board may consider and recommend using funds received from the tax imposed under this section for plans, projects or area designations outside the boundaries of the city or county imposing the tax if, and only if:

(1) The city or county imposing the tax or the state receives significant economic benefit from the plan, project or area designation; and

(2) The board establishes an agreement with the governing bodies of all cities and counties in which the plan, project or area designation is located detailing the authority and responsibilities of each governing body with regard to the plan, project or area designation.

15. Notwithstanding any other provision of law to the contrary, the economic development sales tax imposed under this section when imposed within a special taxing district, including but not limited to a tax increment financing district, neighborhood improvement district, or community improvement district, shall be excluded from the calculation of revenues available to such districts, and no revenues from any sales tax imposed under this section shall be used for the purposes of any such district unless recommended by the economic development tax board established under this section and approved by the governing body imposing the tax.

16. The board and the governing body of the city or county imposing the tax shall report at least annually to the governing body of the city or county on the use of the funds provided under this section and on the progress of any plan, project, or designation adopted under this section and shall make such report available to the public.

17. Not later than the first day of March each year the board shall submit to the joint committee on economic development a report, not exceeding one page in length, which must include the following information for each project using the tax authorized under this section:

(1) A statement of its primary economic development goals;

(2) A statement of the total economic development sales tax revenues received during the immediately preceding calendar year;

(3) A statement of total expenditures during the preceding calendar year in each of the following categories:

(a) Infrastructure improvements;

(b) Land and or buildings;

(c) Machinery and equipment;

(d) Job training investments;

(e) Direct business incentives;

(f) Marketing;

(g) Administration and legal expenses; and

(h) Other expenditures.

18. The governing body of any city or county that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city or county. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city or county) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for economic development purposes?

☐ YES ☐ NO

If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters of the city or county, and the repeal is approved by a majority of the qualified voters voting on the question.

19. Whenever the governing body of any city or county that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city or county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

20. If any provision of this section or section 67.1303 or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or application of this section or section 67.1303 which can be given effect without the invalid provision or application, and to this end the provisions of this section and section 67.1303 are declared severable."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ellinger, **House Amendment No. 18** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 048

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McGeoghegan
McManus	Meadows	Montecillo	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Brown 50	Colona	Dieckhaus	Ellinger
Fuhr	Guernsey	Hughes	McDonald	McGhee
McNary	McNeil	Morgan	Nasheed	Reiboldt
Riddle	Thomson	Webb		

On motion of Representative Diehl, **HCS SCS SB 510, as amended**, was adopted.

On motion of Representative Diehl, **HCS SCS SB 510, as amended**, was read the third time and passed by the following vote:

AYES: 111

Anders	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Kelley 126	Kelly 24	Klippenstein	Koenig	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leara	Lichtenegger	Loehner	Long
May	McCaherty	McGeoghegan	McGhee	McManus
McNary	Meadows	Nance	Neth	Phillips
Pollock	Quinn	Redmon	Richardson	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Stream	Swinger
Talboy	Thomson	Torpey	Wallingford	Wells
Weter	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 034

Asbury	Bahr	Burlison	Carter	Colona
Conway 14	Keeney	Kirkton	Korman	Leach
Marshall	McCann Beatty	McCreery	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Parkinson	Pierson	Schieber	Schupp	Smith 71
Solon	Sommer	Spreng	Still	Swearingen
Taylor	Walton Gray	Webber	White	

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Brattin	Brown 50	Dieckhaus	Ellington
Flanigan	Fuhr	Guernsey	Hughes	Jones 117
McDonald	Molendorp	Nasheed	Nolte	Reiboldt
Riddle	Schad	Webb		

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 112

Allen	Aull	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGeoghegan	McGhee	McManus	McNary
Meadows	Nance	Neth	Nolte	Phillips
Pollock	Quinn	Redmon	Richardson	Rizzo
Rowland	Ruzicka	Sater	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 034

Anders	Atkins	Bahr	Carlson	Carter
Colona	Ellinger	Ellington	Kirkton	Koenig
Marshall	May	McCann Beatty	McCreery	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Parkinson	Pierson	Schupp	Sifton
Smith 71	Sommer	Spreng	Still	Swearingen
Taylor	Walton Gray	Webber	White	

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Barnes	Brattin	Brown 50	Conway 14
Fuhr	Guernsey	Hughes	Jones 63	Jones 117
McDonald	Molendorp	Nasheed	Reiboldt	Riddle
Schad	Webb			

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS HCS HCR 33**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has refused to adopt the Conference Committee Report on **SB 564, as amended**, and requests the House grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 635, as amended**, and has taken up and passed **CCS HCS SCS SB 635**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has refused to adopt the Conference Committee Report on **HCS SB 636, as amended**, and requests the House grant further conference.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SB 665, as amended**, and has taken up and passed **CCS SS SB 665**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **SS SCS SB 719, as amended**, and has taken up and passed **CCS#2 SS SCS SB 719**.

Emergency clause adopted.

Speaker Pro Tem Schoeller resumed the Chair.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1495, relating to reporting of insurance fraud, was taken up by Representative Nance.

On motion of Representative Nance, **SCS HCS HB 1495** was adopted by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus

Diehl	Dugger	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 004

Ellinger	Ellington	Smith 71	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Brown 50	Denison	Elmer	Fuhr
Holsman	Hughes	McDonald	Molendorp	Nasheed
Redmon	Riddle	Webb	Wyatt	Mr Speaker

On motion of Representative Nance, **SCS HCS HB 1495** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long

Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 003

Ellinger	Ellington	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 016

Brattin	Brown 50	Dieckhaus	Elmer	Franz
Fuhr	Holsman	Hughes	McDonald	McNary
Nasheed	Newman	Riddle	Webb	Wyatt
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

SCS HB 1112, relating to life insurance companies, was taken up by Representative Gosen.

On motion of Representative Gosen, **SCS HB 1112** was adopted by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn

Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brattin	Brown 50	Colona	Dieckhaus	Elmer
Fuhr	Guernsey	Holsman	Hughes	Lasater
McDonald	McNary	Nasheed	Riddle	Schneider
Webb	Wyatt			

On motion of Representative Gosen, **SCS HB 1112** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Diehl
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	May	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Cierpiot	Colona	Dieckhaus	Elmer
Fuhr	Guernsey	Hughes	Lasater	Long
McCaherty	McDonald	Nasheed	Riddle	Schneider
Webb	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

SCS HCS HB 1042, as amended, relating to the Coordinating Board for Higher Education, was taken up by Representative Thomson.

On motion of Representative Thomson, **SCS HCS HB 1042, as amended**, was adopted by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 001

Kelly 24

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Brown 116	Colona	Day	Fuhr
Guernsey	Hughes	Lant	McDonald	Nasheed
Riddle	Webb	Wyatt	Mr Speaker	

On motion of Representative Thomson, **SCS HCS HB 1042, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Zerr

NOES: 001

Kelly 24

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Colona	Day	Elmer	Franz
Fuhr	Guernsey	Hughes	McDonald	McNary
Nasheed	Riddle	Scharnhorst	Talboy	Webb
Wyatt	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

SS SCS HCS HB 1400, relating to financial transactions, was taken up by Representative Richardson.

On motion of Representative Richardson, **SS SCS HCS HB 1400** was adopted by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 001

Ellinger

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 50	Colona	Day	Dieckhaus	Fuhr
Guernsey	Hughes	McDonald	Nasheed	Riddle
Webb	Wyatt	Mr Speaker		

On motion of Representative Richardson, **SS SCS HCS HB 1400** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 001

Ellinger

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Colona	Day	Fuhr	Guernsey
Hughes	McDonald	McNary	Nasheed	Pace
Riddle	Scharnhorst	Still	Webb	Wyatt
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 118

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McGeoghegan
McGhee	McManus	Meadows	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 71	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Wallingford
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 030

Anders	Carlson	Carter	Ellinger	Ellington
Holsman	Hummel	Jones 63	Kirkton	Lampe
Marshall	May	McCann Beatty	McCreery	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Schupp	Sifton	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 015

Bernskoetter	Brown 50	Colona	Day	Fuhr
Guernsey	Hughes	McDonald	McNary	Nasheed
Riddle	Scharnhorst	Torpey	Webb	Wyatt

HB 1250, with Senate Amendment No. 1 and Senate Amendment No. 2, relating to third class city primary elections, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, the House concurred in **Senate Amendment No. 1** and **Senate Amendment No. 2** by the following vote:

AYES: 149

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Quinn	Redmon
Reiboldt	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 50	Colona	Day	Fuhr	Guernsey
Hughes	McDonald	Nasheed	Pollock	Richardson
Riddle	Webb	Wyatt	Mr Speaker	

On motion of Representative Ruzicka, **HB 1250, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford

Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Colona	Day	Fuhr	Guernsey
Hughes	Kelly 24	McDonald	Nasheed	Riddle
Scharnhorst	Swinger	Webb	Wyatt	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

SS HB 1128, relating to National Guard ribbons and awards, was taken up by Representative Largent.

On motion of Representative Largent, **SS HB 1128** was adopted by the following vote:

AYES: 144

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton

Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Brown 50	Carlson	Colona	Day
Ellington	Fuhr	Guernsey	Hughes	Loehner
McDonald	Meadows	Nasheed	Riddle	Ruzicka
Scharnhorst	Swearingen	Webb	Wyatt	

On motion of Representative Largent, **SS HB 1128** was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Rizzo

Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Ellington	Fuhr
Guernsey	Hughes	Loehner	McDonald	Meadows
Nasheed	Richardson	Riddle	Scharnhorst	Still
Swearingen	Webb	Wyatt	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1103, with Senate Amendment No. 1 and Senate Amendment No. 2, relating to appraisal management company notices, was taken up by Representative Crawford.

On motion of Representative Crawford, the House concurred in **Senate Amendment No. 1** and **Senate Amendment No. 2** by the following vote:

AYES: 142

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor

Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 020

Atkins	Brown 50	Colona	Day	Ellington
Fuhr	Funderburk	Hughes	Jones 63	Lampe
Loehner	Marshall	McDonald	Meadows	Nasheed
Riddle	Scharnhorst	Swearingen	Webb	Wyatt

On motion of Representative Crawford, **HB 1103, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 000

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Ellington	Fuhr
Guernsey	Hughes	Jones 63	Loehner	McDonald
Meadows	Nasheed	Riddle	Scharnhorst	Swearingen
Thomson	Webb	Wyatt	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

SCS HB 1460, relating to court automation fraud, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **SCS HB 1460** was adopted by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Carlson	Colona	Day	Ellinger
Fuhr	Guernsey	Hughes	Loehner	McDonald
Meadows	Nasheed	Riddle	Sater	Scharnhorst
Stream	Swearingen	Webb	Wyatt	Mr Speaker

On motion of Representative Jones (117), **SCS HB 1460** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 71	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Colona	Day	Fuhr	Guernsey
Hughes	Loehner	McCaherty	McDonald	Meadows
Nasheed	Riddle	Scharnhorst	Swearingen	Webb
Wyatt	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

SCS HB 1036, relating to political party emblems on ballots, was taken up by Representative Dugger.

On motion of Representative Dugger, **SCS HB 1036** was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 003

Aull	Ellington	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 021

Atkins	Brown 50	Colona	Cookson	Day
Fuhr	Guernsey	Hughes	Loehner	Marshall
McDonald	Meadows	Nasheed	Riddle	Scharnhorst
Swearingen	Thomson	Webb	Webber	Wyatt
Mr Speaker				

On motion of Representative Dugger, **SCS HB 1036** was truly agreed to and finally passed by the following vote:

AYES: 139

Allen	Anders	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McGeoghegan
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	Wieland	Wright	Zerr	

NOES: 003

Aull	Ellington	Smith 71

PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Brown 50	Colona	Day	Ellinger
Fuhr	Guernsey	Hughes	Loehner	McDonald
McGhee	Meadows	Nasheed	Riddle	Sater
Scharnhorst	Swearingen	Webb	White	Wyatt
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

SS SCS HCS HB 1563, as amended, relating to legend drugs, was taken up by Representative Sater.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Crawford	Cross	Curtman	Davis	Dieckhaus
Diehl	Dugger	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Still	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Colona	Cox	Day	Denison
Elmer	Fuhr	Hubbard	Hughes	Loehner
Molendorp	Nasheed	Riddle	Scharnhorst	Spreng
Swearingen	Webb	Wyatt		

On motion of Representative Sater, **SS SCS HCS HB 1563, as amended**, was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot

Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Colona	Day	Denison	Elmer
Fuhr	Hubbard	Hughes	Loehner	Molendorp
Nasheed	Nolte	Riddle	Scharnhorst	Spreng
Swearingen	Webb	Wyatt		

On motion of Representative Sater, **SS SCS HCS HB 1563, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 144

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Frederick	Funderburk	Gatschenberger
Gosen	Grisamore	Haefner	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater

Lauer	Leach	Leara	Lichtenegger	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Still	Stream
Swinger	Talboy	Taylor	Thomson	Torpey
Walton Gray	Webber	Wells	Weter	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Denison	Fuhr
Guernsey	Hampton	Hubbard	Hughes	Loehner
Molendorp	Nasheed	Riddle	Scharnhorst	Spreng
Swearingen	Wallingford	Webb	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	May	McCaherty	McCann Beatty
McDonald	McGeoghegan	McGhee	McManus	McNeil
Meadows	Morgan	Nance	Neth	Nolte
Pace	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Still	Stream	Swinger	Talboy

Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wieland	Zerr
Mr Speaker				

NOES: 011

Ellington	Hummel	Jones 63	Kirkton	Marshall
McCreery	Montecillo	Newman	Nichols	Oxford
Taylor				

PRESENT: 000

ABSENT WITH LEAVE: 021

Brown 50	Colona	Day	Denison	Fuhr
Hubbard	Hughes	Loehner	Long	McNary
Molendorp	Nasheed	Pierson	Riddle	Scharnhorst
Schatz	Spreng	Swearingen	Webb	Wright
Wyatt				

SS SCS HCS HB 1094, as amended, relating to electronic payment of state entities, was taken up by Representative Wieland.

On motion of Representative Wieland, **SS SCS HCS HB 1094, as amended**, was adopted by the following vote:

AYES: 141

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNary	McNeil	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson

Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 001

Ellington

PRESENT: 000

ABSENT WITH LEAVE: 021

Allen	Brown 50	Colona	Day	Denison
Fuhr	Funderburk	Hubbard	Hughes	Kander
Keeney	Loehner	Meadows	Molendorp	Nasheed
Riddle	Sater	Schupp	Swearingen	Webb
Wyatt				

On motion of Representative Wieland, **SS SCS HCS HB 1094, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Diehl
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 001

Ellington

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Funderburk	Hubbard	Hughes	Keeney
Loehner	Meadows	Molendorp	Nasheed	Riddle
Schneider	Swearingen	Webb	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

HB 1909, with Senate Amendment No. 1 and Senate Amendment No. 2, relating to aviation jet fuel tax exemption, was taken up by Representative Hoskins.

On motion of Representative Hoskins, the House concurred in **Senate Amendment No. 1** and **Senate Amendment No. 2** by the following vote:

AYES: 142

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Dieckhaus	Diehl	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McManus	McNary	McNeil	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnes	Brown 50	Colona	Day	Denison
Dugger	Fuhr	Funderburk	Hough	Hubbard
Hughes	Loehner	Meadows	Molendorp	Nasheed
Riddle	Schupp	Swearingen	Webb	Weter
Wyatt				

On motion of Representative Hoskins, **HB 1909, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 140

Allen	Anders	Asbury	Atkins	Aull
Bahr	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Dieckhaus	Diehl	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGeoghegan
McGhee	McNary	McNeil	Montecillo	Morgan
Nance	Neth	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Barnes	Brown 50	Colona	Day	Denison
Dugger	Fuhr	Funderburk	Hubbard	Hughes
Kander	Loehner	McManus	Meadows	Molendorp
Nasheed	Newman	Riddle	Rizzo	Swearingen
Webb	Weter	Wyatt		

Speaker Pro Tem Schoeller declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS#2 SCS SB 480: Representatives Burlison, Jones (117), Denison, McCreery and Fallert
HCS SCS SB 726: Representatives Wells, Jones (89), Molendorp, Swinger and Talboy

HOUSE BILLS WITH SENATE AMENDMENTS

SS HCS HB 1329, relating to motor vehicle registration, was taken up by Representative Silvey.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Ellinger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellington	Fallert
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McNeil	Meadows	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swinger
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Denison	Dugger
Fraker	Fuhr	Guernsey	Higdon	Hughes
Klippenstein	McManus	Molendorp	Nasheed	Riddle
Swearingen	Webb	Weter	Wyatt	

On motion of Representative Silvey, **SS HCS HB 1329** was adopted by the following vote:

AYES: 121

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Davis	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Kirkton	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leara	Lichtenegger
Loehner	Long	May	McCaherty	McCann Beatty
McCreery	McDonald	McGhee	McNeil	Meadows
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieffer	Schneider
Schupp	Shively	Shumake	Silvey	Smith 71
Solon	Sommer	Spreng	Still	Stream
Swinger	Talboy	Taylor	Thomson	Wallingford
Webber	Wells	White	Wright	Zerr
Mr Speaker				

NOES: 022

Anders	Asbury	Bahr	Brattin	Burlison
Cross	Curtman	Ellington	Kander	Koenig
Lasater	Leach	Marshall	McGeoghegan	McNary
Schieber	Schoeller	Sifton	Smith 150	Torpey
Walton Gray	Wieland			

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Guernsey	Higdon	Hughes	Klippenstein
McManus	Molendorp	Nasheed	Nolte	Riddle
Swearingen	Webb	Weter	Wyatt	

On motion of Representative Silvey, **SS HCS HB 1329** was truly agreed to and finally passed by the following vote:

AYES: 122

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Davis	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Kirkton	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McGhee
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieffer	Schneider	Schupp	Shively	Shumake
Silvey	Smith 71	Solon	Sommer	Spreng
Still	Stream	Swinger	Talboy	Taylor
Thomson	Wallingford	Webber	Wells	White
Zerr	Mr Speaker			

NOES: 021

Anders	Asbury	Bahr	Brattin	Burlison
Cross	Curtman	Ellington	Kander	Koenig
Lasater	Leach	Marshall	McNary	Schieber
Schoeller	Sifton	Smith 150	Torpey	Walton Gray
Wieland				

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 019

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Guernsey	Hughes	Klippenstein	McManus
Molendorp	Nasheed	Nolte	Riddle	Swearingen
Webb	Weter	Wright	Wyatt	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Carlson	Carter	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Davis	Dieckhaus	Diehl	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Frederick
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Jones 89	Jones 117	Keeney
Kelley 126	Kelly 24	Kirkton	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Solon	Sommer	Spreng
Still	Stream	Swinger	Taylor	Thomson
Wallingford	Walton Gray	Webber	Wells	White
Wright	Zerr	Mr Speaker		

NOES: 019

Asbury	Bahr	Brattin	Burlison	Cross
Curtman	Ellington	Koenig	Lasater	Leach
Marshall	May	McCreery	McNary	Schieber
Schoeller	Smith 150	Torpey	Wieland	

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 020

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Hughes	Jones 63	Kander	Klippenstein
Molendorp	Nasheed	Nolte	Quinn	Riddle
Swearingen	Talboy	Webb	Weter	Wyatt

SCS HCS HBs 1659 & 1116, as amended, relating to a land bank agency in Kansas City, was taken up by Representative Torpey.

On motion of Representative Torpey, **SCS HCS HBs 1659 & 1116, as amended**, was adopted by the following vote:

AYES: 132

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Scharnhorst	Schatz	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 015

Asbury	Bahr	Barnes	Brattin	Burlison
Conway 14	Curtman	Ellington	Koenig	Leach
Marshall	Parkinson	Sater	Schad	Schieber

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Hughes	Jones 63	Klippenstein	Molendorp
Nasheed	Riddle	Swearingen	Webb	Weter
Wyatt				

On motion of Representative Torpey, **SCS HCS HBs 1659 & 1116, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 131

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Carlson	Carter	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Dieckhaus	Diehl	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rizzo	Rowland
Ruzicka	Scharnhorst	Schatz	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Webber
Wells	White	Wieland	Wright	Zerr
Mr Speaker				

NOES: 015

Asbury	Bahr	Barnes	Brattin	Burlison
Conway 14	Curtman	Ellington	Koenig	Leach
Marshall	Parkinson	Sater	Schad	Schieber

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Hughes	Jones 63	Klippenstein	Molendorp
Nasheed	Riddle	Swearingen	Walton Gray	Webb
Weter	Wyatt			

Speaker Pro Tem Schoeller declared the bill passed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SCS SB 673: Representatives Day, Pollock, Barnes, Schupp and Black
HCS SS SB 854: Representatives Long, Barnes, Silvey, Ellinger and Morgan

BILLS CARRYING REQUEST MESSAGES

HCS SS SB 749, as amended, relating to religious beliefs and convictions, was taken up by Representative Jones (89).

Representative Jones (89) moved that the House refuse to recede from its position on **HCS SS SB 749, as amended**, and grant the Senate a conference.

Representative Brandom moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace

Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Colona	Day	Denison	Dugger
Fuhr	Guernsey	Hughes	Jones 63	Klippenstein
Molendorp	Nasheed	Richardson	Riddle	Swearingen
Webb	Weter	Wyatt		

Representative Jones (89) again moved that the House refuse to recede from its position on **HCS SS SB 749, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SB 668, as amended, relating to taxation and property, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to recede from its position on **HCS SB 668, as amended**, and grant the Senate a conference.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McGhee
McNary	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	White
Wieland	Wright	Zerr	Mr Speaker	

NOES: 050

Anders	Atkins	Aull	Black	Carlson
Carter	Casey	Conway 27	Ellinger	Ellington

Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Kander	Kelly 24	Kirkton	Kratky
Lampe	May	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Brown 50	Colona	Day	Denison
Dieckhaus	Dugger	Fuhr	Hughes	Jones 63
Klippenstein	Marshall	Molendorp	Nasheed	Riddle
Swearingen	Webb	Weter	Wyatt	

Representative Diehl again moved that the House refuse to recede from its position on **HCS SB 668, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SB 749: Representatives Jones (89), Crawford, Cox, McCreery and Black

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SB 464 - Fiscal Review

COMMITTEE REPORTS

Committee on Transportation Funding and Public Institutions, Chairman Cierpiot reporting:

Mr. Speaker: Your Committee on Transportation Funding and Public Institutions, to which was referred **SCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(32)(f) be referred to the Committee on Rules.

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 727**, begs leave to report it has examined the same and recommends that it **Do Pass**.

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1073
AND
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1477

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, with Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 4, Senate Amendment No. 4 as amended, and Senate Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, as amended;

2. The House recede from its position on House Bill No. 1073 and House Committee Substitute for House Bill No. 1477;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1073 and House Committee Substitute for House Bill No. 1477, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ David Sater
/s/ Jason Smith

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Brad Lager
/s/ Mike Parson
/s/ Victor Callahan
/s/ Ryan McKenna

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 498

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 498;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 498 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Jason Crowell
/s/ Dan Brown
/s/ Victor Callahan
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Lindell Shumake
/s/ Charlie Davis
/s/ David Day
/s/ Mike Talboy
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 578

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 578, with House Amendment Nos. 1, 2, 3, 4, 5, 6 and 7, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8 as amended, and House Amendment Nos. 9 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 578, as amended;

2. The Senate recede from its position on Senate Bill No. 578;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 578 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Parson
/s/ Brian Munzlinger
/s/ Kevin Engler
/s/ Robin Wright-Jones
/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Stanley Cox
/s/ Chuck Gatschenberger
/s/ Caleb Jones
/s/ Jacob Hummel
/s/ Kevin McManus

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 635

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, with House Amendment Nos. 1, 2, 3 and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7, 8 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 635;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce
/s/ Kevin Engler
/s/ Jay Wasson
/s/ Jolie Justus
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Don Phillips
/s/ Don Wells
/s/ Jason Smith
/s/ Jeanette Mott-Oxford
/s/ Mary Nichols

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 636

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 636, with House Amendment Nos. 1, 2 and 4 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 636, as amended;

2. The Senate recede from its position on Senate Bill No. 636;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 636 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Joseph Keaveny
/s/ Jolie Justus
/s/ Jack Goodman
/s/ Bob Dixon
/s/ John Lamping

FOR THE HOUSE:

/s/ John Diehl
/s/ Stanley Cox
/s/ Kevin Elmer
/s/ Jacob Hummel
/s/ Mike Colona

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 665

The Conference Committee appointed on Senate Substitute for Senate Bill No. 665, with House Amendments Nos. 1, 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendments Nos. 4, 5, 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Substitute for Senate Bill No. 665, as amended;

2. The Senate recede from its position on Senate Substitute for Senate Bill No. 665;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Bill No. 665, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bill Stouffer
/s/ Kevin Engler
/s/ Jay Wasson
/s/ Ryan McKenna
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Randy Asbury
/s/ Stanley Cox
/s/ Todd Richardson
/s/ Kevin McManus
/s/ Jacob Hummel

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Thursday, May 17, 2012.

COMMITTEE MEETINGS

FISCAL REVIEW
Friday, May 18, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

RULES - PURSUANT TO RULE 25(32)(F)
Friday, May 18, 2012, 8:45 AM North Gallery.
Executive session may be held on any or all bills referred to this committee.
CORRECTED

HOUSE CALENDAR

SEVENTY-FIFTH DAY, THURSDAY, MAY 17, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 89 - Schoeller
2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718, (2 hours debate on Perfection) - Scharnhorst
4 HCS HB 1210, as amended - Gatschenberger
5 HCS HB 1795 - Ruzicka
6 HB 1966 - Burlison
7 HB 1779 - Flanigan
8 HCS HB 1794 - Grisamore
9 HCS HB 1754 - Cox
10 HCS HB 1815 - Pollock
11 HB 1842 - Lant

12 HCS HB 1935 - Franz
13 HB 2063, as amended - Denison
14 HCS HB 2100 - Denison
15 HCS HB 1709 - Hough
16 HCS#2 HB 1358 - Gatschenberger
17 HCS HB 1397 - Gatschenberger
18 HCS HBs 1542 & 1101 - Koenig
19 HCS#2 HB 1213 - Franklin
20 HCS HB 1846 - Long
21 HCS HB 1585 - Cross
22 HCS HB 1971 - Schneider
23 HB 1690 - May
24 HB 1728 - Johnson
25 HB 1790 - Torpey
26 HCS HB 1970 - Jones (117)
27 HB 1144 - Gatschenberger
28 HB 1394 - Brandom
29 HB 1456 - Black
30 HCS HB 1609 - Nasheed
31 HCS HB 1612 - Burlison
32 HB 2038 - Wallingford
33 HCS HB 1877 - Sommer

HOUSE BILLS FOR PERFECTION - INFORMAL

1 HCS HB 1328 - Cox
2 HCS HB 1922 - Molendorp
3 HCS HBs 1076 & 1302 - Wyatt

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HCS HBs 1298 & 1180 - Parkinson
2 HB 1066 - McGhee

HOUSE BILLS FOR THIRD READING - INFORMAL

1 HB 1277 - Long
2 HB 1431 - Hoskins

HOUSE CONCURRENT RESOLUTIONS

1 HCR 55 - Nolte
2 HCR 57 - McNary

SENATE BILLS FOR THIRD READING

1 HCS SB 620 - Gosen
2 SCS SB 789 - Cox
3 HCS S B 813 - Dieckhaus
4 HCS SCS SB 856 - Barnes
5 SS SCS SBs 489 & 637, E.C. - Franz
6 SS SCS SB 633 - Largent
7 SCS SB 788 - Diehl
8 HCS SCS SB 655 - Kelly (24)
9 HCS SB 667 - Korman
10 HCS SCS SB 671, E.C. - Dugger
11 HCS SB 557 - Franz
12 HCS SB 594 - Pollock
13 HCS SCS SB 625 - Jones (117)
14 HCS SCS SB 648 - Sommer
15 HCS SB 701 - Wright
16 HCS SCS SB 722 - Jones (89)
17 SB 893 - Richardson
18 HCS#2 SCS SB 729, E.C. - Kelly (24)
19 HCS SS SCS SB 755 - Cookson
20 HCS SCS SB 758 - Black
21 HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847 - Sater
22 SCS SB 835, E.C. - Bernskoetter
23 SS SB 464, (Fiscal Review 5/16/12) - Burlison

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HCS HB 1072 - Sater
2 SS SCS HCS HB 1150, as amended - Smith (150)
3 SS SCS HCS HB 1498 - Hough
4 SCS HCS HB 1758 - Long
5 SCS HCS#2 HB 1323 - Black
6 SS SCS HCS HB 1280 - Korman
7 SCS HCS HB 1827 - Richardson
8 HCS HB 1171, with SA 1 - Franz
9 SS HCS HB 1576, as amended - Largent
10 SS SCS HB 1820, E.C. - Asbury
11 SS#2 SCS HB 1170, as amended, E.C. - Franz
12 SCS HCS HCR 33, E.C. - Bernskoetter

BILLS CARRYING REQUEST MESSAGES

1 SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868, and HB 1878, as amended (request House take up and pass bill) - Marshall
2 SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 (Senate refuses to adopt CCR/ request House grant further conference) - Davis
3 HCS SB 636, as amended (Senate refuses to adopt CCR/request House grant further conference) - Diehl

BILLS IN CONFERENCE

1 CCR SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
2 CCR#2 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. - Brown (116)
3 CCR HCS SCS SB 569, as amended - Dugger
4 CCR SS SCS HB 1073 AND HCS HB 1477, as amended - Sater
5 CCR HCS SCS SB 498, as amended, E.C. - Shumake
6 HCS SS SCS SB 467, as amended - Cox
7 SCS SB 566, with HA 1 & HA 2 - Jones (117)
8 HCS SB 455, as amended - Thomson
9 CCR HCS SB 578, as amended, E.C. - Cox
10 HCS SB 628, as amended - Kelly (24)
11 CCR HCS SCS SB 635, as amended (conferees exceed differences), E.C. - Phillips
12 SS SCS HCS HB 1402, as amended - Burlison
13 HCS SS SCS SB 470, as amended - Burlison
14 CCR SS SB 665, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, - Asbury
15 HCS SCS SB 485, as amended - Kelly (24)
16 HCS SCS SB 711, as amended - Largent
17 HCS SB 739, as amended - Cox
18 HCS SCS SB 631, as amended, E.C. - Reiboldt
19 SB 599, with HA 1, HA 2, as amended, HA 3, as amended, HA 4, as amended & HA 5, E.C. - Dieckhaus
20 HCS SCS SB 726, as amended - Wells
21 HCS#2 SCS SB 480, as amended - Burlison
22 HCS SCS SB 673, as amended, E.C. - Day
23 HCS SS SB 854, as amended, E.C. - Long
24 HCS SS SB 749, as amended, E.C. - Jones (89)
25 HCS SB 668, as amended - Diehl

SENATE CONCURRENT RESOLUTIONS

1 SS SCR 16 - Asbury
2 SCS SCR 17 - Diehl
3 SCR 24 - Davis
4 SCR 15 - Schieffer

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-FIFTH DAY, THURSDAY, MAY 17, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

For the kingdom is the Lord's: and He is the governor among the nations. (Psalm 22:28)

Eternal Lord of our spirits, we pause in Your presence once again to listen to Your voice and to receive the ministry of Your grace. You are ever calling us to work with You to keep justice and freedom and good will alive in our world. May Your spirit be so real to us that we shall continue to erect in this land a temple of understanding and love to which all citizens may turn for healing and for a helping hand.

We pray that all peoples of Missouri may be open to the leadership of Your spirit. We pray for the Speaker and these representatives of our people. Guide them, sustain them and bless them with courage and faith.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Clara Smith.

The Journal of the seventy-fourth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3262 through House Resolution No. 3301

SUPPLEMENTAL CALENDAR

MAY 17, 2012

THIRD READING OF SENATE BILLS

1 HCS SB 721, E.C. - Diehl
2 SS SB 727 - Silvey

COMMITTEE REPORT

Committee on Fiscal Review, Chairman Stream reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SB 464**, begs leave to report it has examined the same and recommends that it **Do Pass**.

THIRD READING OF SENATE BILLS

SCS SB 789, relating to DNA profiling, was taken up by Representative Cox.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Fraker
Franz	Frederick	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Rowland	Ruzicka
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Meadows	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Sifton	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 023

Brattin	Carter	Curtman	Day	Denison
Diehl	Ellington	Flanigan	Franklin	Funderburk
Holsman	Hughes	Jones 117	Lauer	May
McGhee	McManus	Nasheed	Parkinson	Riddle
Sater	Smith 71	Stream		

On motion of Representative Cox, **SCS SB 789** was truly agreed to and finally passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Davis	Denison	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Lasater	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McDonald	McGeoghegan	McGhee	McNary
McNeil	Molendorp	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Webber	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 006

Colona	Montecillo	Pace	Spreng	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 021

Carter	Curtman	Day	Dieckhaus	Diehl
Ellington	Flanigan	Frederick	Funderburk	Hughes
Largent	Lauer	May	McManus	Meadows
Nasheed	Parkinson	Riddle	Sater	Schatz
Smith 71				

Speaker Tilley declared the bill passed.

HCS SB 813, relating to financial transactions, was taken up by Representative Dieckhaus.

Representative Cierpiot offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 813, in the Title, Line 2, by inserting after the phrase "67.085," the phrase:

"67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill No. 1504,"; and

Further amend said bill, Section A, Line 1, by inserting after the phrase "Sections 67.085," the phrase:

"section 67.5012 as truly agreed to and finally passed by the second regular session of the ninety-sixth general assembly in Senate Committee Substitute for House Bill No. 1504,"; and

Further amend said section, Line 7, by inserting after the phrase " sections 67.085," the phrase "67.5012,"; and

Further amend said bill, Section 67.085, Page 2, Line 22, by inserting after all of said section the following:

"**67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038. The question of whether to continue to impose the one-tenth of one cent local sales tax authorized under this section shall be submitted to the voters of the county every twelve years after the voters of that county approve the initial imposition of the tax.**"; and

Further amend said bill, Section 339.549, Page 30, Line 17, by inserting after all of said line the following:

"**[67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cierpiot, **House Amendment No. 1** was adopted.

Representative Dieckhaus offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 813, Page 10, Section 313.817, Line 47, by deleting all of said line and inserting in lieu thereof the following:

"**of an occupational license, except that such approval shall not be made less than twenty-four hours after the determination that a person is a qualified person. A licensee may accept multiple credit instruments from the**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dieckhaus, **House Amendment No. 2** was adopted.

Representative Lant offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said line the following:

"**143.115. 1. As used in this section, the following terms mean:**

(1) "Deduction", an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income for the tax year in which such deduction is claimed;

(2) "Made in America", manufactured or produced within the United States of America or, if premanufactured, having a fair market value at least seventy percent of which results from domestic labor and materials;

(3) "Storm shelter", an above-ground safe room or an in-ground shelter in this state in the taxpayer's primary residence or on the taxpayer's real property that protects from injury or death caused by dangerous and extreme windstorms, that is in compliance with the requirements established in the Federal Emergency Management Agency's Publication 320 or its successor publication in effect at the time the storm shelter was completed, and in compliance with the International Code Council 500/Nationall Storm Shelter Association standards with the National Storm Shelter Association seal of quality verification, serial number and Certificate of Installation provided with each storm shelter that is installed, and that is made in America;

(4) "Taxpayer", any individual who is a resident of this state and who is subject to the income tax imposed in this chapter.

2. In addition to all deductions listed in this chapter, for all taxable years beginning on or after January 1, 2013, a taxpayer shall be allowed a deduction for the costs incurred in constructing or installing a storm shelter. The deduction amount shall be equal to the lesser of the full amount of the costs incurred in constructing the storm shelter or two thousand five hundred dollars. No taxpayer shall claim a tax deduction more than once under this section, and no deduction shall be issued for more than one storm shelter constructed or installed by such taxpayer for the taxpayer's primary residence.

3. The aggregate amount of tax deductions which may be issued under this section in any one fiscal year shall not exceed two million dollars. If the amount of tax deductions claimed under this section exceeds two million dollars, the director of the department of revenue shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax deductions are equally apportioned among all taxpayers allowed a tax deduction under this section. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax deductions possible up to the cumulative amount of tax deductions available for the fiscal year.

4. The department of revenue shall establish the procedure by which the deduction provided in this section may be claimed, and may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with

the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock assumed the Chair.

On motion of Representative Lant, **House Amendment No. 3** was adopted.

Representative Franz offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 813, Page 30, Section 339.549, Line 17, by inserting after all of said section and line, the following:

"408.040. 1. In all nontort actions, interest shall be allowed on all money due upon any judgment or order of any court from the date judgment is entered by the trial court until satisfaction be made by payment, accord or sale of property; all such judgments and orders for money upon contracts bearing more than nine percent interest shall bear the same interest borne by such contracts, and all other judgments and orders for money shall bear nine percent per annum until satisfaction made as aforesaid.

2. Notwithstanding the provisions of subsection 1 of this section, in tort actions, interest shall be allowed on all money due upon any judgment or order of any court from the date of judgment is entered by the trial court until full satisfaction. All such judgments and orders for money shall bear a per annum interest rate equal to the **[**intended Federal Funds Rate, as established by the Federal Reserve Board, plus five percent,**] rate set by section 32.065 plus one percent** until full satisfaction is made. The judgment shall state the applicable interest rate, which shall not vary once entered. In tort actions, if a claimant has made a demand for payment of a claim or an offer of settlement of a claim, to the party, parties or their representatives, and to such party's liability insurer if known to the claimant, and the amount of the judgment or order exceeds the demand for payment or offer of settlement, then prejudgment interest shall be awarded, calculated from a date ninety days after the demand or offer was received, as shown by the certified mail return receipt, or from the date the demand or offer was rejected without counter offer, whichever is earlier. In order to qualify as a demand or offer pursuant to this section, such demand must:

(1) Be in writing and sent by certified mail return receipt requested; and

(2) Be accompanied by an affidavit of the claimant describing the nature of the claim, the nature of any injuries claimed and a general computation of any category of damages sought by the claimant with supporting documentation, if any is reasonably available; and

(3) For wrongful death, personal injury, and bodily injury claims, be accompanied by a list of the names and addresses of medical providers who have provided treatment to the claimant or decedent for such injuries, copies of all reasonably available medical bills, a list of employers if the claimant is seeking damages for loss of wages or earning, and written authorizations sufficient to allow the party, its representatives, and liability insurer if known to the claimant to obtain records from all employers and medical care providers; and

(4) Reference this section and be left open for ninety days. Unless the parties agree in writing to a longer period of time, if the claimant fails to file a cause of action in circuit court prior to a date one hundred twenty days after the demand or offer was received, then the court shall not award prejudgment interest to the claimant. If the claimant is a minor or incompetent or deceased, the affidavit may be signed by any person who reasonably appears to be qualified to act as next friend or conservator or personal representative. If the claim is one for wrongful death, the affidavit may

be signed by any person qualified pursuant to section 537.080 to make claim for the death. Nothing contained herein shall limit the right of a claimant, in actions other than tort actions, to recover prejudgment interest as otherwise provided by law or contract.

3. In tort actions, a judgment for prejudgment interest awarded pursuant to this subsection should bear interest at a per annum interest rate equal to the **[**intended Federal Funds Rate, as established by the Federal Reserve Board, plus three percent**] rate set by section 32.065**. The judgment shall state the applicable interest rate, which shall not vary once entered."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 097

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shumake	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pierson
Quinn	Rizzo	Schupp	Shively	Sifton
Silvey	Spreng	Still	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Cierpiot	Day	Diehl	Franklin
Frederick	Hughes	Lauer	Loehner	May
Nasheed	Pace	Parkinson	Riddle	Scharnhorst
Smith 71	Swearingen			

Speaker Tilley resumed the Chair.

On motion of Representative Franz, **House Amendment No. 4** was adopted.

Representative Smith (150) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 813, Page 30, Section 339.549, Line 17, by inserting after all of said line the following:

"**Section 1. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations' activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.**

2. The department of elementary and secondary education shall continue to handle the funds from the organizations in the same manner as it did during school year 2011-2012, with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds."; and

Further amend said bill, Page 41, Section 339.1240, Line 11, by inserting after all of said line the following:

"Section B. Because of the need to provide immediate guidance on the financial operations of career and technical student organizations and their state level direction, the enactment of section 1 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 1 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hinson offered **House Amendment No. 1 to House Amendment No. 5**.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5 to House Committee Substitute for Senate Bill No. 813, Page 1, Line 1, by inserting immediately following the number "813," the following:

'Page 2, Section 67.085, Line 22, by inserting after all of said section and line the following:

"178.530. **1.** The state board of education shall establish standards and annually inspect, as a basis for approval, all public prevocational, vocational schools, Linn State Technical College, departments and classes receiving state or federal moneys for giving training in agriculture, industrial, home economics and commercial subjects and all

schools, departments and classes receiving state or federal moneys for the preparation of teachers and supervisors of such subjects. The public prevocational and vocational schools, Linn State Technical College, departments, and classes, and the training schools, departments and classes are entitled to the state or federal moneys so long as they are approved by the state board of education, as to site, plant, equipment, qualifications of teachers, admission of pupils, courses of study and methods of instruction. All disbursements of state or federal moneys for the benefit of the approved prevocational and vocational schools, Linn State Technical College, departments and classes shall be made semiannually. The school board of each approved school or the governing body of Linn State Technical College shall file a report with the state board of education at the times and in the form that the state board requires. Upon receipt of a satisfactory report, the state board of education shall certify to the commissioner of administration for his approval the amount of the state and federal moneys due the school district or Linn State Technical College. The amount due the school district shall be certified by the commissioner of administration and proper warrant therefor shall be issued to the district treasurer or Linn State Technical College.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational Education Act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education; however, such private school shall reimburse the department annually for the cost of oversight and maintenance of the program.

2. Notwithstanding the provisions of subsection 1 of this section, the state board of education shall establish standards for agricultural education that may be adopted by a private school accredited by an agency recognized by the United States Department of Education as an accreditor of private schools that wishes to provide quality vocational programming outside the requirements of, but consistent with, the federal vocational education act. Such standards shall be sufficient to qualify a private school to apply to the state chapter for approval of a local chapter of a federally chartered national agricultural education association on a form developed for that purpose by the department of elementary and secondary education without eligibility to receive state or federal funding for agricultural vocational education. Any such private school shall reimburse the department annually for the cost of oversight and maintenance of the program."; and

Further amend said bill,'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 1 to House Amendment No. 5** was adopted.

On motion of Representative Smith (150), **House Amendment No. 5, as amended**, was adopted.

Representative Talboy offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said section, the following:

"**67.5000. A parks, trails, and greenways district may be created, incorporated, and managed pursuant to sections 67.5000 to 67.5038 and once created may exercise the powers given to that district pursuant to section 67.5006. A district shall include a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. Any recreation system or public parks system that exists within a district established pursuant to sections 67.5000 to 67.5038 shall remain in existence with the same**

powers and responsibilities it had prior to the establishment of such district. Nothing in sections 67.5000 to 67.5038 shall be construed in any manner to limit or prohibit:

(1) Later establishment or cessation of any park or recreation system provided by law; or

(2) Any powers and responsibilities of any park or recreation system provided by state law.

67.5002. When a district authorized by section 67.5000 is created, it shall be a body corporate and a political subdivision of this state and the district shall be known as ". . . . . Parks, Trails, and Greenways District". In that name, the district may sue and be sued, issue bonds and levy and collect taxes or fees pursuant to the limitations of sections 67.5000 to 67.5038.

67.5004. Each district established pursuant to sections 67.5000 to 67.5033 shall be responsible for the planning, development, operation, and maintenance of a public system of interconnecting trails, open spaces, greenways, and parks throughout the county comprising such district, except as otherwise specifically provided for by statute. The powers and responsibilities of the district shall be supplemental to, but shall not be a substitute for, the powers and responsibilities of other parks and recreation systems located within the district or for the powers of other conservation and environmental regulatory agencies. Nothing in this section shall be interpreted to give any district the authority to regulate water quality, watershed, or land use issues in the county comprising the district.

67.5006. A parks, trails, and greenways district shall have the power to:

(1) Prepare or cause to be prepared and adopt a plan or plans for interconnecting systems of public trails, open spaces, greenways, and parks throughout the county comprising the district;

(2) Develop, supervise, improve, maintain, and take custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities owned, operated, managed, or maintained by that district;

(3) Issue bonds, notes, or other obligations in furtherance of any power or duty of a district and to refund those bonds, notes, or obligations, as provided in sections 67.5032 to 67.5036;

(4) Contract with public and private entities, including other parks and recreation agencies, or individuals both within and without the state and shall have the power to contract with the United States or any agency thereof in furtherance of any power or duty of the district;

(5) Lease, purchase, own, hold, control, contract, and sell any and all rights in land, buildings, improvements, and any and all other real, personal, or property that is a combination of both; provided that, real property within a county may only be purchased by a district if a majority of the board members consent to that purchase;

(6) Receive property, both real and personal, or money that has been granted, donated, devised, or bequeathed to the district;

(7) Establish a separate district account into which all local sales taxes received from the director of the department of revenue and other funds received by that district shall be deposited;

(8) Establish and collect reasonable charges for the use of the facilities of the district;

(9) Maintain an office and staff at any place or places in this state as the district may designate and conduct its business and operations as is necessary to fulfill that district's duties, pursuant to sections 67.5000 to 67.5038; and

(10) Appoint, when the district board determines it is appropriate, advisory committees to assist the district board in the exercise of the power and duties vested in the district.

67.5008. A question, in substantially the following form, may be submitted to the voters in each county authorized to establish a district:

"Shall there be organized in the County of . . . . ., state of Missouri, a parks, trails, and greenways district for the purposes of planning, developing, supervising, improving, maintaining, and taking custody of an interconnecting system of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of that district to be known as ". . . . . Parks, Trails, and Greenways District", and further shall a local sales tax of one tenth of one cent be levied and collected in ..... County for the support of this parks, trails, and greenways district, with forty-five percent of that revenue going to the district and fifty-five percent being returned to . . . . County and the cities within the County for local park improvements?

☐ YES ☐ NO"

67.5010. If a majority of the votes cast by the qualified voters voting on the question submitted pursuant to section 67.5008 voted YES, then that district shall be deemed created. However, if a majority of the qualified voters cast NO votes, that district shall not be deemed created unless and until another question of whether to authorize the creation of a district and impose the one-tenth of one cent local sales tax is submitted to the qualified voters of that county and that question is approved by a majority of the qualified voters voting thereon.

67.5012. The governing body of any county located within a district established pursuant to sections 67.5000 to 67.5038 is authorized to impose by order, ordinance, or otherwise a one-tenth of one cent local sales tax on all retail sales subject to taxation pursuant to sections 144.010 to 144.525 for the purpose of funding activities that are consistent with the powers and duties of a district, as set forth in section 67.5006. The tax authorized by this section shall be in addition to all other sales taxes allowed by law. The provisions of sections 32.085 and 32.087 shall apply to each local sales tax approved pursuant to sections 67.5000 to 67.5038.

67.5014. The local sales tax authorized in section 67.5012 shall be collected and allocated in the district as follows:

(1) Forty-five percent of the local sales taxes collected as described in section 67.5012 shall be deposited by the department of revenue in the parks, trails, and greenways district fund to be administered by the board of directors of that district to pay costs associated with the planning, development, supervision, improvement, maintenance, and custody of an interconnecting system of public parks, trails, open space, greenways, and recreational facilities within the boundaries of that district. Up to five percent of the amount deposited in that parks, trails, and greenways fund shall be used for grants to local public agencies to be used for activities that are consistent with the district's powers and duties as set forth in section 67.5006. Costs for office and project administration may be up to, but shall not exceed, fifteen percent of the amount deposited in a district fund pursuant to this subdivision;

(2) Fifteen percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to the county to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district; and

(3) Forty percent of the local sales taxes collected as described in section 67.5012 shall be distributed by the department of revenue to each of the cities in that county, in proportion to each city's relative local sales tax contribution, to be used for planning, development, supervision, improvement, maintenance, and custody of public parks, trails, open spaces, greenways, and recreational facilities within the boundaries of a district.

67.5016. 1. Any county levying a local sales tax under the authority of sections 67.5000 to 67.5038 shall not administer or collect the tax locally, but shall utilize the services of the state department of revenue to administer, enforce, and collect the tax. The sales tax shall be administered, enforced, and collected in the same manner and by the same procedure as other local sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed pursuant to this section.

2. Upon receipt of a certified copy of a resolution from the county authorizing the levy of a local sales tax, which resolution shall state the name of the district in which that county is included, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from this local sales tax imposed under the authority of sections 67.5000 to 67.5038 and collected under the provisions of this section by the director of revenue shall be credited to a fund established for the district, which is hereby established in the state treasury, under the name of that district, as established. Any refund due on any local sales tax collected pursuant to section 67.5000 to 67.5038 shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All local sales tax revenue derived from the authority granted by sections 67.5000 to 67.5038 and collected from within any county, under this section, shall be remitted at least quarterly by the director of revenue to the district established by sections 67.5000 to 67.5038, the source county included in the district and the cities in that county, in the percentages set forth in section 67.5014.

67.5018. 1. The treasurer of the board of each district created shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of each district created by sections 67.5000 to 67.5038 shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be approved by the board of each district created. Upon board approval, the report shall be available for inspection.

2. The accounts of the district shall be open at any reasonable time for inspection by duly authorized representatives of the county and cities included within the jurisdictional boundaries of that district.

3. Annually, no later than one hundred twenty days after the close of each district's fiscal year, the board of each district created by sections 67.5000 to 67.5038 shall cause to be prepared a report on the operations and transactions conducted by that district during the preceding year. The report shall be an open record and shall be submitted to the governing bodies of each city and county within the jurisdictional boundaries of that district commencing the year following the year in which the district is created. The board of each district shall take those actions as are reasonably required to make this report readily available to the public.

67.5020. Notwithstanding the provisions of section 99.845 to the contrary, the revenues from the local sales taxes imposed under the authority set forth in section 67.5012 shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865.

67.5022. 1. When a district is created pursuant to sections 67.5000 to 67.5038, the district shall be governed by a board of directors. The presiding commissioner or elected county executive of the county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants shall appoint one member of the district's board of directors chosen from the residents of that county. The mayor of the largest city in that county shall appoint two persons from the residents of that city in that county, and the mayors of the next five most populous cities in the county shall, on a rotating basis and in accordance with subsection 2 of this section, appoint four persons from the residents of those respective cities in that county to serve on the board.

2. The mayors of the second through sixth most populous cities in that county, as determined by the most recent decennial census, shall appoint the board members from the residents of those cities in the county by December 15 of each year. Representation on the board from these second through sixth most populous cities shall be on a rotating basis, as follows. In the initial year:

(1) The second most populous city shall be represented on the board, and that member shall serve for a term of one year;

(2) The third most populous city shall be represented on the board, and that member shall serve for a term of two years;

(3) The fourth most populous city shall be represented on the board, and that member shall serve for a term of three years;

(4) The fifth most populous city shall be represented on the board, and that member shall serve for a term of four years; and

(5) The sixth most populous city shall not be represented on the board.

In the second year, the sixth most populous city shall be represented on the board, and the member shall serve for a term of four years. In that second year, the second most populous city shall have no representation on the board. Membership on the board shall rotate in this manner every year thereafter, with each of the second through sixth most populous cities not being represented on the board, in this alternating basis, one of every succeeding four years.

3. The board members appointed to a district shall hold office for four-year terms; provided that, initial terms of the representative of the second through the sixth most populous cities in the county shall be of the staggered lengths as set forth in subsection 2 of this section. On the expiration of the initial terms of appointment and on the expiration of any subsequent term, the resulting vacancies shall be filled by the chief elected official of each of the represented cities and the county. All vacancies on the board shall be filled in the same manner for the duration of the term being filled. Board members shall serve until their successors are named and the successors have commenced their terms as board members. Board members shall be eligible for reappointment.

4. The chief elected official of each city or county that has membership on the board of a district may replace a board member representing that elected official's city or county at any time, in that elected official's sole discretion. Upon this removal, the chief elected official shall appoint another individual to represent that city or county on the board of directors of the district.

67.5024. Promptly after their appointment, the initial board members of a district created pursuant to sections 67.5000 to 67.5038 shall hold an organizational meeting at which they shall elect a president, secretary, treasurer, and any other officers from among their number as they may deem necessary. The members shall

make and adopt bylaws, rules, and regulations for their guidance, as may be expedient and not inconsistent with sections 67.5000 to 67.5038.

67.5026. Board members shall be citizens of the United States and shall reside within the county or city, as the case may be, from which they are appointed. No board member shall receive compensation for performance of duties as a board member. No board member shall be financially interested directly or indirectly in any contract entered into pursuant to sections 67.5000 to 67.5038.

67.5028. When a public highway, street, or road extends into or through a public trail, trail area, greenway, or park area of a district, or when a public highway, street, or road forms all or part of a suitable connection between two or more public trails, trail areas, or park areas within a district, and it is advisable by the board to make alterations in the route or width of the highway or to grade, drain, pave, or otherwise improve the highway, the board may enter into agreements, consistent with the purposes of that district, with the public authorities in control of the portion of the highway, street, or road that lies within any, or forms any part of, a connecting link to and between any, public trail, trail area, or park area of a district. Any agreement with any such public authority shall follow the procedure authorized by law for dealing with that authority, and any agreement shall provide for the payment by the board of an agreed-upon portion of the costs of that agreement. This section shall not alter the legal status of that highway, street, or road in any way.

67.5030. No district created pursuant to sections 67.5000 to 67.5038 shall be authorized to exercise the power of eminent domain.

67.5032. 1. Bonds of a district authorized by sections 67.5000 to 67.5038 shall be issued pursuant to a resolution adopted by the board of directors of that district, which resolution shall set out the estimated cost to that district of the proposed improvements, and shall further set out the amount of bonds to be issued, their purpose or purposes, their date or dates, denomination or denominations, rate or rates of interest, time or times of payment, both of principal and of interest, place or places of payment, and all other details in connection with those bonds. These bonds may be subject to provision for redemption prior to maturity, with or without premium, and at the times and upon the conditions as may be provided by the resolution.

2. Notwithstanding the provisions of section 108.170, these bonds shall bear interest at rate or rates determined by the issuing district and shall mature within a period not exceeding twenty years and may be sold at public or private sale for not less than ninety-five percent of the principal amount of the bonds to be issued. Bonds issued by a district shall possess all of the qualities of negotiable instruments pursuant to the laws of this state.

3. These bonds may be payable to bearer, may be registered or coupon bonds and, if payable to bearer, may contain any registration provisions as to either principal and interest, or principal only, as may be provided in the resolution authorizing those bonds, which resolution may also provide for the exchange of registered and coupon bonds. These bonds and any coupons attached thereto shall be signed in the manner and by the officers of the district as may be provided by the resolution authorizing the bonds. A district may provide for the replacement of any bond that has become mutilated, destroyed, or lost.

4. Bonds issued by a district shall be payable as to principal, interest and redemption premium, if any, out of all or any part of the issuing district's parks, trails, and greenways fund, including revenues derived from local sales taxes and any other monies held by that district. Neither the board members nor any person executing the bonds shall be personally liable on those bonds by reason of the issuance of those bonds. Bonds issued pursuant to this section or section 67.5034 shall not constitute a debt, liability or obligation of this state, or any political subdivision of this state, nor shall any of these obligations be a pledge of the faith and credit of this state, but shall be payable solely from the revenues and assets held by the issuing district. The issuance of bonds pursuant to this section or section 67.5034 shall not directly, indirectly or contingently obligate this state or any political subdivision of this state, other than the district issuing the bonds, to levy any form of taxation for those bonds or to make any appropriation for their payment. Each obligation or bond issued pursuant to this section or section 67.5034 shall contain, on its face, a statement to the effect that the issuing district shall not be obligated to pay those bonds nor the interest on those bonds, except from the revenues received by the issuing district or assets of that district lawfully pledged for that district, and that neither the good faith and credit nor the taxing power of this state or of any political subdivision of this state, other than the issuing district, is pledged to the payment of the principal of or the interest on that obligation or bond. The proceeds of these bonds shall be

disbursed in the manner and pursuant to the restrictions the district may provide in the resolution authorizing the issuance of those bonds.

67.5034. 1. A district may issue negotiable refunding bonds for the purpose of refunding, extending or unifying the whole or any part of any bonds of a district then outstanding, or any bonds, notes or other obligations issued by any other public agency, public body or political subdivision in connection with any facilities to be acquired, leased or subleased by that district, which refunding bonds shall not exceed the amount necessary to refund the principal of the outstanding bonds to be refunded and the accrued interest on those bonds to the date of that refunding, together with any redemption premium, amounts necessary to establish reserve and escrow funds and all costs and expenses incurred in connection with the refunding. The board shall provide for the payment of interest and principal of any refunding bonds in the same manner as was provided for the payment of interest and principal of the bonds refunded.

2. In the event that any of the board members or officers of a district whose signatures appear on any bonds or coupons shall cease to be on the board or cease to be an officer before the delivery of those bonds, those signatures shall remain valid and sufficient for all purposes, the same as if that board member or officer had remained in office until the delivery of those bonds.

67.5036. Each district is hereby declared to be performing a public function and bonds of a district are declared to be issued for an essential public and governmental purpose and, accordingly, interest on those bonds and income from those bonds shall be exempt from income taxation by this state.

67.5038. All purchases by a district in excess of ten thousand dollars used in the construction or maintenance of any public recreational facility, trail, park, or greenway in that district shall be made pursuant to the lowest and best bid standard as provided in section 34.040 or pursuant to the lowest and best proposal standard as provided in section 34.042. The board of any district shall have the same discretion, powers and duties as granted to the commissioner of administration by sections 34.040 and 34.042.

67.5039. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under these sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 shall sunset automatically twenty-three years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically forty-six years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

144.805. 1. In addition to the exemptions granted pursuant to the provisions of section 144.030, there shall also be specifically exempted from the provisions of sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, and from the computation of the tax levied, assessed or payable pursuant to sections 144.010 to 144.525, sections 144.600 to **[**144.748**]** **144.746**, and section 238.235, and the provisions of any local sales tax law, as defined in section 32.085, all sales of aviation jet fuel in a given calendar year to common carriers engaged in the interstate air transportation of passengers and cargo, and the storage, use and consumption of such aviation jet fuel by such common carriers, if such common carrier has first paid to the state of Missouri, in accordance with the provisions of this chapter, state sales and use taxes pursuant to the foregoing provisions and applicable to the purchase, storage, use or consumption of such aviation jet fuel in a maximum and aggregate amount of one million five hundred thousand dollars of state sales and use taxes in such calendar year.

2. To qualify for the exemption prescribed in subsection 1 of this section, the common carrier shall furnish to the seller a certificate in writing to the effect that an exemption pursuant to this section is applicable to the aviation jet fuel so purchased, stored, used and consumed. The director of revenue shall permit any such common carrier to enter into a direct-pay agreement with the department of revenue, pursuant to which such common carrier may pay directly to the department of revenue any applicable sales and use taxes on such aviation jet fuel up to the maximum aggregate amount of one million five hundred thousand dollars in each calendar year. The director of revenue shall adopt appropriate rules and regulations to implement the provisions of this section, and to permit appropriate claims for refunds of any excess sales and use taxes collected in calendar year 1993 or any subsequent year with respect to any such common carrier and aviation jet fuel.

3. The provisions of this section shall apply to all purchases and deliveries of aviation jet fuel from and after May 10, 1993.

4. All sales and use tax revenues upon aviation jet fuel received pursuant to this chapter, less the amounts specifically designated pursuant to the constitution or pursuant to section 144.701 for other purposes, shall be deposited to the credit of the aviation trust fund established pursuant to section 155.090; provided however, the amount of such state sales and use tax revenues deposited to the credit of such aviation trust fund shall not exceed ten million dollars in each calendar year.

5. The provisions of this section and section 144.807 shall expire on December 31, **[**2013**]** **2023**.

182.802. 1. **[**A**]** **(1) Any** public library district located **in any of the following counties may impose a tax as provided in this section:**

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; **[**or**]**

(f) Any county of the third classification with a township form of government and with more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred inhabitants**;**

(g) Any county of the third classification without a township form of government and with more than eighteen thousand but fewer than twenty thousand inhabitants and with a city of the third classification with more than six thousand but fewer than seven thousand inhabitants as the county seat.

(2) Any public library district listed in subdivision (1) of this subsection may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525 for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

Shall a ..... cent sales tax be levied on all retail sales within the district for the purpose of providing funding for ..... library district?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district.”; and

Further amend said bill, Page 30, Section 339.549, Line 17, by inserting after all of said section, the following:

"Section B. Because of the immediate need to provide public safety in the state, the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 67.750, 67.1706, 67.1712, 67.1715, 67.1721, 67.1742, and 67.1754 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 6** was adopted.

Representative Torpey offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement **or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities**, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the

Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the

director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Fuhr offered **House Amendment No. 1 to House Amendment No. 7**.

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Bill No. 813, Page 3, Line 19, by inserting immediately after the numeral “95.660,” the following:

“**taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fuhr, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Torpey, **House Amendment No. 7, as amended**, was adopted.

Representative Pollock resumed the Chair.

Representative Bernskoetter offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 813, Page 1, Section A, Line 10, by inserting after all of said line the following:

"21.940. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on State Employee Wages" to function in the legislative interims through December 31, 2014, for the purpose of further studying and developing of strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages.

2. The committee shall be composed of the following members:

(1) Two majority party members and one minority party member of the house of representatives, to be appointed by the speaker and minority leader of the house of representatives respectively;

(2) Two majority party members and one minority party member of the senate, to be appointed by the president pro tempore and minority leader of the senate respectively;

(3) One representative from the governor's office;

(4) One representative from the state personnel advisory board; and

(5) Two members of the public, with one to be appointed by the speaker of the house of representatives and one to be appointed by the president pro tempore of the senate.

A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

3. The committee shall be charged with the following:

(1) Devising a focused and concise mission statement to guide actions of the committee;

(2) Requesting the office of administration to use moneys in the state employee wage study fund to invest in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures, similar to what other states have done;

(3) Requesting the office of administration, with the advice and consent of the committee, to use the data from the comprehensive study to produce a long-term strategic plan for increasing state employee wages and to present such plan to the governor, the house budget committee, and the senate appropriations committee by January 31, 2015;

(4) Such other matters as the committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues.

4. The committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the committee deems relevant, political subdivisions of this state, and the general public.

5. There is hereby created in the state treasury the "State Employee Wage Study Fund" which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. The state treasurer shall deposit to the credit of such fund all moneys which may be appropriated to it by the general assembly and any gifts, contributions, grants, bequests, or other aid received from federal, private, or other sources. The general assembly may appropriate moneys into the fund to be used by the office of administration for the purpose of investing in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the

same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.

7. The provisions of this section shall expire on January 31, 2015."; and

Further amend said bill, Page 41, Section 339.1240, Line 11, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary to help attract and maintain a talented and dedicated workforce in order to best serve the needs of Missouri citizens, the enactment of section 21.940 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 21.940 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bernskoetter, **House Amendment No. 8** was adopted.

Representative Franklin offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said section, the following:

"67.1860. Sections 67.1860 to **[**67.1898**]** **67.1894** shall be known as the "Missouri Law Enforcement District Act".

67.1862. As used in sections 67.1860 to **[**67.1898**]** **67.1894**, the following terms mean:

(1) "Approval of the required majority" or "direct voter approval", a simple majority;

(2) "Board", the board of directors of a district;

(3) "District", a law enforcement district organized **[**pursuant to**]** **under** sections 67.1860 to **[**67.1898**]** **67.1894;**

(4) "Registered voter", any voter registered within the boundaries of the district or proposed district.

67.1864. 1. A district may be created to fund, promote, plan, design, construct, improve, maintain and operate one or more projects relating to law enforcement or to assist in such activity.

2. A district is a political subdivision of the state.

3. A district may be created in any county of the first classification **[**without a charter form of government and a population of fifty thousand inhabitants or less**]**.

67.1866. 1. Whenever the creation of a district is desired, ten percent of the registered voters within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of the county in which the proposed district is located.

2. The proposed district area shall be contiguous and may contain any portion of one or more municipalities. **Two areas may be considered contiguous if both are adjacent to the shoreline of the same body of water.**

3. The petition shall set forth:

(1) The name and address of each owner of real property located within the proposed district **[**or who is a**]** **and each** registered voter **[**resident**]** within the proposed district;

(2) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(3) A general description of the purpose or purposes for which the district is being formed; and

(4) The name of the proposed district.

4. The circuit clerk of the county in which the petition is filed **[**pursuant to**]** **under** this section shall present the petition to the judge, who shall thereupon set the petition for hearing not less than thirty days nor more than forty days after the filing. The judge shall cause notice of the time and place of the hearing to be given, by publication on three separate days in one or more newspapers having a general circulation within the county, with the third and final

publication to occur not less than twenty days prior to the date set for the hearing. The notice shall recite the information required [pursuant to] **under** subsection 3 of this section. The costs of printing and publication of the notice shall be paid as required [pursuant to] **under** section 67.1870.

5. In the event any owner of real property within the proposed district who is named in the petition or any registered voter does not join in the petition or file an entry of appearance and waiver of service of process in the case, a copy of the petition shall be served upon such owner or registered voter in the manner provided by supreme court rule for the service of petitions generally. Any objections to the petition shall be raised by answer within the time provided by supreme court rule for the filing of an answer to a petition.

67.1868. 1. Any owner of real property within the proposed district and any [legal] **registered** voter [who is a resident] within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a judgment respecting these same issues.

2. The court shall hear the case without a jury. If the court determines the petition is defective or the proposed district or its plan of operation is unconstitutional, it shall enter its judgment to that effect and shall refuse to incorporate the district as requested in the pleadings. If the court determines the petition is not legally defective and the proposed district and plan of operation are not unconstitutional, the court shall [determine and declare] **order** the district organized and incorporated and shall approve the plan of operation stated in the petition.

3. Any party having filed a petition or answer to a petition may appeal the circuit court's order or judgment in the same manner as provided for other appeals. Any order either refusing to incorporate the district or incorporating the district shall be a final judgment for purposes of appeal.

67.1870. The costs of filing and defending the petition and all publication and incidental costs incurred in obtaining circuit court certification of the petition for voter approval shall be paid by the petitioners. If a district is organized [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894**, the petitioners may be reimbursed for such costs out of the revenues received by the district.

67.1872. A district created [pursuant to] **under** sections 67.1860 to [67.1898] **67.1894** shall be governed by a board of directors consisting of five members to be elected as provided in section 67.1874.

67.1874. 1. Within thirty days after the order declaring the district organized has become final, the circuit clerk of the county in which the petition was filed shall give notice by causing publication to be made once a week for two consecutive weeks in a newspaper of general circulation in the county, the last publication of which shall be at least ten days before the day of the meeting required by this section, to call a meeting of the owners of real property and registered voters [resident] within the district at a day and hour specified in a public place in the county in which the petition was filed for the purpose of electing a board of five directors, two to serve one year, two to serve two years, and one to serve three years, to be composed of [residents] **registered voters** of the district.

2. The attendees, when assembled, shall organize by [the election of] **electing** a chairman and secretary of the meeting [who]**. The secretary** shall conduct the election.

3. **Upon completion of the terms of the initial directors under subsection 1 of this section,** each director shall serve for a term of three years and until such director's successor is duly elected and qualified. Successor directors shall be elected in the same manner as the initial directors at a meeting of the [residents] **registered voters** called by the board. [Each successor director shall serve a three-year term.] The remaining directors shall have the authority to elect an interim director to complete any unexpired term of a director caused by resignation or disqualification.

4. Directors shall be at least twenty-one years of age.

67.1878. A district may receive and use funds for the purposes of planning, designing, constructing, reconstructing, maintaining and operating one or more projects relating to law enforcement. Such funds may be derived from any funding method which is authorized by sections 67.1860 to [67.1898] **67.1894** and from any other source, including but not limited to funds from federal sources, the state of Missouri or an agency of the state, a political subdivision of the state or private sources.

67.1880. 1. If approved by at least four-sevenths of the [qualified] **registered** voters voting on the question in the district, the district may impose a property tax in an amount not to exceed the annual rate of thirty cents on the hundred dollars assessed valuation. The district board may levy a property tax rate lower than its approved tax rate ceiling and may increase that lowered tax rate to a level not exceeding the tax rate ceiling **approved by the voters** without **new** voter approval. The property tax shall be uniform throughout the district.

2. The ballot of submission shall be substantially in the following form:

Shall the ..... Law Enforcement District impose a property tax upon all real and tangible personal property within the district at a rate of not more than ..... (insert amount) cents per hundred dollars assessed valuation for the purpose of providing revenue for the development of a project (or projects) in the district (insert general description of the project or projects, if necessary)?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales. If less than four-sevenths of the votes cast on the question by the registered voters voting thereon are in favor of the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the registered voters and such question is approved by the requisite four-sevenths of the registered voters voting on the question. In no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal submitted under this section.

3. The county collector of each county in which the district is partially or entirely located shall collect the property taxes and special benefit assessments made upon all real property and tangible personal property within that county and the district, in the same manner as other property taxes are collected.

4. Every county collector having collected or received district property taxes shall, on or before the fifteenth day of each month and after deducting his or her commissions, remit to the treasurer of that district the amount collected or received by him or her prior to the first day of the month. Upon receipt of such money, the district treasurer shall execute a receipt therefor, which he or she shall forward or deliver to the collector. The district treasurer shall deposit such sums into the district treasury, credited to the appropriate project or purpose. The collector and district treasurer shall make final settlement of the district account and commissions owing, not less than once each year, if necessary.

67.1886. In addition to all other powers granted by sections 67.1860 to **[**67.1898**]** **67.1894** the district shall have the following general powers:

(1) To contract with the **[**local**]** **county** sheriff's department for the provision of services;

(2) To sue and be sued in its own name, and to receive service of process, which shall be served upon the district secretary;

(3) To fix compensation of its employees and contractors;

(4) To purchase any personal property necessary or convenient for its activities;

(5) To collect and disburse funds for its activities; and

(6) To exercise such other implied powers necessary or convenient for the district to accomplish its purposes which are not inconsistent with its express powers.

67.1888. 1. The district may obtain such insurance as it deems appropriate, considering its legal limits of liability, to protect itself, its officers and its employees from any potential liability and may also obtain such other types of insurance as it deems necessary to protect against loss of its real or personal property of any kind. The cost of this insurance shall be charged against the project.

2. The district may also require contractors performing construction or maintenance work on the project and companies providing operational and management services to obtain liability insurance having the district, its directors and employees as additional named insureds.

3. **The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources. However,** the district shall not attempt to self-insure for its potential liabilities unless it finds that it has sufficient funds available to cover any anticipated judgments or settlements and still complete its project without interruption. **[**The district may self-insure if it is unable to obtain liability insurance coverage at a rate which is economically feasible to the district, considering its resources.**]**

67.1894. **[**1. The authority of the district to levy any property tax levied pursuant to section 67.1880 may be terminated by a petition of the voters in the district in the manner prescribed in this section.

2. The petition for termination of authority to tax may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district may file with the board a petition in writing praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116; or

(2) All of the owners of real estate in the district may file a petition with the board praying that the district's authority to impose a property tax be terminated. The petition shall specifically state that the district's authority to impose any property tax, whether or not such a tax is being imposed at the time such petition is filed, shall be terminated. Such petition shall be in substantially the form set forth for petitions in chapter 116. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted.

4. If the board deems it for the best interest of the district, it shall grant the petition. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the authority to tax shall be terminated upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the district pursuant to subdivision (1) of subsection 2 of this section, the authority to tax shall be terminated subject to the election provided in section 67.1896. The circuit court having jurisdiction over the district shall proceed to make any such order terminating such taxation authority as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board**] Whenever the district board receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district, calling for an election to repeal the tax imposed under section 67.1880, the board shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the registered voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax authorized in section 67.1880 shall remain effective until the question is resubmitted under this section to the registered voters and the repeal is approved by a majority of the registered voters voting on the question**."; and

Further amend said bill, Page 30, Section 339.549, Line 17, by inserting after all of said section the following:

"**[**67.1890. 1. The boundaries of any district organized pursuant to sections 67.1860 to 67.1898 may be changed in the manner prescribed in this section; but any change of boundaries of the district shall not impair or affect its organization or its rights in or to property, or any of its rights or privileges whatsoever; nor shall it affect or impair or discharge any contract, obligation, lien or charge for or upon which it might be liable or chargeable had any change of boundaries not been made.

2. The boundaries may be changed as follows:

(1) Twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed may file with the board a petition in writing praying that such real property be included within, or removed from, the district. The petition shall describe the property to be included in, or removed from, the district and shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition. Such petition shall be in substantially the form set forth for petitions in chapter 116; provided that, in the event that there are more than twenty-five property owners or taxpaying electors signing the petition, it shall be deemed sufficient description of their property in the petition as required in this section to list the addresses of such property; or

(2) All of the owners of any territory or tract of land near or adjacent to a district in the case of annexation, or all of the owners of any territory or tract of land within a district in the case of deannexation, who own all of the real estate in such territory or tract of land may file a petition with the board praying that such real property be included in, or removed from, the district. The petition shall describe the property owned by the petitioners and shall be deemed to give assent of the petitioners to the inclusion in, or removal from, the district of the property described in the petition.

3. The secretary of the board shall cause notice of the filing of any petition filed pursuant to this section to be given and published in the county in which the property is located, which notice shall recite the filing of such petition, the number of petitioners, a general description of the boundaries of the area proposed to be included or removed and the prayer of the petitioners; giving notice to all persons interested to appear at the office of the board at the time named in the notice and show cause in writing, if any they have, why the petition should not be granted. The board shall at the time and place mentioned, or at such time or times to which the hearing may be adjourned, proceed to hear the petition and all objections thereto presented in writing by any person showing cause why the petition should not be granted. The failure of any person interested to show cause in writing why such petition shall not be granted shall be deemed as an assent on his or her part to the inclusion of such lands in, or removal of such lands from, the district as prayed for in the petition.

4. If the board deems it for the best interest of the district, it shall grant the petition, but if the board determines in the case of annexation that some portion of the property mentioned in the petition cannot as a practical matter be served by the district, or if it deems in the case of annexation that it is in the best interest of the district that some portion of the property in the petition not be included in the district, or if in the case of deannexation it deems that it is impracticable for any portion of the property to be deannexed from the district, then the board shall grant the petition in part only. If the petition is granted, the board shall make an order to that effect and file the petition with the circuit clerk. Upon the order of the court having jurisdiction over the district, the property shall be included in, or removed from, the district. If the petition contains the signatures of all the owners of the property pursuant to the provisions of subdivision (2) of subsection 2 of this section, the property shall be included in, or removed from, the district upon the order of the court. If the petition contains the signatures of twenty-five percent of the number of voters who voted in the most recent gubernatorial election in the area to be annexed or deannexed pursuant to subdivision (1) of subsection 2 of this section, the property shall be included in, or removed from, the district subject to the election provided in section 67.1892. The circuit court having jurisdiction over the district shall proceed to make any such order including such additional property within the district, or removing such property from the district, as is provided in the order of the board, unless the court shall find that such order of the board was not authorized by law or that such order of the board was not supported by competent and substantial evidence.

5. Any person aggrieved by any decision of the board made pursuant to the provisions of this section may appeal that decision to the circuit court of the county in which the property is located within thirty days of the decision by the board.**]**

[67.1892. 1. If the petition to add or remove any territory or tract of land to the district contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1890, the decree of extension or retraction of boundaries shall not become final and conclusive until it has been submitted to an election of the voters residing within the boundaries described in such decree and until it has been assented to by a majority vote of the voters in the newly included area, or the area to be removed, voting on the question. The decree shall also provide for the holding of the election to vote on the proposition of extending or retracting the boundaries of the district, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the boundaries of the ..... Law Enforcement District be (extended to include/retracted to remove) the following described property? (Describe property)

☐ YES ☐ NO

3. If a majority of the voters voting on the proposition vote in favor of the extension or retraction of the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of the boundaries to be final and conclusive. In the event, however, that the court finds that a majority of the voters voting thereon voted against the proposition to extend

or retract the boundaries of the district, then the court shall enter its further order declaring the decree of extension or retraction of boundaries to be void and of no effect.**]**

[67.1896. 1. If the petition filed pursuant to section 67.1894 contained fewer than all of the signatures required pursuant to subdivision (2) of subsection 2 of section 67.1894, the termination of taxation authority shall not become final and conclusive until it has been submitted to an election of the voters residing within the district and until it has been assented to by at least four-sevenths of the voters in the district voting on the question. The decree shall also provide for the holding of the election to vote on the proposition, and shall fix the date for holding the election.

2. The question shall be submitted in substantially the following form:

Shall the authority of the ..... Law Enforcement District to adopt property taxes be terminated?

☐ YES ☐ NO

3. If four-sevenths of the voters voting on the proposition vote in favor of such termination, then the court shall enter its further order declaring the termination of such authority, and all such taxes that are being assessed in the current calendar year pursuant to such authority, to be final and conclusive. In the event, however, that the court finds that less than four-sevenths of the voters voting thereon voted against the proposition to terminate such authority, then the court shall enter its further order declaring the decree of termination of such district's taxing authority to be void and of no effect.**]**

[67.1898. 1. Whenever a petition signed by not less than ten percent of the registered voters in any district organized pursuant to sections 67.1860 to 67.1898 is filed with the circuit court having jurisdiction over the district, setting forth all the relevant facts pertaining to the district, and alleging that the further operation of the district is not in the best interests of the inhabitants of the district, and that the district should, in the interest of the public welfare and safety, be dissolved, the circuit court shall have authority, after hearing evidence submitted on such question, to order a submission of the question, after having caused publication of notice of a hearing on such petition in the same manner as the notice required in section 67.1874, in substantially the following form:

Shall ..... (Insert the name of the law enforcement district) Law Enforcement District be dissolved?

☐ YES ☐ NO

2. If the court shall find that it is to the best interest of the inhabitants of the district that such district be dissolved, it shall make an order reciting such finding and providing for the submission of the proposition to dissolve such district to a vote of the voters of the district, setting forth such further details in its order as may be necessary to an orderly conduct of such election. Such election shall be held at the municipal election. Returns of the election shall be certified to the court.

If the court finds that a majority of the voters voting thereon shall have voted in favor of the proposition to dissolve the district, the court shall make a final order dissolving the district, and the decree shall contain a proviso that the district shall continue in full force for the purpose of paying all outstanding and lawful obligations and disposing of property of the district; but no additional costs or obligations shall be created except such as are necessary to pay such costs, obligations and liabilities previously incurred, or necessary to the winding up of the district. If the court shall find that a majority of the voters of the district voting thereon shall not have voted favorably on the proposition to dissolve such district, then the court shall make a final order declaring such result dismissing the petition praying for the dissolution of said district; and the district shall continue to operate in the same manner as though the petition asking for such dissolution has not been filed.

3. The dissolution of a district shall not invalidate or affect any right accruing to such district, or to any person, or invalidate or affect any contract or indebtedness entered into or imposed upon such district or person; and whenever the circuit court shall, pursuant to this section, dissolve a district, the court shall appoint some competent person to act as trustee for the district so dissolved and such trustee before entering upon the discharge of his or her duties shall take and subscribe an oath that he or she will faithfully discharge the duties of the office, and shall give bond with sufficient security, to be approved by the court to the use of such dissolved district, for the faithful discharge of his or her duties, and shall proceed to liquidate the district under orders of the court, including the levying of any taxes provided for in sections 67.1860 to 67.1898.**]**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franklin, **House Amendment No. 9** was adopted.

Representative Solon offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said line the following:

"67.463. 1. At the hearing to consider the proposed improvements and assessments, the governing body shall hear and pass upon all objections to the proposed improvements and proposed assessments, if any, and may amend the proposed improvements, and the plans and specifications therefor, or assessments as to any property, and thereupon by ordinance or resolution the governing body of the city or county shall order that the improvement be made and direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

2. After construction of the improvement has been completed in accordance with the plans and specifications therefor, the governing body shall compute the final costs of the improvement and apportion the costs among the property benefitted by such improvement in such equitable manner as the governing body shall determine, charging each parcel of property with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of the improvement or the amount of general obligation bonds issued or to be issued therefor as special assessments against the property described in the assessment roll.

3. After the passage or adoption of the ordinance or resolution assessing the special assessments, the city clerk or county clerk shall mail a notice to each property owner within the district which sets forth a description of each parcel of real property to be assessed which is owned by such owner, the special assessment assigned to such property, and a statement that the property owner may pay such assessment in full, together with interest accrued thereon from the effective date of such ordinance or resolution, on or before a specified date determined by the effective date of the ordinance or resolution, or may pay such assessment in annual installments as provided in subsection 4 of this section.

4. The special assessments shall be assessed upon the property included therein concurrent with general property taxes, and shall be payable in substantially equal annual installments for a duration stated in the ballot measure prescribed in subsection 2 of section 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an assessment in each year thereafter levied and collected in the same manner with the proceeds thereof used solely for maintenance of the improvement, taking into account such assessments and interest thereon, as the governing body determines. The first installment shall be payable after the first collection of general property taxes following the adoption of the assessment ordinance or resolution unless such ordinance or resolution was adopted and certified too late to permit its collection at such time. All assessments shall bear interest at such rate as the governing body determines, not to exceed the rate permitted for bonds by section 108.170. Interest on the assessment between the effective date of the ordinance or resolution assessing the assessment and the date the first installment is payable shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid. In the case of a special assessment by a city, all of the installments, together with the interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one instrument at the same time. Such certification shall be good for all of the installments, and the interest thereon payable as special assessments.

5. Special assessments shall be collected and paid over to the city treasurer or county treasurer in the same manner as taxes of the city or county are collected and paid. In any county **[**of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants**]**, the county collector may collect a fee as prescribed by section 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to 67.475 shall be a lien, from the date of the assessment, on the property against which it is assessed on behalf of the city or county assessing the same to the same extent as a tax upon real property. The lien may be foreclosed in the same manner as a tax upon real property by land tax sale pursuant to chapter 140 or**, if applicable to that county, chapter 141, or, [**by judicial foreclosure proceeding,**]** at the option of the governing body**, by judicial foreclosure proceeding**. Upon the foreclosure of any such lien, whether by land tax sale or by judicial foreclosure proceeding, the entire remaining assessment may become due and payable and may be recoverable in such foreclosure proceeding at the option of the governing body."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Solon, **House Amendment No. 10** was adopted.

Representative Zerr offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Bill No. 813, Page 2, Section 67.085, Line 22, by inserting after all of said section and line the following:

"135.680. 1. As used in this section, the following terms shall mean:

(1) "Adjusted purchase price", the product of:

(a) The amount paid to the issuer of a qualified equity investment for such qualified equity investment; and

(b) The following fraction:

a. The numerator shall be the dollar amount of qualified low-income community investments held by the issuer in this state as of the credit allowance date during the applicable tax year; and

b. The denominator shall be the total dollar amount of qualified low-income community investments held by the issuer in all states as of the credit allowance date during the applicable tax year;

c. For purposes of calculating the amount of qualified low-income community investments held by an issuer, an investment shall be considered held by an issuer even if the investment has been sold or repaid; provided that the issuer reinvests an amount equal to the capital returned to or recovered by the issuer from the original investment, exclusive of any profits realized, in another qualified low-income community investment within twelve months of the receipt of such capital. An issuer shall not be required to reinvest capital returned from qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment shall be considered held by the issuer through the seventh anniversary of the qualified equity investment's issuance;

(2) "Applicable percentage", zero percent for each of the first two credit allowance dates, seven percent for the third credit allowance date, and eight percent for the next four credit allowance dates;

(3) "Credit allowance date", with respect to any qualified equity investment:

(a) The date on which such investment is initially made; and

(b) Each of the six anniversary dates of such date thereafter;

(4) "Long-term debt security", any debt instrument issued by a qualified community development entity, at par value or a premium, with an original maturity date of at least seven years from the date of its issuance, with no acceleration of repayment, amortization, or prepayment features prior to its original maturity date, and with no distribution, payment, or interest features related to the profitability of the qualified community development entity or the performance of the qualified community development entity's investment portfolio. The foregoing shall in no way limit the holder's ability to accelerate payments on the debt instrument in situations where the issuer has defaulted on covenants designed to ensure compliance with this section or Section 45D of the Internal Revenue Code of 1986, as amended;

(5) "Qualified active low-income community business", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that any business that derives or projects to derive fifteen percent or more of its annual revenue from the rental or sale of real estate shall not be considered to be a qualified active low-income community business;

(6) "Qualified community development entity", the meaning given such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided that such entity has entered into an allocation agreement with the Community Development Financial Institutions Fund of the U.S. Treasury Department with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended, which includes the state of Missouri within the service area set forth in such allocation agreement;

(7) "Qualified equity investment", any equity investment in, or long-term debt security issued by, a qualified community development entity that:

(a) Is acquired after September 4, 2007, at its original issuance solely in exchange for cash;

(b) Has at least eighty-five percent of its cash purchase price used by the issuer to make qualified low-income community investments; and

(c) Is designated by the issuer as a qualified equity investment under this subdivision and is certified by the department of economic development as not exceeding the limitation contained in subsection 2 of this section. This term shall include any qualified equity investment that does not meet the provisions of paragraph (a) of this subdivision if such investment was a qualified equity investment in the hands of a prior holder;

(8) "Qualified low-income community investment", any capital or equity investment in, or loan to, any qualified active low-income community business. With respect to any one qualified active low-income community business, the maximum amount of qualified low-income community investments made in such business, on a collective basis with all of its affiliates, that may be used from the calculation of any numerator described in subparagraph a. of paragraph (b) of subdivision (1) of this subsection shall be ten million dollars whether issued to one or several qualified community development entities;

(9) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or otherwise due under section 375.916 or chapter 147, 148, or 153;

(10) "Taxpayer", any individual or entity subject to the tax imposed in chapter 143, excluding withholding tax imposed in sections 143.191 to 143.265, or the tax imposed in section 375.916 or chapter 147, 148, or 153.

2. A taxpayer that makes a qualified equity investment earns a vested right to tax credits under this section. On each credit allowance date of such qualified equity investment the taxpayer, or subsequent holder of the qualified equity investment, shall be entitled to a tax credit during the taxable year including such credit allowance date. The tax credit amount shall be equal to the applicable percentage of the adjusted purchase price paid to the issuer of such qualified equity investment. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the tax year for which the tax credit is claimed. No tax credit claimed under this section shall be refundable or transferable. Tax credits earned by a partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders. Any amount of tax credit that the taxpayer is prohibited by this section from claiming in a taxable year may be carried forward to any of the taxpayer's five subsequent taxable years. The department of economic development shall limit the monetary amount of qualified equity investments permitted under this section to a level necessary to limit tax credit utilization at no more than twenty-five million dollars of tax credits in any fiscal year. Such limitation on qualified equity investments shall be based on the anticipated utilization of credits without regard to the potential for taxpayers to carry forward tax credits to later tax years.

3. The issuer of the qualified equity investment shall certify to the department of economic development the anticipated dollar amount of such investments to be made in this state during the first twelve-month period following the initial credit allowance date. If on the second credit allowance date, the actual dollar amount of such investments is different than the amount estimated, the department of economic development shall adjust the credits arising on the second allowance date to account for such difference.

4. The department of economic development shall recapture the tax credit allowed under this section with respect to such qualified equity investment under this section if:

(1) Any amount of the federal tax credit available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(2) The issuer redeems or makes principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of such qualified equity investment. Any tax credit that is subject to recapture shall be recaptured from the taxpayer that claimed the tax credit on a return.

5. The department of economic development shall promulgate rules to implement the provisions of this section, including recapture provisions on a scaled proportional basis, and to administer the allocation of tax credits issued for qualified equity investments, which shall be conducted on a first-come, first-serve basis. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after September 4, 2007, shall be invalid and void.

6. For fiscal years following fiscal year **[**2010**]** **2015**, qualified equity investments shall not be made under this section unless reauthorization is made pursuant to this subsection. For all fiscal years following fiscal year **[**2010**]** **2015**, unless the general assembly adopts a concurrent resolution granting authority to the department of economic development to approve qualified equity investments for the Missouri new markets development program and clearly describing the amount of tax credits available for the next fiscal year, or otherwise complies with the provisions of this

subsection, no qualified equity investments may be permitted to be made under this section. The amount of available tax credits contained in such a resolution shall not exceed the limitation provided under subsection 2 of this section. In any year in which the provisions of this section shall sunset pursuant to subsection 7 of this section, reauthorization shall be made by general law and not by concurrent resolution. Nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to the expiration of authority to make qualified equity investments from claiming tax credits relating to such qualified equity investment for each applicable credit allowance date.

7. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after September 4, **[**2007**]** **2012**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset. However, nothing in this subsection shall preclude a taxpayer who makes a qualified equity investment prior to sunset of this section under the provisions of section 23.253 from claiming tax credits relating to such qualified equity investment for each credit allowance date."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schieber offered **House Amendment No. 1 to House Amendment No. 11**.

House Amendment No. 1
to
House Amendment No. 11

AMEND House Amendment No. 11 to House Committee Substitute for Senate Bill No. 813, Page 1, Line 2, by inserting after all of said line the following:

'Further amend said bill, Page 2, Section 67.085, Line 22, by inserting after all of said section and line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred

inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieber, **House Amendment No. 1 to House Amendment No. 11** was adopted.

On motion of Representative Zerr, **House Amendment No. 11, as amended**, was adopted.

Representative Ruzicka offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Bill No. 813, Page 30, Section 339.549, Line 17, by inserting after all of said section and line the following:

"**Section 1. 1. There is hereby created in the state treasury the "Law Enforcement Data Sharing Equalization Fund", which shall consist of money collected under section 2. The fund shall be administered by the peace officers standards and training commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the law enforcement data sharing equalization fund system.**

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

Section 2. A surcharge in criminal cases for law enforcement services which are disposed of by a traffic or central violations bureau established pursuant to law or supreme court rule shall be charged in an amount which shall equal the charge by sheriffs, county marshals, or other officers for their services rendered in criminal cases for infractions and the surcharge shall be distributed as follows:

(1) One-half of the surcharge collected shall be forwarded and deposited to the credit of the law enforcement data sharing equalization fund established in section 1 for the operational cost of the law enforcement data sharing equalization fund system; and

(2) One-half of the surcharge collected shall be deposited to the credit of the inmate security fund of t he county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, the funds shall be deposited in the law enforcement data sharing equalization fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruzicka, **House Amendment No. 12** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Lair	Lant	Largent
Lasater	Leach	Lichtenegger	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schoeller	Shumake
Silvey	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McDonald	McGeoghegan	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 022

Asbury	Brattin	Carter	Cross	Diehl
Dugger	Franklin	Hinson	Holsman	Korman
Lauer	Leara	Loehner	May	McManus
Nasheed	Redmon	Richardson	Riddle	Schneider
Smith 150	Mr Speaker			

On motion of Representative Dieckhaus, **HCS SB 813, as amended**, was adopted.

On motion of Representative Dieckhaus, **HCS SB 813, as amended**, was read the third time and passed by the following vote:

AYES: 084

Allen	Atkins	Aull	Bernskoetter	Black
Brandom	Brown 50	Brown 116	Cierpiot	Conway 14
Cox	Crawford	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Korman	Lair	Lant
Largent	Leara	Lichtenegger	Loehner	McGhee
Meadows	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Richardson	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieffer
Smith 71	Solon	Sommer	Stream	Swinger
Taylor	Thomson	Torpey	Webber	Wells
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 070

Anders	Asbury	Bahr	Barnes	Berry
Brattin	Brown 85	Burlison	Carlson	Casey
Cauthorn	Colona	Conway 27	Cookson	Cross
Curtman	Ellinger	Ellington	Frederick	Fuhr
Hampton	Hodges	Holsman	Hughes	Hummel
Kander	Kirkton	Koenig	Kratky	Lampe
Lasater	Leach	Long	Marshall	McCaherty
McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNary	McNeil	Montecillo	Morgan	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Reiboldt	Rizzo	Sater	Schieber	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 150
Spreng	Still	Swearingen	Talboy	Wallingford
Walton Gray	Webb	Weter	White	Wieland

PRESENT: 002

Molendorp	Shumake

ABSENT WITH LEAVE: 007

Carter	Franklin	Lauer	May	Nasheed
Riddle	Schneider			

Representative Pollock declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 084

Allen	Aull	Bernskoetter	Black	Brandom
Brown 50	Brown 116	Carter	Cauthorn	Cierpiot
Conway 14	Cookson	Cox	Crawford	Davis
Day	Denison	Dieckhaus	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Korman	Lair
Lant	Largent	Leara	Lichtenegger	Loehner
McGhee	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Rowland	Ruzicka	Scharnhorst	Schieffer
Shively	Shumake	Smith 71	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Webber	Wright	Wyatt	Zerr	

NOES: 064

Anders	Asbury	Atkins	Bahr	Barnes
Berry	Brown 85	Burlison	Carlson	Casey
Colona	Conway 27	Cross	Curtman	Ellinger
Ellington	Frederick	Fuhr	Hampton	Harris
Hodges	Holsman	Hughes	Hummel	Kirkton
Koenig	Kratky	Lampe	Lasater	Leach
Long	Marshall	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNary	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Sater
Schieber	Schoeller	Schupp	Sifton	Silvey
Spreng	Talboy	Taylor	Wallingford	Walton Gray
Webb	Weter	White	Wieland	

PRESENT: 001

Molendorp

ABSENT WITH LEAVE: 014

Brattin	Diehl	Franklin	Lauer	May
Nasheed	Riddle	Schad	Schatz	Schneider
Still	Swearingen	Wells	Mr Speaker	

HCS SCS SB 625, relating to retirement, was taken up by Representative Jones (117).

Representative Jones (117) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 625, Pages 1 to 4, Sections 50.1130, 50.1140, 56.807, by removing all of said sections from the bill; and

Further amend said bill, Pages 5 to 11, Sections 104.1084 and 104.1091, by removing all of said sections from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Leara offered **House Amendment No. 1 to House Amendment No. 1**.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 625, Page 1, Line 2, by deleting the following, “Pages 1 to 4, Sections 50.1130, 50.1140," and inserting in lieu thereof, “Pages 2 to 4, Section”; and

Further amend said amendment, Page 1, Line 5, by deleting, “Pages 5 to 11, Sections 104.1084 and 104.1091” and inserting in lieu thereof, “Pages 5 to 7, Section 104.1084"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Long	Marshall
McCaherty	McGhee	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller

Shumake	Silvey	Smith 150	Solon	Sommer
Thomson	Torpey	Wallingford	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hughes	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Newman	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 014

Day	Denison	Diehl	Franklin	Lauer
Loehner	McNary	Nasheed	Nichols	Riddle
Schneider	Stream	Wells	Mr Speaker	

On motion of Representative Leara, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dugger	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Korman	Lair
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellington	Fallert	Harris	Hodges	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 015

Day	Denison	Dieckhaus	Diehl	Ellinger
Franklin	Holsman	Koenig	Lauer	Nasheed
Quinn	Riddle	Schneider	Wells	Mr Speaker

On motion of Representative Jones (117), **House Amendment No. 1, as amended**, was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dugger	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Lair	Lant	Largent	Lasater
Leara	Lichtenegger	Loehner	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Weter	Wieland
Wright	Wyatt	Zerr		

NOES: 047

Aull	Black	Brown 50	Carlson	Colona
Conway 27	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hubbard	Hughes	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe

McCann Beatty	McCreery	McDonald	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 028

Anders	Atkins	Carter	Casey	Day
Denison	Dieckhaus	Diehl	Elmer	Franklin
Gatschenberger	Hough	Jones 63	Korman	Lauer
Leach	Long	May	Meadows	Nasheed
Riddle	Schneider	Schoeller	Still	Webb
Wells	White	Mr Speaker		

On motion of Representative Jones (117), **HCS SCS SB 625, as amended**, was adopted.

On motion of Representative Jones (117), **HCS SCS SB 625, as amended**, was read the third time and passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Carter	Casey	Cauthorn
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Fuhr	Funderburk	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Leach	Leara	Lichtenegger
Long	May	McCaherty	McCann Beatty	McCreery
McDonald	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Weter	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 002

Harris Marshall

PRESENT: 000

ABSENT WITH LEAVE: 015

Cierpiot	Day	Dieckhaus	Dugger	Franklin
Gatschenberger	Lauer	Loehner	Nasheed	Redmon
Riddle	Schneider	Wells	White	Wright

Representative Pollock declared the bill passed.

HCS SCS SB 648, relating to transportation, was taken up by Representative Sommer.

Representative Conway (14) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number ....." (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be **[**displayed**] a plate or,** on each side of such motor vehicle, **[**in**]** letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no. ....." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (14), **House Amendment No. 1** was adopted.

Representative Rowland offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said line the following:

"**227.506. The portion of U.S. Highway 160 in the City of Gainesville from the intersection of Highway 5 south of the intersection of County Road 300 in Ozark County shall be designated the "Matthew J. England Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rowland, **House Amendment No. 2** was adopted.

Representative Shumake offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"**186.070. 1. The general assembly, giving due consideration to the experiences and continued interest of former and current members of various statewide advisory boards and commissions, as well as experience on gubernatorial-appointed boards of curators and regents of regional state colleges and universities, does hereby establish the "Missouri Advisory Boards and Commissions Association". This section enables current members and former members of Missouri's Advisory Boards and Commissions and board of curators and regents to join together in a formal organization. This association shall meet on at least an annual basis, determine association membership guidelines, develop a set of bylaws, and issue annual reports and other reports as requested by the general assembly and the executive branch.**

2. The purpose of the Missouri Advisory Boards and Commissions Association is to provide a framework which enables former and current members of Missouri's Advisory Boards and Commissions to share observations and insights derived from their participation as advisory board and commission members and members of boards of curators and regents to study and discuss matters of statewide importance, as well as to report recommendations for further action as requested to the Missouri general assembly and the offices of the governor and lieutenant governor of the State of Missouri.

3. Membership in the Missouri Advisory Boards and Commissions Association is purely voluntary and members shall serve without compensation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shumake, **House Amendment No. 3** was adopted.

Representative Schad offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 3, Section 302.130, Line 87, by inserting after all of said section and line the following:

"302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303. . . . . 2 points

(except any violation of municipal stop sign ordinance where no accident is involved. . . . . 1 point)

(2) Speeding

In violation of a state law. . . . . 3 points

In violation of a county or municipal ordinance. . . . . 2 points

(3) Leaving the scene of an accident in violation of section 577.060. . . . . 12 points

In violation of any county or municipal ordinance. . . . . 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016. . . . . 4 points

In violation of a county or municipal ordinance. . . . . 2 points

(5) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020:

(a) For the first conviction. . . . . 2 points

(b) For the second conviction. . . . . 4 points

(c) For the third conviction. . . . . 6 points

(6) Operating with a suspended or revoked license prior to restoration of operating privileges. . . . 12 points

(7) Obtaining a license by misrepresentation. . . . . 12 points

(8) For the first conviction of driving while in an intoxicated condition or under the influence of controlled substances or drugs. . . . . 8 points

(9) For the second or subsequent conviction of any of the following offenses however combined: driving while in an intoxicated condition, driving under the influence of controlled substances or drugs or driving with a blood alcohol content of eight-hundredths of one percent or more by weight. . . . . 12 points

(10) For the first conviction for driving with blood alcohol content eight-hundredths of one percent or more by weight

In violation of state law. . . . . 8 points

In violation of a county or municipal ordinance or federal law or regulation. . . . . 8 points

(11) Any felony involving the use of a motor vehicle. . . . . 12 points

(12) Knowingly permitting unlicensed operator to operate a motor vehicle. . . . . 4 points

(13) For a conviction for failure to maintain financial responsibility pursuant to county or municipal ordinance or pursuant to section 303.025. . . . . 4 points

(14) Endangerment of a highway worker in violation of section 304.585. . . . . 4 points

(15) Aggravated endangerment of a highway worker in violation of section 304.585. . . . . 12 points

(16) For a conviction of violating a municipal ordinance that prohibits tow truck operators from stopping at or proceeding to the scene of an accident unless they have been requested to stop or proceed to such scene by a party involved in such accident or by an officer of a public safety agency. . . . . 4 points

(17) Endangerment of an emergency responder in violation of section 304.894. . . . . 4 points

(18) Aggravated endangerment of an emergency responder in violation of section 304.894. . 12 points

2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section 302.020, when the director issues such operator a license or permit pursuant to the provisions of sections 302.010 to 302.340.

3. An additional two points shall be assessed when personal injury or property damage results from any violation listed in subdivisions (1) to (13) of subsection 1 of this section and if found to be warranted and certified by the reporting court.

4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this section constitutes both a violation of a state law and a violation of a county or municipal ordinance, points may be assessed for either violation but not for both. Notwithstanding that an offense arising out of the same occurrence could be construed to be a violation of subdivisions (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for offenses arising out of the same occurrence.

5. The director of revenue shall put into effect a system for staying the assessment of points against an operator. The system shall provide that the satisfactory completion of a driver-improvement program or, in the case of violations committed while operating a motorcycle, a motorcycle-rider training course approved by the state highways and transportation commission, by an operator, when so ordered and verified by any court having jurisdiction over any law of this state or county or municipal ordinance, regulating motor vehicles, other than a violation committed in a commercial motor vehicle as defined in section 302.700 or a violation committed by an individual who has been issued a commercial driver's license or is required to obtain a commercial driver's license in this state or any other state, shall be accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision (1), (2) or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. A court using a centralized violation bureau established under section 476.385 may elect to have the bureau order and verify completion of a driver-improvement program or motorcycle-rider training course as prescribed by order of the court. For the purposes of this subsection, the driver-improvement program shall meet or exceed the standards of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a violation which occurred during the operation of a motorcycle, the program shall meet the standards established by the state highways and transportation commission pursuant to sections 302.133 to 302.137. The completion of a driver-improvement program or a motorcycle-rider training course shall not be accepted in lieu of points more than one time in any thirty-six-month period and shall be completed within sixty days of the date of conviction in order to be accepted in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions of this subsection shall, within fifteen days after completion of the driver-improvement program or motorcycle-rider training course by an operator, forward a record of the completion to the director, all other provisions of the law to the contrary notwithstanding. The director shall establish procedures for record keeping and the administration of this subsection."; and

Further amend said bill, Page 9, Section 304.154, Line 64, by inserting after all of said section and line the following:

"**304.890. As used in sections 304.890 to 304.894, the following terms shall mean:**

(1) "Active emergency", any incident occurring on a highway, as the term "highway" is defined in section 302.010, that requires emergency services from any emergency responder;

(2) "Active emergency zone", any area upon or around any highway, which is visibly marked by emergency responders performing work for the purpose of emergency response, and where an active emergency, or incident removal, is temporarily occurring. This area includes the lanes of highway leading up to an active emergency or incident removal, beginning within three hundred feet of visual sighting of:

(a) Appropriate signs or traffic control devices posted or placed by emergency responders; or

(b) An emergency vehicle displaying active emergency lights or signals;

(3) "Emergency responder", any law enforcement officer, paid or volunteer firefighter, first responder, emergency medical worker, tow truck operator, or other emergency personnel responding to an emergency on a highway.

304.892. 1. Upon the first conviction, finding of guilt, or plea of guilty by any person for a moving violation, as the term "moving violation" is defined in section 302.010, or any offense listed in section 302.302, other than a violation described in subsection 2 of this section, when the violation or offense occurs within an active emergency zone, the court shall assess a fine of thirty-five dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of seventy-five dollars in addition to any other fine authorized by law.

2. Upon the first conviction, finding of guilt, or plea of guilty by any person for a speeding violation under either section 304.009 or 304.010, or a passing violation under subsection 3 of this section, when the violation or offense occurs within an active emergency zone and emergency responders were present in such zone at the time of the offense or violation, the court shall assess a fine of two hundred fifty dollars in addition to any other fine authorized by law. Upon a second or subsequent conviction, finding of guilt, or plea of guilty, the court shall assess a fine of three hundred dollars in addition to any other fine authorized by law. However, no person assessed an additional fine under this subsection shall also be assessed an additional fine under subsection 1 of this section.

3. The driver of a motor vehicle may not overtake or pass another motor vehicle within an active emergency zone. Violation of this subsection is a class C misdemeanor.

4. The additional fines imposed by this section shall not be construed to enhance the assessment of court costs or the assessment of points under section 302.302.

304.894. 1. A person commits the offense of endangerment of an emergency responder for any of the following offenses when the offense occurs within an active emergency zone:

(1) Exceeding the posted speed limit by fifteen miles per hour or more;

(2) Passing in violation of subsection 3 of section 304.892;

(3) Failure to stop for an active emergency zone flagman or emergency responder, or failure to obey traffic control devices erected, or personnel posted, in the active emergency zone for purposes of controlling the flow of motor vehicles through the zone;

(4) Driving through or around an active emergency zone via any lane not clearly designated for motorists to control the flow of traffic through or around the active emergency zone;

(5) Physically assaulting, attempting to assault, or threatening to assault an emergency responder with a motor vehicle or other instrument;

(6) Intentionally striking, moving, or altering barrels, barriers, signs, or other devices erected to control the flow of traffic to protect emergency responders and motorists unless the action was necessary to avoid an obstacle, an emergency, or to protect the health and safety of an occupant of the motor vehicle or of another person; or

(7) Committing any of the following offenses for which points may be assessed under section 302.302:

(a) Leaving the scene of an accident in violation of section 577.060;

(b) Careless and imprudent driving in violation of subsection 4 of section 304.016;

(c) Operating without a valid license in violation of subdivision (1) or (2) of subsection 1 of section 302.020;

(d) Operating with a suspended or revoked license;

(e) Driving while in an intoxicated condition or under the influence of controlled substances or drugs or driving with an excessive blood alcohol content;

(f) Any felony involving the use of a motor vehicle.

2. Upon a finding of guilt or a plea of guilty for committing the offense of endangerment of an emergency responder under subsection 1 of this section, if no injury or death to an emergency responder resulted from the offense, the court shall assess a fine of not more than one thousand dollars, and four points shall be assessed to the operator's license pursuant to section 302.302.

3. A person commits the offense of aggravated endangerment of an emergency responder upon a finding of guilt or a plea of guilty for any offense under subsection 1 of this section when such offense results in the injury or death of an emergency responder. Upon a finding of guilt or a plea of guilty for committing the offense of aggravated endangerment of an emergency responder, in addition to any other penalty authorized by law, the court shall assess a fine of not more than five thousand dollars if the offense resulted in injury to an emergency responder, and ten thousand dollars if the offense resulted in the death of an emergency responder. In addition, twelve points shall be assessed to the operator's license pursuant to section 302.302.

4. Except for the offense established under subdivision (6) of subsection 1 of this section, no person shall be deemed to have committed the offense of endangerment of an emergency responder except when the act or omission constituting the offense occurred when one or more emergency responders were responding to an active emergency.

5. No person shall be cited for, or found guilty of, endangerment of an emergency responder or aggravated endangerment of an emergency responder, for any act or omission otherwise constituting an offense under subsection 1 of this section, if such act or omission resulted in whole or in part from mechanical failure of the person's vehicle, or from the negligence of another person or emergency responder."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 4** was adopted.

Representative Jones (117) offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

"302.060. 1. The director shall not issue any license and shall immediately deny any driving privilege:

(1) To any person who is under the age of eighteen years, if such person operates a motor vehicle in the transportation of persons or property as classified in section 302.015;

(2) To any person who is under the age of sixteen years, except as hereinafter provided;

(3) To any person whose license has been suspended, during such suspension, or to any person whose license has been revoked, until the expiration of one year after such license was revoked;

(4) To any person who is an habitual drunkard or is addicted to the use of narcotic drugs;

(5) To any person who has previously been adjudged to be incapacitated and who at the time of application has not been restored to partial capacity;

(6) To any person who, when required by this law to take an examination, has failed to pass such examination;

(7) To any person who has an unsatisfied judgment against such person, as defined in chapter 303, until such judgment has been satisfied or the financial responsibility of such person, as defined in section 303.120, has been established;

(8) To any person whose application shows that the person has been convicted within one year prior to such application of violating the laws of this state relating to failure to stop after an accident and to disclose the person's identity or driving a motor vehicle without the owner's consent;

(9) To any person who has been convicted more than twice of violating state law, or a county or municipal ordinance where the defendant was represented by or waived the right to an attorney in writing, relating to driving while intoxicated; except that, after the expiration of ten years from the date of conviction of the last offense of violating such law or ordinance relating to driving while intoxicated, a person who was so convicted may petition the circuit court of the county in which such last conviction was rendered and the court shall review the person's habits and conduct since such conviction. If the court finds that the petitioner has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding ten years and that the petitioner's habits and conduct show such petitioner to no longer pose a threat to the public safety of this state, the court may order the director to issue a license to the petitioner if the petitioner is otherwise qualified pursuant to the provisions of sections 302.010 to 302.540. No person may obtain a license pursuant to the provisions of this subdivision through court action more than one time;

(10) To any person who has been convicted twice within a five-year period of violating state law, or a county or municipal ordinance, of driving while intoxicated, or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023, or who has been convicted of the crime of involuntary manslaughter while operating a motor vehicle in an intoxicated condition. The director shall not issue a license to such person for five years from the date such person was convicted or pled guilty for involuntary manslaughter while operating a motor vehicle in an intoxicated condition or for driving while intoxicated or any other intoxication-related traffic offense as defined in subdivision (4) of subsection 1 of section 577.023 for the second time;

(11) To any person who is otherwise disqualified pursuant to the provisions of sections 302.010 to 302.780, chapter 303, or section 544.046;

(12) To any person who is under the age of eighteen years, if such person's parents or legal guardians file a certified document with the department of revenue stating that the director shall not issue such person a driver's license. Each document filed by the person's parents or legal guardians shall be made upon a form furnished by the director and shall include identifying information of the person for whom the parents or legal guardians are denying the driver's license. The document shall also contain identifying information of the person's parents or legal guardians. The document shall be certified by the parents or legal guardians to be true and correct. This provision shall not apply to any person who is legally emancipated. The parents or legal guardians may later file an additional document with the department of revenue which reinstates the person's ability to receive a driver's license.

2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. **The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.** The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered**

any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible."; and

Further amend said bill, Page 5, Section 302.304, Line 37, by inserting after the period "." on said line, the following:

"**If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such seventy-five-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations.**"; and

Further amend said bill, page, and section, Line 39, by inserting after the comma "," on said line, the following:

"**or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,**"; and

Further amend said bill, Page 7, Section 302.304, Line 137, by inserting after the period "." on said line, the following:

"**If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.**"; and

Further amend said bill, page, and section, Line 139, by inserting after all of said section and line, the following:

"302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

(b) Seeking medical treatment for such operator;

(c) Attending school or other institution of higher education;

(d) Attending alcohol or drug treatment programs;

(e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection, **or a license revocation under paragraph (h) of subdivision (6) of this subsection,** until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. **The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.**

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; **[**or**]**

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed **the first forty-five days of** such revocation**, provided the person is not otherwise ineligible for a limited driving privilege**.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**three years**] forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**three years**] forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**two years**] forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**two years**] forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section**. If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. Upon completion of such seventy-five day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated**;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Pages 13-14, Section 577.600, Lines 1-45, by deleting all of said section and lines from the bill; and

Further amend said bill, Pages 14-15, Section 577.606, Lines 1-21, by deleting all of said section and lines from the bill; and

Further amend said bill, Page 15, Section 577.606, Line 21, by inserting after all of said section and line, the following:

"Section B. The repeal and reenactment of sections 302.304, 302.309, and 302.525 shall become effective October 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 5** was adopted.

Representative Gosen offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Pages 7-9, Section 304.154, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 6** was adopted.

Representative Johnson offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by inserting after all of said section and line, the following:

"**301.4042. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Pony Express Museum in St. Joseph, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Pony Express Museum will provide a logo to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Pony Express Museum derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Pony Express Museum. Any person may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Pony Express Museum, the museum shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the rider on horseback emblem, and the words "Pony Express" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Pony Express Museum's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Pony Express Museum's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Pony Express specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 7** was adopted.

Representative Gatschenberger offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 1, Section A, Line 3, by after all of said section and line inserting the following:

"**227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.**

301.3163. Any person may apply for **[**special**]** **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**]** **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**]** **director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**]** **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 8** was adopted.

Representative Meadows offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 648, Page 3, Section 302.130, Line 87, by inserting after all of said section and line the following:

"302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed **or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license**, but not where **[**the**] a** license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license.

302.188. 1. A person may apply to the department of revenue to obtain a veteran designation on a driver's license or identification card issued under this chapter by providing:

(1) A United States Department of Defense discharge document, otherwise known as a DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States; and

(2) Payment of the fee for the driver's license or identification card authorized under this chapter.

2. If the person is seeking a duplicate driver's license with the veteran designation and his or her driver's license has not expired, the fee shall be as provided under section 302.185.

3. The department of revenue may determine the appropriate placement of the veteran designation on the driver's licenses and identification cards authorized under this section and may promulgate the necessary rules for administration of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Meadows, **House Amendment No. 9** was adopted.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franz
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Lair

Lant	Largent	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Schad	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Weter	Wieland	Wright	Wyatt	Zerr

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Newman	Nichols
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Smith 71	Spreng	Still
Swinger	Talboy	Taylor	Walton Gray	Webb
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 022

Dieckhaus	Dugger	Franklin	Frederick	Hubbard
Hughes	Jones 89	Korman	Lasater	Lauer
Long	Molendorp	Nasheed	Oxford	Riddle
Ruzicka	Sater	Sifton	Swearingen	Wells
White	Mr Speaker			

On motion of Representative Sommer, **HCS SCS SB 648, as amended**, was adopted.

On motion of Representative Sommer, **HCS SCS SB 648, as amended**, was read the third time and passed by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carter	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Diehl
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Leach	Leara	Lichtenegger	Loehner
Long	May	McCaherty	McCann Beatty	McDonald

McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Solon	Sommer	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Webber	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 017

Carlson	Colona	Ellinger	Ellington	Kirkton
Marshall	McCreery	McNeil	Montecillo	Morgan
Newman	Oxford	Pace	Schupp	Smith 71
Spreng	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 016

Cross	Dieckhaus	Dugger	Franklin	Hubbard
Hughes	Lant	Lasater	Lauer	Riddle
Scharnhorst	Sifton	Smith 150	Webb	Wells
Mr Speaker				

Representative Pollock declared the bill passed.

Representative Funderburk assumed the Chair.

HCS SB 701, relating to road use, was taken up by Representative Wright.

Representative Rowland offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 701, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"**227.506. The portion of U.S. Highway 160 in the City of Gainesville from the intersection of Highway 5 south of the intersection of County Road 300 in Ozark County shall be designated the "Matthew J. England Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Rowland, **House Amendment No. 1** was adopted.

Representative Gosen offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 701, Pages 15-17, Section 304.154, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gosen, **House Amendment No. 2** was adopted.

Representative Fitzwater offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 701, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"**227.508. The portion of Highway 21 in Iron County from the intersection of Highway 221 south to the intersection of Highway 72 shall be designated the "Staff Sergeant Norman J. Inman Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Fitzwater, **House Amendment No. 3** was adopted.

Representative Elmer offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said section and line the following:

"**301.4038. Any person who has received a Navy Cross awarded under Section 6242 of Title 20 of the United States Code may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the Navy Cross as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the advisory committee established in section 301.129, with the words "NAVY CROSS" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the Navy Cross. There shall be an additional fee charged for each set of Navy Cross license plates issued under this section equal to the fee charged for personalized license plates. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 4** was adopted.

Representative Burlison offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 701, Pages 2-6, Section 260.392, by deleting said section and inserting in lieu thereof the following:

"260.392. 1. As used in sections 260.392 to 260.399, the following terms mean:

(1) "Cask", all the components and systems associated with the container in which spent fuel, high-level radioactive waste, highway route controlled quantity, or transuranic radioactive waste are stored;

(2) "High-level radioactive waste", the highly radioactive material resulting from the reprocessing of spent nuclear fuel including liquid waste produced directly in reprocessing and any solid material derived from such liquid waste that contains fission products in sufficient concentrations, and other highly radioactive material that the United States Nuclear Regulatory Commission has determined to be high-level radioactive waste requiring permanent isolation;

(3) "Highway route controlled quantity", as defined in 49 CFR Part 173.403, as amended, a quantity of radioactive material within a single package. Highway route controlled quantity shipments of thirty miles or less within the state are exempt from the provisions of this section;

(4) "Low-level radioactive waste", any radioactive waste not classified as high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel by the United States Nuclear Regulatory Commission, consistent with existing law. Shipment of all sealed sources meeting the definition of low-level radioactive waste, shipments of low-level radioactive waste that are within a radius of no more than fifty miles from the point of origin, and all naturally occurring radioactive material given written approval for landfill disposal by the Missouri department of natural resources under 10 CSR 80-3.010 are exempt from the provisions of this section. Any low-level radioactive waste that has a radioactive half-life equal to or less than one hundred twenty days is exempt from the provisions of this section;

(5) "Shipper", the generator, owner, or company contracting for transportation by truck or rail of the spent fuel, high-level radioactive waste, highway route controlled quantity shipments, transuranic radioactive waste, or low-level radioactive waste;

(6) "Spent nuclear fuel", fuel that has been withdrawn from a nuclear reactor following irradiation, the constituent elements of which have not been separated by reprocessing;

(7) "State-funded institutions of higher education", any campus of any university within the state of Missouri that receives state funding and has a nuclear research reactor;

(8) "Transuranic radioactive waste", defined in 40 CFR Part 191.02, as amended, as waste containing more than one hundred nanocuries of alpha-emitting transuranic isotopes with half-lives greater than twenty years, per gram of waste. For the purposes of this section, transuranic waste shall not include:

(a) High-level radioactive wastes;

(b) Any waste determined by the Environmental Protection Agency with the concurrence of the Environmental Protection Agency administrator that does not need the degree of isolation required by this section; or

(c) Any waste that the United States Nuclear Regulatory Commission has approved for disposal on a case-by-case basis in accordance with 10 CFR Part 61, as amended.

2. Any shipper that ships high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state shall be subject to the fees established in this subsection, provided that no state-funded institution of higher education that ships nuclear waste shall pay any such fee. These higher education institutions shall reimburse the Missouri state highway patrol directly for all costs related to shipment escorts. The fees for all other shipments shall be:

(1) One thousand eight hundred dollars for each **[**cask transported**]** **truck transporting** through or within the state **[**by truck of**]** high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel or highway route controlled quantity shipments. All **[**casks**]** **truck shipments** of high-level radioactive waste, transuranic radioactive waste, spent nuclear fuel, or highway route controlled quantity shipments **[**transported by truck**]** are subject to a surcharge of twenty-five dollars per mile for every mile over two hundred miles traveled within the state;

(2) One thousand three hundred dollars for the first cask and one hundred twenty-five dollars for each additional cask for each rail shipment through or within the state of high-level radioactive waste, transuranic radioactive waste, or spent nuclear fuel;

(3) One hundred twenty-five dollars for each truck or train transporting low-level radioactive waste through or within the state. The department of natural resources may accept an annual shipment fee as negotiated with a shipper or accept payment per shipment.

3. All revenue generated from the fees established in subsection 2 of this section shall be deposited into the environmental radiation monitoring fund established in section 260.750 and shall be used by the department of natural resources to achieve the following objectives and for purposes related to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste, including, but not limited to:

(1) Inspections, escorts, and security for waste shipment and planning;

(2) Coordination of emergency response capability;

(3) Education and training of state, county, and local emergency responders;

(4) Purchase and maintenance of necessary equipment and supplies for state, county, and local emergency responders through grants or other funding mechanisms;

(5) Emergency responses to any transportation incident involving the high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste;

(6) Oversight of any environmental remediation necessary resulting from an incident involving a shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste. Reimbursement for oversight of any such incident shall not reduce or eliminate the liability of any party responsible for the incident; such party may be liable for full reimbursement to the state or payment of any other costs associated with the cleanup of contamination related to a transportation incident;

(7) Administrative costs attributable to the state agencies which are incurred through their involvement as it relates to the shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste through or within the state.

4. Nothing in this section shall preclude any other state agency from receiving reimbursement from the department of natural resources and the environmental radiation monitoring fund for services rendered that achieve the objectives and comply with the provisions of this section.

5. Any unencumbered balance in the environmental radiation monitoring fund that exceeds three hundred thousand dollars in any given fiscal year shall be returned to shippers on a pro rata basis, based on the shipper's contribution into the environmental radiation monitoring fund for that fiscal year.

6. The department of natural resources, in coordination with the department of health and senior services and the department of public safety, may promulgate rules necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

7. All funds deposited in the environmental radiation monitoring fund through fees established in subsection 2 of this section shall be utilized, subject to appropriation by the general assembly, for the administration and enforcement of this section by the department of natural resources. All interest earned by the moneys in the fund shall accrue to the fund.

8. All fees shall be paid to the department of natural resources prior to shipment.

9. Notice of any shipment of high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, or spent nuclear fuel through or within the state shall be provided by the shipper to the governor's designee for advanced notification, as described in 10 CFR Parts 71 and 73, as amended, prior to such shipment entering the state. Notice of any shipment of low-level radioactive waste through or within the state shall be provided by the shipper to the Missouri department of natural resources before such shipment enters the state.

10. Any shipper who fails to pay a fee assessed under this section, or fails to provide notice of a shipment, shall be liable in a civil action for an amount not to exceed ten times the amount assessed and not paid. The action shall be brought by the attorney general at the request of the department of natural resources. If the action involves a facility domiciled in the state, the action shall be brought in the circuit court of the county in which the facility is located. If the action does not involve a facility domiciled in the state, the action shall be brought in the circuit court of Cole County.

11. Beginning on December 31, 2009, and every two years thereafter, the department of natural resources shall prepare and submit a report on activities of the environmental radiation monitoring fund to the general assembly. This report shall include information on fee income received and expenditures made by the state to enforce and administer the provisions of this section.

12. The provisions of this section shall not apply to high-level radioactive waste, transuranic radioactive waste, highway route controlled quantity shipments, spent nuclear fuel, or low-level radioactive waste shipped by or for the federal government for military or national defense purposes.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after August 28, 2009, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Burlison, **House Amendment No. 5** was adopted.

Representative Conway (14) offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said section and line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number ....." (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be **[**displayed**] a plate or,** on each side of such motor vehicle, **[**in**]** letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, **to display** the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no. ....." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other person shall use such a motor vehicle for other than official purposes.

3. For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photocopy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

4. As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, sheltered workshop, as defined in section 178.900, and any interstate compact agency which operates a public mass transportation system."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Conway (14), **House Amendment No. 6** was adopted.

Representative Pollock offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said section and line, the following:

"**301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill, Page 17, Section 304.154, Line 64, by inserting after all of said section and line, the following:

"**Section 1. 1. The department of transportation shall designate a sign at 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate a sign at 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 7** was adopted.

Representative Solon offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 701, Page 2, Section 142.932, Line 29, by inserting after all of said line the following:

"260.247. 1. Any city or political subdivision which annexes an area or enters into or expands solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities, for commercial or residential services, shall notify the private entity or entities of its intent to provide solid waste collection services in the area by certified mail.

2. A city or political subdivision shall not commence solid waste collection in such area for at least two years from the effective date of the annexation or at least two years from the effective date of the notice that the city or political subdivision intends to enter into the business of solid waste collection or to expand existing solid waste collection services into the area, unless the city or political subdivision contracts with the private entity or entities to continue such services for that period. If for any reason the city or political subdivision does not exercise its option to provide for or contract for the provision of services within an affected area within three years from the effective date of the notice, then the city or political subdivision shall renotify under subsection 1 of this section.

3. If the services to be provided under a contract with the city or political subdivision pursuant to subsection 2 of this section are substantially the same as the services rendered in the area prior to the decision of the city to annex the area or to enter into or expand its solid waste collection services into the area, the amount paid by the city shall be at least equal to the amount the private entity or entities would have received for providing such services during that period.

4. Any private entity or entities which provide collection service in the area which the city or political subdivision has decided to annex or enter into or expand its solid waste collection services into shall make available upon written request by the city not later than thirty days following such request all information in its possession or control which pertains to its activity in the area necessary for the city to determine the nature and scope of the potential contract.

5. **If a home rule city with more than fifty-two thousand but fewer than sixty-four thousand inhabitants located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants intends to expand solid waste collection services into an area where the collection of solid waste is presently being provided by one or more private entities such intent shall be put to a vote of the people in the area where the city or political subdivision intends to expand.**

6. The provisions of this section shall apply to private entities that service fifty or more residential accounts or any commercial accounts in the area in question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Franz	Frederick	Funderburk	Gatschenberger	Gosen
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 054

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Webb	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Colona	Curtman	Dieckhaus	Diehl
Dugger	Fraker	Franklin	Fuhr	Grisamore
Kelley 126	Kelly 24	Lasater	Lauer	Meadows
Schieber	White			

On motion of Representative Solon, **House Amendment No. 8** was adopted.

Representative Shumake offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting after all of said line and section and line the following:

"302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed **or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license**, but not where **[**the**] a** license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license.

302.188. 1. A person may apply to the department of revenue to obtain a veteran designation on a driver's license or identification card issued under this chapter by providing:

(1) A United States Department of Defense discharge document, otherwise known as a DD Form 214, that shows a discharge status of "honorable" or "general under honorable conditions" that establishes the person's service in the armed forces of the United States; and

(2) Payment of the fee for the driver's license or identification card authorized under this chapter.

2. If the person is seeking a duplicate driver's license with the veteran designation and his or her driver's license has not expired, the fee shall be as provided under section 302.185.

3. The department of revenue may determine the appropriate placement of the veteran designation on the driver's licenses and identification cards authorized under this section and may promulgate the necessary rules for administration of this section.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Shumake, **House Amendment No. 9** was adopted.

Representative Johnson offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Bill No. 701, Page 14, Section 301.010, Line 283, by inserting immediately after said line the following:

"**301.4042. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Pony Express Museum in St. Joseph, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Pony Express Museum will provide a logo to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Pony Express Museum derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Pony Express Museum. Any person may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Pony Express Museum, the museum shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required

by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the rider on horseback emblem, and the words "Pony Express" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Pony Express Museum's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Pony Express Museum's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Pony Express specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 10** was adopted.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Bahr	Bernskoetter	Berry	Brandom
Brattin	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franz	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Scharnhorst	Schatz	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon

Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellington
Fallert	Harris	Hodges	Hubbard	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
May	McCann Beatty	McCreery	McDonald	McGeoghegan
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Still	Swearingen	Swinger	Talboy	Taylor
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 029

Asbury	Barnes	Colona	Curtman	Denison
Dieckhaus	Diehl	Ellinger	Franklin	Frederick
Fuhr	Hinson	Holsman	Hughes	Jones 63
Largent	Lasater	Lauer	Long	McGhee
McManus	Meadows	Pace	Richardson	Sater
Schad	Spreng	Walton Gray	Mr Speaker	

On motion of Representative Wright, **HCS SB 701, as amended**, was adopted.

On motion of Representative Wright, **HCS SB 701, as amended**, was read the third time and passed by the following vote:

AYES: 107

Allen	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Hough	Houghton	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Leach
Leara	Lichtenegger	Loehner	Marshall	McCaherty
McDonald	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Schad	Schatz	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Solon

Sommer	Stream	Swinger	Wallingford	Webber
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 035

Anders	Carlson	Carter	Ellington	Hoskins
Hubbard	Hummel	Jones 63	Kirkton	May
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieber	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Torpey	Walton Gray	Webb

PRESENT: 000

ABSENT WITH LEAVE: 021

Asbury	Colona	Denison	Dieckhaus	Diehl
Ellinger	Franklin	Fuhr	Holsman	Hughes
Lasater	Lauer	Long	Meadows	Nasheed
Richardson	Sater	Scharnhorst	Smith 150	Thomson
Mr Speaker				

Representative Funderburk declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 469, as amended**, and has taken up and passed **HCS SS SCS SB 469, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS#2 SCS SB 480, as amended**: Senators Stouffer, Kehoe, Engler, McKenna and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 673, as amended**: Senators Brown, Richard, Wasson, McKenna and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 682, as amended**, and has taken up and passed **HCS SS SCS SB 682, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 726, as amended**: Senators Parson, Kehoe, Engler, Callahan and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 749, as amended**: Senators Lamping, Dempsey, Richard, Justus and Curls.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 769, as amended**, and requests the House to recede from its position and, failing to do so, grants the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 854, as amended**: Senators Mayer, Goodman, Crowell, Keaveny and Curls.

BILL CARRYING REQUEST MESSAGE

HCS SS SB 769, as amended, relating to state and local standards, was taken up by Representative Cierpiot.

Representative Cierpiot moved that the House refuse to recede from its position on **HCS SS SB 769, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1072, relating to the Volunteer Health Service Act, was taken up by Representative Sater.

Representative Sater moved that the House refuse to adopt **SCS HCS HB 1072** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

SS#2 SCS HB 1170, as amended, relating to special property tax assessments, was taken up by Representative Franz.

Representative Franz moved that the House refuse to adopt **SS#2 SCS HB 1170, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS#2 SCS SB 729, relating to political subdivisions, was taken up by Representative Kelly (24).

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 69, Section 321.228, Line 26, by inserting after the word "**construction**" the following:

"**. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Hough offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 68, Section 162.485, Lines 1 to 11, by deleting said section from the bill; and

Further amend said bill, Page 81, Section 1, Lines 1 to 14, by deleting said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hough, **House Amendment No. 2** was adopted.

Representative Franz offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 7, Section 52.240, Line 27, by inserting after all of said line the following:

"57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived

as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section**[**; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence**]. The funds collected pursuant to this section, not to exceed fifty thousand dollars in any calendar year**, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars**[**, other than regular budget allocations or land sale proceeds,**] in any calendar year** shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county treasury and the county treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 3** was adopted.

Representative Cox offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 77, Section 557.011, Line 42, by inserting after all of said section and line, the following:

"610.020. 1. All public governmental bodies shall give notice of the time, date, and place of each meeting, and its tentative agenda, in a manner reasonably calculated to advise the public of the matters to be considered, and if the meeting will be conducted by telephone or other electronic means, the notice of the meeting shall identify the mode by which the meeting will be conducted and the designated location where the public may observe and attend the meeting. If a public body plans to meet by Internet chat, Internet message board, or other computer link, it shall post a notice of the meeting on its website in addition to its principal office and shall notify the public how to access that meeting. Reasonable notice shall include making available copies of the notice to any **member of the public or** representative of the news media who requests notice of meetings of a particular public governmental body concurrent with the notice being made available to the members of the particular governmental body and posting the notice on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the body holding the meeting, or if no such office exists, at the building in which the meeting is to be held.

2. Notice conforming with all of the requirements of subsection 1 of this section shall be given at least **[**twenty-four**] forty-eight** hours, **or twenty-four hours for the general assembly and any committee thereof,** exclusive

of weekends and holidays when the facility is closed, prior to the commencement of any meeting of a governmental body unless for good cause such notice is impossible or impractical, in which case as much notice as is reasonably possible shall be given. Each meeting shall be held at a place reasonably accessible to the public and of sufficient size to accommodate the anticipated attendance by members of the public, and at a time reasonably convenient to the public, unless for good cause such a place or time is impossible or impractical. Every reasonable effort shall be made to grant special access to the meeting to handicapped or disabled individuals.

3. A public body shall allow for the recording by audiotape, videotape, or other electronic means of any open meeting. A public body may establish guidelines regarding the manner in which such recording is conducted so as to minimize disruption to the meeting. No audio recording of any meeting, record, or vote closed pursuant to the provisions of section 610.021 shall be permitted without permission of the public body; any person who violates this provision shall be guilty of a class C misdemeanor.

4. When it is necessary **for such governmental bodies** to hold a meeting on less than **[**twenty-four**] forty-eight** hours' notice, **or twenty-four hours' notice for the general assembly and any committee thereof,** or at a place that is not reasonably accessible to the public, or at a time that is not reasonably convenient to the public, the nature of the good cause justifying that departure from the normal requirements shall be stated in the minutes.

5. A formally constituted subunit of a parent governmental body may conduct a meeting without notice as required by this section during a lawful meeting of the parent governmental body, a recess in that meeting, or immediately following that meeting, if the meeting of the subunit is publicly announced at the parent meeting and the subject of the meeting reasonably coincides with the subjects discussed or acted upon by the parent governmental body.

6. If another provision of law requires a manner of giving specific notice of a meeting, hearing or an intent to take action by a governmental body, compliance with that section shall constitute compliance with the notice requirements of this section.

7. A journal or minutes of open and closed meetings shall be taken and retained by the public governmental body, including, but not limited to, a record of any votes taken at such meeting. The minutes shall include**, but not be limited to,** the date, time, place, members present, members absent**,** and a record of any votes taken. When a roll call vote is taken, the minutes shall attribute each "yea" and "nay" vote or abstinence if not voting to the name of the individual member of the public governmental body. **Minutes shall reflect a summary of the discussions occurring during any closed meeting, but nothing in this subsection shall require the disclosure of records or votes that are properly closed under section 610.021.**"; and

Further amend said bill, Pages 77-80, Section 610.021, Lines 1-114, by deleting all of said section and lines and inserting in lieu thereof, the following:

"610.021. Except to the extent disclosure is otherwise required by law, a public governmental body is authorized to close meetings, records and votes, to the extent they relate to the following:

(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be **[**made public**] publicly disclosed in an open meeting** upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be **[**announced or become public**] publicly disclosed in an open meeting** immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record**. When public disclosure in an open meeting is prescribed, such disclosure shall be done orally or in writing, or both, and shall occur at the next scheduled open meeting of the public body, or at the resumption of a recessed or subsequent open meeting, whatever is applicable soonest to the time lines for disclosure as prescribed in this section**;

(2) Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor. However, any minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real estate by a public governmental body shall be made public upon execution of the lease, purchase or sale of the real estate;

(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. However, any vote on a final decision, when taken by a public governmental body, to hire, fire, promote or discipline an employee of a public governmental body shall be made available with a record of how each member voted to the public within seventy-two hours of the close of the meeting where such action occurs; provided, however, that any employee so affected shall be entitled to prompt notice of such decision during the seventy-two-hour period before such decision is made available to the public.

As used in this subdivision, the term "personal information" means information relating to the performance or merit of individual employees;

(4) The state militia or national guard or any part thereof;

(5) Nonjudicial mental or physical health proceedings involving identifiable persons, including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment;

(6) Scholastic probation, expulsion, or graduation of identifiable individuals, including records of individual test or examination scores; however, personally identifiable student records maintained by public educational institutions shall be open for inspection by the parents, guardian or other custodian of students under the age of eighteen years and by the parents, guardian or other custodian and the student if the student is over the age of eighteen years;

(7) Testing and examination materials, before the test or examination is given or, if it is to be given again, before so given again;

(8) Welfare cases of identifiable individuals;

(9) Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups;

(10) Software codes for electronic data processing and documentation thereof;

(11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid;

(12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected;

(13) Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment, except that this exemption shall not apply to the names, positions, salaries and lengths of service of officers and employees of public agencies once they are employed as such, and the names of private sources donating or contributing money to the salary of a chancellor or president at all public colleges and universities in the state of Missouri and the amount of money contributed by the source;

(14) Records which are protected from disclosure by law;

(15) Meetings and public records relating to scientific and technological innovations in which the owner has a proprietary interest;

(16) Records relating to municipal hotlines established for the reporting of abuse and wrongdoing;

(17) Confidential or privileged communications between a public governmental body and its auditor, including all auditor work product; however, all final audit reports issued by the auditor are to be considered open records pursuant to this chapter;

(18) Operational guidelines and policies developed, adopted, or maintained by any public agency responsible for law enforcement, public safety, first response, or public health for use in responding to or preventing any critical incident which is or appears to be terrorist in nature and which has the potential to endanger individual or public safety or health. Nothing in this exception shall be deemed to close information regarding expenditures, purchases, or contracts made by an agency in implementing these guidelines or policies. When seeking to close information pursuant to this exception, the agency shall affirmatively state in writing that disclosure would impair its ability to protect the safety or health of persons, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records. This exception shall sunset on December 31, **[**2012**]** **2016**;

(19) Existing or proposed security systems and structural plans of real property owned or leased by a public governmental body, and information that is voluntarily submitted by a nonpublic entity owning or operating an infrastructure to any public governmental body for use by that body to devise plans for protection of that infrastructure, the public disclosure of which would threaten public safety:

(a) Records related to the procurement of or expenditures relating to security systems purchased with public funds shall be open;

(b) When seeking to close information pursuant to this exception, the public governmental body shall affirmatively state in writing that disclosure would impair the public governmental body's ability to protect the security or safety of persons or real property, and shall in the same writing state that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

(c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the receiving agency within ninety days of submission to determine if retention of the document is necessary in furtherance of a state security interest. If retention is not necessary, the documents shall be returned to the nonpublic governmental body or destroyed;

(d) This exception shall sunset on December 31, **[**2012**]** **2016**;

(20) Records that identify the configuration of components or the operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or unlawful disruption of a computer, computer system, computer network, or telecommunications network of a public governmental body. This exception shall not be used to limit or deny access to otherwise public records in a file, document, data file or database containing public records. Records related to the procurement of or expenditures relating to such computer, computer system, computer network, or telecommunications network, including the amount of moneys paid by, or on behalf of, a public governmental body for such computer, computer system, computer network, or telecommunications network shall be open;

(21) Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes that are used to protect the security of electronic transactions between a public governmental body and a person or entity doing business with a public governmental body. Nothing in this section shall be deemed to close the record of a person or entity using a credit card held in the name of a public governmental body or any record of a transaction made by a person using a credit card or other method of payment for which reimbursement is made by a public governmental body; and

(22) Records submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research and which contains sales projections or other business plan information the disclosure of which may endanger the competitiveness of a business.

610.022. 1. Except as set forth in subsection 2 of this section, no meeting or vote may be closed without an affirmative public vote of the majority of a quorum of the public governmental body. The vote of each member of the public governmental body on the question of closing a public meeting or vote and the specific reason for closing that public meeting or vote by reference to a specific section of this chapter shall be announced publicly at an open meeting of the governmental body and entered into the minutes.

2. A public governmental body proposing to hold a closed meeting or vote shall give notice of the time, date and place of such closed meeting or vote and the reason for holding it by reference to the specific exception allowed pursuant to the provisions of section 610.021. Such notice shall comply with the procedures set forth in section 610.020 for notice of a public meeting.

3. Any meeting or vote closed pursuant to section 610.021 shall be closed only to the extent necessary for the specific reason announced to justify the closed meeting or vote. Public governmental bodies shall not discuss any business in a closed meeting, record or vote which does not directly relate to the specific reason announced to justify the closed meeting or vote. **Only members of a public governmental body, their attorney and staff assistants, and any other person necessary to provide information needed by or requested by the public governmental body in regard to the matter being discussed shall be permitted in a closed meeting.** Public governmental bodies holding a closed meeting shall close only an existing portion of the meeting facility necessary to house the members of the public governmental body in the closed session, allowing members of the public to remain to attend any subsequent open session held by the public governmental body following the closed session.

4. Nothing in sections 610.010 to 610.028 shall be construed as to require a public governmental body to hold a closed meeting, record or vote to discuss or act upon any matter.

5. Public records shall be presumed to be open unless otherwise exempt pursuant to the provisions of this chapter.

6. In the event any member of a public governmental body makes a motion to close a meeting, or a record, or a vote from the public and any other member believes that such motion, if passed, would cause a meeting, record or vote to be closed from the public in violation of any provision in this chapter, such latter member shall state his or her objection to the motion at or before the time the vote is taken on the motion. The public governmental body shall enter in the minutes of the public governmental body any objection made pursuant to this subsection. Any member making such an objection shall be allowed to fully participate in any meeting, record or vote that is closed from the public over the member's objection. In the event the objecting member also voted in opposition to the motion to close the meeting, record or vote at issue, the objection and vote of the member as entered in the minutes shall be an absolute defense to any claim filed against the objecting member pursuant to section 610.027.

610.023. 1. Each public governmental body is to appoint a custodian who is to be responsible for the maintenance of that body's records. The identity and location of a public governmental body's custodian is to be made available upon request. **Each custodian of a public governmental body is encouraged to create and maintain an index of all public records maintained by its public governmental body.**

2. Each public governmental body shall make available for inspection and copying by the public of that body's public records. No person shall remove original public records from the office of a public governmental body or its custodian without written permission of the designated custodian. No public governmental body shall, after August 28, 1998, grant to any person or entity, whether by contract, license or otherwise, the exclusive right to access and disseminate any public record unless the granting of such right is necessary to facilitate coordination with, or uniformity among, industry regulators having similar authority.

3. Each request for access to a public record shall be acted upon as soon as possible, but in no event later than the end of the third business day following the date the request is received by the custodian of records of a public governmental body. If records are requested in a certain format, the public body shall provide the records in the requested format, if such format is available. If access to the public record is not granted immediately, the custodian shall give a detailed explanation of the cause for further delay and the place and earliest time and date that the record will be available for inspection. This period for document production may exceed three days for reasonable cause.

4. If a request for access is denied, the custodian shall provide, upon request, a written statement of the grounds for such denial. Such statement shall cite the specific provision of law under which access is denied and shall be furnished to the requester no later than the end of the third business day following the date that the request for the statement is received.

610.027. 1. The remedies provided by this section against public governmental bodies shall be in addition to those provided by any other provision of law. Any aggrieved person, taxpayer to, or citizen of, this state, or the attorney general or prosecuting attorney, may seek judicial enforcement of the requirements of sections 610.010 to 610.026. Suits to enforce sections 610.010 to 610.026 shall be brought in the circuit court for the county in which the public governmental body has its principal place of business. Upon service of a summons, petition, complaint, counterclaim, or cross-claim in a civil action brought to enforce the provisions of sections 610.010 to 610.026, the custodian of the public record that is the subject matter of such civil action shall not transfer custody, alter, destroy, or otherwise dispose of the public record sought to be inspected and examined, notwithstanding the applicability of an exemption pursuant to section 610.021 or the assertion that the requested record is not a public record until the court directs otherwise.

2. **[**Once a party seeking judicial enforcement of sections 610.010 to 610.026 demonstrates to the court that the body in question is subject to the requirements of sections 610.010 to 610.026 and has held a closed meeting, record or vote, the burden of persuasion shall be on the body and its members to demonstrate compliance with the requirements of sections 610.010 to 610.026.**] In any legal proceeding, there shall be a presumption that a meeting, record, or vote is open to the public. The burden shall be on a public governmental body or a member of a public governmental body to prove that such meeting, record, or vote may be closed to the public.**

3. Upon a finding by a preponderance of the evidence that a public governmental body or a member of a public governmental body has knowingly violated sections 610.010 to 610.026, the public governmental body or the member shall be subject to a civil penalty in an amount up to one thousand dollars. If the court finds that there is a knowing violation of sections 610.010 to 610.026, the court may order the payment by such body or member of all costs and reasonable attorney fees to any party successfully establishing a violation. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the public governmental body or member of a public governmental body has violated sections 610.010 to 610.026 previously.

4. Upon a finding by a preponderance of the evidence that a public governmental body or a member of a public governmental body has purposely violated sections 610.010 to 610.026, the public governmental body or the member shall be subject to a civil penalty in an amount up to five thousand dollars. If the court finds that there was a purposeful violation of sections 610.010 to 610.026, then the court shall order the payment by such body or member of all costs and reasonable attorney fees to any party successfully establishing such a violation. The court shall determine the amount of the penalty by taking into account the size of the jurisdiction, the seriousness of the offense, and whether the public governmental body or member of a public governmental body has violated sections 610.010 to 610.026 previously.

5. Upon a finding by a preponderance of the evidence that a public governmental body has violated any provision of sections 610.010 to 610.026, a court shall void any action taken in violation of sections 610.010 to 610.026, if the court finds under the facts of the particular case that the public interest in the enforcement of the policy of sections 610.010 to 610.026 outweighs the public interest in sustaining the validity of the action taken in the **[**closed**]** meeting, record or vote. Suit for enforcement shall be brought within one year from which the violation is ascertainable and in no event shall it be brought later than two years after the violation. This subsection shall not apply to an action taken

regarding the issuance of bonds or other evidence of indebtedness of a public governmental body if a public hearing, election or public sale has been held regarding the bonds or evidence of indebtedness.

6. A public governmental body which is in doubt about the legality of closing a particular meeting, record or vote may bring suit at the expense of that public governmental body in the circuit court of the county of the public governmental body's principal place of business to ascertain the propriety of any such action, or seek a formal opinion of the attorney general or an attorney for the governmental body."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Cox, **House Amendment No. 4** was adopted.

Representative Cookson offered **House Amendment No 5**.

House Amendment No. 5

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 10, Section 67.548, Line 37, by inserting after said line the following:

"67.1018. 1. The governing body of any county of the third classification without a township form of government and with more than [five thousand nine hundred but fewer than six thousand inhabitants] **six thousand but fewer than seven thousand inhabitants and with a city of the fourth classification with more than eight hundred but fewer than nine hundred inhabitants as the county seat** may impose a tax on the charges for all sleeping rooms**, RV sites, and campsites** paid by the transient guests of hotels **[**or**],** motels**, lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in the county or a portion thereof, which shall not be **less than two percent nor** more than five percent per occupied room**, RV site, and campsite** per night, except that such tax shall not become effective unless the governing body of the county submits to the voters of the county at a state general or primary election a proposal to authorize the governing body of the county to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room**, RV site, or campsite** and all other taxes imposed by law, and **[**fifty percent of**]** the proceeds of such tax shall be used **[**by the county to fund law enforcement with the remaining fifty percent of such proceeds to be used**]** to fund the promotion**, operation, and development** of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the county) impose a tax on the charges for all sleeping rooms**, RV sites, and campsites** paid by the transient guests of hotels **[**and**],** motels**, lodges, bed and breakfasts, cabins, RV parks, and campgrounds** situated in ..... (name of county) at a rate of ..... (insert rate of percent) percent for the **[**benefit of the county**] promotion, operation, and development of tourism**?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the county and such question is approved by a majority of the qualified voters of the county voting on the question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cookson, **House Amendment No. 5** was adopted.

Representative Nolte offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 16, Section 67.1305, Line 201, by inserting after all of said section and line the following:

"67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:

(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, the improvements it will make and an estimate of costs of these services and improvements to be incurred;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; **[**and**]**

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: . . . . . .
Owner's telephone number and mailing address: . . . . . .
If signer is different from owner:
Name of signer:. . . . . .
State basis of legal authority to sign: . . . . . .
Signer's telephone number and mailing address: . . . . . .
If the owner is an individual, state if owner is single or married:. . . . . .
If owner is not an individual, state what type of entity:. . . . . .
Map and parcel number and assessed value of each tract of real property within the proposed district owned:
. . . . . .
By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

. . . .
Signature of person signing for owner Date

STATE OF MISSOURI)
) ss.
COUNTY OF . . . . .)

Before me personally appeared . . . . . ., to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this . . . . . day of . . . . . (month), ... (year).

. . . . . .
Notary Public
My Commission Expires: . . . . . **; and**

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition substantially complies with the requirements of subsection 2 of this section. In the event the municipal clerk receives a petition which does not meet the requirements of subsection 2 of this section, the municipal clerk shall, within a reasonable time, return the petition to the submitting party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall specify which requirements have not been met.

4. After the close of the public hearing required pursuant to subsection 1 of this section, the governing body of the municipality may adopt an ordinance approving the petition and establishing a district as set forth in the petition and may determine, if requested in the petition, whether the district, or any legally described portion thereof, constitutes a blighted area. **If the petition was filed by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1 of this section, the petition may be approved by the governing body and an election shall be called pursuant to section 67.1422.**

5. Amendments to a petition may be made which do not change the proposed boundaries of the proposed district if an amended petition meeting the requirements of subsection 2 of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development.

67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the city, the governing body may adopt an ordinance approving the petition and submit a ballot to the qualified voters of the district; the question shall be in substantially the following form:

Shall the community improvement district, to be known as the "..... Community Improvement District" approved by the ..... (insert governing body) be established for the purpose of (here summarize the proposed improvements and services) and be authorized to impose a real property tax upon (all real property) within the district at a rate of not more than ten cents per hundred dollars assessed valuation for a period of ten

years from the date on which such tax is first imposed for the purpose of providing revenue for ..... (insert general description of purpose) in the district?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

The governing body of the city shall not submit the question to the qualified voters of the district on more than one occasion.

2. A district levying a real property tax pursuant to this section may repeal or amend such real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not impair the district's ability to repay any liabilities which it has incurred, money which it has borrowed or obligations that it has issued to finance any improvements or services rendered within the district.

3. An election conducted under this section may be conducted in accordance with the provisions of chapter 115, or by mail-in ballot."; and

Further amend said bill, Page 18, Section 67.1521, Line 59, by inserting after all of said line the following:

"67.1561. No lawsuit to set aside a district established, or a special assessment or a tax levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings related thereto shall be brought after the expiration of ninety days from the effective date of the ordinance establishing such district in question **or the election establishing a district pursuant to section 67.1422** or the effective date of the resolution levying such special assessment or tax in question or the effective date of a merger of two districts under section 67.1485."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nolte, **House Amendment No. 6** was adopted.

Representative Schupp offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 80, Section 610.021, Line 110, by placing bracket around the word "**[**and**]**"; and

Further amend said page and section, Line 114, by inserting immediately after the word "business" the following:

"**;**

(23) Records that contain the electronic mail addresses of individuals; and

(24) Records that identify security systems or access codes or authorization codes for security systems of real property owned by a nonpublic entity."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schupp moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Neth offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Section 71.015, Page 25, Line 137, by inserting the following after all of said line:

"94.837. 1. **(1)** The governing body of **the following cities may impose a tax as provided in this section:**

(a) Any city of the fourth classification with more than two thousand five hundred but fewer than two thousand six hundred inhabitants and located in any county of the third classification without a township form of government and with more than ten thousand four hundred but fewer than ten thousand five hundred inhabitants**[**, the governing body of**];**

(b) Any special charter city**[**, and the governing body of**];**

(c) Any city of the fourth classification with more than one thousand two hundred but fewer than one thousand three hundred inhabitants and located in any county of the third classification without a township form of government and with more than four thousand three hundred but fewer than four thousand four hundred inhabitants**.**

(2) The governing body of any city listed in subdivision (1) of this subsection may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and **except as provided in subsection 4 of this section,** the proceeds of such tax shall be used by the city solely for the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall ..... (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in ..... (name of city) at a rate of ..... (insert rate of percent) percent for the sole purpose of promoting tourism?

☐ YES ☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.

3. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

4. In any special charter city with more than twenty-nine thousand but fewer than thirty-two thousand inhabitants, any tax imposed under this section shall be used by the city solely for the promotion of tourism and cultural activities, the development, construction, and operation of convention facilities, the promotion of business development, and the construction of related infrastructure and improvements. The ballot of submission for the tax authorized in this subsection shall be in substantially the following form:

"Shall ..... (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels and bed and breakfast inns situated in ..... (insert name of city) at a rate of up to five percent for the sole purpose of the promotion of tourism and cultural activities, development, construction, and operation of convention facilities, the promotion of business development, and the construction of related infrastructure and improvements?".

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the political subdivision and such question is approved by a majority of the qualified voters voting on the question."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Flanigan offered **House Amendment No. 1 to House Amendment No. 8**.

House Amendment No. 1
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 2, Line 32, by inserting after said line the following:

'Further amend said bill, Page 2, Section A, Line 17, by inserting after said line the following:

"32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local

sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of **[**his**] the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering **[**himself**] the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on **[**his**] the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. **[**He**] The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by **[**him**] such person** under the local sales tax law or in the event a determination has been made against **[**him**] such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty,

addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department."; and

Further amend said bill, Page 28, Section 94.902, Line 100, by inserting after all of said line the following:

"105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment."; and

Further amend said bill, Page 31, Section 137.016, Line 94, by inserting after said line the following:

"**140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.**

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person

or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest."; and

Further amend said bill, Page 67, Section 141.1015, Line 2, by inserting after said line the following:

"144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**]** **8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**]** **9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director

of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**]** **10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend said bill, Page 81, Section B, Lines 1-6, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because immediate action is necessary to secure adequate state and local revenues, the enactment of section 32.383 and the repeal and reenactment of section 50.622 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 and the repeal and reenactment of section 50.622 of this act shall be in full force and effect upon its passage and approval."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 1 to Amendment No. 8** was adopted.

On motion of Representative Neth, **House Amendment No. 8, as amended**, was adopted.

Representative Brattin offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 729, Page 2, Section A, Line 17, by inserting after all of said section and line the following:

"**9.015. No state or local governmental entity, public building, public park, public school, or public setting or place shall ban or otherwise restrict the practice, mention, celebration, or discussion of any federal holiday.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Brattin, **House Amendment No. 9** was adopted.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 093

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cox
Crawford	Cross	Davis	Day	Diehl
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gosen	Grisamore	Guernsey	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein

Koenig	Korman	Lair	Lant	Largent
Lasater	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Zerr		

NOES: 055

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Smith 71	Spreng	Still	Swearingen	Swinger
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 015

Conway 27	Cookson	Curtman	Denison	Dieckhaus
Dugger	Franklin	Gatschenberger	Haefner	Hughes
Lauer	Pollock	Thomson	Wyatt	Mr Speaker

On motion of Representative Kelly (24), **HCS#2 SCS SB 729, as amended**, was adopted.

On motion of Representative Kelly (24), **HCS#2 SCS SB 729, as amended**, was read the third time and passed by the following vote:

AYES: 121

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Diehl	Dugger	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Leara	Lichtenegger	Loehner	Long
McGeoghegan	McGhee	McNary	Meadows	Molendorp

Nance	Nasheed	Neth	Nichols	Nolte
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 031

Carlson	Carter	Colona	Ellington	Holsman
Hughes	Hummel	Jones 63	Kirkton	Leach
Marshall	May	McCann Beatty	McCreery	McDonald
McManus	McNeil	Montecillo	Morgan	Newman
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Talboy	Taylor
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 011

Allen	Denison	Dieckhaus	Franklin	Lauer
McCaherty	Pollock	Schad	Thomson	Webber
Mr Speaker				

Representative Funderburk declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dieckhaus
Diehl	Dugger	Elmer	Entlicher	Fallert
Fitzwater	Flanigan	Fraker	Franz	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	May	McCaherty
McCann Beatty	McDonald	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Nance	Neth	Nichols	Nolte	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake

Sifton	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Torpey	Wallingford	Walton Gray	Webb
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 014

Carlson	Ellinger	Ellington	Hummel	Kirkton
Koenig	Marshall	McCreery	Morgan	Newman
Oxford	Pace	Smith 71	Spreng	

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 50	Denison	Fisher	Franklin	Hughes
Lauer	Nasheed	Riddle	Schad	Thomson
Webber	Mr Speaker			

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1424**, entitled:

An act to repeal sections 43.260 and 43.265, RSMo, and to enact in lieu thereof two new sections relating to the state highway patrol.

With Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended.

Senate Amendment No. 1
to
Senate Amendment No. 1

AMEND Senate Amendment No. 1 to House Bill No. 1424, Page 1, Section 306.111, Line 18, by inserting a closing bracket after "the"; and

Further amend said line by striking "**]** waters" and inserting in lieu thereof the following:

"**and rivers**"; and

Further amend said amendment, Page 2, Section 306.112, Line 16, by inserting a closing bracket after the word "the"; and

Further amend said line by striking "**]** waters" and inserting in lieu thereof the following:

“**and rivers**"; and

Further amend said amendment, Page 5, Section 306.116, Line 4, by inserting a closing bracket after "the"; and

Further amend said line, by striking "**]** waters" and inserting in lieu thereof the following:

"**and rivers**"; and

Further amend Line 12, by inserting a closing bracket after the word "or"; and

Further amend Lines 12 to 13, by striking "**]** waters" and inserting in lieu thereof the following:

"**and rivers**".

Senate Amendment No. 1

AMEND House Bill No. 1424, Page 1, Section Title, Line 3, by striking "the state highway patrol" and inserting in lieu thereof the following:

"watercraft"; and

Further amend said bill, Page 2, Section 43.265, Line 19, by inserting immediately after said line the following:

"306.111. 1. A person commits the crime of negligent operation of a vessel if when operating a vessel he or she acts with criminal negligence, as defined in subsection 5 of section 562.016, to cause physical injury to any other person or damage to the property of any other person. A person convicted of negligent operation of a vessel is guilty of a class B misdemeanor upon conviction for the first violation, guilty of a class A misdemeanor upon conviction for the second violation, and guilty of a class D felony for conviction for the third and subsequent violations.

2. A person commits the crime of operating a vessel while intoxicated if he or she operates a vessel on the **[**Mississippi River, Missouri River or the lakes**]** **waters** of this state while in an intoxicated condition. Operating a vessel while intoxicated is a class B misdemeanor.

3. A person commits the crime of involuntary manslaughter with a vessel if, while in an intoxicated condition, he or she operates any vessel and, when so operating, acts with criminal negligence to cause the death of any person. Involuntary manslaughter with a vessel is a class C felony.

4. A person commits the crime of assault with a vessel in the second degree if, while in an intoxicated condition, he or she operates any vessel and, when so operating, acts with criminal negligence to cause physical injury to any other person. Assault with a vessel in the second degree is a class D felony.

5. For purposes of this section, a person is in an intoxicated condition when he or she is under the influence of alcohol, a controlled substance or drug, or any combination thereof.

306.112. 1. A person commits the crime of operating a vessel with excessive blood alcohol content if such person operates a vessel on the **[**Mississippi River, Missouri River or the lakes**]** **waters** of this state with eight-hundredths of one percent or more by weight of alcohol in such person's blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person's blood, breath, urine, or saliva.

3. Operating a vessel with excessive blood alcohol content is a class B misdemeanor.

306.113. 1. For purposes of sections **[**306.111**]** **306.110** to 306.119, the term "operate" means to physically control the movement of a vessel in motion under mechanical or sail power in water.

2. No arrest shall be made under sections **[**306.111**]** **306.110** to 306.119 unless probable cause exists for that arrest.

306.114. 1. No person convicted of or pleading guilty to a violation of section **306.110,** 306.111 or 306.112 shall be granted a suspended imposition of sentence, unless such person is placed on probation for a minimum of two years and a record of the conviction or plea of guilty is entered into the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol.

2. Chemical tests of a person's blood, breath, urine, or saliva to be considered valid under the provisions of sections **[**306.111**]** **306.110** to 306.119 shall be performed according to methods and devices approved by the department of health and senior services by licensed medical personnel or by a person possessing a valid permit issued by the department of health and senior services for this purpose. In addition, any state, county, or municipal law enforcement officer who is certified pursuant to chapter 590 may, prior to arrest, administer a portable chemical test to any person suspected of operating any vessel in violation of section **306.110,** 306.111**,** or 306.112. A portable chemical test shall be admissible as evidence of probable cause to arrest and as exculpatory evidence, but shall not be admissible as

evidence of blood alcohol content. The provisions of section 306.116 shall not apply to a test administered prior to arrest pursuant to this section.

3. The department of health and senior services shall approve satisfactory techniques, devices, equipment, or methods to conduct tests required by sections **[**306.111**]** **306.110** to 306.119, and shall establish standards as to the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination, suspension or revocation by the department of health and senior services.

4. A licensed physician, registered nurse, or trained medical technician, acting at the request and direction of a law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless the medical personnel, in the exercise of good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test or a urine or saliva specimen. In withdrawing blood for the purpose of determining the alcohol content in the blood, only a previously unused and sterile needle and sterile vessel shall be used and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to such person.

5. No person who administers any test pursuant to the provisions of sections **[**306.111**]** **306.110** to 306.119 upon the request of a law enforcement officer, no hospital in or with which such person is employed or is otherwise associated or in which such test is administered, and no other person, firm, or corporation by whom or with which such person is employed or is in any way associated shall be civilly liable for damages to the person tested, except for negligence in administering of the test or for willful and wanton acts or omissions.

6. Any person who is dead, unconscious or who is otherwise in a condition rendering such person incapable of refusing to take a test as provided in sections **[**306.111**]** **306.110** to 306.119 shall be deemed not to have withdrawn the consent provided by section 306.116 and the test or tests may be administered.

306.116. 1. Any person who operates a vessel upon the **[**Mississippi River, Missouri River or the lakes**]** **waters** of this state shall be deemed to have given consent to, subject to the provisions of sections **[**306.111**]** **306.110** to 306.119, a chemical test or tests of such person's breath, blood, urine, or saliva for the purpose of determining the alcohol or drug content of such person's blood if arrested for any offense arising out of acts which the arresting law enforcement officer had reasonable grounds to believe were committed while the person was operating a vessel upon the **[**Mississippi River, Missouri River or lakes**]** **waters** of this state in violation of section **306.110,** 306.111**,** or 306.112. The test shall be administered at the direction of the arresting law enforcement officer whenever the person has been arrested for the offense.

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident, or charge.

3. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of such person's choosing and at such person's expense administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

4. Upon the request of the person who is tested, full information concerning the test shall be made available to such person.

306.117. 1. Upon the trial of any person for violation of any of the provisions of section **306.110,** 306.111**,** or 306.112 the amount of alcohol or drugs in the person's blood at the time of the act alleged as shown by any chemical analysis of the person's blood, breath, urine, or saliva is admissible in evidence and the provisions of subdivision (5) of section 491.060 shall not prevent the admissibility or introduction of such evidence if otherwise admissible. Evidence of alcohol in a person's blood shall be given the following effect:

(1) If there was five-hundredths of one percent or less by weight of alcohol in such person's blood, it shall be presumed that the person was not intoxicated at the time the specimen was obtained;

(2) If there was in excess of five-hundredths of one percent but less than eight-hundredths of one percent by weight of alcohol in such person's blood, the fact shall not give rise to any presumption that the person was or was not intoxicated, but the fact may be considered with other competent evidence in determining whether the person was intoxicated;

(3) If there was eight-hundredths of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken.

2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood.

3. A chemical analysis of a person's breath, blood, urine, or saliva, in order to give rise to the presumption or to have the effect provided for in subsection 1 of this section, shall have been performed as provided in sections **[**306.111**]** **306.110** to 306.119 and in accordance with methods and standards approved by the department of health and senior services.

4. The provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was intoxicated or under the influence of a controlled substance, or drug, or a combination of either or both with or without alcohol.

306.118. 1. For purposes of this section, unless the context clearly indicates otherwise, the following terms mean:

(1) "Aggravated offender", a person who:

(a) Has pleaded guilty to or has been found guilty of three or more intoxication-related boating offenses; or

(b) Has pleaded guilty to or has been found guilty of one or more intoxication-related boating offenses and any of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111, or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(2) "Chronic offender":

(a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related boating offenses; or

(b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082; or

(c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related boating offenses and any of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(3) "Intoxication-related boating offense", operating a vessel while intoxicated under subsection 2 of section 306.111; operating a vessel with excessive blood alcohol content under section 306.112; involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111; any violation of subsection 2 of section 306.110; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(4) "Persistent offender", one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related boating offenses;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter under subsection 3 of section 306.111, **involuntary manslaughter involving a vessel under section 565.024,** assault in the second degree under subsection 4 of section 306.111, assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(5) "Prior offender", a person who has pleaded guilty to or has been found guilty of one intoxication-related boating offense, where such prior offense occurred within five years of the occurrence of the intoxication-related boating offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section, nor sentence such person to pay a fine in lieu of a term of imprisonment, notwithstanding the provisions of section 557.011 to the contrary notwithstanding. No prior offender shall be eligible for parole or probation until he or she has served a minimum of five days imprisonment, unless

as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service. No persistent offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment, unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court. No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment. No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilt shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilt, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

306.119. 1. If an arresting officer requests a person under arrest to submit to a chemical test, such request shall include the reasons of the officer for requesting the person to submit to a test and shall inform the person that he or she may refuse such request but that such person's refusal may be used as evidence against him or her. If a person refuses a test as provided in this subsection, no test shall be given.

2. If a person refuses to submit to a chemical test of such person's breath, blood, urine, or saliva and that person stands trial for the crimes provided in section **306.110,** 306.111**,** or 306.112, such refusal may be admissible into evidence at the trial."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1818**, entitled:

An act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to residential property.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1818, Page 3, Section 137.016, Lines 55-71, by striking all of said lines and inserting in lieu thereof the following:

"percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.".

Senate Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1818, Page 4, Section 137.016, Line 94, by inserting after all of said line the following:

"137.076. In establishing the value of a parcel of real property the county assessor shall consider **current market conditions and** previous decisions of the county board of equalization, the state tax commission or a court of competent jurisdiction that affected the value of such parcel. **For purposes of this section, the term "current market conditions", shall include the impact upon the housing market of foreclosures and bank sales.**"; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SB 769: Representatives Richardson, Zerr, Cierpiot, Taylor and Sifton

THIRD READING OF SENATE BILL

SB 893, relating to reinstating driving privileges, was taken up by Representative Richardson.

Representative Jones (117) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Bill No. 893, Page 7, Section 302.060, Line 92, by inserting after the period "." on said line, the following:

"**The ignition interlock device required for reinstatement under this subsection and for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of subsection 3 of section 302.309 shall have photo identification technology and global positioning system features.**"; and

Further amend said bill, page, and section, Line 94, by inserting after the period "." on said line, the following:

"**If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.**"; and

Further amend said bill, Page 8, Section 302.060, Line 119, by inserting after all of said section and line, the following:

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated**. If a person, otherwise subject to the provisions of this subsection, files proof of installation with the department of revenue that any vehicle operated by such person is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated. Upon completion of such seventy-five-day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations**.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, **or, if applicable, if the person fails to maintain proof that any vehicle operated is equipped with a functioning, certified ignition interlock device installed pursuant to subsection 5 of this section,** the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303 and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the armed forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023 or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001 or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject

to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor."; and

Further amend said bill, Pages 8-13, Section 302.309, Lines 1-199, by deleting all of said section and lines from the bill and inserting in lieu thereof, the following:

"302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

(a) A business, occupation, or employment;

(b) Seeking medical treatment for such operator;

(c) Attending school or other institution of higher education;

(d) Attending alcohol or drug treatment programs;

(e) Seeking the required services of a certified ignition interlock device provider; or

(f) Any other circumstance the court or director finds would create an undue hardship on the operator; the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303 for that vehicle.

(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of subdivision (8) of this subsection,

or a license revocation under paragraph (h) of subdivision (6) of this subsection, until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. **The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.**

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. **The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege.** A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, or having left the scene of an accident as provided in section 577.060;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041 or a similar implied consent law of any other state; **[**or**]**

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or

(h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed **the first forty-five days of** such revocation**, provided the person is not otherwise ineligible for a limited driving privilege**.

(7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

(8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**three years**]** **forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**three years**]** **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition,

a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least **[**two years**]** **forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding **[**two years**]** **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void."; and

Further amend said bill, Page 13, Section 302.309, Line 199, by inserting after all of said section and line, the following:

"302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515.

If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, and is otherwise eligible. **The restricted driving privilege shall indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle. A copy of the restricted driving privilege shall be given to the person and such person shall carry a copy of the restricted driving privilege while operating a motor vehicle.** In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section**. If a person, otherwise subject to the provisions of this subdivision files proof of installation with the department of revenue that any vehicle operated is equipped with a functioning, certified ignition interlock device, then the period of suspension shall be fifteen days, followed by a seventy-five day period of restricted driving privilege. Upon completion of such seventy-five day period of restricted driving privilege, upon compliance with other requirements of law, and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, the license and driving privilege shall be reinstated. However, if the monthly monitoring reports during such seventy-five day period indicate that the ignition interlock device has registered a blood alcohol concentration level above the alcohol setpoint established by the**

department of transportation or such reports indicate that the ignition interlock device has been tampered with or circumvented, then the license and driving privilege of such person shall not be reinstated until the person completes an additional seventy-five day period of restricted driving privilege without any such violations. If the person fails to maintain such proof of the device with the director of revenue as required, the restricted driving privilege shall be terminated;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving while intoxicated, driving while under the influence of drugs or alcohol, or driving a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012 or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. **If the monthly monitoring reports show that the ignition interlock device has registered any confirmed blood alcohol concentration readings above the alcohol setpoint established by the department of transportation or that the person has tampered with or circumvented the ignition interlock device, then the period for which the person must maintain the ignition interlock device following the date of reinstatement shall be extended for an additional six months.** If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable."; and

Further amend said bill, Page 13, Section 302.309, Line 199, by inserting after all of said section and line, the following:

"Section B. The repeal and reenactment of sections 302.304, 302.309, and 302.525 shall become effective October 1, 2013."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1** was adopted.

On motion of Representative Richardson, **SB 893, as amended**, was read the third time and passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot

Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Curtman	Davis	Day	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCreery	McDonald	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 85	Cross	Denison	Franklin	Hughes
Lauer	McCaherty	McCann Beatty	McNary	Nasheed
Pollock	Schad	Webb	Webber	Mr Speaker

Representative Funderburk declared the bill passed.

HOUSE BILL WITH SENATE AMENDMENTS

HB 1424, with Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended, relating to the sale of surplus patrol property, was taken up by Representative Marshall.

Representative Marshall moved that the House refuse to concur in **Senate Amendment No. 1 to Senate Amendment No. 1** and **Senate Amendment No. 1, as amended**, to **HB 1424** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS#2 SCS HB 1170, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 1318**, entitled:

An act to amend chapter 630, RSMo, by adding thereto one new section relating to employees of certain mental health facilities.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 5 and Senate Amendment No. 6.

Senate Amendment No. 1

AMEND Senate Substitute for House Bill No. 1318, Page 1, Section A, Line 3, by inserting immediately after said line the following:

"630.170. 1. A person who is listed on the department of mental health disqualification registry pursuant to this section, who is listed on the department of social services or the department of health and senior services employee disqualification list pursuant to section 660.315, or who has been convicted of or pled guilty or nolo contendere to any crime pursuant to section 565.210, 565.212, or 565.214, or section 630.155 or 630.160 shall be disqualified from holding any position in any public or private facility **[**or**],** day program**, residential facility, or specialized service** operated, **licensed, certified, accredited, in possession of deemed status, or** funded **[**or licensed**]** by the department or in any mental health facility or mental health program in which people are admitted on a voluntary or involuntary basis or are civilly detained pursuant to chapter 632.

2. A person who has been convicted of or pled guilty or nolo contendere to any felony offense against persons as defined in chapter 565; any felony sexual offense as defined in chapter 566; any felony offense defined in section 568.020, 568.045, 568.050, 568.060, 569.020, 569.025, 569.030, 569.035, 569.040, 569.050, 569.070, or 569.160, or of an equivalent felony offense, or who has been convicted of or pled guilty or nolo contendere to any violation of subsection 3 of section 198.070, or has been convicted of or pled guilty or nolo contendere to any offense requiring registration under section 589.400, shall be disqualified from holding any direct-care position in any public or private facility, day program, residential facility or specialized service operated, **licensed, certified, accredited, in possession of deemed status, or** funded **[**or licensed**]** by the department or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632.

3. A person who has received a suspended imposition of sentence or a suspended execution of sentence following a plea of guilty to any of the disqualifying crimes listed in subsection 1 or 2 of this section shall remain disqualified.

4. Any person disqualified pursuant to the provisions of subsection 1 or 2 of this section may seek an exception to the disqualification from the director of the department or the director's designee. The request shall be written and may not be made more than once every **[**twelve**] six** months. The request may be granted by the director or designee if in the judgment of the director or designee a clear showing has been made by written submission only, that the person will not commit any additional acts for which the person had originally been disqualified for or any other acts that would be harmful to a patient, resident or client of a facility, program or service. The director or designee may grant an exception subject to any conditions deemed appropriate and failure to comply with such terms may result in the person again being disqualified. **Any person placed on the disqualification registry prior to August 28, 2012, may be removed from the registry by the director or designee if in the judgment of the director or designee a clear showing has been made, by written submission only, that the person will not commit any additional acts for which the person had originally been disqualified for or any other acts that would be harmful to a patient, resident, or client of a facility, program, or service.** Decisions by the director or designee pursuant to the provisions of this subsection shall not be subject to appeal. The right to request an exception pursuant to this subsection shall not apply to persons who are disqualified due to being listed on the department of social services or department of health and senior

services employee disqualification list pursuant to section 660.315, nor to persons disqualified from employment due to any crime pursuant to the provisions of chapter 566 or section 565.020, 565.021, 568.020, 568.060, 569.025, or 569.070.

5. An applicant for a **[**direct care**]** position in any public or private facility, day program, residential facility, or specialized service operated, **licensed, certified, accredited, in possession of deemed status, or** funded**[**, or licensed**]** by the department or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632 shall:

(1) Sign a consent form as required by section 43.540 to provide written consent for a criminal record review;

(2) Disclose the applicant's criminal history. For the purposes of this subdivision "criminal history" includes any suspended imposition of sentence, any suspended execution of sentence, or any period of probation or parole; and

(3) Disclose if the applicant is listed on the employee disqualification list as provided in section 660.315, or the department of mental health disqualification registry as provided for in this section.

6. Any person who has received a good cause waiver issued by the **[**division of**]** **department of health and** senior services or its predecessor under subsection 9 of section 660.317 shall not require an additional exception under this section in order to be employed in a long-term care facility licensed under chapter 198.

7. Any public or private residential facility, day program, or specialized service **operated,** licensed, certified, **accredited, in possession of deemed status,** or funded by the department **or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632** shall, not later than two working days after hiring any person for a full-time, part-time, or temporary position that will have contact with clients, residents, or patients:

(1) Request a criminal background check as provided in section 43.540;

(2) Make an inquiry to the department of social services and department of health and senior services to determine whether the person is listed on the employee disqualification list as provided in section 660.315; and

(3) Make an inquiry to the department of mental health to determine whether the person is listed on the disqualification registry as provided in this section.

8. An applicant who knowingly fails to disclose his or her criminal history as required in subsection 5 of this section is guilty of a class A misdemeanor. A provider is guilty of a class A misdemeanor if the provider hires a person to hold a direct-care position knowing that such person has been disqualified pursuant to the provisions of subsection **[**1 or**]** 2 of this section. **A provider is guilty of a class A misdemeanor if the provider hires a person to hold any position knowing that such person has been disqualified pursuant to the provisions of subsection 1 of this section.**

9. **Any public or private residential facility, day program, or specialized service operated, licensed, certified, accredited, in possession of deemed status or funded by the department or any mental health facility or mental health program in which people are admitted on a voluntary basis or are civilly detained pursuant to chapter 632 that declines to employ or discharges a person who is disqualified pursuant to the provisions of subsection 1 or 2 of this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the discharge of the person due to disqualification.**

10. Any employer who is required to discharge an employee because the employee was placed on a disqualification registry maintained by the department of mental health after the date of hire shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge pursuant to section 288.100.

11. The department **[**may**]** **shall** maintain a disqualification registry and place on the registry the names of any persons who have been finally determined by the department to be disqualified **[**pursuant to this section, or who have had**]** **based upon** administrative substantiations made against them for abuse or neglect pursuant to department rule **or regulation**. Such list shall reflect that the person is barred from holding any position in any public or private facility **[**or**],** day program**, residential facility, or specialized service** operated, **licensed, certified, accredited, in possession of deemed status, or** funded **[**or licensed**]** by the department, or any mental health facility or mental health program in which persons are admitted on a voluntary basis or are civilly detained pursuant to chapter 632. **The length of time the person's name shall appear on the disqualification registry shall be determined by the director or the director's designee, based upon the criteria contained in subsection 13 of this section.**

12. Persons notified that their name will be placed on the disqualification registry may appeal such determination pursuant to department rule or regulation. If the person appeals, the hearing tribunal shall not modify the length of time the person's name shall appear on the disqualification registry if the hearing tribunal upholds all of the administrative substantiations made by the director or the director's designee. If the hearing tribunal overturns part of the administrative substantiations made by the director or the director's designee, the hearing tribunal may consider modifying the length of time the person's name shall appear on the disqualification registry based upon testimony and evidence received during the hearing.

13. The length of time the person's name shall appear on the disqualification registry shall be determined by the director or the director's designee based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of actual or potential injury or harm to the patient, resident, or client;

(3) The degree of actual or potential danger to the health, safety, or welfare of the patient, resident, or client;

(3) The degree of misappropriation or conversion of patient, resident, or client funds or property;

(4) Whether the person has previously been listed on the department's disqualification registry;

(5) Any mitigating circumstances; and

(6) Any aggravating circumstances.

14. The department shall provide the disqualification registry maintained pursuant to this section to other state and federal agencies upon request. The department may provide the disqualification registry maintained pursuant to this section to any public or private facility, day program, residential facility, or specialized service operated, licensed, certified, accredited, in possession of deemed status, or funded by the department or to any mental health facility or mental health program in which people are admitted on a voluntary or involuntary basis or are civilly detained pursuant to chapter 632. The department may also provide the disqualification registry to a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations are included in the employee disqualification registry."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for House Bill No. 1318, Page 1, Section 630.945, Line 4, by inserting immediately after "630.945." the following:

"**Beginning July 1, 2013,**".

Senate Amendment No. 4

AMEND Senate Substitute for House Bill No. 1318, Page 1, Section Title, Lines 3-4 of said page, by striking the following:

"employees of certain mental health facilities" and inserting in lieu thereof the following: "facilities that conduct mental health services"; and

Further amend said bill and page, Section 630.945, Line 10 of said page, by inserting after all of said line the following:

"632.501. If the director of the department of mental health determines that the person's mental abnormality has so changed that the person is not likely to commit acts of sexual violence if released, the director shall authorize the person to petition the court for release. The petition shall be served upon the court that committed the person, **the prosecutor of the jurisdiction into which the committed person is to be released,** the director of the department of mental health, the head of the facility housing the person, and the attorney general. The hearing and trial, if any, shall be conducted according to the provisions of section 632.498."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for House Bill No. 1318, Page 1, Section Title, Lines 3-4 of said page, by striking the following:

"employees of certain mental health facilities" and inserting in lieu thereof the following: "facilities that conduct mental health services"; and

Further amend said bill and page, Section A, Line 3 of said page, by inserting after all of said line the following:

"**559.117. 1. The director of the department of corrections is authorized to establish, as a three-year pilot program, a mental health assessment process.**

2. Only upon a motion filed by the prosecutor in a criminal case, the judge who is hearing the criminal case in a participating county may request that an offender be placed in the department of corrections for one hundred twenty days for a mental health assessment and for treatment if it appears that the offender has a mental disorder or mental illness such that the offender may qualify for probation including community psychiatric rehabilitation (CPR) programs and such probation is appropriate and not inconsistent with public safety. Before the judge rules upon the motion, the victim shall be given notice of such motion and the opportunity to be heard. Upon recommendation of the court, the department shall determine the offender's eligibility for the mental health assessment process.

3. Following this assessment and treatment period, an assessment report shall be sent to the sentencing court and the sentencing court may, if appropriate, release the offender on probation. The offender shall be supervised on probation by a state probation and parole officer, who shall work cooperatively with the department of mental health to enroll eligible offenders in community psychiatric rehabilitation (CPR) programs.

4. Notwithstanding any other provision of law, probation shall not be granted under this section to offenders who:

(1) Have been found guilty of, or plead guilty to, murder in the second degree under section 565.021;

(2) Have been found guilty of, or plead guilty to, forcible rape under section 566.030;

(3) Have been found guilty of, or plead guilty to, statutory rape in the first degree under section 566.032;

(4) Have been found guilty of, or plead guilty to, forcible sodomy under section 566.060;

(5) Have been found guilty of, or plead guilty to, statutory sodomy in the first degree under section 566.062;

(6) Have been found guilty of, or plead guilty to, child molestation in the first degree under section 566.067 when classified as a class A felony;

(7) Have been found to be a predatory sexual offender under section 558.018; or

(8) Have been found guilty of, or plead guilty to, any offense for which there exists a statutory prohibition against either probation or parole.

5. At the end of the three-year pilot, the director of the department of corrections and the director of the department of mental health shall jointly submit recommendations to the governor and to the general assembly by December 31, 2015, on whether to expand the process statewide."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for House Bill No. 1318, Page 1, Section Title, Lines 3-4, by striking the words "employees of certain mental health facilities" and inserting in lieu thereof the following:

"employee hours and identity"; and

Further amend said bill and page, Section A, Line 3, by inserting after all of said line the following:

"407.1355. 1. Except as provided in this section a person or entity, not including a state or local agency, shall not do any of the following:

(1) Publicly post or publicly display in any manner an individual's Social Security number. "Publicly post" or "publicly display" is defined in this section to intentionally communicate or otherwise make available to the general public or to an individual's co-workers;

(2) Require an individual to transmit his or her Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted;

(3) Require an individual to use his or her Social Security number to access an internet website, unless a password, unique personal identification number, or other authentication device is also required to access the internet website;

(4) Require an individual to use his or her Social Security number as an employee number for any type of employment-related activity**;**

(5) Require an individual to use the last four digits of his or her Social Security number as an employee number for any type of employment-related activity.

2. The provisions of **[**subsection 1 of this section apply only to the use of Social Security numbers on or after January 1, 2006**] subdivision (5) of subsection 1 of this section shall only apply to such use after December 31, 2015**.

3. This section does not prevent the collection, use, or release of a Social Security number as required by state or federal law or the use of a Social Security number for internal verification or administrative purposes.

4. This section does not apply to documents that are recorded or required to be open to the public pursuant to chapter 610. This section does not apply to records that are required by statute, case law, or Missouri court rules to be made available to the public.

5. If a federal law takes effect requiring the United States Department of Health and Human Services to establish a national unique patient health identifier program, any person or entity that complies with the federal law shall be deemed in compliance with this section."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 769, as amended**: Senators Kraus, Rupp, Kehoe, Green and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 813, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

THIRD READING OF SENATE BILL

HCS SS SCS SB 755, relating to public safety, was taken up by Representative Cookson.

Representative Cookson offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 5, Section 304.823, Line 67, by inserting after all of said section and line the following:

"306.111. 1. A person commits the crime of negligent operation of a vessel if when operating a vessel he or she acts with criminal negligence, as defined in subsection 5 of section 562.016, to cause physical injury to any other person or damage to the property of any other person. A person convicted of negligent operation of a vessel is guilty of a class B misdemeanor upon conviction for the first violation, guilty of a class A misdemeanor upon conviction for the second violation, and guilty of a class D felony for conviction for the third and subsequent violations.

2. A person commits the crime of operating a vessel while intoxicated if he or she operates a vessel on the **[**Mississippi River, Missouri River or the lakes**]** **waters** of this state while in an intoxicated condition. Operating a vessel while intoxicated is a class B misdemeanor.

3. A person commits the crime of involuntary manslaughter with a vessel if, while in an intoxicated condition, he or she operates any vessel and, when so operating, acts with criminal negligence to cause the death of any person. Involuntary manslaughter with a vessel is a class C felony.

4. A person commits the crime of assault with a vessel in the second degree if, while in an intoxicated condition, he or she operates any vessel and, when so operating, acts with criminal negligence to cause physical injury to any other person. Assault with a vessel in the second degree is a class D felony.

5. For purposes of this section, a person is in an intoxicated condition when he or she is under the influence of alcohol, a controlled substance or drug, or any combination thereof.

306.112. 1. A person commits the crime of operating a vessel with excessive blood alcohol content if such person operates a vessel on the **[**Mississippi River, Missouri River or the lakes**]** **waters** of this state with eight-hundredths of one percent or more by weight of alcohol in such person's blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person's blood, breath, urine, or saliva.

3. Operating a vessel with excessive blood alcohol content is a class B misdemeanor.

306.113. 1. For purposes of sections **[**306.111**]** **306.110** to 306.119, the term "operate" means to physically control the movement of a vessel in motion under mechanical or sail power in water.

2. No arrest shall be made under sections **[**306.111**]** **306.110** to 306.119 unless probable cause exists for that arrest.

306.114. 1. No person convicted of or pleading guilty to a violation of section **306.110,** 306.111 or 306.112 shall be granted a suspended imposition of sentence, unless such person is placed on probation for a minimum of two years and a record of the conviction or plea of guilty is entered into the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol.

2. Chemical tests of a person's blood, breath, urine, or saliva to be considered valid under the provisions of sections **[**306.111**]** **306.110** to 306.119 shall be performed according to methods and devices approved by the department of health and senior services by licensed medical personnel or by a person possessing a valid permit issued by the department of health and senior services for this purpose. In addition, any state, county, or municipal law enforcement officer who is certified pursuant to chapter 590 may, prior to arrest, administer a portable chemical test to any person suspected of operating any vessel in violation of section **306.110,** 306.111**,** or 306.112. A portable chemical test shall be admissible as evidence of probable cause to arrest and as exculpatory evidence, but shall not be admissible as evidence of blood alcohol content. The provisions of section 306.116 shall not apply to a test administered prior to arrest pursuant to this section.

3. The department of health and senior services shall approve satisfactory techniques, devices, equipment, or methods to conduct tests required by sections **[**306.111**]** **306.110** to 306.119, and shall establish standards as to the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination, suspension or revocation by the department of health and senior services.

4. A licensed physician, registered nurse, or trained medical technician, acting at the request and direction of a law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless the medical personnel, in the exercise of good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test or a urine or saliva specimen. In withdrawing blood for the purpose of determining the alcohol content in the blood, only a previously unused and sterile needle and sterile vessel shall be used and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to such person.

5. No person who administers any test pursuant to the provisions of sections **[**306.111**]** **306.110** to 306.119 upon the request of a law enforcement officer, no hospital in or with which such person is employed or is otherwise associated or in which such test is administered, and no other person, firm, or corporation by whom or with which such person is employed or is in any way associated shall be civilly liable for damages to the person tested, except for negligence in administering of the test or for willful and wanton acts or omissions.

6. Any person who is dead, unconscious or who is otherwise in a condition rendering such person incapable of refusing to take a test as provided in sections **[**306.111**]** **306.110** to 306.119 shall be deemed not to have withdrawn the consent provided by section 306.116 and the test or tests may be administered.

306.116. 1. Any person who operates a vessel upon the **[**Mississippi River, Missouri River or the lakes**]** **waters** of this state shall be deemed to have given consent to, subject to the provisions of sections **[**306.111**]** **306.110** to 306.119, a chemical test or tests of such person's breath, blood, urine, or saliva for the purpose of determining the alcohol or drug content of such person's blood if arrested for any offense arising out of acts which the arresting law enforcement officer had reasonable grounds to believe were committed while the person was operating a vessel upon the **[**Mississippi River, Missouri River or lakes**]** **waters** of this state in violation of section **306.110,** 306.111**,** or 306.112. The test shall be administered at the direction of the arresting law enforcement officer whenever the person has been arrested for the offense.

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident, or charge.

3. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of such person's choosing and at such person's expense administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

4. Upon the request of the person who is tested, full information concerning the test shall be made available to such person.

306.117. 1. Upon the trial of any person for violation of any of the provisions of section **306.110,** 306.111**,** or 306.112 the amount of alcohol or drugs in the person's blood at the time of the act alleged as shown by any chemical analysis of the person's blood, breath, urine, or saliva is admissible in evidence and the provisions of subdivision (5) of section 491.060 shall not prevent the admissibility or introduction of such evidence if otherwise admissible. Evidence of alcohol in a person's blood shall be given the following effect:

(1) If there was five-hundredths of one percent or less by weight of alcohol in such person's blood, it shall be presumed that the person was not intoxicated at the time the specimen was obtained;

(2) If there was in excess of five-hundredths of one percent but less than eight-hundredths of one percent by weight of alcohol in such person's blood, the fact shall not give rise to any presumption that the person was or was not intoxicated, but the fact may be considered with other competent evidence in determining whether the person was intoxicated;

(3) If there was eight-hundredths of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken.

2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood.

3. A chemical analysis of a person's breath, blood, urine, or saliva, in order to give rise to the presumption or to have the effect provided for in subsection 1 of this section, shall have been performed as provided in sections **[**306.111**]** **306.110** to 306.119 and in accordance with methods and standards approved by the department of health and senior services.

4. The provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was intoxicated or under the influence of a controlled substance, or drug, or a combination of either or both with or without alcohol.

306.118. 1. For purposes of this section, unless the context clearly indicates otherwise, the following terms mean:

(1) "Aggravated offender", a person who:

(a) Has pleaded guilty to or has been found guilty of three or more intoxication-related boating offenses; or

(b) Has pleaded guilty to or has been found guilty of one or more intoxication-related boating offenses and any of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111, or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(2) "Chronic offender":

(a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related boating offenses; or

(b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082; or

(c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related boating offenses and any of the following: involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(3) "Intoxication-related boating offense", operating a vessel while intoxicated under subsection 2 of section 306.111; operating a vessel with excessive blood alcohol content under section 306.112; involuntary manslaughter under subsection 3 of section 306.111; **involuntary manslaughter involving a vessel under section 565.024;** assault with a vessel in the second degree under subsection 4 of section 306.111; any violation of subsection 2 of section 306.110; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(4) "Persistent offender", one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related boating offenses;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter under subsection 3 of section 306.111, **involuntary manslaughter involving a vessel under section 565.024,** assault in the second degree under subsection 4 of section 306.111, assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082;

(5) "Prior offender", a person who has pleaded guilty to or has been found guilty of one intoxication-related boating offense, where such prior offense occurred within five years of the occurrence of the intoxication-related boating offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112, who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of subsection 2 of section 306.110, section 306.111, or section 306.112 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section, nor sentence such person to pay a fine in lieu of a term of imprisonment, notwithstanding the provisions of section 557.011 to the contrary notwithstanding. No prior offender shall be eligible for parole or probation until he or she has served a minimum of five days imprisonment, unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service. No persistent offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment, unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court. No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment. No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilt shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilt, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

306.119. 1. If an arresting officer requests a person under arrest to submit to a chemical test, such request shall include the reasons of the officer for requesting the person to submit to a test and shall inform the person that he or she may refuse such request but that such person's refusal may be used as evidence against him or her. If a person refuses a test as provided in this subsection, no test shall be given.

2. If a person refuses to submit to a chemical test of such person's breath, blood, urine, or saliva and that person stands trial for the crimes provided in section **306.110,** 306.111**,** or 306.112, such refusal may be admissible into evidence at the trial."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Dieckhaus	Dugger
Entlicher	Fisher	Flanigan	Fraker	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Leach	Leara	Lichtenegger	Long	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	McCann Beatty
McCreery	McDonald	McGeoghegan	McManus	McNeil

Meadows	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 022

Barnes	Cierpiot	Day	Denison	Diehl
Elmer	Fitzwater	Franklin	Hughes	Lasater
Lauer	Loehner	Marshall	May	McNary
Nasheed	Quinn	Reiboldt	Richardson	Stream
Zerr	Mr Speaker			

Representative Cookson moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Schatz offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 43.265, Line 19, by inserting after all of said line the following:

"195.417. 1. The limits specified in this section shall not apply to any quantity of such product, mixture, or preparation which must be dispensed, sold, or distributed in a pharmacy pursuant to a valid prescription.

2. Within any thirty-day period, no person**, pharmacist, intern pharmacist, or registered pharmacist technician** shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

(1) The sole active ingredient; or

(2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than **[**nine grams, without regard to the number of transactions**] two and eighty-eight one hundredths grams per transaction. Within any twelve-month period, the total amount of all individual transactions under this subsection shall not exceed an aggregate amount of twenty-three and nine one hundredths grams**.

3. **[**Within any twenty-four-hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

(1) The sole active ingredient; or

(2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than three and six-tenths grams without regard to the number of transactions**] Upon written application of a manufacturer, the department of health and senior services may exempt by rule any product containing any compound, mixture, or preparation containing any detectable quantity of ephedrine,**

phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers from the application of all or any part of this section because the product is proven to not be feasible for the conversion of the active ingredient into methamphetamine or its salts or precursors. For purposes of this subdivision, "proven" includes but is not limited to the fact that the compound, mixture, or preparation releases less than five percent of the active ingredient used for conversion into methamphetamine or its salts or precursors. Upon notification from the state highway patrol that the patrol has probable cause to believe that a product exempted under this subdivision is feasible for the conversion of the active ingredient into methamphetamine or its salts or precursors, the department may issue an emergency rule revoking the exemption for the product pending a full hearing.

4. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

5. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation.

6. This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.

7. All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

8. Within thirty days of June 15, 2005, all persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

9. Any person who knowingly or recklessly violates this section is guilty of a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Cox offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 43.265, Line 19, by inserting after all of said section and line the following:

"195.246. 1. It is unlawful for any person to possess any methamphetamine precursor drug with the intent to manufacture amphetamine, methamphetamine or any of their analogs.

2. Possession of more than **[**twenty-four**]** **fifteen** grams of any methamphetamine precursor drug or combination of methamphetamine precursor drugs shall be prima facie evidence of intent to violate this section. This subsection shall not apply to any practitioner or to any product possessed in the course of a legitimate business.

3. A person who violates this section is guilty of a class D felony.

195.417. 1. The limits specified in this section shall not apply to any quantity of such product, mixture, or preparation which must be dispensed, sold, or distributed in a pharmacy pursuant to a valid prescription.

2. Within any thirty-day period, no person shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

(1) The sole active ingredient; or

(2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection; in any total amount greater than **[**nine**] seven and one-half** grams, without regard to the number of transactions.

3. Within any twenty-four-hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

(1) The sole active ingredient; or

(2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection; in any total amount greater than three and six-tenths grams without regard to the number of transactions.

4. **Within any twelve-month period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:**

(1) The sole active ingredient; or

(2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection; in any total amount greater than sixty grams without regard to the number of transactions.

The monthly and annual purchase limits contained in this section shall include any quantities of such products that are purchased in other states, where such other state is utilizing the same electronic tracking system utilized in this state.

5. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

[5.**] 6. Each pharmacy and pharmacist licensed in this state shall have the discretion to, in good faith, refuse to sell, dispense, or otherwise provide any individual with any methamphetamine precursor drug and such pharmacy shall not be subject to criminal or civil liability for failure to sell, dispense, or otherwise provide such methamphetamine precursor drug.**

7. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation.

[6.**] 8.** This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.

[7.**] 9.** All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

[8.**] 10.** Within thirty days of June 15, 2005, all persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

[9.**] 11.** Any person who knowingly or recklessly violates this section is guilty of a class A misdemeanor.

195.419. Any person who has been found guilty or pled guilty or nolo contendere to any felony drug crime shall be required to obtain a prescription to purchase, receive, or otherwise acquire any drug or drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers."; and

Further amend said bill, Section 650.120, Page 30, Line 81, by inserting after all of said section and line the following:

"**Section 1. In order to protect the privacy interests of persons purchasing controlled substances, the department of public safety shall implement a method of coordination between the MULES system and any electronic tracking system which tracks purchases of controlled substances. If the purchase of a controlled substance is denied due to a felony drug conviction by the purchaser or such purchase would exceed the purchaser's allowable limit, the only notation in the MULES system and electronic tracking system shall be "sale denied" without disclosure of the reason for such denial.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franz	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Leach	Leara	Lichtenegger
Loehner	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McDonald	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Talboy	Walton Gray
Webb	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 016

Crawford	Diehl	Dugger	Elmer	Franklin
Guernsey	Hubbard	Hughes	Lasater	Lauer
Long	May	Richardson	Swearingen	Taylor
Mr Speaker				

On motion of Representative Cox, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted by the following vote:

AYES: 096

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brattin	Brown 50
Brown 116	Burlison	Carlson	Carter	Casey
Cierpiot	Colona	Conway 14	Conway 27	Cox
Curtman	Davis	Day	Denison	Ellinger
Ellington	Elmer	Fallert	Flanigan	Franz
Frederick	Funderburk	Grisamore	Guernsey	Haefner
Harris	Hodges	Holsman	Hoskins	Hough
Hummel	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kirkton	Koenig	Lair
Lampe	Lant	Largent	Leach	Leara
Marshall	May	McCaherty	McDonald	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Morgan	Nance	Newman	Oxford	Pace
Parkinson	Pierson	Pollock	Reiboldt	Riddle
Rizzo	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shumake	Smith 150	Sommer	Swinger	Talboy
Thomson	Torpey	Walton Gray	Webber	White
Wieland				

NOES: 046

Anders	Atkins	Brandom	Brown 85	Cauthorn
Cookson	Cross	Dugger	Fisher	Fitzwater
Fuhr	Gosen	Hampton	Higdon	Hinson
Houghton	Johnson	Klippenstein	Korman	Kratky
Lichtenegger	Loehner	Long	McCann Beatty	McGeoghegan
Montecillo	Nichols	Phillips	Quinn	Redmon
Richardson	Rowland	Schatz	Shively	Smith 71
Solon	Spreng	Still	Stream	Taylor
Wallingford	Wells	Weter	Wright	Wyatt
Zerr				

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 020

Crawford	Dieckhaus	Diehl	Entlicher	Fraker
Franklin	Gatschenberger	Hubbard	Hughes	Kelly 24
Lasater	Lauer	McCreery	Nasheed	Neth
Nolte	Silvey	Swearingen	Webb	Mr Speaker

HCS SS SCS SB 755, as amended, was laid over.

SS SCS SB 633, relating to scrap metal operators, was taken up by Representative Largent.

Representative Flanigan offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 633, Page 1, Line 3 of the Title, by deleting the words "scrap metal operators" and inserting in lieu thereof the words "the department of revenue"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after said line the following:

"32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of **[**his**]** **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering **[**himself**]** **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on **[**his**]** **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. **[**He**]** **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales

tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by **[**him**] such person** under the local sales tax law or in the event a determination has been made against **[**him**] such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations

or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement,

liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for

certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department.

105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.

140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five

hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**]** **8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**]** **9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director

of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**]** **10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend said bill, Page 4, Section 301.227, Line 112, by inserting after all of said section, the following:

"Section B. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Cross	Curtman	Davis	Day	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franz	Frederick	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	Molendorp
Nance	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McDonald
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nichols	Oxford	Pace	Pierson

Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 021

Colona	Conway 14	Crawford	Denison	Dieckhaus
Diehl	Franklin	Hughes	Lasater	Lauer
May	McCreery	McGhee	McNary	Nasheed
Neth	Newman	Nolte	Webb	Wells
Mr Speaker				

On motion of Representative Flanigan, **House Amendment No. 1** was adopted.

On motion of Representative Largent, **SS SCS SB 633, as amended**, was read the third time and passed by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Cross
Curtman	Davis	Day	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franz
Frederick	Funderburk	Gatschenberger	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Scharnhorst	Schieber	Schieffer
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webb	Webber	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 001

Carter

PRESENT: 000

ABSENT WITH LEAVE: 023

Conway 14	Crawford	Denison	Diehl	Franklin
Fuhr	Gosen	Hughes	Kelley 126	Kelly 24
Lant	Lasater	Lauer	McCreery	McDonald
McNary	Nolte	Reiboldt	Schad	Schatz
Schneider	Spreng	Mr Speaker		

Representative Funderburk declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SB 813, as amended, relating to financial transactions, was taken up by Representative Dieckhaus.

Representative Dieckhaus moved that the House refuse to recede from its position on **HCS SB 813, as amended**, and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 813: Representatives Richardson, Franz, Dieckhaus, McCann Beatty and Rizzo

HOUSE BILL WITH SENATE AMENDMENTS

SS HB 1318, as amended, relating to mental health facility employees, was taken up by Representative Riddle.

Representative Riddle moved that the House refuse to adopt **SS HB 1318, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

On motion of Representative Jones (89), the House recessed until 6:30 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Tilley.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 12**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 22**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 25**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 31**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 42**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 43**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 46**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 49**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has take up and passed **HB 1131**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1135, as amended**, and has taken up and passed **CCS SCS HB 1135**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS#2 SCS HB 1170, as amended**: Senators Parson, Schmitt, Mayer, Callahan and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1251**, entitled:

An act to repeal sections 59.319, 60.510, 60.530, 60.540, 60.560, 60.570, 60.580, 60.590, 60.595, 60.610, 60.620, 67.4505, 259.010, 259.020, 259.030, 259.040, 259.070, 260.255, 260.330, 260.392, 292.606, 301.010, 304.120, 414.530, 414.560, 414.570, 577.073, 621.250, 640.018, 640.100, 643.130, 643.225, 644.016, 644.026, 644.051, 644.071, 644.145, and 650.230, RSMo, and to enact in lieu thereof forty new sections relating to natural resources, with existing penalty provisions and an emergency clause for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1251, Page 2, Section 29.380, Line 10, by inserting at the end of said line the following:

"**The state auditor may request reimbursement from the district for the costs of conducting the audit.**".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1251, Page 112, Section 650.230, Line 23 of said page, by inserting immediately after said line the following:

"**701.550. 1. As used in this section the following terms mean:**

(1) "Anemometer", an instrument for measuring and recording the speed of the wind;

(2) "Anemometer tower", a structure, including all guy wires and accessory facilities, that has been constructed solely for the purpose of mounting an anemometer to document whether a site has wind resources sufficient for the operation of a wind turbine generator;

(3) "Area surrounding the anchor point", an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point.

2. Any anemometer tower that is fifty feet in height above the ground or higher that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law, shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before August 28, 2012, shall be marked as required in this section by January 1, 2014. Any anemometer tower that is erected on or after August 28, 2012, shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

3. A violation of this section is a class B misdemeanor."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1251, Page 23, Section 260.330, Line 13 of said page, by striking the following: "2015" and inserting in lieu thereof the following:

"**2017**"; and

Further amend Line 21 of said page, by striking the following: "2015" and inserting in lieu thereof the following:

"**2017**"; and

Further amend said bill and section, Page 25, Line 9 of said page, by striking the following: "2015" and inserting in lieu thereof the following:

"**2017**"; and

Further amend Line 17 of said page, by striking the following: "2015" and inserting in lieu thereof the following:

"**2017**".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HB 1318, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Kehoe, Munzlinger, Richard, McKenna and Chappelle-Nadal.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1644**, entitled:

An act to repeal section 313.807, RSMo, and to enact in lieu thereof one new section relating to the licensing period for certain licenses issued by the Missouri gaming commission.

With Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended.

Senate Amendment No. 1
to
Senate Amendment No. 1

AMEND Senate Amendment No. 1 to House Committee Substitute for House Bill No. 1644, Page 1, Line 3, by striking the word "three" and inserting in lieu thereof the following:

"**Four**".

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1644, Page 2, Section 313.807, Line 21, by striking the word "five" and inserting in lieu thereof "**three**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1647**, entitled:

An act to repeal sections 259.010, 259.020, 259.030, 259.040, 259.070, 260.392, 292.606, 301.010, 320.106, 320.131, 320.136, 414.530, 414.560, 414.570, and 650.230, RSMo, and to enact in lieu thereof seventeen new sections relating to public safety, with an emergency clause for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 1 to Senate Amendment No. 3, Senate Amendment No. 3, as amended, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8 and Senate Amendment No. 9.

Senate Amendment No. 1

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 54, Section 650.230, Line 27 of said page, by inserting immediately after said line the following:

"**701.550. 1. As used in this section the following terms mean:**

(1) "Anemometer", an instrument for measuring and recording the speed of the wind;

(2) "Anemometer tower", a structure, including all guy wires and accessory facilities, that has been constructed solely for the purpose of mounting an anemometer to document whether a site has wind resources sufficient for the operation of a wind turbine generator;

(3) "Area surrounding the anchor point", an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point.

2. Any anemometer tower that is fifty feet in height above the ground or higher that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law, shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before August 28, 2012, shall be marked as required in this section by January 1, 2014. Any anemometer tower that is erected on or after August 28, 2012, shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point.

3. A violation of this section is a class B misdemeanor."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 51, Section 414.570, Line 26, by inserting immediately after said line, the following:

"571.020. 1. A person commits a crime if such person knowingly possesses, manufactures, transports, repairs, or sells:

(1) An explosive weapon;

(2) An explosive, incendiary or poison substance or material with the purpose to possess, manufacture or sell an explosive weapon;

(3) A gas gun;

(4) **[**A switchblade knife;

(5)**]** A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; or

[(6)**]** **(5)** Knuckles; or

[(7)**]** **(6)** Any of the following in violation of federal law:

(a) A machine gun;

(b) A short-barreled rifle or shotgun; **[**or**]**

(c) A firearm silencer**; or**

(d) A switchblade knife.

2. A person does not commit a crime pursuant to this section if his conduct involved any of the items in subdivisions (1) to **[**(6)**]** **(5)** of subsection 1, the item was possessed in conformity with any applicable federal law, and the conduct:

(1) Was incident to the performance of official duty by the armed forces, national guard, a governmental law enforcement agency, or a penal institution; or

(2) Was incident to engaging in a lawful commercial or business transaction with an organization enumerated in subdivision (1) of this section; or

(3) Was incident to using an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise; or

(4) Was incident to displaying the weapon in a public museum or exhibition; or

(5) Was incident to using the weapon in a manner reasonably related to a lawful dramatic performance.

3. A crime pursuant to subdivision (1), (2), (3) or **[**(7)**]** **(6)** of subsection 1 of this section is a class C felony; a crime pursuant to subdivision (4)**[**,**]** **or** (5) **[**or (6)**]** of subsection 1 of this section is a class A misdemeanor.

571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense;

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

(7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or

(8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or

(9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district school board.

2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:

(1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 11 of this section, and who carry the identification defined in subsection 12 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921 regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340;

(9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

(10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant circuit attorney who has completed the firearms safety training course required under subsection 2 of section 571.111; and

(11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of age or older **or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces,** transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.

5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

6. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any

school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.

7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

(1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;

(2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

(3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;

(4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.

9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

10. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

11. As used in this section "qualified retired peace officer" means an individual who:

(1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;

(2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;

(5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;

(6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(7) Is not prohibited by federal law from receiving a firearm.

12. The identification required by subdivision (1) of subsection 2 of this section is:

(1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or

(2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and

(3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.

571.037. Any person who has a valid concealed carry endorsement, and who is lawfully carrying a firearm in a concealed manner, may briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self-defense.

571.092. 1. Any individual who has been adjudged incapacitated under chapter 475, who has been involuntarily committed under chapter 632, or who is otherwise subject to the firearms-related disabilities of 18 U.S.C. Section 922(d)(4) or (g)(4) as a result of an adjudication or commitment that occurred in this state may file a petition for the removal of the disqualification to ship, transport, receive, purchase, possess, or transfer a firearm imposed under 18 U.S.C. Section 922(d)(4) or (g)(4) and the laws of this state.

2. The petition shall be filed in the circuit court with jurisdiction in the petitioner's place of residence or that entered the letters of guardianship or the most recent order for involuntary commitment, or the most recent disqualifying order, whichever is later. The petition shall include:

(1) The circumstances regarding the firearms disabilities;

(2) The applicant's record which at a minimum shall include the applicant's mental health and criminal history records, if any;

(3) The applicant's reputation through character witness statements, testimony, or other character evidence; and

(4) Any other information or evidence relevant to the relief sought, including but not limited to evidence concerning any changes in the petitioner's condition since the disqualifying commitment or adjudication occurred.

Upon receipt of the petition, the clerk shall schedule a hearing and provide notice of the hearing to the petitioner.

3. The court shall grant the requested relief if it finds by clear and convincing evidence that:

(1) The petitioner will not be likely to act in a manner dangerous to public safety; and

(2) Granting the relief is not contrary to the public interest.

4. In order to determine whether to grant relief under this section, the court may request the local prosecuting attorney, circuit attorney, or attorney general to provide a written recommendation as to whether relief should be granted. In any order requiring such review the court may grant access to any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The court may allow presentation of evidence at the hearing if requested by the petitioner or by the local prosecuting attorney, circuit attorney, or attorney general. A record shall be kept of the proceedings.

5. If the petitioner is filing the petition as a result of an involuntary commitment under chapter 632, the hearing and records shall be closed to the public, unless the court finds that public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in-camera inspection of mental health records. The court may allow the use of the record but shall restrict it from public disclosure, unless it finds that the public interest would be better served by making the record public.

6. The court shall include in its order the specific findings of fact on which it bases its decision.

7. Upon a judicial determination to grant a petition under this section, the clerk in the county where the petition was granted shall forward the order to the Missouri state highway patrol for updating of the petitioner's record with the National Instant Criminal Background Check System (NICS). The Missouri state highway patrol shall contact the Federal Bureau of Investigation to effect this updating no later than twenty-one days from receipt of the order.

8. Any person who has been denied a petition for the removal of the disqualification to ship, transport, receive, purchase, possess, or transfer a firearm under this section shall not be eligible to file another petition for removal of such disqualification until the expiration of one year from the date of such denial.

9. In the event a petition is denied under this section, the petitioner may appeal such denial, and review shall be de novo.

571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's license with the director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person or within a vehicle. A concealed carry endorsement shall be valid for a period of three years from the date of issuance or renewal. The concealed carry endorsement is valid throughout this state.

2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

(1) Is at least twenty-one years of age, is a citizen of the United States and either:

(a) Has assumed residency in this state; or

(b) Is a member of the armed forces stationed in Missouri, or the spouse of such member of the military;

(2) **Is at least twenty-one years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:**

(a) Has assumed residency in this state;

(b) Is a member of the armed forces stationed in Missouri; or

(c) The spouse of such member of the military stationed in Missouri and twenty-one years of age;

(3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

[(3)**] (4)** Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;

[(4)**] (5)** Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

[(5)**] (6)** Has not been discharged under dishonorable conditions from the United States armed forces;

[(6)**] (7)** Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;

[(7)**] (8)** Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;

[(8)**] (9)** Submits a completed application for a certificate of qualification as described in subsection 3 of this section;

[(9)**] (10)** Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;

[(10)**] (11)** Is not the respondent of a valid full order of protection which is still in effect.

3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:

(1) The applicant's name, address, telephone number, gender, and date and place of birth;

(2) An affirmation that the applicant has assumed residency in Missouri or is a member of the armed forces stationed in Missouri or the spouse of such a member of the armed forces and is a citizen of the United States;

(3) An affirmation that the applicant is at least twenty-one years of age **or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces**;

(4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

(5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;

(6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

(7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States armed forces;

(8) An affirmation that the applicant is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

(9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

(10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and

(11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.

4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:

(1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of section 571.111; and

(2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11 of this section.

5. Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. In order to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

6. The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of qualification in the presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this section.

The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.

10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

11. For processing a renewal for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first classification the sheriff may designate the chief of police of any city, town, or municipality within such county.

571.111. 1. An applicant for a concealed carry endorsement shall demonstrate knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed carry endorsement:

(1) Submits a photocopy of a certificate of firearms safety training course completion, as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as defined in subsection 5 of this section; or

(2) Submits a photocopy of a certificate that shows the applicant completed a firearms safety course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or

(4) Submits proof that the applicant currently holds any type of valid peace officer license issued under the requirements of chapter 590; or

(5) Submits proof that the applicant is currently allowed to carry firearms in accordance with the certification requirements of section 217.710; or

(6) Submits proof that the applicant is currently certified as any class of corrections officer by the Missouri department of corrections and has passed at least one eight-hour firearms training course, approved by the director of the Missouri department of corrections under the authority granted to him or her by section 217.105, that includes instruction on the justifiable use of force as prescribed in chapter 563**; or**

(7) Submits a photocopy of a certificate of firearms safety training course completion that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of subsection 2 of this section that were in effect on the date it was issued.

2. A certificate of firearms safety training course completion may be issued to any applicant by any qualified firearms safety instructor. On the certificate of course completion the qualified firearms safety instructor shall affirm that the individual receiving instruction has taken and passed a firearms safety course of at least eight hours in length taught by the instructor that included:

(1) Handgun safety in the classroom, at home, on the firing range and while carrying the firearm;

(2) A physical demonstration performed by the applicant that demonstrated his or her ability to safely load and unload a revolver and a semiautomatic pistol and demonstrated his or her marksmanship with both;

(3) The basic principles of marksmanship;

(4) Care and cleaning of concealable firearms;

(5) Safe storage of firearms at home;

(6) The requirements of this state for obtaining a certificate of qualification for a concealed carry endorsement from the sheriff of the individual's county of residence and a concealed carry endorsement issued by the department of revenue;

(7) The laws relating to firearms as prescribed in this chapter;

(8) The laws relating to the justifiable use of force as prescribed in chapter 563;

(9) A live firing exercise of sufficient duration for each applicant to fire both a revolver and a semiautomatic pistol, from a standing position or its equivalent, a minimum of fifty rounds from each handgun at a distance of seven yards from a B-27 silhouette target or an equivalent target;

(10) A live fire test administered to the applicant while the instructor was present of twenty rounds from each handgun from a standing position or its equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.

3. A qualified firearms safety instructor shall not give a grade of passing to an applicant for a concealed carry endorsement who:

(1) Does not follow the orders of the qualified firearms instructor or cognizant range officer; or

(2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety instructor, poses a danger to the applicant or to others; or

(3) During the live fire testing portion of the course fails to hit the silhouette portion of the targets with at least fifteen rounds, with both handguns.

4. Qualified firearms safety instructors who provide firearms safety instruction to any person who applies for a concealed carry endorsement shall:

(1) Make the applicant's course records available upon request to the sheriff of the county in which the applicant resides;

(2) Maintain all course records on students for a period of no less than four years from course completion date; and

(3) Not have more than forty students in the classroom portion of the course or more than five students per range officer engaged in range firing.

5. A firearms safety instructor shall be considered to be a qualified firearms safety instructor by any sheriff issuing a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121 if the instructor:

(1) Is a valid firearms safety instructor certified by the National Rifle Association holding a rating as a personal protection instructor or pistol marksmanship instructor; or

(2) Submits a photocopy of a certificate from a firearms safety instructor's course offered by a local, state, or federal governmental agency; or

(3) Submits a photocopy of a certificate from a firearms safety instructor course approved by the department of public safety; or

(4) Has successfully completed a firearms safety instructor course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(5) Is a certified police officer firearms safety instructor.

6. Any firearms safety instructor who knowingly provides any sheriff with any false information concerning an applicant's performance on any portion of the required training and qualification shall be guilty of a class C misdemeanor.

571.117. 1. Any person who has knowledge that another person, who was issued a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, never was or no longer is eligible for such endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's certificate of qualification for a concealed carry endorsement and such person's concealed carry endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

SMALL CLAIMS COURT
In the Circuit Court of ....., Missouri
....., PLAINTIFF
)
)
vs.) Case Number .....
)
....., DEFENDANT,
Carry Endorsement Holder
....., DEFENDANT,

Sheriff of Issuance
PETITION FOR REVOCATION
OF CERTIFICATE OF QUALIFICATION
OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant, ..., has a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, and that the defendant's certificate of qualification or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a certificate or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant, ..., never was or no longer is eligible for such certificate or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

☐ Defendant is not at least twenty-one years of age **or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces**.

☐ Defendant is not a citizen of the United States.

☐ Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.

☐ Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

☐ Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.

☐ Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

☐ Defendant has been discharged under dishonorable conditions from the United States armed forces.

☐ Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.

☐ Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.

☐ Defendant failed to submit a completed application for a certificate of qualification or concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.

☐ Defendant failed to submit to or failed to clear the required background check.

☐ Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

....., PLAINTIFF

2. If at the hearing the plaintiff shows that the defendant was not eligible for the certificate of qualification or the concealed carry endorsement issued pursuant to sections 571.101 to 571.121, at the time of issuance or renewal or is no longer eligible for a certificate of qualification or the concealed carry endorsement issued pursuant to the provisions of sections 571.101 to 571.121, the court shall issue an appropriate order to cause the revocation of the certificate of qualification or concealed carry endorsement. Costs shall not be assessed against the sheriff.

3. The finder of fact, in any action brought against an endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to

harass the endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a certificate of qualification or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, so long as the sheriff acted in good faith."; and

Further amend said bill, Page 54, Section 650.230, Line 27, by inserting after all of said line, the following:

"**[**475.375. 1. Any individual over the age of eighteen years who has been adjudged incapacitated under this chapter or who has been involuntarily committed under chapter 632 may file a petition for the removal of the disqualification to purchase, possess, or transfer a firearm when:

(1) The individual no longer suffers from the condition that resulted in the individual's incapacity or involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. No individual who has been found guilty by reason of mental disease or defect may petition a court for restoration under this section.

2. The petition shall be filed in the circuit court that entered the letters of guardianship or the most recent order for involuntary commitment, whichever is later. Upon receipt of the petition, the clerk shall schedule a hearing and provide notice of the hearing to the petitioner.

3. The burden is on the petitioner to establish by clear and convincing evidence that:

(1) The petitioner no longer suffers from the condition that resulted in the incapacity or the involuntary commitment;

(2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest.

4. Upon the filing of the petition the court shall review the petition and determine if the petition is based upon frivolous grounds and if so may deny the petition without a hearing. In order to determine whether petitioner has met the burden pursuant to this section, the court may request the local prosecuting attorney, circuit attorney, or attorney general to provide a written recommendation as to whether relief should be granted. In any order requiring such review the court may grant access to any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The court may allow presentation of evidence at the hearing if requested by the local prosecuting attorney, circuit attorney, or attorney general.

5. If the petitioner is filing the petition as a result of an involuntary commitment under chapter 632, the hearing and records shall be closed to the public, unless the court finds that public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in-camera inspection of mental health records. The court may allow the use of the record but shall restrict from public disclosure, unless it finds that the public interest would be better served by making the record public.

6. The court shall enter an order that:

(1) The petitioner does or does not continue to suffer from the condition that resulted in commitment;

(2) The individual does or does not continue to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and

(3) Granting relief under this section is not contrary to the public interest. The court shall include in its order the specific findings of fact on which it bases its decision.

7. Upon a judicial determination to grant a petition under this section, the clerk in the county where the petition was granted shall forward the order to the Missouri state highway patrol for updating of the petitioner's record with the National Instant Criminal Background Check System (NICS).

8. (1) Any person who has been denied a petition for the removal of the disqualification to purchase, possess, or transfer a firearm pursuant to this section shall not be eligible to file another petition for removal of the disqualification to purchase, possess, or transfer a firearm until the expiration of one year from the date of such denial.

(2) If a person has previously filed a petition for the removal of the disqualification to purchase, possess, or transfer a firearm and the court determined that:

(a) The petitioner's petition was frivolous; or

(b) The petitioner's condition had not so changed such that the person continued to suffer form the condition that resulted in the individual's incapacity or involuntary commitment and continued to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; or

(3) Granting relief under this section would be contrary to the public interest, then the court shall deny the subsequent petition unless the petition contains the additional facts upon which the court could find the condition of the petitioner had so changed that a hearing was warranted.**]**"; and

Further amend Page 55, Section B, Line 1, by inserting after the word "law", the following:

"and to clarify the requirements for concealed carry endorsements"; and

Further amend Line 2, by striking the word "and"; and

Further amend said line, by inserting after "320.136", the following:

"and section 571.111"; and

Further amend Line 6, by striking the word "and"; and

Further amend said line, by inserting after "320.136", the following:

"and section 571.111"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1
to
Senate Amendment No. 3

AMEND Senate Amendment No. 3 to Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 2, Section 610.140, Line 8 of said page, by inserting immediately after "2." the following:

"**The following offenses are eligible to be expunged when such offenses occurred within the state of Missouri and were prosecuted under the jurisdiction of a Missouri municipal associate or circuit court:**

(1)"; and

Further amend Line 11 of said page, by striking "is eligible to be expunged when such" and inserting in lieu thereof the following:

"**;**

(2) Any misdemeanor offense of sections 569.065, 569.067, 569.090, subdivision (1) of subsection 1 of section 569.120, sections 569.140, 569.145, 572.020, 574.020, or 574.075; or

(3) Any class B or C misdemeanor offense of section 574.010."; and

Further amend Lines 12-14 of said page, by striking all of said lines.

Senate Amendment No. 3

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 51, Section 414.570, Line 26 of said page, by inserting after all of said line the following:

"**488.650. There shall be assessed as costs a surcharge in the amount of one hundred dollars on all petitions for expungement filed under the provisions of section 610.140. Such surcharge shall be collected and disbursed by the clerk of the court as provided by sections 488.010 to 488.020. Moneys collected from this surcharge shall be payable to the general revenue fund.**

561.026. Notwithstanding any other provision of law **except for section 610.140,** a person who is convicted:

(1) Of any crime shall be disqualified from registering and voting in any election under the laws of this state while confined under a sentence of imprisonment;

(2) Of a felony or misdemeanor connected with the exercise of the right of suffrage shall be forever disqualified from registering and voting;

(3) Of any felony shall be forever disqualified from serving as a juror.

610.140. 1. Notwithstanding any other provision of law and subject to the provisions of this section, any person may apply to any court in which such person was found guilty of any of the offenses specified in subsection 2 of this section for an order to expunge recordations of such arrest, plea, trial, or conviction. A person may apply to have one or more offenses expunged so long as such person lists all the offenses he or she is seeking to have expunged in the same petition and so long as all such offenses are eligible under subsection 2 of this section.

2. Any felony or misdemeanor offense of passing a bad check under 570.120, fraudulently stopping payment of an instrument under 570.125, or fraudulent use of a credit device or debit device under section 570.130 is eligible to be expunged when such felony or misdemeanor offense occurred within the state of Missouri, and was prosecuted under the jurisdiction of a Missouri municipal, associate, or circuit court.

3. The petition shall name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses listed in the petition. The court's order of expungement shall not affect any person or entity not named as a defendant in the action.

4. The petition shall be dismissed if it does not include the following information:

(1) The petitioner's:

(a) Full name;

(b) Sex;

(c) Race;

(d) Driver's license number, if applicable; and

(e) Current address;

(2) Each offense charged against the petitioner for which the petitioner is requesting expungement;

(3) The date the petitioner was arrested for each offense;

(4) The name of the county where the petitioner was arrested for each offense and if any of the offenses occurred in a municipality, the name of the municipality for each offense;

(5) The name of the agency that arrested the petitioner for each offense;

(6) The case number and name of the court for each offense; and

(7) Petitioner's fingerprints on a standard fingerprint card at the time of filing a petition for expungement which will be forwarded to the central repository for the sole purpose of positively identifying the petitioner.

5. The court may set a hearing on the matter no sooner than thirty days from the filing of the petition and shall give reasonable notice of the hearing to each entity named in the petition. At the hearing, the court may accept evidence and hear testimony on, and may consider, the following criteria for each of the offenses listed in the petition for expungement:

(1) It has been at least twenty years if the offense is a felony, or at least ten years if the offense is a misdemeanor, municipal offense, or infraction, since the person making the application completed:

(a) Any sentence of imprisonment; or

(b) Any period of probation or parole;

(2) The person has not been found guilty of a misdemeanor or felony, not including violations of the traffic regulations provided under chapters 304 and 307, during the time period specified for the underlying offense in subdivision (1) of this subsection;

(3) The person has paid any amount of restitution ordered by the court;

(4) The circumstances and behavior of the petitioner warrant the expungement; and

(5) The expungement is consistent with the public welfare.

6. If the court determines at the conclusion of the hearing that such person meets all the criteria set forth in subsection 5 of this section for each of the offenses listed in the petition for expungement, the court may enter an order of expungement. A copy of the order shall be provided to each entity named in the petition, and, upon receipt of the order, each entity shall destroy any record in its possession relating to any offense listed in the petition. If destruction of the record is not feasible because of the permanent nature of the record books, such record entries shall be blacked out. Entries of a record ordered expunged shall be removed from all electronic files maintained with the state of Missouri, except for the files of the court. The records and files maintained in any administrative or court proceeding in a municipal, associate, or circuit court for any offense ordered expunged under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.

7. The order shall not limit any of the petitioner's rights that were restricted as a collateral consequence of such person's criminal record, and such rights shall be restored upon issuance of the order of expungement. Except as otherwise provided under this section, the effect of such order shall be to restore such person to the status he or she occupied prior to such arrests, pleas, trials, or convictions as if such events had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrests, pleas, trials, convictions, or expungement in response to an inquiry made of him or her and no such inquiry shall be made for information relating to an expungement, except the petitioner shall disclose the expunged offense to any court when asked or upon being charged with any subsequent offense. The expunged offense may be considered a prior offense in determining a sentence to be imposed for any subsequent offense that the person is found guilty of committing.

8. Notwithstanding the provisions of subsection 7 of this section to the contrary, a person granted an expungement shall disclose any expunged offense when the disclosure of such information is necessary to complete any application for:

(1) A license, certificate, or permit issued by this state to practice such individual's profession;

(2) Any license issued under chapter 313; or

(3) Paid or unpaid employment with an entity licensed under chapter 313, any state-operated lottery, or any emergency services provider, including any law enforcement agency.

Notwithstanding any provision of law to the contrary, an expunged offense shall not be grounds for automatic disqualification of an applicant, but may be a factor for denying employment, or a professional license, certificate, or permit.

9. If the court determines that such person has not met the criteria for any of the offenses listed in the petition for expungement, the court shall enter an order dismissing the petition. Any person whose petition for expungement has been dismissed by the court for failure to meet the criteria set forth in subsection 5 of this section may not refile another petition until a year has passed since the date of filing for the previous petition.

10. A person may be granted more than one expungement under this section provided that no person shall be granted more than one order of expungement from the same court. Nothing contained in this section shall prevent the court from maintaining records to ensure that an individual has only one petition for expungement granted by such court under this section."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 45, Section 320.136, Line 25 of said page, by inserting immediately after said line the following:

"**321.228. 1. As used in this section, the following terms shall mean:**

(1) "Residential construction", new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;

(2) "Residential construction regulatory system", any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board.

3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.

321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part,** as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the ..... Fire Protection Districts and the ..... Fire Protection District be consolidated into one fire protection district to be known as the ..... Fire Protection District, with tax levies not in excess of the following amounts:

maintenance fund ..... cents per one hundred dollars assessed valuation; ambulance service ..... cents per one hundred dollars assessed valuation; pension fund ..... cents per one hundred dollars assessed valuation; and dispatching fund ..... cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Substitute for House Committee Substitute for House Bill No 1647, Page 51, Section 414.570, Line 26, by inserting after all of said line the following:

"565.081. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. As used in this section, the term "cable worker" means any employee including any person employed under contract, of a cable operator, as such term is defined in section 673.2677

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the first degree is a class A felony.

565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, **highway worker in a construction zone or work zone, utility worker, cable worker,** or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. As used in this section, the term "cable worker" means any employee, including any person employed under contract, of a cable operator, as such term is defined in section 67.2677.

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony. For any violation of subdivision (1), (3), or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence.

565.083. 1. A person commits the crime of assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the third degree if:

(1) Such person recklessly causes physical injury to a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer;

(2) Such person purposely places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer without the consent of the law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100.

3. As used in this section the term "corrections officer" includes any jailer or corrections officer of the state or any political subdivision of the state.

4. When used in this section, the terms "highway worker", "construction zone", or "work zone" shall have the same meaning as such terms are defined in section 304.580.

5. **As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.**

6. As used in this section, the term "cable worker" means any employee, including any person employed under contract, of a cable operator, as such term is defined in section 67.2677.

7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, **utility worker, cable worker,** or probation and parole officer in the third degree is a class A misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Senate Amendment No. 6

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 23, Section 292.606, Line 18, by inserting after all of said line the following:

"**292.655. 1. For purposes of this section, the following terms mean:**

(1) "Engineered injury protection device", a mechanical device or feature to a device that renders the needle incapable of inflicting a needlestick injury either by:

(a) Destruction of the medical needle sharp metal point at the point of procedure or use; or

(b) Covering the sharp end of the needle at the time the needle is removed from the skin of the subject human or animal. Recapping the medical needle with the original needle packaging cover is not considered an engineered injury protection device.

(2) "Medical needles", hypodermic needles or other similar hollow-bore needles, syringes, or blood extraction apparatus with a primary function to penetrate the skin of a living human or animal.

2. Employers that use medical needles in the routine course of conducting business in the state may use any commercially available engineered injury protection device that can be reasonably expected to reduce the risk of accidental needlestick injuries to employees, patients, or customers.

3. This section shall not apply to needles for sewing dead animal skins or parts, fish hooks, gaffs, animal tags, or other similar sharp objects related to animals but unrelated to healthcare or testing of live animals. This section shall not apply to any veterinary care provided by a licensed veterinarian or veterinary care provider in or outside of a designated veterinary office, including but not limited to, a ranch, farm, or private residence being provided in the scope of veterinary practices under chapter 340."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 1, Section A, Line 7, by inserting after all of said line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of ..... (insert name of county) impose a county sales tax of ..... (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES ☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants **or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants** that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. **Except as provided in subdivision (4) of this subsection,** each member shall be one of the following:

(a) The head of any of the county's fire protection districts, or a designee;

(b) The head of any of the county's ambulance districts, or a designee;

(c) The county sheriff, or a designee;

(d) The head of any of the police departments in the county, or a designee; and

(e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 51, Section 414.570, Line 26, by inserting after all of said line the following:

"488.5026. 1. Upon approval of the governing body of a city, county, or a city not within a county, a surcharge of two dollars shall be assessed as costs in each court proceeding filed in any court in any city, county, or city not within a county adopting such a surcharge, in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of two dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031.

2. Notwithstanding any other provision of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable to the treasurer of the governmental unit authorizing such surcharge.

3. The treasurer shall deposit funds generated by the surcharge into the "Inmate **Prisoner Detainee** Security Fund". Funds deposited shall be utilized to **acquire and** develop biometric verification systems **and information sharing** to ensure that inmates**, prisoners, or detainees in a holding cell facility or other detention facility or area which hold persons detained only for a shorter period of time after arrest or after being formally charged** can be properly identified **upon booking** and tracked within **the local law enforcement administration system, criminal justice administration system, or** the local jail system. Upon the installation of the **information sharing or** biometric verification system, funds in the inmate **prisoner detainee** security fund may **also** be used for the maintenance**, repair, and replacement** of the **information sharing or** biometric verification system, and **also** to pay for any expenses related to **detention,** custody**,** and housing and other expenses for **inmates,** prisoners**, and detainees**."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1647, Page 54, Section 650.230, Line 27, by inserting after all of said line the following:

"**Section 1. Notwithstanding any provision of section 292.655 to the contrary, employers that use medical needles in the routine course of conducting business in this state may use any Occupational Safety and Health Administration- or Food and Drug Administration-approved device.**"; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SB 455, as amended**, and has taken up and passed **CCS#2 HCS SB 455**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 470, as amended**, and has taken up and passed **CCS HCS SS SCS SB 470**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS#2 SCS SB 480, as amended**, and has taken up and passed **CCS HCS#2 SCS SB 480**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference on **HCS SCS SB 485, as amended**, and has taken up and adopted **HCS SCS SB 485, as amended**, and has taken up and passed **HCS SCS SB 485, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 510, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has dissolved the conference on **SCS SB 566, as amended**, and has taken up and adopted **HA 1** and **HA 2** to **SCS SB 566** and has taken up and passed **SCS SB 566, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SB 599, as amended**, and has taken up and passed **CCS SB 599**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 628, as amended**, and has taken up and passed **CCS HCS SB 628**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 631, as amended**, and has taken up and passed **CCS HCS SCS SB 631**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS for SB 701, as amended,** and requests the House recede from its position and take up and pass **SB 701**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SCS SB 729, as amended**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 813, as amended**: Senators Richard, Kehoe, Rupp, Justus and Wright-Jones.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 to SB 893**, and requests the House to recede from its position and, failing to do so, grant the Senate a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 668: Representatives Diehl, Jones (89), Tilley, Talboy and Swearingen

THIRD READING OF SENATE BILL

HCS SS SCS SB 755, as amended, relating to public safety, was again taken up by Representative Cookson.

Representative Johnson offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 3, Section 210.1014, Line 36, by inserting after said line the following:

"**301.4042. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Pony Express Museum in St. Joseph, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Pony Express Museum will provide a logo to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Pony Express Museum derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Pony Express Museum. Any person may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Pony Express Museum, the museum shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the rider on horseback emblem, and the words "Pony Express" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Pony Express Museum's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Pony Express Museum's emblem, as otherwise

provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Pony Express specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Johnson, **House Amendment No. 3** was adopted.

Representative Wallingford offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 3, Section 210.1014, Line 36, by inserting after all of said line the following:

"211.069. The amendments to sections 211.071 and 211.073 enacted by the ninety-sixth general assembly, second regular session, shall be known and may be cited as "Jonathan's Law".

211.071. 1. If a petition alleges that a child between the ages of twelve and seventeen has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030, forcible sodomy under section 566.060, first degree robbery under section 569.020, or distribution of drugs under section 195.211, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between seventeen and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

(1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;

(2) Whether the offense alleged involved viciousness, force and violence;

(3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;

(4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;

(5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;

(6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;

(7) The age of the child;

(8) The program and facilities available to the juvenile court in considering disposition;

(9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

(1) Findings showing that the court had jurisdiction of the cause and of the parties;

(2) Findings showing that the child was represented by counsel;

(3) Findings showing that the hearing was held in the presence of the child and his counsel; and

(4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law **and the prosecution of the child results in a conviction**, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.073. 1. The court **[**may**]** **shall**, in a case when the offender is under seventeen years **and six months** of age and has been transferred to a court of general jurisdiction pursuant to section 211.071, and whose prosecution results in a conviction or a plea of guilty, **[**invoke**]** **consider** dual jurisdiction of both the criminal and juvenile codes, as set forth in this section. The court is authorized to impose a juvenile disposition under this chapter and simultaneously impose an adult criminal sentence, the execution of which shall be suspended pursuant to the provisions of this section. Successful completion of the juvenile disposition ordered shall be a condition of the suspended adult criminal sentence. The court may order an offender into the custody of the division of youth services pursuant to this section **[**if:

(1) A facility is designed and built by the division of youth services specifically for offenders sentenced pursuant to this section and if the division determines that there is space available, based on design capacity, in the facility; and

(2)**]:**

(1) Upon agreement of the division **of youth services; and**

(2) If the division of youth services determines that there is space available in a facility designed to serve offenders sentenced under this section.

If the division of youth services agrees to accept a youth and the court does not impose a juvenile disposition, the court shall make findings on the record as to why the division of youth services was not appropriate for the offender prior to imposing the adult criminal sentence.

2. If there is probable cause to believe that the offender has violated a condition of the suspended sentence or committed a new offense, the court shall conduct a hearing on the violation charged, unless the offender waives such hearing. If the violation is established and found the court may continue or revoke the juvenile disposition, impose the adult criminal sentence, or enter such other order as it may see fit.

3. When an offender has received a suspended sentence pursuant to this section and the division determines the child is beyond the scope of its treatment programs, the division of youth services may petition the court for a transfer of custody of the offender. The court shall hold a hearing and shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

4. When an offender who has received a suspended sentence reaches the age of seventeen, the court shall hold a hearing. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections;

(2) Direct that the offender be placed on probation; or

(3) Direct that the offender remain in the custody of the division of youth services if the division agrees to such placement.

5. The division of youth services shall petition the court for a hearing before it releases an offender who comes within subsection 1 of this section at any time before the offender reaches the age of twenty-one years. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

6. If the suspension of the adult criminal sentence is revoked, all time served by the offender under the juvenile disposition shall be credited toward the adult criminal sentence imposed."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wallingford, **House Amendment No. 4** was adopted.

Representative Schad offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 22, Section 577.172, Line 11, by inserting after all of said section and line the following:

"589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony offense of chapter 566, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a minor, unless such person is exempted from registering under subsection 8 of this section; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200; endangering the welfare of a child under section 568.045 when the endangerment is sexual

in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; or

(3) Any person who, since July 1, 1979, has been committed to the department of mental health as a criminal sexual psychopath; or

(4) Any person who, since July 1, 1979, has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

(5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(6) Any juvenile fourteen years of age or older at the time of the offense who has been adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; **or**

(7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, **territory, or the District of Columbia,**or foreign country, or under federal, tribal, or military jurisdiction to committing, attempting to commit, or conspiring to commit an offense which, if committed in this state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state **, territory, the District of Columbia, or foreign country,** or has been or is required to register under tribal, federal, or military law; or

(8) Any person who has been or is required to register in another state or has been or is required to register under tribal, federal, or military law and who works or attends an educational institution, whether public or private in nature, including any secondary school, trade school, professional school, or institution of higher education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month period.

2. Any person to whom sections 589.400 to 589.425 apply shall, within three days of conviction, release from incarceration, or placement upon probation, register with the chief law enforcement official of the county or city not within a county in which such person resides unless such person has already registered in that county for the same offense. Any person to whom sections 589.400 to 589.425 apply if not currently registered in their county of residence shall register with the chief law enforcement official of such county or city not within a county within three days. The chief law enforcement official shall forward a copy of the registration form required by section 589.407 to a city, town, village, or campus law enforcement agency located within the county of the chief law enforcement official, if so requested. Such request may ask the chief law enforcement official to forward copies of all registration forms filed with such official. The chief law enforcement official may forward a copy of such registration form to any city, town, village, or campus law enforcement agency, if so requested.

3. The registration requirements of sections 589.400 through 589.425 are lifetime registration requirements unless:

(1) All offenses requiring registration are reversed, vacated or set aside;

(2) The registrant is pardoned of the offenses requiring registration;

(3) The registrant is no longer required to register and his or her name shall be removed from the registry under the provisions of subsection 6 of this section; or

(4) The registrant may petition the court for removal or exemption from the registry under subsection 7 or 8 of this section and the court orders the removal or exemption of such person from the registry.

4. For processing an initial sex offender registration the chief law enforcement officer of the county or city not within a county may charge the offender registering a fee of up to ten dollars.

5. For processing any change in registration required pursuant to section 589.414 the chief law enforcement official of the county or city not within a county may charge the person changing their registration a fee of five dollars for each change made after the initial registration.

6. Any person currently on the sexual offender registry for being convicted of, found guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or conspiring to commit, felonious restraint when the victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that was committed under section 568.060, or kidnapping when the victim was a child and he or she was the parent or guardian of the child shall

be removed from the registry. However, such person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425.

7. Any person currently on the sexual offender registry for having been convicted of, found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit, or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the third degree, public display of explicit sexual material, statutory rape in the second degree, **or sexual misconduct in the second degree** and no physical force or threat of physical force was used in the commission of the crime may file a petition in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit the offense or offenses for the removal of his or her name from the sexual offender registry after ten years have passed from the date he or she was required to register.

8. Effective August 28, 2009, any person on the sexual offender registry for having been convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included under subsection 1 of this section may file a petition after two years have passed from the date the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses in the civil division of the circuit court in the county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or her name from the registry if such person was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense and no physical force or threat of physical force was used in the commission of the offense, unless such person meets the qualifications of this subsection, and such person was eighteen years of age or younger at the time of the offense, and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such person may immediately file a petition to remove or exempt his or her name from the registry upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

9. (1) The court may grant such relief under subsection 7 or 8 of this section if such person demonstrates to the court that he or she has complied with the provisions of this section and is not a current or potential threat to public safety. The prosecuting attorney in the circuit court in which the petition is filed must be given notice, by the person seeking removal or exemption from the registry, of the petition to present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the person seeking removal or exemption from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for which the person was required to register of the petition and the dates and times of any hearings or other proceedings in connection with that petition.

(2) If the petition is denied, such person shall wait at least twelve months before petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes or exempts such person's name from the registry, a certified copy of the written findings or order shall be forwarded by the court to the chief law enforcement official having jurisdiction over the offender and to the Missouri state highway patrol in order to have such person's name removed or exempted from the registry.

10. Any nonresident worker or nonresident student shall register for the duration of such person's employment or attendance at any school of higher education and is not entitled to relief under the provisions of subsection 9 of this section. Any registered offender from another state who has a temporary residence in this state and resides more than seven days in a twelve-month period shall register for the duration of such person's temporary residency and is not entitled to the provisions of subsection 9 of this section.

11. Any person whose name is removed or exempted from the sexual offender registry under subsection 7 or 8 of this section shall no longer be required to fulfill the registration requirements of sections 589.400 to 589.425, unless such person is required to register for committing another offense after being removed from the registry.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schad, **House Amendment No. 5** was adopted.

Representative Cauthorn offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 22, Section 575.080, Line 18, by inserting after all of said section and line the following:

"**575.124. 1. No person shall attempt by means of any threat or violence to deter or prevent an inspector, agent, or other employee of the department of agriculture from performing any duties imposed by law upon such inspector, agent, or employee or the department.**

2. Any person who violates the provisions of this section is guilty of a class B misdemeanor. Any second or subsequent violation of this section is a class A misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cauthorn, **House Amendment No. 6** was adopted.

Representative Black offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Pages 22 and 23, Section 610.205, Lines 1 to 39, by deleting all of said lines and inserting in lieu thereof the following:

"**610.205. 1. After an investigation is inactive, as defined in section 610.100, crime scene or death scene photographs and video recordings, including photographs and video recordings created or produced by a state or local agency or by a perpetrator or suspect at a crime scene, which depict or describe a deceased person in a state of dismemberment, decapitation, or similar mutilation including, without limitation, where the deceased person's genitalia are exposed, shall be considered open records for inspection, but closed records for purposes of copying under the provisions of this chapter. Unless dissemination is prohibited under 18 U.S.C. Section 2252, this section shall not prohibit disclosure of such material to:**

(1) State and local law enforcement agencies, prosecuting attorneys, juvenile officers, courts and court personnel, coroners, the state technical assistance team, child fatality review panels, the department of social services, or other state or local officials who need access to the photograph and video recordings in order to perform their duties; and

(2) The deceased's nonoffending next of kin or to an individual who has secured a written release from the nonoffending next of kin. It shall be the responsibility of the nonoffending next of kin to show proof of the familial relationship. For purposes of such access, the deceased's nonoffending next of kin shall be:

(a) The spouse of the deceased if living;

(b) If there is no living spouse of the deceased, an adult child of the deceased; or

(c) If there is no living spouse or adult child, a parent of the deceased.

Any person who is otherwise a next of kin of the deceased under this section who has been found guilty of the crime that resulted in the deceased's death shall be an offending next of kin and shall not be authorized to access such records or consent to the disclosure of such materials under this section.

2. Subject to the provisions of subsection 3 of this section, in the case of closed criminal investigations a circuit court judge may order the disclosure of such photographs or video recordings not otherwise prohibited under 18 U.S.C. Section 2252 upon findings in writing that disclosure is in the public interest and outweighs any privacy interest that may be asserted by the deceased person's next of kin. In making such determination, the court shall consider whether such disclosure is necessary for public evaluation of governmental performance, the seriousness of the intrusion into the family's right to privacy, and whether such disclosure is the least intrusive means available considering the availability of similar information in other public records. In any such action, the court shall review the photographs or video recordings in question in camera with the custodian of the crime scene materials present and may condition any disclosure on such condition as the court may deem necessary to accommodate the interests of the parties.

3. Prior to releasing any crime scene material described in subsection 1 of this section, the custodian of such material shall give the deceased person's nonoffending next of kin at least two weeks' notice. No court shall

order a disclosure under subsection 2 of this section which would disregard or shorten the duration of such notice requirement. No court order or notification to the next of kin shall be required for the release or disclosure of information to state and local law enforcement agencies, prosecuting attorneys, juvenile officers, courts and court personnel, coroners, the state technical assistance team, child fatality review panels, the department of social services or other state or local officials who need access to the photograph and video recordings in order to perform their duties.

4. The provisions of this section shall apply to all undisclosed material which is in the custody of a state or local agency on the effective date of this section and to any such material which comes into the custody of a state or local agency after such date.

5. The provisions of this section shall not apply to disclosure of crime scene material to counsel representing a defendant. Unless otherwise prohibited under 18 U.S.C. Section 2252, counsel may disclose such materials to his or her client and any expert or investigator assisting counsel but shall not otherwise disseminate such materials, except to the extent they may be necessary exhibits in court proceedings. A request under this subsection shall clearly state that such request is being made for the purpose of preparing to file and litigate proceedings enumerated in this subsection."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 7** was adopted.

Representative Franz offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Section 455.513.3, Page 13, Line 11, by deleting the following: "jurisdiction under section 211.031" and inserting in lieu thereof the following:

"**allegations of abuse under section 210.110**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 8** was adopted.

Representative Marshall offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 15, Section 488.5050, by deleting all of said section from the bill; and

Further amend said bill, Pages 23-27, Section 650.055, by deleting all of said section from the bill; and

Further amend said bill, Pages 27-28, Section 650.100, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Marshall, **House Amendment No. 9** was adopted.

Representative Keeney offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 16, Section 527.290, Line 14, by inserting after all of said section and line the following:

"535.030. 1. Such summons shall be served as in other civil cases at least four days before the court date in the summons. The summons shall include a court date which shall not be more than twenty-one business days from the date the summons is issued unless at the time of filing the affidavit the plaintiff or plaintiff's attorney consents in writing to a later date.

2. In addition to attempted personal service, the plaintiff may request, and thereupon the clerk of the court shall make an order directing that the officer, or other person empowered to execute the summons, shall also serve the same by securely affixing a copy of such summons and the complaint in a conspicuous place on the dwelling of the premises in question at least ten days before the court date in such summons, and by also mailing a copy of the summons and complaint to the defendant at the defendant's last known address by ordinary mail at least ten days before the court date. If the officer, or other person empowered to execute the summons, shall return that the defendant is not found, or that the defendant has absconded or vacated his or her usual place of abode in this state, and if proof be made by affidavit of the posting and of the mailing of a copy of the summons and complaint, the judge shall at the request of the plaintiff proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure set forth in this section.

3. If the plaintiff does not request service of the original summons by posting and mailing as provided in subsection 2 of this section, and if the officer, or other person empowered to execute the summons, makes return that the defendant is not found, or that the defendant has absconded or vacated the defendant's usual place of abode in this state, the plaintiff may request the issuance of an alias summons and service of the same by posting and mailing in the time and manner provided in subsection 2 of this section. In addition, the plaintiff or an agent of the plaintiff who is at least eighteen years of age may serve the summons by posting and mailing a copy of the summons in the time and manner provided in subsection 2 of this section. Upon proof by affidavit of the posting and of the mailing of a copy of the summons or alias summons and the complaint, the judge shall proceed to hear the case as if there had been personal service, and judgment shall be rendered and proceedings had as in other cases, except that no money judgment shall be granted the plaintiff where the defendant is in default and service is by the posting and mailing procedure provided in subsection 2 of this section.

4. On the date judgment is rendered as provided in this section where the defendant is in default, the clerk of the court shall mail to the defendant at the defendant's last known address by ordinary mail a notice informing the defendant of the judgment and the date it was entered, and stating that the defendant has ten days from the date of the judgment to file a motion to set aside the judgment or to file an application for a trial de novo in the circuit court, as the case may be, and that unless the judgment is set aside or an application for a trial de novo is filed within ten days, the judgment will become final and the defendant will be subject to eviction from the premises without further notice.

5. If, after ten days from the date of the judgment the judgment is not set aside or an application for a trial de novo has not been filed, the defendant shall willfully refuse to vacate and surrender the possession of the premises to the plaintiff or the plaintiff's agent, the defendant shall be guilty of a class B misdemeanor."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schatz offered **House Amendment No. 1 to House Amendment No. 10**.

House Amendment No. 1
to
House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 3, Line 5, by inserting after line the following:

'Further amend said bill, Page 3, Section 43.265, Line 36, by inserting after all of said line the following:

"195.417. 1. The limits specified in this section shall not apply to any quantity of such product, mixture, or preparation which must be dispensed, sold, or distributed in a pharmacy pursuant to a valid prescription.

2. Within any thirty-day period, no person**, pharmacist, intern pharmacist, or registered pharmacist technician** shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

(1) The sole active ingredient; or

(2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than **[**nine grams, without regard to the number of transactions**] two and eighty-eight one hundredths grams per transaction. Within any twelve-month period, the total amount of all individual transactions under this subsection shall not exceed an aggregate amount of twenty-three and nine one hundredths grams**.

3. **[**Within any twenty-four-hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

(1) The sole active ingredient; or

(2) One of the active ingredients of a combination drug; or

(3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than three and six-tenths grams without regard to the number of transactions**] Upon written application of a manufacturer, the department of health and senior services may exempt by rule any product containing any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenlypropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers from the application of all or any part of this section because the product is proven to not be feasible for the conversion of the active ingredient into methamphetamine or its salts or precursors. For purposes of this subdivision, "proven" includes but is not limited to the fact that the compound, mixture, or preparation releases less than five percent of the active ingredient used for conversion into methamphetamine or its salts or precursors. Upon notification from the state highway patrol that the patrol has probable cause to believe that a product exempted under this subdivision is feasible for the conversion of the active ingredient into methamphetamine or its salts or precursors, the department may issue an emergency rule revoking the exemption for the product pending a full hearing**.

4. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

5. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation.

6. This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.

7. All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

8. Within thirty days of June 15, 2005, all persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

9. Any person who knowingly or recklessly violates this section is guilty of a class A misdemeanor."; and'; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Johnson	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Thomson	Torpey	Wallingford	Wells	Weter
White	Wright	Zerr		

NOES: 046

Anders	Atkins	Black	Brown 50	Carlson
Carter	Casey	Ellinger	Ellington	Fallert
Harris	Hodges	Hubbard	Jones 63	Kander
Kelly 24	Kirkton	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McNeil	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 029

Aull	Colona	Conway 14	Conway 27	Dieckhaus
Diehl	Franklin	Franz	Holsman	Hough
Houghton	Hughes	Hummel	Jones 89	Kratky
Lair	Lauer	McDonald	McManus	McNary
Meadows	Scharnhorst	Schatz	Schneider	Stream
Webb	Wieland	Wyatt	Mr Speaker	

Representative Schatz moved that **House Amendment No. 1 to House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 037

Black	Carlson	Cauthorn	Cross	Denison
Dieckhaus	Fitzwater	Fuhr	Gosen	Hampton
Higdon	Hinson	Hodges	Jones 117	Kelley 126
Klippenstein	Korman	Lant	Lichtenegger	McCaherty
Montecillo	Phillips	Reiboldt	Richardson	Rizzo
Schatz	Schieffer	Smith 71	Stream	Swearingen
Torpey	Wallingford	Weter	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 100

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carter
Casey	Cierpiot	Colona	Conway 14	Cookson
Cox	Crawford	Curtman	Davis	Day
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Flanigan	Fraker	Frederick
Funderburk	Gatschenberger	Grisamore	Guernsey	Haefner
Harris	Holsman	Hoskins	Hubbard	Johnson
Jones 63	Jones 89	Keeney	Kelly 24	Kirkton
Koenig	Kratky	Lair	Lampe	Largent
Lasater	Leach	Leara	Marshall	May
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Molendorp	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Pollock	Quinn	Redmon	Riddle
Rowland	Ruzicka	Sater	Schad	Schoeller
Schupp	Shively	Shumake	Silvey	Solon
Sommer	Spreng	Still	Talboy	Taylor
Thomson	Walton Gray	Webber	Wells	White

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 025

Brandom	Conway 27	Diehl	Franklin	Franz
Hough	Houghton	Hughes	Hummel	Kander
Lauer	Loehner	Long	McDonald	McGhee
McNary	Meadows	Pierson	Scharnhorst	Schieber
Schneider	Smith 150	Swinger	Webb	Wieland

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Dieckhaus	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Frederick	Fuhr
Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Johnson	Jones 89	Jones 117	Kelley 126	Klippenstein
Koenig	Korman	Lair	Lant	Largent
Lasater	Leach	Leara	Lichtenegger	Long
Marshall	McCaherty	McGhee	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Riddle	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schoeller
Shumake	Silvey	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wright	Zerr		

NOES: 052

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Jones 63	Kander	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 023

Brattin	Curtman	Diehl	Franklin	Franz
Hough	Houghton	Hughes	Hummel	Keeney
Kelly 24	Lauer	Loehner	McDonald	McNary
Richardson	Scharnhorst	Schneider	Smith 150	Webb
Wieland	Wyatt	Mr Speaker		

On motion of Representative Keeney, **House Amendment No. 10** was adopted.

Representative Hinson offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 43.265, Line 19, by inserting after all of said section and line, the following:

"**[**650.325.**]** **190.411.** There is hereby established within the department of public safety the "**[**Advisory Committee for**]** 911 Service Oversight **Board**" which is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training and education. The **[**committee for**]** 911 service oversight **board** shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state.

[650.330.**]** **190.415.** 1. The **[**committee for**]** 911 service oversight **board** shall consist of **[**sixteen**]** **seven** members, one of **[**which**]** **whom** shall be **[**chosen from**]** **the director of** the department of public safety **or the director's designee,** who shall serve as chair of the **[**committee**]** **board** and only vote in the instance of a tie vote among the other members, and the other members shall be selected as follows:

(1) **[**One member chosen to represent an association domiciled in this state whose primary interest relates to counties;

(2) One member chosen to represent the Missouri public service commission;

(3)**]** One member chosen to represent emergency medical services;

[(4)**]** **(2)** One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

[(5)**]** **(3)** One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;

[(6)**]** **(4)** One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

[(7)**]** **(5)** One member chosen to represent an association whose primary interest relates to issues pertaining to **[**police chiefs**]** **law enforcement officials**; **and**

[(8) One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;

(9) One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;

(10) One member chosen to represent 911 service providers in counties of the second, third and fourth classification;

(11) One member chosen to represent 911 service providers in counties of the first classification, with and without charter forms of government, and cities not within a county;

(12)**]** **(6)** One member chosen to represent telecommunications service providers with **[**at least one hundred thousand**]** access lines located within Missouri**[**;

(13) One member chosen to represent telecommunications service providers with less than one hundred thousand access lines located within Missouri;

(14) One member chosen to represent a professional association of physicians who conduct with emergency care; and

(15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers**]**.

2. Each of the members of the **[**committee for**]** 911 service oversight **board** shall be appointed by the governor with the advice and consent of the senate for a term of four years**[**; except that, of those members first appointed, four members shall be appointed to serve for one year, four members shall be appointed to serve for two years, four members shall be appointed to serve for three years and four members shall be appointed to serve for four years**]**. Members of the **[**committee**]** **board** may serve multiple terms.

3. The **[**committee for**]** 911 service oversight **board** shall meet at least quarterly at a place and time specified by the chairperson of the **[**committee**]** **board** and it shall keep and maintain records of such meetings, as well as the other activities of the **[**committee**]** **board**. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the **[**committee**]** **board**.

4. The **[**committee for**]** 911 service oversight **board** shall:

(1) Organize and adopt standards governing the **[**committee's**]** **board's** formal and informal procedures;

(2) Provide recommendations for primary answering points and secondary answering points on statewide technical and operational standards for 911 services;

(3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;

(4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that such **[**committee**]** **board** shall not supersede decision-making authority of local political subdivisions in regard to 911 services;

(5) Provide assistance to the governor and the general assembly regarding 911 services;

(6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;

(7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;

(8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state; and

(9) Advise the department of public safety on establishing rules and regulations necessary to administer the provisions of sections **[**650.320 to 650.340**]** **190.400 to 190.445**.

5. The department of public safety shall provide staff assistance to the **[**committee for**]** 911 service oversight **board** as necessary in order for the **[**committee**]** **board** to perform its duties pursuant to sections **[**650.320 to 650.340**]** **190.400 to 190.445**.

6. The department of public safety is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within section **[**650.340**]** **190.445**. Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

[650.340.**]** **190.445.** 1. The provisions of this section may be cited and shall be known as the "911 Training and Standards Act".

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

(1) Police telecommunicator. . . . . 16 hours;

(2) Fire telecommunicator.. . . . . 16 hours;

(3) Emergency medical services telecommunicator. . . . . 16 hours;

(4) Joint communication center telecommunicator. . . . . 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section. The reporting period for the ongoing training under this subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the **[**committee**]** **board** that such person has completed training in another state which are at least as stringent as the training requirements of subsection 2 of this section.

6. The department of public safety shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or **dispatch** agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for **[**an**]** **a dispatch** agency which meets the requirements set forth in section 190.134.”; and

Further amend said bill, Page 3, Section 210.1014, Line 36, by inserting after all of said section and line, the following:

"302.291. 1. The director, having good cause to believe that an operator is incompetent or unqualified to retain his or her license, after giving ten days' notice in writing by certified mail directed to such person's present known address, may require the person to submit to an examination as prescribed by the director. Upon conclusion of the examination, the director may allow the person to retain his or her license, may suspend, deny or revoke the person's license, or may issue the person a license subject to restrictions as provided in section 302.301. If an examination indicates a condition that potentially impairs safe driving, the director, in addition to action with respect to the license, may require the person to submit to further periodic examinations. The refusal or neglect of the person to submit to an examination within thirty days after the date of such notice shall be grounds for suspension, denial or revocation of the person's license by the director, an associate circuit or circuit court. Notice of any suspension, denial, revocation or other restriction shall be provided by certified mail. As used in this section, the term "denial" means the act of not licensing a person who is currently suspended, revoked or otherwise not licensed to operate a motor vehicle. Denial may also include the act of withdrawing a previously issued license.

2. The examination provided for in subsection 1 of this section may include, but is not limited to, a written test and tests of driving skills, vision, highway sign recognition and, if appropriate, a physical and/or mental examination as provided in section 302.173.

3. The director shall have good cause to believe that an operator is incompetent or unqualified to retain such person's license on the basis of, but not limited to, a report by:

(1) Any certified peace officer;

(2) Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334; any chiropractic physician licensed pursuant to chapter 331; any registered nurse licensed pursuant to chapter 335; any psychologist, social worker or professional counselor licensed pursuant to chapter 337; any optometrist licensed pursuant to chapter 336; **any emergency medical technician licensed under chapter 190;** or

(3) Any member of the operator's family within three degrees of consanguinity, or the operator's spouse, who has reached the age of eighteen, except that no person may report the same family member pursuant to this section more than one time during a twelve-month period. The report must state that the person reasonably and in good faith believes the driver cannot safely operate a motor vehicle and must be based upon personal observation or physical evidence which shall be described in the report, or the report shall be based upon an investigation by a law enforcement officer. The report shall be a written declaration in the form prescribed by the department of revenue and shall contain the name, address, telephone number, and signature of the person making the report.

4. Any physician, physical therapist or occupational therapist licensed pursuant to chapter 334, any chiropractor licensed pursuant to chapter 331, any registered nurse licensed pursuant to chapter 335, any psychologist, social worker or professional counselor licensed pursuant to chapter 337, or any optometrist licensed pursuant to chapter 336**, or any emergency medical technician licensed under chapter 190** may report to the department any patient diagnosed or assessed as having a disorder or condition that may prevent such person from safely operating a motor vehicle. Such report shall state the diagnosis or assessment and whether the condition is permanent or temporary. The existence of a physician-patient relationship shall not prevent the making of a report by such medical professionals.

5. Any person who makes a report in good faith pursuant to this section shall be immune from any civil liability that otherwise might result from making the report. Notwithstanding the provisions of chapter 610 to the contrary, all reports made and all medical records reviewed and maintained by the department of revenue pursuant to this section shall be kept confidential except upon order of a court of competent jurisdiction or in a review of the director's action pursuant to section 302.311.

6. The department of revenue shall keep records and statistics of reports made and actions taken against driver's licenses pursuant to this section.

7. The department of revenue shall, in consultation with the medical advisory board established by section 302.292, develop a standardized form and provide guidelines for the reporting of cases and for the examination of drivers pursuant to this section. The guidelines shall be published and adopted as required for rules and regulations pursuant to chapter 536. The department of revenue shall also adopt rules and regulations as necessary to carry out the other provisions of this section. The director of revenue shall provide health care professionals and law enforcement officers with information about the procedures authorized in this section. The guidelines and regulations implementing this section shall be in compliance with the federal Americans with Disabilities Act of 1990.

8. Any person who knowingly violates a confidentiality provision of this section or who knowingly permits or encourages the unauthorized use of a report or reporting person's name in violation of this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

9. Any person who intentionally files a false report pursuant to this section shall be guilty of a class A misdemeanor and shall be liable for damages which proximately result.

10. All appeals of license revocations, suspensions, denials and restrictions shall be made as required pursuant to section 302.311 within thirty days after the receipt of the notice of revocation, suspension, denial or restriction.

11. Any individual whose condition is temporary in nature as reported pursuant to the provisions of subsection 4 of this section shall have the right to petition the director of the department of revenue for total or partial reinstatement of his or her license. Such request shall be made on a form prescribed by the department of revenue and accompanied by a statement from a health care provider with the same or similar license as the health care provider who made the initial report resulting in the limitation or loss of the driver's license. Such petition shall be decided by the director of the department of revenue within thirty days of receipt of the petition. Such decision by the director is appealable pursuant to subsection 10 of this section.”; and

Further amend said bill, Page 3, Section 302.790, Line 14, by inserting after all of said section, the following:

“**302.800. 1. For purposes of this section, the following terms mean:**

(1) "Department", the department of revenue;

(2) "Director", the director of the department of revenue;

(3) "Emergency responder", a municipal, county, or state law enforcement officer or firefighter, or other person who has been trained to provide emergency medical first response services;

(4) "Program participant", an individual who has completed a health information card that includes health and emergency contact information, and affixed the decal provided by the department of revenue under this section to the individual's motor vehicle.

2. There is hereby established a "Missouri Yellow Dot Program" in the department of revenue. The purpose of the program is to provide emergency responders with critical health and emergency contact information about program participants so emergency responders may aid program participants when those individuals are involved in motor vehicle emergencies or accidents and are unable to communicate.

3. The department of revenue shall design Missouri yellow dot program materials, giving consideration to the program materials used by other states in similar programs. Program materials shall include, but shall not be limited to:

(1) A yellow decal of a size and design to be determined by the department which shall be affixed to the rear driver's side window of the program participant's vehicle;

(2) A health information card which provides space for an individual to attach a recent photograph and indicate the individual's name, emergency contact information, physician's names and contact information, medical conditions, recent surgeries, allergies, medications, and any other information the director deems relevant to emergency responders in the case of emergency;

(3) A yellow envelope of a size and design to be determined by the director into which the health information card established under this subsection is to be inserted and placed into the program participant's glove compartment; and

(4) A program instruction sheet including an electronic mail address required under subsection 4 of this section.

4. The department shall establish an electronic mail mechanism through which persons may ask questions about the program and receive assistance in completing the health information card.

5. The department shall provide sufficient program materials to other state departments or agencies seeking to distribute or make program materials available to interested persons.

6. The director shall notify the state highway patrol regarding the implementation of the Missouri yellow dot program so that all emergency responders are informed about the program.

7. The department may charge an individual seeking to participate in the program a nominal fee to cover the administrative cost of the program.

8. The department shall make Missouri yellow dot program materials available for pick up by any interested person at any driver's license office and shall provide for an online means through which individuals can request the materials required to participate in the program. Any other state department or agency may make the program materials available for distribution to, or pick up by, any interested person.

9. The department shall develop and undertake a public education campaign to inform the public about the program established in this section.

10. The director may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the

authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

11. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill, Page 6, Section 306.130, Line 20, by inserting after all of said section, the following:

"320.106. As used in sections 320.106 to 320.161, unless clearly indicated otherwise, the following terms mean:

(1) "American Pyrotechnics Association (APA), Standard 87-1", or subsequent standard which may amend or supersede this standard for manufacturers, importers and distributors of fireworks;

(2) "Chemical composition", all pyrotechnic and explosive composition contained in fireworks devices as defined in American Pyrotechnics Association (APA), Standard 87-1;

(3) "Consumer fireworks", explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UNO336, **[**1.4G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class C common fireworks by regulation of the United States Department of Transportation**] within 49 CFR Part 172**;

(4) "Discharge site", the area immediately surrounding the fireworks mortars used for an outdoor fireworks display;

(5) "Dispenser", a device designed for the measurement and delivery of liquids as fuel;

(6) "Display fireworks", explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two grains (130 mg) of explosive composition intended for public display. These devices are classified as fireworks, **UN0333 or UN0334 or** UNO335, **[**1.3G by regulation of the United States Department of Transportation, as amended from time to time, and which were formerly classified as class B display fireworks by regulation of the United States Department of Transportation**] within 49 CFR Part 172**;

(7) "Display site", the immediate area where a fireworks display is conducted, including the discharge site, the fallout area, and the required separation distance from mortars to spectator viewing areas, but not spectator viewing areas or vehicle parking areas;

(8) "Distributor", any person engaged in the business of selling fireworks to wholesalers, jobbers, seasonal retailers, other persons, or governmental bodies that possess the necessary permits as specified in sections 320.106 to 320.161, including any person that imports any fireworks of any kind in any manner into the state of Missouri;

(9) "Fireworks", any composition or device for producing a visible, audible, or both visible and audible effect by combustion, deflagration, or detonation and that meets the definition of consumer, proximate, or display fireworks as set forth by 49 CFR Part 171 to end, United States Department of Transportation hazardous materials regulations**[**, and American Pyrotechnics Association 87-1 standards**]**;

(10) "Fireworks season", the period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks;

(11) "Jobber", any person engaged in the business of making sales of consumer fireworks at wholesale or retail within the state of Missouri to nonlicensed buyers for use and distribution outside the state of Missouri during a calendar year from the first day of January through the thirty-first day of December;

(12) "Licensed operator", any person who supervises, manages, or directs the discharge of outdoor display fireworks, either by manual or electrical means; who has met additional requirements established by promulgated rule and has successfully completed a display fireworks training course recognized and approved by the state fire marshal;

(13) "Manufacturer", any person engaged in the making, manufacture, assembly or construction of fireworks of any kind within the state of Missouri;

(14) "NFPA", National Fire Protection Association, an international codes and standards organization;

(15) "Permanent structure", buildings and structures with permanent foundations other than tents, mobile homes, and trailers;

(16) "Permit", the written authority of the state fire marshal issued pursuant to sections 320.106 to 320.161 to sell, possess, manufacture, discharge, or distribute fireworks;

(17) "Person", any corporation, association, partnership or individual or group thereof;

(18) "Proximate fireworks", a chemical mixture used in the entertainment industry to produce visible or audible effects by combustion, deflagration, or detonation, as **[**defined by the most current edition of the American Pyrotechnics Association (APA), Standard 87-1, section 3.8, specific requirements for theatrical pyrotechnics**] classified within 49 CFR Part 172 as UN0431 or UN0432**;

(19) "Pyrotechnic operator" or "special effects operator", an individual who has responsibility for pyrotechnic safety and who controls, initiates, or otherwise creates special effects for proximate fireworks and who has met additional requirements established by promulgated rules and has successfully completed a proximate fireworks training course recognized and approved by the state fire marshal;

(20) "Sale", an exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one or more individuals;

(21) "Seasonal retailer", any person within the state of Missouri engaged in the business of making sales of consumer fireworks in Missouri only during a fireworks season as defined by subdivision (10) of this section;

(22) "Wholesaler", any person engaged in the business of making sales of consumer fireworks to any other person engaged in the business of making sales of consumer fireworks at retail within the state of Missouri.

320.131. 1. It is unlawful for any person to possess, sell or use within the state of Missouri, or ship into the state of Missouri, except as provided in section 320.126, any pyrotechnics commonly known as "fireworks" and defined as consumer fireworks in subdivision (3) of section 320.106 other than items now or hereafter classified as fireworks UNO336, 1.4G by the United States Department of Transportation that comply with the construction, chemical composition, labeling and other regulations relative to consumer fireworks regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public pursuant to such commission's regulations.

2. No wholesaler, jobber, or seasonal retailer, or any other person shall sell, offer for sale, store, display, or have in their possession any consumer fireworks that have not been approved as fireworks UNO336, 1.4G by the United States Department of Transportation.

3. No jobber, wholesaler, manufacturer, or distributor shall sell to seasonal retailer dealers, or any other person, in this state for the purpose of resale, or use, in this state, any consumer fireworks which do not have the numbers and letter "1.4G" printed within an orange, diamond-shaped label printed on or attached to the fireworks shipping carton.

4. This section does not prohibit a manufacturer, distributor or any other person **possessing the proper permits as specified by state and federal law** from storing, selling, shipping or otherwise transporting display or proximate fireworks**[**, defined as fireworks UNO335, 1.3G/UNO431, 1.4G or UNO432, 1.4S by the United States Department of Transportation, provided they possess the proper permits as specified by state and federal law**]**.

5. Matches, toy pistols, toy canes, toy guns, party poppers, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound, provided that they are so constructed that the hand cannot come into contact with the cap when in place for use, and toy pistol paper caps which contain less than twenty-five hundredths grains of explosive mixture shall be permitted for sale and use at all times and shall not be regulated by the provisions of sections 320.106 to 320.161.

320.136. Ground salutes commonly known as "cherry bombs", "M-80's", "M-100's", "M-1000's", and any other tubular salutes or any items described as prohibited chemical components or forbidden devices as listed in the American Pyrotechnics Association Standard 87-1 or which exceed the **[**federal**]** limits set for **consumer** fireworks **[**UNO336, 1.4G formerly known as class C common fireworks, display fireworks UNO335, 1.3F, and proximate fireworks UNO431, 1.4F/UNO432, 1.4S by the United States Department of Transportation**], display fireworks, or proximate fireworks** for explosive composition are expressly prohibited from shipment into, manufacture, possession, sale, or use within the state of Missouri for consumer use. Possession, sale, manufacture, or transport of this type of illegal explosive shall be punished as provided by the provisions of section 571.020.

320.202. 1. There is hereby established within the department of public safety a "Division of Fire Safety", which shall have as its chief executive officer the fire marshal appointed under section 320.205. The fire marshal and the division shall be responsible for:

(1) The voluntary training of firefighters, investigators, inspectors, and public or private employees or volunteers in the field of emergency response, rescue, fire prevention or preparedness;

(2) Establishing and maintaining a statewide reporting system, which shall, as a minimum, include the records required by section 320.235 and a record of all fires occurring in Missouri showing:

(a) The name of all owners of personal and real property affected by the fire;

(b) The name of each occupant of each building in which a fire occurred;

(c) The total amount of insurance carried by, the total amount of insurance collected by, and the total amount of loss to each owner of property affected by the fire; and

(d) All the facts, statistics and circumstances, including, but not limited to, the origin of the fire, which are or may be determined by any investigation conducted by the division or any local firefighting agency under the laws of this state. All records maintained under this subdivision shall be open to public inspections during all normal business hours of the division;

(3) Conducting all investigations of fires mandated by sections 320.200 to 320.270;

(4) Conducting all fire inspections required of any private premises in order for any license relating to such private premises to be issued under any licensing law of this state, except those organizations and institutions licensed pursuant to chapter 197;

(5) Establishing and maintaining a voluntary training and certification program based upon nationally recognized standards. A certification testing fee and recertification fee shall be established by promulgated rules and regulations by the state fire marshal under the provisions of section 536.024.

Fees collected shall be deposited into the **[**general revenue**]** **fire education** fund **established in section 320.094**.

2. The state fire marshal shall exercise and perform all powers and duties necessary to carry out the responsibilities imposed by subsection 1 of this section, including, but not limited to, the power to contract with any person, firm, corporation, state agency, or political subdivision for services necessary to accomplish any of the responsibilities imposed by subsection 1 of this section.

3. The state fire marshal shall have the authority to promulgate rules and regulations under the provisions of section 536.024 to carry out the provisions of this section.

321.015. **1.** No person holding any lucrative office or employment under this state, or any political subdivision thereof as defined in section 70.120, shall hold the office of fire protection district director under this chapter. When any fire protection district director accepts any office or employment under this state or any political subdivision thereof, his office shall thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as fire protection district director.

2. This section shall not apply to**:**

(1) Members of the organized militia, of the reserve corps, public school employees and notaries public**; [**, or to**]**

(2) Fire protection districts located wholly within counties of the second, third or fourth **[**class or**]** classification;

(3) Fire protection districts in counties of the first classification with less than eighty-five thousand inhabitants;

(4) Fire protection districts located within **[**first class**]** counties **of the first classification** not adjoining any other **[**first class**]** county **of the first classification; [**, nor shall this section apply to**]**

(5) Fire protection districts located within any county of the first or second **[**class**]** classification not having more than nine hundred thousand inhabitants which borders any three **[**first class**]** counties **of the first classification**; **[**nor shall this section apply to**]**

(6) Fire protection districts located within any **[**first class**]** county **of the first classification [**without a charter form of government**]** which adjoins both a **[**first class**]** charter county **[**with a charter form of government**]** with at least nine hundred thousand inhabitants, and adjoins at least four other counties**;**

(7) Fire protection districts located within any county of the first classification with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

The term "lucrative office or employment" does not include receiving retirement benefits, compensation for expenses, or a stipend or per diem, in an amount not to exceed seventy-five dollars for each day of service, for service rendered to a fire protection district, the state or any political subdivision thereof.

321.130. 1. A person, to be qualified to serve as a director, shall be a voter of the district at least one year before the election or appointment and be over the age of twenty-five years; except as provided in subsections 2 and 3 of this section. The person shall also be a resident of such fire protection district. In the event the person is no longer a resident of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters of the fire protection district by paying a ten dollar filing fee and filing a statement under oath that such person possesses the required qualifications.

2. In any fire protection district located in more than one county one of which is a first class county without a charter form of government having a population of more than one hundred ninety-eight thousand and not adjoining any other first class county or located wholly within a first class county as described herein, a resident shall have been a resident of the district for more than one year to be qualified to serve as a director.

3. In any fire protection district located in a county of the third or fourth classification, a person to be qualified to serve as a director shall be over the age of twenty-five years and shall be a voter of the district for more than one year before the election or appointment, except that for the first board of directors in such district, a person need only be a voter of the district for one year before the election or appointment.

4. A person desiring to become a candidate for the first board of directors of the proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and shall file with the election authority a statement under oath that such person possesses all of the qualifications set out in this chapter for a director of a fire protection district. Thereafter, such candidate shall have the candidate's name placed on the ballot as a candidate for director.

5. Any director who has been found guilty of or pled guilty to any felony offense shall immediately forfeit his or her office.

6. No person shall be qualified to serve as a director, nor shall such person's name appear on the ballot as a candidate for such office, who shall be in arrears for any unpaid or past due county taxes.

321.162. 1. **In addition to the qualifications prescribed by law,** all members of the board of directors of a fire protection district first elected **or appointed** on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of a fire protection district. The training required under this section shall be conducted by an entity approved by the office of the state fire marshal. The office of the state fire marshal shall determine the content of the training to fulfill the requirements of this section. Such training shall include, at a minimum:

(1) Information relating to the roles and duties of a fire protection district director;

(2) A review of all state statutes and regulations relevant to fire protection districts;

(3) State ethics laws;

(4) State sunshine laws, chapter 610;

(5) Financial and fiduciary responsibility;

(6) State laws relating to the setting of tax rates; and

(7) State laws relating to revenue limitations.

2. If any fire protection district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session.

321.228. 1. As used in this section, the following terms shall mean:

(1) "Residential construction", new construction and erection of detached single-family or two-family dwellings or the development of land to be used for detached single-family or two-family dwellings;

(2) "Residential construction regulatory system", any bylaw, ordinance, order, rule, or regulation adopted, implemented, or enforced by any city, town, village, or county that pertains to residential construction, to any permitting system, or program relating to residential construction, including but not limited to the use or occupancy by the initial occupant thereof, or to any system or program for the inspection of residential construction. Residential construction regulatory system also includes the whole or any part of a nationally recognized model code, with or without amendments specific to such city, town, village, or county.

2. Notwithstanding the provisions of any other law to the contrary, if a city, town, village, or county adopts or has adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board.

3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:

(1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and

(2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and

(3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.

321.460. 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, **or are located within the same county, in whole or in part,** as to any respective two of the districts which are so consolidating.

2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.

3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.

4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.

5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the submission of the question.

6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.

7. The question shall be submitted in substantially the following form:

Shall the ..... Fire Protection Districts and the ..... Fire Protection District be consolidated into one fire protection district to be known as the ..... Fire Protection District, with tax levies not in excess of the following amounts: maintenance fund ..... cents per one hundred dollars assessed valuation; ambulance service ..... cents per one hundred dollars assessed valuation; pension fund ..... cents per one hundred dollars assessed valuation; and dispatching fund ..... cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners.

321.711. 1. A recall petition shall be filed with the election authority not more than one hundred eighty days after the filing of the notice of intention.

2. The number of qualified signatures required in order to recall an officer shall be equal in number to at least **[**twenty-five**] twenty** percent of the number of voters who voted in the most recent gubernatorial election in that district.

3. Within twenty days from the filing of the recall petition the election authority shall determine whether or not the petition was signed by the required number of qualified signatures. The election authority shall file with the petition a certificate showing the results of the examination. The authority shall give the proponents a copy of the certificate upon their request.

4. If the election authority certifies the petition to be insufficient, it may be supplemented within ten days of the date of certificate by filing additional petition sections containing all of the information required by section 321.709 and this section. Within ten days after the supplemental copies are filed, the election authority shall file with it a certificate stating whether or not the petition as supplemented is sufficient.

5. If the certificate shows that the petition as supplemented is insufficient, no action shall be taken on it; however, the petition shall remain on file."; and

Further amend said bill, Page 22, Section 575.080, Line 18, by inserting after all of said section and line, the following:

"577.029. A licensed physician, registered nurse, or trained **in hospital** medical technician, acting at the request and direction of the law enforcement officer, shall withdraw blood for the purpose of determining the alcohol content of the blood, unless such medical personnel, in his or her good faith medical judgment, believes such procedure would endanger the life or health of the person in custody. Blood may be withdrawn only by such medical personnel, but such restriction shall not apply to the taking of a breath test, a saliva specimen, or a urine specimen. In withdrawing blood for the purpose of determining the alcohol content thereof, only a previously unused and sterile needle and sterile vessel shall be utilized and the withdrawal shall otherwise be in strict accord with accepted medical practices. Upon the request of the person who is tested, full information concerning the test taken at the direction of the law enforcement officer shall be made available to him or her."; and

Further amend said bill, Page 30, Section 650.120, Line 81, by inserting after all of said section, the following:

"**Section 1. 1. For purposes of this act, the term "anemometer" means an instrument for measuring and recording the speed of the wind, and the term "anemometer tower" means a structure, including all guy wires and accessory facilities, on which an anemometer is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator.**

2. Any anemometer tower that is fifty feet in height above the ground or higher, that is located outside the exterior boundaries of any municipality, and whose appearance is not otherwise mandated by state or federal law shall be marked, painted, flagged, or otherwise constructed to be recognizable in clear air during daylight hours. Any anemometer tower that was erected before the effective date of this act shall be marked as required in this section within one year after the effective date of this act. Any anemometer tower that is erected on or after the effective date of this act shall be marked as required in this section at the time it is erected. Marking required under this section includes marking the anemometer tower, guy wires, and accessory facilities as follows:

(1) The top one-third of the anemometer tower shall be painted in equal, alternating bands of aviation orange and white, beginning with orange at the top of the tower and ending with orange at the bottom of the marked portion of the tower;

(2) Two marker balls shall be attached to and evenly spaced on each of the outside guy wires;

(3) The area surrounding each point where a guy wire is anchored to the ground shall have a contrasting appearance with any surrounding vegetation. If the adjacent land is grazed, the area surrounding the anchor point shall be fenced. For purposes of this section, the term, area surrounding the anchor point, means an area not less than sixty-four square feet whose outer boundary is at least four feet from the anchor point; and

(4) One or more seven-foot safety sleeves shall be placed at each anchor point and shall extend from the anchor point along each guy wire attached to the anchor point. A violation of this section is a class C misdemeanor.

[190.400. As used in sections 190.400 to 190.440, the following words and terms shall mean:

(1) "911", the primary emergency telephone number within the wireless system;

(2) "Board", the wireless service provider enhanced 911 advisory board;

(3) "Public safety agency", a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;

(4) "Public safety answering point", the location at which 911 calls are initially answered;

(5) "Wireless service provider", a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).**]**

[190.410. 1. There is hereby created in the department of public safety the "Wireless Service Provider Enhanced 911 Advisory Board", consisting of eight members as follows:

(1) The director of the department of public safety or the director's designee who shall hold a position of authority in such department of at least a division director;

(2) The chairperson of the public service commission or the chairperson's designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;

(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and

(4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.

2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.

3. The board shall do the following:

(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;

(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;

(3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and

(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.

4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.**]**

[190.420. 1. There is hereby established in the state treasury a fund to be known as the "Wireless Service Provider Enhanced 911 Service Fund". All fees collected pursuant to sections 190.400 to 190.440 by wireless service providers shall be remitted to the director of the department of revenue. The director shall remit such payments to the state treasurer.

2. The state treasurer shall deposit such payments into the wireless service provider enhanced 911 service fund. Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the wireless service provider enhanced 911 system.

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund.**]**

[190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.

2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440

shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to July 2, 1998, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 2, 1998, shall be invalid and void.

3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:

(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and

(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:

(a) The volume of wireless 911 calls received by each public safety answering point;

(b) The population of the public safety answering point jurisdiction;

(c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and

(d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section;

(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;

(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.

4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.

5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.

6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.

7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.

8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.**]**

[190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the

voters of this state. The ballot measure shall be submitted by the secretary of state for approval or rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.

2. The ballot of the submission shall contain, but is not limited to, the following language:

Shall the Missouri Office of Administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless enhanced 911 service?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.**]**

[650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) "Committee", the advisory committee for 911 service oversight established in section 650.325;

(2) "Public safety answering point", the location at which 911 calls are initially answered;

(3) "Telecommunicator", any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.**]**"; and

Further amend said bill, Page 31, Section B, Line 4, by inserting after all of said section, the following:

"Section C. Because immediate action is necessary to ensure compliance with federal regulations prior to the sale of fireworks for the Independence Day holiday, sections 320.106, 320.131, and 320.136 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and sections 320.106, 320.131, and 320.136 of section A this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hinson, **House Amendment No. 11** was adopted.

Representative Pace offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 16, Section 527.290, Line 14, by inserting after all of said line the following:

"**565.066. 1. A person commits the crime of assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties.**

2. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

3. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

4. Assault of a utility worker or an employee of a mass transit system in the first degree is a class B felony.

565.067. 1. A person commits the crime of assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties;

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties;

(5) Acts with criminal negligence to cause physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a utility worker or an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

3. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

4. Assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the second degree is a class C felony unless committed under subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class B felony.

565.068. 1. A person commits the crime of assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the third degree if:

(1) Such person recklessly causes physical injury to a utility worker or an employee of a mass transit system while in the scope of his or her duties;

(2) Such person purposely places a utility worker or an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with a utility worker or an employee of a mass transit system while in the scope of his or her duties without the consent of the utility worker or employee of the mass transit system.

2. As used in this section, the term "utility worker" means any employee, including any person employed under contract, of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned.

3. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

4. Assault of a utility worker or an employee of a mass transit system while in the scope of his or her duties in the third degree is a class A misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pace, **House Amendment No. 12** was adopted.

Representative Higdon offered **House Amendment No. 13**.

House Amendment No. 13

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 2, Section 43.265, Line 19, by inserting after all of said section and line the following:

"57.104. 1. The sheriff of any county **[**of the first classification not having a charter form of government**]** may employ an attorney at law to aid and advise him **or her** in the discharge of his **or her** duties and to represent him **or her** in court. The sheriff shall set the compensation for an attorney hired pursuant to this section within the allocation made by the county commission to the sheriff's department for compensation of employees to be paid out of the general revenue fund of the county.

2. The attorney employed by a sheriff pursuant to subsection 1 of this section shall be employed at the pleasure of the sheriff."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Schoeller assumed the Chair.

Representative Pollock offered **House Amendment No. 1 to House Amendment No. 13**.

House Amendment No. 1
to
House Amendment No. 13

AMEND House Amendment No. 13 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 1, Line 20, by inserting after all of said line, the following:

'Further amend said bill, Page 30, Section 650.120, Line 81, by inserting after all of said section and line the following:

"**Section 1. 1. The department of transportation shall designate 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.**

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1 to House Amendment No. 13** was adopted.

On motion of Representative Higdon, **House Amendment No. 13, as amended**, was adopted.

Representative Gatschenberger offered **House Amendment No. 14**.

House Amendment No. 14

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 3, Section 210.1014, Line 36, by after all of said section and line inserting the following:

"**227.509. The portion of highway 64/40 between mile markers 10.2 and 12.8 in St. Charles County shall be designated the "Darrell B. Roegner Memorial Highway." Costs for such designation shall be paid by private donations.**

301.3163. Any person may apply for **[**special**]** **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**]** **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**]** **director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**]** **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 14** was adopted.

Representative Cookson offered **House Amendment No. 15**.

House Amendment No. 15

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 6, Section 407.293, Lines 3-5, by deleting all of said lines and inserting in lieu thereof, the following:

"**magnesium.**"; and

Further amend said bill, page, and section, Line 8, by inserting after the phrase "**part of the vehicle**", a semicolon "**;**"; and

Further amend said bill, page, and section, Line 9, by inserting after the phrase "**section 367.011**" the following:

"**; nor does it include retail jewelers**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cookson, **House Amendment No. 15** was adopted.

Representative Flanigan offered **House Amendment No. 16**.

*House Amendment No. 1*6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 755, Page 1, Section A, Line 8, by inserting after said line the following:

"32.028. 1. There is hereby created a department of revenue in charge of a director appointed by the governor, by and with the advice and consent of the senate. The department shall collect all taxes and fees payable to the state as provided by law **and may collect, upon referral by a state agency, debts owed to any state agency subject to section 32.420**.

2. The powers, duties and functions of the department of revenue, chapter 32 and others, are transferred by type I transfer to the department of revenue. All powers, duties and function of the collector of revenue are transferred to the director of the department by type I transfer and the position of collector of revenue is abolished.

3. The powers, duties and functions of the state tax commission, chapter 138 and others, are transferred by type III transfer to the department of revenue.

4. All of the powers, duties and functions of the state tax commission relating to administration of the corporation franchise tax, chapter 152, and others, are transferred by type I transfer to the department of revenue; provided, however, that the provision of section 138.430 relating to appeals from decisions of the director of revenue shall apply to these taxes.

5. All the powers, duties and functions of the highway reciprocity commission, chapter 301, are transferred by type II transfer to the department of revenue.

32.058. For all years beginning after January 1, 2013, notwithstanding the certified mail provisions contained in chapters 32, 140, 142, 143, 144, 147, 148, 149, and 302, the director of revenue may choose to mail any document by first class mail only if at least one notice of deficiency or assessment is sent to the taxpayer via certified mail to the last known address.

32.087. 1. Within ten days after the adoption of any ordinance or order in favor of adoption of any local sales tax authorized under the local sales tax law by the voters of a taxing entity, the governing body or official of such taxing entity shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance or order. The ordinance or order shall reflect the effective date thereof.

2. Any local sales tax so adopted shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the local sales tax, except as provided in subsection 18 of this section.

3. Every retailer within the jurisdiction of one or more taxing entities which has imposed one or more local sales taxes under the local sales tax law shall add all taxes so imposed along with the tax imposed by the sales tax law of the state of Missouri to the sale price and, when added, the combined tax shall constitute a part of the price, and shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. The combined rate of the state sales tax and all local sales taxes shall be the sum of the rates, multiplying the combined rate times the amount of the sale.

4. The brackets required to be established by the director of revenue under the provisions of section 144.285 shall be based upon the sum of the combined rate of the state sales tax and all local sales taxes imposed under the provisions of the local sales tax law.

5. The ordinance or order imposing a local sales tax under the local sales tax law shall impose upon all sellers a tax for the privilege of engaging in the business of selling tangible personal property or rendering taxable services at retail to the extent and in the manner provided in sections 144.010 to 144.525, and the rules and regulations of the director of revenue issued pursuant thereto; except that the rate of the tax shall be the sum of the combined rate of the state sales tax or state highway use tax and all local sales taxes imposed under the provisions of the local sales tax law.

6. On and after the effective date of any local sales tax imposed under the provisions of the local sales tax law, the director of revenue shall perform all functions incident to the administration, collection, enforcement, and operation of the tax, and the director of revenue shall collect in addition to the sales tax for the state of Missouri all additional local sales taxes authorized under the authority of the local sales tax law. **The director shall retain one percent of the amount of any local sales or use tax collected for cost of collection.** All local sales taxes imposed under the local sales tax law together with all taxes imposed under the sales tax law of the state of Missouri shall be collected together and reported upon such forms and under such administrative rules and regulations as may be prescribed by the director of revenue.

7. All applicable provisions contained in sections 144.010 to 144.525 governing the state sales tax and section 32.057, the uniform confidentiality provision, shall apply to the collection of any local sales tax imposed under the local sales tax law except as modified by the local sales tax law.

8. All exemptions granted to agencies of government, organizations, persons and to the sale of certain articles and items of tangible personal property and taxable services under the provisions of sections 144.010 to 144.525, as these sections now read and as they may hereafter be amended, it being the intent of this general assembly to ensure that the same sales tax exemptions granted from the state sales tax law also be granted under the local sales tax law, are hereby made applicable to the imposition and collection of all local sales taxes imposed under the local sales tax law.

9. The same sales tax permit, exemption certificate and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of the local sales tax law, and no additional permit or exemption certificate or retail certificate shall be required; except that the director of revenue may prescribe a form of exemption certificate for an exemption from any local sales tax imposed by the local sales tax law.

10. All discounts allowed the retailer under the provisions of the state sales tax law for the collection of and for payment of taxes under the provisions of the state sales tax law are hereby allowed and made applicable to any local sales tax collected under the provisions of the local sales tax law.

11. The penalties provided in section 32.057 and sections 144.010 to 144.525 for a violation of the provisions of those sections are hereby made applicable to violations of the provisions of the local sales tax law.

12. (1) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales, except the sale of motor vehicles, trailers, boats, and outboard motors, shall be deemed to be consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination. In the event a retailer has more than one place of business in this state which participates in the sale, the sale shall be deemed to be consummated at the place of business of the retailer where the initial order for the tangible personal property is taken, even though the order must be forwarded elsewhere for acceptance, approval of credit, shipment or billing. A sale by a retailer's agent or employee shall be deemed to be consummated at the place of business from which he works.

(2) For the purposes of any local sales tax imposed by an ordinance or order under the local sales tax law, all sales of motor vehicles, trailers, boats, and outboard motors shall be deemed to be consummated at the residence of the purchaser and not at the place of business of the retailer, or the place of business from which the retailer's agent or employee works.

(3) For the purposes of any local tax imposed by an ordinance or under the local sales tax law on charges for mobile telecommunications services, all taxes of mobile telecommunications service shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 through 124, as amended.

13. Local sales taxes imposed pursuant to the local sales tax law on the purchase and sale of motor vehicles, trailers, boats, and outboard motors shall not be collected and remitted by the seller, but shall be collected by the director of revenue at the time application is made for a certificate of title, if the address of the applicant is within a taxing entity imposing a local sales tax under the local sales tax law.

14. The director of revenue and any of **[**his**]** **the director's** deputies, assistants and employees who have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal, disbursement, safekeeping, accounting, or recording of funds which come into the hands of the director of revenue under the provisions of the local sales tax law shall enter a surety bond or bonds payable to any and all taxing entities in whose behalf such funds have been collected under the local sales tax law in the amount of one hundred thousand dollars for each such tax; but the director of revenue may enter into a blanket bond covering **[**himself**]** **the director** and all such deputies, assistants and employees. The cost of any premium for such bonds shall be paid by the director of revenue from the share of the collections under the sales tax law retained by the director of revenue for the benefit of the state.

15. The director of revenue shall annually report on **[**his**]** **the director's** management of each trust fund which is created under the local sales tax law and administration of each local sales tax imposed under the local sales tax law. **[**He**]** **The director** shall provide each taxing entity imposing one or more local sales taxes authorized by the local sales tax law with a detailed accounting of the source of all funds received by him for the taxing entity. Notwithstanding any other provisions of law, the state auditor shall annually audit each trust fund. A copy of the director's report and annual audit shall be forwarded to each taxing entity imposing one or more local sales taxes.

16. Within the boundaries of any taxing entity where one or more local sales taxes have been imposed, if any person is delinquent in the payment of the amount required to be paid by **[**him**]** **such person** under the local sales tax law or in the event a determination has been made against **[**him**]** **such person** for taxes and penalty under the local sales tax law, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525. Where the director of revenue has determined that suit must be filed against

any person for the collection of delinquent taxes due the state under the state sales tax law, and where such person is also delinquent in payment of taxes under the local sales tax law, the director of revenue shall notify the taxing entity in the event any person fails or refuses to pay the amount of any local sales tax due so that appropriate action may be taken by the taxing entity.

17. Where property is seized by the director of revenue under the provisions of any law authorizing seizure of the property of a taxpayer who is delinquent in payment of the tax imposed by the state sales tax law, and where such taxpayer is also delinquent in payment of any tax imposed by the local sales tax law, the director of revenue shall permit the taxing entity to join in any sale of property to pay the delinquent taxes and penalties due the state and to the taxing entity under the local sales tax law. The proceeds from such sale shall first be applied to all sums due the state, and the remainder, if any, shall be applied to all sums due such taxing entity.

18. If a local sales tax has been in effect for at least one year under the provisions of the local sales tax law and voters approve reimposition of the same local sales tax at the same rate at an election as provided for in the local sales tax law prior to the date such tax is due to expire, the tax so reimposed shall become effective the first day of the first calendar quarter after the director receives a certified copy of the ordinance, order or resolution accompanied by a map clearly showing the boundaries thereof and the results of such election, provided that such ordinance, order or resolution and all necessary accompanying materials are received by the director at least thirty days prior to the expiration of such tax. Any administrative cost or expense incurred by the state as a result of the provisions of this subsection shall be paid by the city or county reimposing such tax.

32.088. 1. Beginning January 1, 2013, the possession of a statement from the department of revenue stating no tax, applicable to the business seeking to issue or renew its license, is due under chapters 142, 143, 144, 147, and 149, and that no fees are due under section 260.262 or 260.273, shall be a prerequisite to the issuance or renewal of any city or county occupation license or any state license required for conducting any business unless the owner is by law subject at least biennially to a state tax check for purposes of retaining a professional license under sections 168.071, 324.010 and 484.053. The statement of no tax due shall be dated no longer than ninety days before the date of submission for application or renewal of the city or county license.

2. Beginning January 1, 2013, in lieu of subsection 1 of this section, the director shall, as soon as practical thereafter, enter into an agreement with any state agency responsible for issuing any state license for conducting any business requiring the agency to provide the director of revenue with the name and Missouri tax identification number of each applicant for licensure within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee's license. If such licensee is delinquent on any taxes under chapters 142, 143, 144, 147, and 149, or fees under section 260.262 or 260.273, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee's license shall be suspended within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. The director of revenue shall, within ten business days of notification to the governmental entity issuing the license that the delinquency has been remedied or arrangements have been made to remedy such delinquency, send written notification to the licensee that the delinquency has been remedied. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid for the purposes of this section.

32.383. 1. Notwithstanding the provisions of any other law to the contrary, with respect to taxes administered by the department of revenue and imposed in this chapter and chapters 143, 144, and 147, an amnesty from the assessment or payment of all penalties, additions to tax, and interest shall apply with respect to unpaid taxes or taxes due and owing reported and paid in full from August 1, 2012, to October 31, 2012, regardless of whether previously assessed, except for penalties, additions to tax, and interest paid before August 1, 2012. The amnesty shall apply only to state tax liabilities due or due but unpaid on or before December 31, 2011, and shall not extend to any taxpayer who at the time of payment is a party to any criminal investigations or to any civil or criminal litigation that is pending in any court of the United States or this state for nonpayment, delinquency, or fraud in relation to any state tax imposed by this state.

2. Upon written application by the taxpayer, on forms prescribed by the director of revenue, and upon compliance with the provisions of this section, the department of revenue shall not seek to collect any penalty, addition to tax, or interest that may be applicable. The department of revenue shall not seek civil or criminal prosecution for any taxpayer for the taxable period for which the amnesty has been granted unless subsequent investigation or audit shows that the taxpayer engaged in fraudulent or criminal conduct in applying for amnesty.

3. Amnesty shall be granted only to those taxpayers who have applied for amnesty within the period stated in this section, who have filed a tax return for each taxable period for which amnesty is requested, who

have paid the entire balance due by October 31, 2012, and who agree to comply with state tax laws for the next eight years from the date of the agreement. No taxpayer shall be entitled to a waiver of any penalty, addition to tax, or interest under this section unless full payment of the tax due is made in accordance with rules established by the director of revenue.

4. All taxpayers granted amnesty under this section shall comply with this state's tax laws for the eight years following the date of the amnesty agreement. If any such taxpayer fails to comply with all of this state's tax laws at any time during the eight years following the date of the agreement, all penalties, additions to tax, and interest that were waived under the amnesty agreement shall become due and owing immediately.

5. If a taxpayer elects to participate in the amnesty program established in this section as evidenced by full payment of the tax due as established by the director of revenue, that election shall constitute an express and absolute relinquishment of all administrative and judicial rights of appeal. No tax payment received under this section shall be eligible for refund or credit.

6. Nothing in this section shall be interpreted to disallow the department of revenue to adjust a taxpayer's tax return as a result of any state or federal audit.

7. All tax payments received as a result of the amnesty program established in this section, other than revenues earmarked by the Constitution of Missouri or this state's statutes, shall be deposited in the state general revenue fund. The department must track all payments received and submit a report, no later than December 31, 2012, to the speaker of the house of representatives and the president pro tem in the senate.

8. The department may promulgate rules or issue administrative guidelines as are necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2012, shall be invalid and void.

9. This section shall become effective on July 1, 2012, and shall expire on December 31, 2015.

32.385. 1. The director of revenue and the commissioner of administration may jointly enter into a reciprocal collection and offset of indebtedness agreement with the federal government, under which the State will offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies non-tax debt owed to the federal government; and the federal government will offset from federal payments to vendors, contractors, and taxpayers debt owed to the state of Missouri.

2. When used in this section, the following words, terms, and phrases are defined as set forth herein:

(1) "Federal official", a unit or official of the federal government charged with the collection of nontax liabilities payable to the federal government under 31 U.S.C. Section 3716, as amended;

(2) "Nontax liability due the state", a liability certified to the director of revenue by a state agency and shall include, but shall not be limited to, fines, fees, penalties, and other nontax assessments imposed by or payable to any state agency that is finally determined to be due and owing;

(3) "Offset agreement", the agreement authorized by this section;

(4) "Person", an individual, partnership, society, association, joint stock company, corporation, public corporation, or any public authority, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity whether appointed by a court or otherwise, and any combination of the foregoing;

(5) "Refund", an amount described as a refund of tax under the provisions of the state tax law that authorized its payment;

(6) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri;

(7) "Vendor payment", any payment, other than a refund, made by the state to any person or entity, and shall include but shall not be limited to any expense reimbursement to an employee of the state; but shall not include a person's salary, wages, or pension.

3. Under the offset agreement, a federal official may:

(1) Certify to the state of Missouri the existence of a person's delinquent nontax liability owed by the person to the federal government;

(2) Request that the state of Missouri withhold any refund and vendor payment to which the person is entitled;

(3) Certify and request the state of Missouri to withhold a refund or vendor payment only if the laws of the United States:

(a) Allow the state of Missouri to enter into a reciprocal agreement with the United States, under which the federal official would be authorized to offset federal payments to collect delinquent tax and nontax debts owed to the state; and

(b) Provide for the payment of the amount withheld to the state;

(4) Retain a portion of the proceeds of any collection setoff as provided under the setoff agreement.

4. Under the offset agreement, a certification by a federal official to the state of Missouri shall include:

(1) The full name of the person and any other names known to be used by the person;

(2) The Social Security number or federal tax identification number;

(3) The amount of the nontax liability; and

(4) A statement that the debt is past due and legally enforceable in the amount certified.

5. If a person for whom a certification is received from a federal official is due a refund of Missouri tax or a vendor payment, the agreement may provide that the state of Missouri shall:

(1) Withhold a refund or vendor payment that is due a person whose name has been certified by a federal official;

(2) In accordance with the provisions of the offset agreement, notify the person of the amount withheld in satisfaction of a liability certified by a federal official;

(3) Pay to the federal official the lesser of:

(a) The entire refund or vendor payment; or

(b) The amount certified; and

(4) Pay any refund or vendor payment in excess of the certified amount to the person.

6. Under the agreement, the director of revenue shall:

(1) Certify to a federal official the existence of a person's delinquent tax or nontax liability due the state owed by the person to any state agency;

(2) Request that the federal official withhold any eligible vendor payment to which the person is entitled; and

(3) Provide for the payment of the amount withheld to the state.

7. A certification by a state agency to the director of revenue and by the director of revenue to the federal official under the offset agreement shall include:

(1) The full name and address of the person and any other names known to be used by the person;

(2) The Social Security number or tax identification number;

(3) The amount of the tax or nontax liability;

(4) A statement that the debt is past due and legally enforceable in the amount certified; and

(5) Any other information required by federal statute or regulation applicable to the collection of the debt by offset of federal payments.

8. Any other provisions of law to the contrary notwithstanding, the director of revenue and the commissioner of administration shall have the authority to enter into reciprocal agreements with any other state which extends a like comity to this state to set off offset from state tax refunds and from payments otherwise due to vendors and contractors providing goods or services to state departments, agencies, or other state agencies nontax debt for debts due the other state that extends a like comity to this state.

32.410. As used in sections 32.410 to 32.460, the following terms shall mean:

(1) "Debt", an amount owed to the state directly or through a state agency, on account of a fee, duty, lease, direct loan, loan insured or guaranteed by the state, rent, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond, forfeiture, reimbursement, liability owed, an assignment, recovery of costs incurred by the state, or any other source of indebtedness to the state;

(2) "Debtor", an individual, a corporation, a partnership, an unincorporated association, a limited liability company, a trust, an estate, or any other public or private entity, including a state, local, or federal government, or an Indian tribe, that is liable for a debt or against whom there is a claim for a debt;

(3) "Department", the department of revenue;

(4) "State agency", any division, board, commission, office, or other agency of the state of Missouri, including public community college districts and any state or municipal court.

32.420. 1. Notwithstanding any other provision of law to the contrary, all state agencies may refer to the department for collection debts owed to them. The department may provide collection services on debts referred to the department by a state agency. This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.

2. A referring agency may refer the debt to the department for collection at any time after a debt becomes delinquent and uncontested and the debtor shall have no further administrative appeal of the amount of the debt. Methods and procedures for referral shall be governed by an agreement between the referring agency and the department.

3. The collection procedures and remedies under this chapter are in addition to any other procedure or remedy available by law. If the state agency's applicable state or federal law requires the use of a particular remedy or procedure for the collection of a debt, that particular remedy or procedure shall govern the collection of that debt to the extent the procedure or remedy is inconsistent with this chapter.

4. The state agency shall send notice to the debtor by United States mail at the debtor's last known address at least twenty days before the debt is referred to the department. The notice shall state the nature and amount of the debt, identify to whom the debt is owed, and inform the debtor of the remedies available under this chapter or the state agency's own procedures.

32.430. 1. Except as otherwise provided in this section, the department shall have the authority to use all general remedies afforded creditors of this state in collection of debt as well as any remedies afforded the state agency referring the debt and to the state in general as a creditor. The department shall not have authority to prosecute or defend civil actions on behalf of any other state agency, except as necessary to defend any challenges made to actions under section 140.910 or 143.902 for a debt referred by a state agency or to prosecute an action under subsection 10 of section 140.910.

2. In addition to the remedies identified in sections 32.410 to 32.460, the department may use the collection remedies afforded under sections 140.910 and 143.902 in the collection of any state debt referred to the department.

3. The department may employ department staff and attorneys, and at the department's discretion, prosecuting attorneys and private collection agencies as authorized in sections 136.150 and 140.850 in seeking collection of debts referred to the department by a state agency.

32.440. 1. The department shall add to the amount of debt referred to the department by a state agency the cost of collection which shall be ten percent of the total debt referred by the state agency. The department shall have the same authority to collect the cost of collection as the department has in collecting the debt referred by the state agency.

2. The cost of collection shall only be waived when:

(1) Within thirty days after the initial notice to the debtor by the department, the debtor establishes to the department reasonable cause for the failure to pay the debt prior to referral of the debt to the department, enters into an agreement satisfactory to the department to pay the debt in full, and fully abides by the terms of that agreement;

(2) A good faith dispute as to the legitimacy or the amount of the debt exists, and payment is remitted or an agreement satisfactory to the department to pay the debt in full is entered into within thirty days after resolution of the dispute, and the debtor fully abides by the terms of that agreement; or

(3) Collection costs have been added by the state agency and are included in the amount of the referred debt.

3. If the department collects an amount less than the total due, the payment shall be applied proportionally to collection costs and the underlying debt unless the department has waived this requirement for certain categories of debt. Collection costs collected by the department under this section shall be deposited in the general revenue fund.

32.450. The department may compromise state debt referred to the department in accordance with section 32.378 and any agreement with the referring agency.

32.460. The department and state agencies, including the judiciary, may exchange such information, including the debtor's Social Security number, as is necessary for the successful collection of the state debt referred. The referring agency shall follow all applicable federal and state laws regarding the confidentiality of information and records regarding the debtor. The confidentiality laws applicable to the particular information

received and retained by each agency shall apply to the employees of such state agency and to the department when such information has been forwarded to the department."; and

Further amend said bill, Page 2, Section 43.265, Line 19, by inserting after all of said section, the following:

"105.716. 1. Any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by the attorney general; provided, that in the case of any claim against the department of conservation, the department of transportation or a public institution which awards baccalaureate degrees, or any officer or employee of such department or such institution, any investigation, defense, negotiation, or compromise of any claim covered by sections 105.711 to 105.726 shall be conducted by legal counsel provided by the respective entity against which the claim is made or which employs the person against whom the claim is made.

In the case of any payment from the state legal expense fund based upon a claim or judgment against the department of conservation, the department of transportation or any officer or employee thereof, the department so affected shall immediately transfer to the state legal expense fund from the department funds a sum equal to the amount expended from the state legal expense fund on its behalf.

2. All persons and entities protected by the state legal expense fund shall cooperate with the attorneys conducting any investigation and preparing any defense under the provisions of sections 105.711 to 105.726 by assisting such attorneys in all respects, including the making of settlements, the securing and giving of evidence, and the attending and obtaining witness to attend hearings and trials. Funds in the state legal expense fund shall not be used to pay claims and judgments against those persons and entities who do not cooperate as required by this subsection.

3. The provisions of sections 105.711 to 105.726 notwithstanding, the attorney general may investigate, defend, negotiate, or compromise any claim covered by sections 105.711 to 105.726 against any public institution which awards baccalaureate degrees whose governing body has declared a state of financial exigency.

4. Notwithstanding the provisions of subsection 2 of section 105.711, funds in the state legal expense fund may be expended prior to the payment of any claim or any final judgment to pay costs of defense, including reasonable attorney's fees for retention of legal counsel, when the attorney general determines that a conflict exists or particular expertise is required, and also to pay for related legal expenses including medical examination fees, expert witness fees, court reporter expenses, travel costs and ancillary legal expenses incurred prior to the payment of a claim or any final judgment.

5. Notwithstanding any other provision of law to the contrary, except for payments of less than ten thousand dollars for property damage, no funds shall be expended from the state legal expense fund for settlement of any liability claim except upon the production of a no tax due statement from the department of revenue by the party making claim or having judgment under section 105.711, which shall be satisfied from such fund. If the party is found by the director of revenue to owe a delinquent tax debt to the state of Missouri under the revenue laws of this state, after the payment of attorney's fees and expenses associated with liability of the fund to the party, any remaining funds to be paid to the party from the state legal expense fund shall be offset to satisfy such tax debt before payment is made to the party making claim or having judgment.

140.910. 1. In addition to any other remedy provided by law for the collection of delinquent taxes due the state of Missouri, if the director has filed a certificate of lien in the circuit court as provided by section 143.902, 144.380, or 144.690, the director or the director's designee may issue an order directing any person, after the payment of attorney fees and expenses associated with creating the proceeds belonging to, due, or to become due to the taxpayer, to withhold and pay over to the department assets belonging to, due, or to become due the taxpayer. The director or the director's designee shall not issue the administrative garnishment if the taxpayer has entered into a written agreement with the department for an alternative payment arrangement and the taxpayer is in compliance with the agreement.

2. An order entered under this section shall be served on the person or other legal entity either by regular mail or by certified mail, return receipt requested, or may be issued through electronic means, and shall be binding on the employer or other payor two weeks after mailing or electronic issuance of such service. The person or other entity in possession of assets belonging to, due, or to become due the taxpayer may deduct an additional sum not to exceed six dollars per month as reimbursement for costs, except that the total amount withheld shall not exceed the limitations contained in the federal Consumer Credit Protection Act, 15 U.S.C. Section 1673, as amended.

3. A copy of the order shall be mailed to the taxpayer at the taxpayer's last known address. The notice shall advise the taxpayer that the administrative garnishment has commenced and the procedures to contest such

garnishment on the grounds that such garnishment is improper due to a mistake of fact by requesting a hearing within thirty days from mailing or electronic issuance of the notice. At such a hearing the certified records of the department shall constitute prima facie evidence that the director's order is valid and enforceable. If a prima facie case is established, the obligor may only assert as a defense mistake as to the identity of the taxpayer, mistake as to payments made, or existence of an alternative payment agreement for which no default has occurred. The taxpayer shall have the burden of proof on such issues. The taxpayer may obtain relief from the garnishment by paying the amount owed.

4. An employer or other payor shall withhold from the earnings or other income of each taxpayer the amount specified in the order. The employer or other payor shall transmit the payments as directed in the order within ten business days of the date the earnings, money due, or other income was payable to the taxpayer. For purposes of this section, "business day" means a day that state offices are open for regular business. The employer or other payor shall, along with the amounts transmitted, provide the date the amount was withheld from the taxpayer.

5. An order issued under subsection 1 of this section shall be a continuing order and shall remain in effect and be binding upon any employer or other payor upon whom it is directed until a further order of the director. The director shall notify an employer or other payor upon whom such an order has been directed whenever the deficiency is paid in full.

6. If the order is served on a person other than an employer or other payor, it shall be a lien against any money belonging to the taxpayer that is in the possession of the person on the date of service. The person other than an employer or other payor shall pay over any assets within ten business days of the service date of the order. A financial institution ordered to surrender an account shall be entitled to collect its normally scheduled account activity surcharges to maintain the account during the period of time the account is garnished. For purposes of this section, the interest of the taxpayer in any joint financial accounts shall be presumed to be equal to all other joint owners.

7. An order issued under subsection 1 of this section shall have priority over any other legal process under state law against the same income or other asset, except that where the other legal process is an order issued under section 452.350, 454.505, or 454.507, the withholding for child support shall have priority.

8. No person who complies with an order entered under this section shall be liable to the taxpayer, or to any other person claiming rights derived from the taxpayer, for wrongful withholding. A person who fails or refuses to withhold or pay the amounts as ordered under this section shall be liable to the state in a sum equal to the value of the wages or property not surrendered, but not to exceed the amount of tax deficiency. The director is hereby authorized to bring an action in circuit court to determine the liability of a person for failure to withhold or pay the amounts as ordered. If a court finds that a violation has occurred, the court may fine the person in an amount not to exceed five hundred dollars. The court may also enter a judgment against the person or other legal entity for the amounts to be withheld or paid, court costs, and reasonable attorney's surcharges.

9. The remedy provided by this section shall be available where the state or any of its political subdivisions is the employer or other payor of the taxpayer in the same manner and to the same extent as where the employer or other payor is a private party.

10. An employer shall not discharge, or refuse to hire or otherwise discipline, an employee as a result of an order to withhold and pay over certain money authorized by this section. If any such employee is discharged within thirty days of the date upon which an order to withhold and pay over certain money is to take effect, there shall arise a rebuttable presumption that such discharge was a result of such order. This presumption shall be overcome only by clear, cogent, and convincing evidence produced by the employer that the employee was not terminated because of the order to withhold and pay over certain money. The director or the director's designee is hereby authorized to bring an action in circuit court to determine whether the discharge constitutes a violation of this subsection. If the court finds that a violation has occurred, the court may enter an order against the employer requiring reinstatement of the employee and may fine the employer in an amount not to exceed five hundred dollars. Further, the court may enter judgment against the employer for the back wages, costs, attorney's surcharges, and for the amount of taxes that should have been withheld and paid over during the period of time the employee was wrongfully discharged.

11. If a taxpayer for whom an order to withhold has been issued under subsection 1 of this section terminates the taxpayer's employment, the employer shall, within ten days of the termination, notify the department of the termination, shall provide to the department the last known address of the taxpayer, if known to the employer, and shall provide to the department the name and address of the taxpayer's new employer, if known. The director or the director's designee may issue an order to the new employer as provided in subsection 1 of this section.

12. For purposes of this section, "assets" include, but are not limited to, currency, any financial account or other liquid asset, and any income or other periodic form of payment due to a taxpayer regardless of source, including, but not limited to, wages, salaries, commissions, bonuses, workers' compensation benefits, disability benefits, payments pursuant to a pension or a retirement program, and interest.

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, such person's administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and the balance, with interest as determined by section 32.065, shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **If a taxpayer applying for a refund under the provisions of this section submits a written request for the director to hold a refund claim unprocessed pending the outcome of legal proceedings on the same or similar grounds or transactions, and agrees that the taxpayer's claim will be bound by the outcome of such legal proceeding should the outcome of such proceeding be adverse to the taxpayer's position, the director shall hold such refund claim unprocessed pending the outcome of such legal proceedings on the same or similar grounds or transactions. Notwithstanding any provision of section 32.069 to the contrary, interest shall not accrue on any refund for the time period such refund claim is held at the request of the taxpayer applying for a refund under the provisions of this subsection. If the seller did not file a return with the director for the period for which the refund is claimed and remit payment as shown on the return, the director shall not issue the refund to the purchaser.**

3. Every claim for refund must be in writing and signed by the applicant, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon the director's record.

4. **Notwithstanding the provisions of section 32.057, a purchaser that originally paid sales or use tax to a vendor or seller may submit a refund claim directly to the director of revenue for such sales or use taxes paid to such vendor or seller and remitted to the director, provided no sum shall be refunded more than once, any such claim shall be subject to any offset, defense, or other claim the director otherwise would have against either the purchaser or vendor or seller, and such claim for refund is accompanied by either:**

(1) A notarized assignment of rights statement by the vendor or seller to the purchaser allowing the purchaser to seek the refund on behalf of the vendor or seller. An assignment of rights statement shall contain the Missouri sales or use tax registration number of the vendor or seller, a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller, and a notarized statement signed by the vendor or seller affirming that the vendor or seller has not received a refund or credit, will not apply for a refund or credit of the tax collected on any transactions covered by the assignment, and authorizes the director to amend the seller's return to reflect the refund; or

(2) In the event the vendor or seller fails or refuses to provide an assignment of rights statement within sixty days from the date of such purchaser's written request to the vendor or seller, or the purchaser is not able to locate the vendor or seller or the vendor or seller is no longer in business, the purchaser may provide the director a notarized statement confirming the efforts that have been made to obtain an assignment of rights from the vendor or seller. Such statement shall contain a list of the transactions covered by the assignment, the tax periods and location for which the original sale was reported to the director of revenue by the vendor or seller.

The director shall not require such vendor, seller, or purchaser to submit amended returns for refund claims submitted under the provisions of this subsection. Notwithstanding the provisions of section 32.057, if the seller is registered with the director for collection and remittance of sales tax, the director shall notify the seller at the seller's last known address of the claim for refund. If the seller objects to the refund within thirty days of the date of the notice, the director shall not pay the refund. If the seller agrees that the refund is warranted or fails to respond within thirty days, the director may issue the refund and amend the seller's return to reflect the refund. For purposes of section 32.069, the refund claim shall not be considered to have been filed until the seller agrees

that the refund is warranted or thirty days after the date the director notified the seller and the seller failed to respond.

5. Notwithstanding the provisions of section 32.057, when a vendor files a refund claim on behalf of a purchaser and such refund claim is denied by the director, notice of such denial and the reason for the denial shall be sent by the director to the vendor and each purchaser whose name and address is submitted with the refund claim form filed by the vendor. A purchaser shall be entitled to appeal the denial of the refund claim within sixty days of the date such notice of denial is mailed by the director as provided in section 144.261. The provisions of this subsection shall apply to all refund claims filed after August 28, 2012. The provisions of this subsection allowing a purchaser to appeal the director's decision to deny a refund claim shall also apply to any refund claim denied by the director on or after January 1, 2007, if an appeal of the denial of the refund claim is filed by the purchaser no later than September 28, 2012, and if such claim is based solely on the issue of the exemption of the electronic transmission or delivery of computer software.

6. Notwithstanding the provisions of this section, the director of revenue shall authorize direct-pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70, 92, 94, 162, 190, 238, 321, and 644 shall be remitted based upon the location of the place of business of the purchaser.

[5.**]** **7.** Special rules applicable to error corrections requested by customers of mobile telecommunications service are as follows:

(1) For purposes of this subsection, the terms "customer", "home service provider", "place of primary use", "electronic database", and "enhanced zip code" shall have the same meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference in section 144.013;

(2) Notwithstanding the provisions of this section, if a customer of mobile telecommunications services believes that the amount of tax, the assignment of place of primary use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the home service provider, in writing, within three years from the date of the billing statement. The customer shall include in such written notification the street address for the customer's place of primary use, the account name and number for which the customer seeks a correction of the tax assignment, a description of the error asserted by the customer and any other information the home service provider reasonably requires to process the request;

(3) Within sixty days of receiving the customer's notice, the home service provider shall review its records and the electronic database or enhanced zip code to determine the customer's correct taxing jurisdiction. If the home service provider determines that the review shows that the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home service provider shall correct the error and, at its election, either refund or credit the amount of tax erroneously collected to the customer for a period of up to three years from the last day of the home service provider's sixty-day review period. If the home service provider determines that the review shows that the amount of tax, the assignment of place of primary use or the taxing jurisdiction is correct, the home service provider shall provide a written explanation of its determination to the customer.

[6.**]** **8.** For all refund claims submitted to the department of revenue on or after September 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the same issue for a tax period beginning on or after the date the original refund check issued to such person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed if an additional refund claim is filed due to any of the following:

(1) Receipt of additional information or an exemption certificate from the purchaser of the item at issue;

(2) A decision of a court of competent jurisdiction or the administrative hearing commission; or

(3) Changes in regulations or policy by the department of revenue.

[7.**]** **9.** Notwithstanding any provision of law to the contrary, the director of revenue shall respond to a request for a binding letter ruling filed in accordance with section 536.021 within sixty days of receipt of such request. If the director of revenue fails to respond to such letter ruling request within sixty days of receipt by the director, the director of revenue shall be barred from pursuing collection of any assessment of sales or use tax with respect to the issue which is the subject of the letter ruling request. For purposes of this subsection, the term "letter ruling" means a written interpretation of law by the director to a specific set of facts provided by a specific taxpayer or his or her agent.

[8.**]** **10.** If any tax was paid more than once, was incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510, against any deficiency or tax due discovered through an audit of the person by the department of revenue through adjustment during the same tax filing period for which the audit applied."; and

Further amend said bill, Page 31, Section B, Line 4, by inserting after all of said section, the following:

"Section C. Because immediate action is necessary to secure adequate state revenue, the enactment of section 32.383 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 32.383 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flanigan, **House Amendment No. 16** was adopted.

On motion of Representative Cookson, **HCS SS SCS SB 755, as amended**, was adopted.

On motion of Representative Cookson, **HCS SS SCS SB 755, as amended**, was read the third time and passed by the following vote:

AYES: 100

Allen	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 116	Carlson	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Denison	Diehl	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Frederick	Gatschenberger	Gosen	Grisamore
Haefner	Hampton	Higdon	Hinson	Hodges
Hoskins	Hubbard	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Koenig	Kratky	Lair	Lampe	Lant
Largent	Leara	Lichtenegger	Loehner	Long
McCaherty	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Nance	Nasheed	Neth
Pace	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schoeller
Schupp	Shively	Shumake	Silvey	Smith 150
Spreng	Still	Stream	Swearingen	Swinger
Wallingford	Wells	Weter	Wright	Zerr

NOES: 045

Anders	Asbury	Brown 85	Burlison	Carter
Colona	Conway 14	Curtman	Day	Dugger
Ellinger	Ellington	Fuhr	Guernsey	Harris
Holsman	Jones 63	Klippenstein	Korman	Lasater
Leach	Marshall	May	McCann Beatty	McCreery
Montecillo	Morgan	Newman	Nichols	Oxford
Parkinson	Pierson	Rizzo	Rowland	Smith 71
Solon	Sommer	Talboy	Taylor	Thomson
Torpey	Walton Gray	Webb	White	Wyatt

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 017

Brattin	Dieckhaus	Franklin	Funderburk	Hough
Houghton	Hughes	Hummel	Lauer	McDonald
McNary	Nolte	Schatz	Schneider	Webber
Wieland	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 113

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brandom	Brown 50
Brown 85	Brown 116	Carlson	Casey	Cauthorn
Conway 27	Cookson	Cox	Crawford	Cross
Davis	Day	Denison	Diehl	Ellinger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Frederick	Fuhr	Gatschenberger
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hubbard
Johnson	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Morgan
Nance	Nasheed	Neth	Nichols	Oxford
Pace	Phillips	Pollock	Quinn	Redmon
Richardson	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Spreng	Still	Stream	Swinger
Taylor	Wallingford	Wells	Weter	White
Wright	Zerr	Mr Speaker		

NOES: 031

Asbury	Berry	Burlison	Carter	Colona
Conway 14	Curtman	Dugger	Ellington	Guernsey
Holsman	Jones 63	Lasater	Marshall	May
McCreery	Montecillo	Newman	Parkinson	Pierson
Riddle	Rizzo	Schieber	Smith 71	Sommer
Swearingen	Talboy	Thomson	Torpey	Walton Gray
Webb				

PRESENT: 000

ABSENT WITH LEAVE: 019

Brattin	Cierpiot	Dieckhaus	Franklin	Franz
Funderburk	Hough	Houghton	Hughes	Hummel
Lauer	McDonald	McNary	Nolte	Reiboldt
Schatz	Webber	Wieland	Wyatt	

BILLS CARRYING REQUEST MESSAGES

HCS#2 SCS SB 729, as amended, relating to political subdivisions, was taken up by Representative Kelly (24).

Representative Kelly (24) moved that the House refuse to recede from its position on **HCS#2 SCS SB 729, as amended**, and grant the Senate a conference.

Which motion was adopted.

HCS SCS SB 510, as amended, relating to political subdivisions, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to recede from its position on **HCS SCS SB 510, as amended**, and grant the Senate a conference.

Which motion was adopted.

SB 564, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, House Amendment No. 4, House Amendment No. 6 and House Amendment No. 8, relating to motorcycle rider training, was taken up by Representative Davis.

Representative Davis moved that the House grant the Senate a further conference on **SB 564, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, House Amendment No. 4, House Amendment No. 6 and House Amendment No. 8**.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS#2 SCS HB 1170: Representatives Franz, Zerr, Richardson, Talboy and Rizzo

BILL CARRYING REQUEST MESSAGE

HCS SB 636, as amended, relating to judicial procedures, was taken up by Representative Diehl.

Representative Diehl moved that the House refuse to grant the Senate a further conference and request the Senate to take up and pass the Conference Committee Report on **HCS SB 636, as amended**.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SCS SB 722, relating to the Iran Energy Divestment Act, was taken up by Representative Jones (89).

Representative Diehl offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 2, Section 34.225, Line 22, by inserting after the phrase "**person that**" on said line, the word "**directly**"; and

Further amend said bill, page and section, Line 23, by inserting after the word "**person**" on said line, the word "**directly**"; and

Further amend said bill, page, and section, Line 25, by deleting the phrase "**has an investment of**" on said line and inserting in lieu thereof the phrase "**directly invests**"; and

Further amend said bill, page, and section, Lines 30-32, by deleting all of said lines and inserting in lieu thereof the following:

"**(c) The person is a financial institution that directly provides a commercial loan of twenty million dollars or more to another person, for forty-five days or more, if such financial institution had actual knowledge that such person would use the proceeds from the commercial loan to invest in the energy sector in Iran;**"; and

Further amend said bill, page, and section, Lines 41-42, by deleting the phrase "**or within the previous three years has had**" on said lines and inserting in lieu thereof the word "**has**"; and

Further amend said bill, page, and section, Line 43, by inserting after the period "**.**" on said line, the following:

"**A person may rely on one or more lists of persons engaging in investment activities in the energy sector in Iran developed by other states acting under the authority of the Federal Comprehensive Iran Sanctions Accountability and Divestment Act of 2010 when certifying that it is not a proscribed investor.**"; and

Further amend said bill, page, and section, Lines 46-47, by deleting the phrase "**, upon such report or any complaint from any individual, shall**" on said lines and inserting in lieu thereof the phrase "**has the sole authority to**"; and

Further amend said bill, page, and section, Line 49, by inserting after the period "**.**" on said line, the following:

"**No private right of action is created by this section.**"; and

Further amend said bill, Page 3, Section 34.225, Line 67, by inserting after the phrase "**ceases its**" on said line, the word "**direct**"; and

Further amend said bill, page, and section, Line 69, by inserting after the word "**demonstrate**" on said line, the phrase "**in writing**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Diehl, **House Amendment No. 1** was adopted.

Representative Johnson offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 3, Section 34.225, Line 73, by inserting after all of said section and line the following:

"**262.975. 1. The department of economic development shall build and maintain, by contract or otherwise, a Missouri solar panel manufacturing website with search engine optimization technology. Such website shall contain content licensed by the department to promote the benefits of locating a solar panel manufacturing facility in Missouri.**

2. The website shall be designed to attract domestic or international solar panel manufacturers to Missouri. The department must provide links to the new website from at least three other department of economic development websites, and must include content explaining the benefits of manufacturing solar panels in Missouri.

3. The state of Missouri retains ownership of all content on the website. The website developer is authorized to:

(1) Use all informational content provided by the department of economic development, and apply search engine optimization to the website content to achieve a high search engine ranking; and

(2) Sell advertising on the website to any entity that will benefit from marketing to domestic or international solar panel manufacturers. The website developer shall be solely responsible for all costs associated with the development, marketing, and maintenance of the website, with the website developer retaining all advertising revenues obtained from such website to provide the financing for such website.

4. If contacted, the website developer shall:

(1) Have proven experience and expertise in search engine optimization, as determined by the department;

(2) Demonstrate prior experience with website development projects which increased search engine rankings for the client.

5. If contacted, the department of economic development, shall review all applications and award one annual contract for the development, design, marketing, and maintenance of the solar panel manufacturer website, with annual renewals for continuing upgrades, marketing, and maintenance of the website. The department shall have the authority to terminate any contract under this section at the department's discretion. Any website developer under contract with the department may have a contract terminated for failure to operate under the department's guidelines for the website. If a contract is terminated, the department shall award a new contract in accordance with the procedures for awarding the initial contract under this section.

6. The department of economic development may promulgate rules necessary to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schneider offered **House Amendment No. 1 to House Amendment No. 2**.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 2, Line 13, by inserting after all of said line the following:

'Further amend said bill, Section 67.2010, Page 13, Line 8, by inserting after all of said section and line the following:

"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term "contiguous and compact" does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and **the** Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a **[**verified**] notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term "common-interest community" shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A "common-interest community" shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.014. **1.** Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon **[**verified**]** **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed.

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection**[**, etc.**]**;

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to

annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.**"; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schneider, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Johnson, **House Amendment No. 2, as amended**, was adopted.

On motion of Representative Jones (89), **HCS SCS SB 722, as amended**, was adopted.

On motion of Representative Jones (89), **HCS SCS SB 722, as amended**, was read the third time and passed by the following vote:

AYES: 136

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Korman
Lair	Lampe	Lant	Largent	Lasater
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNeil	Montecillo
Morgan	Nance	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger

Talboy	Taylor	Thomson	Torpey	Wallingford
Webb	Webber	Wells	Weter	Wright
Zerr				

NOES: 005

Brattin	Curtman	Koenig	Nasheed	White

PRESENT: 002

Smith 71	Walton Gray

ABSENT WITH LEAVE: 020

Conway 27	Day	Dieckhaus	Franklin	Franz
Funderburk	Hough	Houghton	Hughes	Hummel
Kratky	Lauer	McDonald	McNary	Meadows
Molendorp	Nolte	Wieland	Wyatt	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

HCS SCS SB 758, relating to children, was taken up by Representative Black.

Representative Black offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 453.350, Line 15, by inserting after all of said section and line the following:

"**544.456. 1. This section shall be known and may be cited as "Sam Pratt's Law".**

2. In any case involving abuse, neglect, or death of a child, any court with competent jurisdiction may impose as a condition of release of a defendant under section 544.455 that such defendant be prohibited from providing child care services for compensation pending final disposition of the case. The court shall notify the department of health and senior services and the department of social services when it makes such a determination, as well as the final disposition of the case."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Black, **House Amendment No. 1** was adopted.

Representative Jones (89) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 211.444, Line 24, by inserting after all of said section and line the following:

"453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child **[**is located at the time of**]** **has resided for at least ninety days prior to** the filing of the **adoption** petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 2** was adopted.

Representative Fraker offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 6, Section 135.327, Line 131, by deleting the numeral "**2016,**" and inserting in lieu thereof the following:

"**2013,**"; and

Further amend said bill, page and section, Line 141, by inserting after all of said line the following:

"135.630. 1. As used in this section, the following terms mean:

(1) "Contribution", a donation of cash, stock, bonds, or other marketable securities, or real property;

(2) "Director", the director of the department of social services;

(3) "Pregnancy resource center", a nonresidential facility located in this state:

(a) Established and operating primarily to provide assistance to women with crisis pregnancies or unplanned pregnancies by offering pregnancy testing, counseling, emotional and material support, and other similar services to encourage and assist such women in carrying their pregnancies to term; and

(b) Where childbirths are not performed; and

(c) Which does not perform, induce, or refer for abortions and which does not hold itself out as performing, inducing, or referring for abortions; and

(d) Which provides direct client services at the facility, as opposed to merely providing counseling or referral services by telephone; and

(e) Which provides its services at no cost to its clients; and

(f) When providing medical services, such medical services must be performed in accordance with Missouri statute; and

(g) Which is exempt from income taxation pursuant to the Internal Revenue Code of 1986, as amended;

(4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, excluding sections 143.191 to 143.265 and related provisions, and

in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, excluding sections 143.191 to 143.265 and related provisions;

(5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state pursuant to the provisions of chapter 148, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, or an individual subject to the state income tax imposed by the provisions of chapter 143, or any charitable organization which is exempt from federal income tax and whose Missouri unrelated business taxable income, if any, would be subject to the state income tax imposed under chapter 143.

2. For all tax years beginning on or after January 1, 2007, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer contributed to a pregnancy resource center.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that cannot be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. Except for any excess credit which is carried over pursuant to subsection 3 of this section, a taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a pregnancy resource center or centers in such taxpayer's taxable year has a value of at least one hundred dollars.

5. The director shall determine, at least annually, which facilities in this state may be classified as pregnancy resource centers. The director may require of a facility seeking to be classified as a pregnancy resource center whatever information which is reasonably necessary to make such a determination. The director shall classify a facility as a pregnancy resource center if such facility meets the definition set forth in subsection 1 of this section.

6. The director shall establish a procedure by which a taxpayer can determine if a facility has been classified as a pregnancy resource center. Pregnancy resource centers shall be permitted to decline a contribution from a taxpayer. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to pregnancy resource centers in any one fiscal year shall not exceed two million dollars. Tax credits shall be issued in the order contributions are received.

7. The director shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all facilities classified as pregnancy resource centers. If a pregnancy resource center fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during this predetermined period of time, the director may reapportion these unused tax credits to those pregnancy resource centers that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. Each pregnancy resource center shall provide information to the director concerning the identity of each taxpayer making a contribution to the pregnancy resource center who is claiming a tax credit pursuant to this section and the amount of the contribution. The director shall provide the information to the director of revenue. The director shall be subject to the confidentiality and penalty provisions of section 32.057 relating to the disclosure of tax information.

9. **[**Notwithstanding any other law to the contrary, any tax credits granted under this section may be assigned, transferred, sold, or otherwise conveyed without consent or approval. Such taxpayer, hereinafter the assignor for purposes of this section, may sell, assign, exchange, or otherwise transfer earned tax credits:

(1) For no less than seventy-five percent of the par value of such credits; and

(2) In an amount not to exceed one hundred percent of annual earned credits.

10.**]** Pursuant to section 23.253 of the Missouri sunset act:

(1) **[**Any new program authorized under this section shall automatically sunset six years after August 28, 2006, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized,**]** The program authorized under this section shall **[**automatically sunset twelve years after the effective date of the reauthorization of this section**] expire on December 31, 2013, unless reauthorized by the general assembly**; and

[(3)**]** **(2)** This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset**; and**

(3) The provisions of this subsection shall not be construed to limit or in any way impair the department's ability to issue tax credits authorized on or before the date the program authorized under this section expires or a taxpayer's ability to redeem such tax credits."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fraker, **House Amendment No. 3** was adopted.

Representative McManus offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 17, Section 210.950, Lines 53 and 54, by deleting "**[**one year**][forty-five days**" and inserting in lieu thereof the following:

"one year"; and

Further amend said bill and section, Page 18, Line 104, by deleting "**forty-five days**" and inserting in lieu thereof the following:

"**one year**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McManus, **House Amendment No. 4** was adopted.

Representative Sommer offered **House Amendment No. 5**.

House Amendment No. 5

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 9, Section 160.1990, Line 87, by inserting after all of said section and line the following:

"**208.031. 1. Electronic benefit transfer transactions made by each applicant or recipient who is otherwise eligible for temporary assistance for needy families benefits under this chapter and who is found to have made a cash withdrawal at any casino, gambling casino, or gaming establishment shall, after an administrative hearing conducted by the department under the provisions of chapter 536, be declared ineligible for temporary assistance for needy families benefits for a period of three years from the date of the administrative hearing decision. For purposes of this section, "casino, gambling casino, or gaming establishment" does not include a grocery store which sells groceries including such staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities.**

2. Other members of a household which includes a person who has been declared ineligible for temporary assistance for needy families assistance shall, if otherwise eligible, continue to receive temporary assistance for needy families benefits as protective or vendor payments to a third-party payee for the benefit of the members of the household.

3. Any person who, in good faith, reports a suspected violation of this section by a TANF recipient shall not be held civilly or criminally liable for reporting such suspected violation.

4. The department of social services shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to

disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

208.032. 1. In accordance with the Social Security Act, 42 U.S.C. Section 608(a)(12), the department of social services shall implement and maintain policies and practices which prevent a temporary assistance for needy families electronic benefit transfer transaction in:

(1) Any liquor store;

(2) Any casino, gambling casino, or gambling establishment; or

(3) Any retail establishment which provides adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

2. As used in this section, the term:

(1) "Casino, gambling casino, or gaming establishment" shall not include:

(a) A grocery store which sells groceries including staple foods and which also offers, or is located within the same building or complex as, casino, gambling, or gaming activities;

(b) "Electronic benefit transfer transaction" means the use of a credit or debit card service, automated teller machine, point-of-sale terminal, or access to an online system for the withdrawal of funds or the processing of a payment for merchandise or a service;

(c) "Liquor store" means any retail establishment which sells exclusively or primarily intoxicating liquor. Liquor store does not include a grocery store which sells both intoxicating liquor and groceries including staple foods within the meaning of Section 3(r) of the Food and Nutrition Act of 2008, 7 U.S.C. Section 2012(r).

3. In accordance with 42 U.S.C. Section 602(a)(1)(A), the department of social services shall:

(1) Implement policies and procedures as necessary to prevent access to assistance provided under Missouri's temporary assistance for needy families (TANF) program through any electronic fund transaction in an automated teller machine or point-of-sale device located in a place described in subsections 1 and 2 of this section, including a plan to ensure that recipients of the assistance have adequate access to their cash assistance; and

(2) Ensure that recipients of assistance provided under Missouri's TANF program have access to using or withdrawing assistance with minimal fees or charges, including an opportunity to access assistance with no fee or charges, and are provided information on applicable fees and charges that apply to electronic fund transactions involving the assistance, and that such information is made publicly available.

4. On or before December 31, 2013, the department shall submit a report to the governor and the general assembly detailing the policies and practices implemented in accordance with the requirements of this section and the requirements of 42 U.S.C. Section 608(a)(12). In addition, the department shall report Missouri's implementation of the policies and practices to the Secretary of Health and Human Services as required under 42 U.S.C. Section 609(a)(16) within two years of the enactment of such federal law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sommer, **House Amendment No. 5** was adopted.

Representative Elmer offered **House Amendment No. 6**.

House Amendment No. 6

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 9, Section 160.1990, Line 87, by inserting after all of said section and line the following:

"162.700. 1. The board of education of each school district in this state, except school districts which are part of a special school district, and the board of education of each special school district shall provide special educational services for children with disabilities three years of age or more residing in the district as required by P.L. 99-457, as codified and as may be amended. Any child, determined to be a child with disabilities, shall be eligible for such services upon reaching his or her third birthday and state school funds shall be apportioned accordingly. This subsection shall apply to each full school year beginning on or after July 1, 1991. In the event that federal funding fails to be appropriated at the authorized level as described in 20 U.S.C. 1419(b)(2), the implementation of this subsection relating to services for children with disabilities three and four years of age may be delayed until such time as funds are

appropriated to meet such level. Each local school district and each special school district shall be responsible to engage in a planning process to design the service delivery system necessary to provide special education and related services for children three and four years of age with disabilities. The planning process shall include public, private, and private not-for-profit agencies which have provided such services for this population. The school district, or school districts, or special school district, shall be responsible for designing an efficient service delivery system which uses the present resources of the local community which may be funded by the department of elementary and secondary education or the department of mental health. School districts may coordinate with public, private, and private not-for-profit agencies presently in existence. The service delivery system shall be consistent with the requirements of the department of elementary and secondary education to provide appropriate special education services in the least restrictive environment.

2. Every local school district or, if a special district is in operation, every special school district shall obtain current appropriate diagnostic reports for each with disabilities child prior to assignment in a special program. These records may be obtained with parental permission from previous medical or psychological evaluation, may be provided by competent personnel of such district or special district, or may be secured by such district from competent and qualified medical, psychological, or other professional personnel.

3. Evaluations of private school students suspected of having a disability under the Individuals With Disabilities Education Act will be conducted as appropriate by the school district in which the private school is located or its contractor.

4. Where special districts have been formed to serve children with disabilities under the provisions of sections 162.670 to 162.995, such children shall be educated in programs of the special district, except that component districts may provide education programs for children with disabilities ages three and four inclusive in accordance with regulations and standards adopted by the state board of education.

5. For the purposes of this act, remedial reading programs are not a special education service as defined by subdivision (4) of section 162.675.

6. Any and all state costs required to fund special education services for three- and four-year-old children under this section shall be provided for by a specific, separate appropriation and shall not be funded by a reallocation of money appropriated for the public school foundation program.

7. School districts providing early childhood special education shall give consideration to the value of continuing services with Part C early intervention system providers for the remainder of the school year when developing an individualized education program for a student who has received services under Part C of the Individuals with Disabilities Education Act and reaches the age of three years during a regular school year. Services provided shall be only those permissible according to Section 619 of the Individuals with Disabilities Education Act.

8. **The parent or guardian of a child who is eligible for special educational services may select one or more specialized instructional services that are consistent with the child's individualized education program, which may include, but not be limited to, listening and spoken language specialists and an appropriate acoustical environment for a child who is deaf or hard of hearing who has received an implant or assistive hearing device.**

9. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void."; and

Further amend said bill, Page 22, Section 453.350, Line 15, by inserting after all of said line the following:

"**Section 1. 1. As used in this section, the following terms shall mean:**

(1) "Auditory-oral education program", a program that develops and relies solely on listening skills and uses an implant or assistive hearing device for the purpose of relying on speech and spoken language skills as the method of communication;

(2) "Deaf or hard of hearing", aided or unaided hearing loss that affects the processing of linguistic information and adversely affects performance in the educational environment. The degree of loss may range from mild to profound in accordance with criteria established by rule of the state board of education;

(3) "School", a public or nonpublic school located in this state which can teach children who have obtained an implant or assistive hearing device, using faculty certified as listening and spoken language specialists, provided that such school shall not violate the provisions of Article I, section 7 or Article IX, section 8 of the Missouri constitution.

2. The parent or guardian of a child who is deaf or hard of hearing and who meets the requirements of this section may enroll the child in the auditory-oral education program of a school other than his or her school district of residence. Such child may continue attending the school and complete the development of listening and spoken language skills at the school. To enroll and attend, the child shall:

(1) Have received an implant or assistive hearing device;

(2) Be between the ages of three and seven years or between the ages of two and seven years when the school district elects to service children with disabilities who are under the age of three years; and

(3) Be a resident of this state.

3. The level of services shall be determined by the pupil's individual education program team, or individualized family service plan team, which shall include the child's parent or guardian, in accordance with the state board of education's rules. A child shall be eligible for services under this section until the end of the school year in which he or she reaches the age of seven years, or after the second grade, whichever comes first.

4. Payment for services shall be as provided in section 162.705."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Elmer, **House Amendment No. 6** was adopted.

Representative Johnson offered **House Amendment No. 7**.

House Amendment No. 7

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 453.350, Line 15, by inserting after all of said section, the following:

"**620.2450. 1. There is hereby established the "Missouri Jobs for Education Program". The program is established for the purpose of providing credit toward tuition to award Missouri and out-of-state business owners and companies responsible for the creation of new jobs in the state. Credit toward tuition awarded under this section entitle the credit holder to credit toward tuition at any public institution of higher education in the state.**

2. Under the Missouri jobs for education program, business owners and companies may apply for credit toward tuition, redeemable for study at public institutions of higher education in the state. A qualifying business owner or company shall receive one credit toward tuition for every qualifying job created. In order to qualify for credit toward tuition under this section, the new job shall:

(1) Pay wages that meet or exceed the county average wage;

(2) Be maintained for at least one year before the claimant is eligible to receive the credit toward tuition; and

(3) Be a full-time position, including at a minimum two thousand hours per year, with one hundred sixty hours per month for ten of the twelve calendar months.

3. Credit toward tuition awarded under this section may be used by employees of the business owner or company, by any relatives of the business owner, or may be gifted to any person of the business owner's choosing. Credit toward tuition received shall expire if not used within ten years of the date awarded. Unused credit toward tuition shall not be refunded and shall be deposited into general revenue.

4. There is hereby created in the state treasury the "Missouri Jobs for Education Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180 the state treasurer may approve disbursements. The fund shall be a dedicated fund and money in the fund shall be used solely for the administration of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. The department of economic development shall administer the program established in this section. The department of revenue shall create an employer application process, and withhold state employee taxes and deposit the money into the Missouri jobs for education fund established in subsection 4 of this section. Funding for credit toward tuition shall begin on the day the new job is created. The department of economic development shall track employer contributions and ensure that the credit toward tuition granted does not exceed the amount

that has been deposited by the employer. If an employee tax withheld is more than the cost of tuition, no money shall be refunded.

6. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset four years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schieber offered **House Amendment No. 1 to House Amendment No. 7**.

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 2, Line 16, by inserting after all of said line the following:

'Further amend said bill, Page 2, Section 21.771, Line 48, by inserting after all of said section and line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for assembling, fabricating, processing, manufacturing, mining, warehousing or distributing properties.

4. No exemption shall be granted for a period more than twenty-five years following the date on which the original enterprise zone was designated by the department except for any enterprise zone within any home rule city with more than one hundred fifty-one thousand five hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any instance the exemption shall not be granted for a period longer than twenty-five years from the date on which the exemption was granted.

5. The provisions of subsection 1 of this section shall not apply to improvements made to real property which have been started prior to August 28, 1991.

6. The mandatory abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section

99.855 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of section 99.820.

7. Effective August 28, 2004, any abatement or exemption provided for in this section on an individual parcel of real property shall cease after a period of thirty days of business closure, work stoppage, major reduction in force, or a significant change in the type of business conducted at that location. For the purposes of this subsection, "work stoppage" shall not include strike or lockout or time necessary to retool a plant, and "major reduction in force" is defined as a seventy-five percent or greater reduction.

Any owner or new owner may reapply, but cannot receive the abatement or exemption for any period of time beyond the original life of the enterprise zone."; and

Further amend said bill, Page 6, Section 135.327, Line 141, by inserting after all of said section, the following:

"135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof**, if said political subdivision or municipality levies ad valorem taxes,** for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years following the date on which the original enhanced enterprise zone was designated by the department.

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027."; and'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schieber, **House Amendment No. 1 to House Amendment No. 7** was adopted.

On motion of Representative Johnson, **House Amendment No. 7, as amended**, was adopted.

Representative May offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 758, Page 22, Section 453.350, Line 15, by inserting after all of said section and line the following:

"568.040. 1. A person commits the crime of nonsupport if such person knowingly fails to provide adequate support for his or her spouse; a parent commits the crime of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) **"Arrearage":**

(a) The amount of money created by a failure to provide support to a child under an administrative or judicial support order; or

(b) Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or

(c) Both paragraphs (a) and (b).

The arrearage shall reflect any retroactive support ordered under a modification, and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) "Child" means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)**] (3)** "Good cause" means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)**] (4)** "Support" means food, clothing, lodging, and medical or surgical attention;

[(4)**] (5)** It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A person who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision (4) of subsection 2 of this section.

5. Criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of **[**twelve**] eighteen** monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class D felony.

6. **(1)** If at any time a defendant convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the defendant commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the defendant is capable of paying, if any, as may be shown after examination of defendant's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due **[**may**] shall** be in such aggregate sums as is not greater than fifty percent of the defendant's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the defendant fails to pay the **[**current**]** support and arrearages **[**as ordered**] under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the defendant was convicted of as provided by law, unless the defendant proves good cause for the failure to pay as required under subsection 3 of this section.

(3) After a period of not less than eight years, an individual who has pled guilty to or has been convicted of a first felony offense for criminal nonsupport under this section and who has successfully completed probation after a plea of guilt or was sentenced may petition the court for expungement of all official records all recordations of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person has not been convicted of any subsequent offense; does not have any other felony pleas of guilt, findings of guilt or convictions; is current on all child support obligations; has paid off all arrearages; and has no other criminal charges or administrative child support actions pending at the time of the hearing on the application for expungement with respect to all children subject to orders of payment of child support or that the defendant has successfully completed a criminal nonsupport courts program under section 478.1000, the court shall enter an order of expungement. Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section. A person shall only be entitled to one expungement under this section. Nothing in this section shall prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.

7. During any period that a nonviolent defendant is incarcerated for criminal nonsupport, if the defendant is ready, willing, and able to be gainfully employed during said period of incarceration, the defendant, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the defendant to satisfy defendant's obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the **[**child support enforcement service of the**]** family support division **[**of**] within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

(1) In any county in which the child resided during the period of time for which the defendant is charged; or

(2) In any county in which the defendant resided during the period of time for which the defendant is charged."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative May, **House Amendment No. 8** was adopted.

On motion of Representative Black, **HCS SCS SB 758, as amended**, was adopted.

On motion of Representative Black, **HCS SCS SB 758, as amended**, was read the third time and passed by the following vote:

AYES: 134

Allen	Anders	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Carter	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Denison	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Flanigan	Fraker	Franz	Frederick
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lichtenegger	Long	May
McCaherty	McCann Beatty	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Weter	White	Wright	Zerr	

NOES: 005

Asbury	Atkins	Leach	Marshall	McCreery

PRESENT: 000

ABSENT WITH LEAVE: 024

Davis	Day	Dieckhaus	Fitzwater	Franklin
Funderburk	Hough	Houghton	Hughes	Hummel
Lauer	Leara	Loehner	McDonald	McGhee
McNary	Parkinson	Schad	Schatz	Webber
Wells	Wieland	Wyatt	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, relating to designations and license plates, was taken up by Representative Sater.

Representative Denison offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 767, 653, 754, 705, 441, 528, 831, 833 & 847, Page 7, Section 301.3084, Line 5, by deleting the words, "**department of health and senior services**" and inserting in lieu thereof the words, "**Winning Women**"; and

Further amend said page and section, Line 6, by deleting the words, "**department of health and senior services**" and inserting in lieu thereof the words, "**Winning Women**"; and

Further amend said page and section, Lines 9 and 10, by deleting the words, "**department of health and senior services**" and inserting in lieu thereof the words, "**Winning Women**"; and

Further amend said section, Page 8, Line 22, by deleting the words, ""MISSOURI WOMEN'S COUNCIL"" and inserting in lieu thereof the words, "**[**"MISSOURI WOMEN'S COUNCIL"**] "WINNING WOMEN"**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schad assumed the Chair.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Frederick	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Johnson	Jones 89	Jones 117
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Nance	Neth	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schieber	Schneider	Schoeller	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Weter	White	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 053

Anders	Atkins	Aull	Black	Brown 50
Carlson	Carter	Casey	Colona	Conway 27
Ellinger	Ellington	Fallert	Harris	Hodges
Holsman	Hubbard	Jones 63	Kander	Kelly 24

Kirkton	Kratky	Lampe	May	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swinger	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 023

Cierpiot	Dieckhaus	Diehl	Dugger	Franklin
Franz	Fuhr	Funderburk	Hough	Houghton
Hughes	Hummel	Keeney	Lauer	McDonald
McNary	Pollock	Scharnhorst	Schatz	Shumake
Swearingen	Wells	Wieland		

Representative Denison moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 035

Allen	Barnes	Bernskoetter	Brandom	Brown 116
Burlison	Conway 14	Cox	Crawford	Cross
Denison	Diehl	Elmer	Entlicher	Flanigan
Fraker	Grisamore	Guernsey	Haefner	Leach
Leara	Lichtenegger	Parkinson	Pollock	Richardson
Sater	Schad	Schneider	Schoeller	Smith 150
Sommer	Wells	Wright	Zerr	Mr Speaker

NOES: 111

Anders	Asbury	Atkins	Aull	Bahr
Berry	Black	Brattin	Brown 50	Brown 85
Carlson	Carter	Casey	Cauthorn	Colona
Conway 27	Cookson	Curtman	Davis	Day
Ellinger	Ellington	Fallert	Fisher	Fitzwater
Frederick	Fuhr	Gatschenberger	Gosen	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Quinn
Redmon	Reiboldt	Riddle	Rizzo	Rowland
Ruzicka	Schieber	Schieffer	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Solon
Spreng	Still	Stream	Swearingen	Swinger

Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Webber	Weter	White
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 017

Cierpiot	Dieckhaus	Dugger	Franklin	Franz
Funderburk	Hough	Houghton	Hughes	Hummel
Keeney	Lauer	McDonald	McNary	Scharnhorst
Schatz	Wieland			

Representative Sater offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 767, 653, 754, 705, 441, 528, 831, 833 & 847, Page 6, Section 301.473, Lines 45 through 50, by deleting all of said lines and inserting in lieu thereof the following:

"**5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a person chooses to replace the specialty personalized plate for the new design, the person must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plates fees in accordance with this chapter shall be required.**"; and

Further amend said bill, Pages 8 through 11, Sections 301.3161 and 301.3165, by deleting all of said sections and inserting in lieu thereof the following:

"301.3161. 1. **Notwithstanding any other provision of law to the contrary,** any person may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight, after an annual contribution of twenty-five dollars to the Cass County collector of revenue. Any contribution derived from this section, except reasonable administrative costs, shall be distributed within the county as follows:

(1) **[**Eighty**]** **Seventy** percent to public safety; **[**and**]**

(2) **Fifteen percent to the Cass County Historical Society; and**

(3) [Twenty**]** **Fifteen** percent to the Cass County parks and recreation department.

2. Upon annual application and payment of twenty-five dollars **to the Cass County collector of revenue,** the county shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the owner to the **[**department**]** **director** of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement, payment of a fifteen dollar fee in addition to the registration fee and documents which may be required by law, the department of revenue shall issue to the vehicle owner a **[**personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" in the place of the words "SHOW-ME STATE"**]** **speciality personalized license plate which shall bear the words "CASS COUNTY -- THE BURNT DISTRICT" at the bottom of the plate in a manner prescribed by the director of revenue. Such license plates shall be yellow beginning at the top with the color fading into orange at the bottom and shall have a black decorative scroll on the left and right side of the plate configuration. The scrolls shall not be more than one inch in width or three and a half inches in height**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for personalization of license plates under this section.

3. **[**The director of revenue shall make necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter

536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void**] A vehicle owner who was previously issued a plate with the emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Cass County Burnt District emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.**

4. Prior to the issuance of a specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.

301.3165. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the Martin Luther King Jr. state celebration commission, may receive specialty personalized license plates for any vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Martin Luther King Jr. state celebration commission hereby authorizes the use of its official emblem to be affixed on specialty personalized license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the Martin Luther King Jr. state celebration commission derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the Martin Luther King Jr. state celebration commission. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar contribution to the Martin Luther King Jr. state celebration commission fund, the Martin Luther King Jr. state celebration commission shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual statement and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Martin Luther King Jr. state celebration commission and the words "I HAVE A DREAM" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.

3. A vehicle owner who was previously issued a plate with the Martin Luther King Jr. state celebration commission's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Martin Luther King Jr. state celebration commission's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a "I HAVE A DREAM" specialty personalized plate authorized under this section the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the

implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If an applicant chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plates fees in accordance with this chapter shall be required."; and

Further amend said bill, Pages 18 and 19, Section 301.4043, Lines 1 through 23, by deleting all of said sections and inserting in lieu thereof the following:

"**301.4043. 1. Any woman who currently serves in any branch of the United States Armed Forces or who was honorably discharged from such service may apply for special personalized motor vehicle license plates for any vehicle the person owns,** either **solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight.**

2. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof of military service as the director may require.

3. Upon presentation of such proof of military service and payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a special personalized license plate which shall bear the words "WOMEN VETERANS" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

4. There shall be an additional fee of fifteen dollars charged for each set of special personalized license plates issued pursuant to this section. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued pursuant to this section.

5. There shall be no limit on the number of license plates any person qualified under this section may obtain so long as each set of license plates issued under this section is issued for vehicles owned solely or jointly by such person.

6. License plates issued pursuant to the provisions of this section shall not be transferable to any other person except that any registered co-owner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

7. The director may consult with any organization which represents the interests of women veterans when formulating the design for the special license plates described in this section.

8. The director shall make all necessary rules and regulations for the administration of this section, and shall design all necessary forms required by this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rule making authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 2** was adopted.

Representative Gatschenberger offered **House Amendment No. 3**.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 767, 653, 754, 705, 441, 528, 831, 833 & 847, Page 9, Section 301.3161, Line 49, by after all of said section and line inserting the following:

"301.3163. Any person may apply for **[**special**]** **specialty personalized** "Don't Tread on Me" motor vehicle license plates for any vehicle such person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. Such person shall make application for the **[**special**]** **specialty personalized** license plates on a form provided by the director of revenue. The director shall then issue **specialty personalized** license plates bearing letters or numbers or a combination thereof as determined by the **[**advisory committee established in section 301.129**]** **director**, with the words "DON'T TREAD ON ME" **[**in place of the words "SHOW-ME STATE"**]** **centered on the bottom one-fourth of the plate, in bold, all capital letters, and with lettering identical to the lettering used for the word "MISSOURI" on the regular state license plate. Such words shall be no smaller than forty-eight point type. Such plates shall be tiger yellow beginning at the top and bottom, with the color fading into white in the center. All numbers and letters shall be black. The left side shall contain a reproduction of the "Gadsden Snake" in black and white, with the snake to be three inches in height and two inches wide, and sitting on green grass that is two and one-quarter inches wide. Upon payment of a fifteen dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized plate. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section**. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Gatschenberger, **House Amendment No. 3** was adopted.

Representative Wallingford offered **House Amendment No. 4**.

House Amendment No. 4

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 767, 653, 754, 705, 441, 528, 831, 833 & 847, Page 2, Section 143.1009, Line 39,

"**143.1026. 1. This section shall be known and may be cited as "Sahara's Law".**

2. For all taxable years beginning on or after January 1, 2012, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that one dollar or any amount in excess of one dollar on a single return, and two dollars or any amount in excess of two dollars on a combined return, of the refund due be credited to the pediatric cancer research trust fund. If any individual or corporation that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, that amount the individual or corporation wishes to contribute. Such amounts shall be clearly designated for the fund.

3. There is hereby created in the state treasury the "Pediatric Cancer Research Trust Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. All moneys credited to the trust fund shall be considered nonstate funds under section 15, article IV, Constitution of Missouri. The treasurer shall distribute all moneys deposited in the fund at times the treasurer deems appropriate to CureSearch for children's cancer.

4. The director of revenue shall deposit at least monthly all contributions designated by individuals under this section to the state treasurer for deposit to the fund. The director of revenue shall deposit at least monthly all contributions designated by the corporations under this section, less an amount sufficient to cover the costs of collection and handling by the department of revenue, to the state treasury for deposit to the fund. A contribution designated under this section shall only be deposited in the fund after all other claims against the refund from which such contribution is to be made have been satisfied.

5. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first six years after August 28, 2012, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wallingford, **House Amendment No. 4** was adopted.

On motion of Representative Sater, **HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, as amended**, was adopted.

On motion of Representative Sater, **HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 & 847, as amended**, was read the third time and passed by the following vote:

AYES: 086

Allen	Anders	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Day	Elmer	Fallert	Fisher
Fitzwater	Fraker	Franz	Frederick	Gosen
Grisamore	Guernsey	Hampton	Harris	Hinson
Holsman	Hoskins	Johnson	Jones 89	Jones 117
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Loehner
Long	McCaherty	McCann Beatty	McGeoghegan	McGhee
Meadows	Molendorp	Nance	Nasheed	Neth
Parkinson	Phillips	Quinn	Redmon	Reiboldt
Riddle	Rowland	Sater	Schad	Schieber
Schieffer	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Talboy
Thomson	Torpey	Wallingford	White	Wright
Wyatt				

NOES: 039

Asbury	Atkins	Aull	Carlson	Carter
Colona	Conway 14	Ellington	Fuhr	Haefner
Higdon	Hodges	Hubbard	Jones 63	Kander
Kirkton	Lampe	Leach	May	McCreery
McManus	McNeil	Montecillo	Morgan	Newman

Nichols	Oxford	Pace	Pierson	Rizzo
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Walton Gray	Webb	

PRESENT: 003

Ellinger	Kelly 24	Marshall

ABSENT WITH LEAVE: 035

Cierpiot	Cross	Denison	Dieckhaus	Diehl
Dugger	Entlicher	Flanigan	Franklin	Funderburk
Gatschenberger	Hough	Houghton	Hughes	Hummel
Keeney	Lauer	Leara	Lichtenegger	McDonald
McNary	Nolte	Pollock	Richardson	Ruzicka
Scharnhorst	Schatz	Schneider	Taylor	Webber
Wells	Weter	Wieland	Zerr	Mr Speaker

Representative Schad declared the bill passed.

COMMITTEE REPORT

Committee on Rules, Chairman Diehl reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**.

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1402

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, with Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, as amended;

2. That the House recede from its position on House Committee Substitute for House Bill No. 1402;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1402, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Eric Burlison
/s/ Noel Torpey
/s/ Ryan Silvey
/s/ Mike Talboy
/s/ Susan Carlson

FOR THE SENATE:

/s/ Bill Stouffer
/s/ Mike Kehoe
/s/ Luann Ridgeway
/s/ Jolie Justus
/s/ Ryan McKenna

CONFERENCE COMMITTEE REPORT NO. 2
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 455

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 455, with House Amendments Nos. 1, 2, 3, 4, 5, 6, House Amendment No. 1 to House Amendment No. 7, and House Amendment No. 7 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 455, as amended;

2. The Senate recede from its position on Senate Bill No. 455;

3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Bill No. 455 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Pearce
/s/ Dan Brown
/s/ Bob Dixon

FOR THE HOUSE:

/s/ Mike Thomson
/s/ Gail McCann Beatty
/s/ Tishaura Jones

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 470

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendments Nos. 3, 4, 5, 6, House Amendment Nos. 1 and 3 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment Nos. 8, 9, 10, 11, House Substitute Amendment No. 1 for House Amendment No. 12 and House Amendment No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470, as amended;

2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 470;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 470 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon
/s/ Robert Mayer
/s/ Jack Goodman
/s/ Jolie Justus
/s/ Ryan McKenna

FOR THE HOUSE:

/s/ Eric Burlison
/s/ Jason Smith
/s/ Charlie Denison
/s/ Tim Meadows
/s/ Joseph Fallert, Jr.

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE NO. 2
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 480

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2 and 3, House Amendment Nos. 1 and 2 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment Nos. 6, 7 and 8, House Amendment Nos. 1 and 2 to House Amendment No. 9, House Amendment No. 9 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 480;

3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 480 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bill Stouffer
/s/ Mike Kehoe
/s/ Kevin Engler
/s/ Ryan McKenna
/s/ Robin Wright-Jones

FOR THE HOUSE:

/s/ Eric Burlison
/s/ Caleb Johnson
/s/ Charlie Denison
/s/ Joseph Fallert, Jr.

CONFERENCE COMMITTEE REPORT
ON
SENATE BILL NO. 599

The Conference Committee appointed on Senate Bill No. 599, with House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 1 and 2 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4 as amended, and House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 599, as amended;

2. The Senate recede from its position on Senate Bill No. 599;

3. That the attached Conference Committee Substitute for Senate Bill No. 599 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ David Pearce
/s/ Mike Kehoe
/s/ Joseph Keaveny
/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Scott Dieckhaus
/s/ Rick Stream
/s/ Paul Fitzwater
/s/ Sara Lampe
/s/ Joe Aull

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 628

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 628, with House Amendments Nos. 1, 2, House Amendment Nos. 1 and 2 to House Amendment No. 4, House Amendment No. 4 as amended, House Amendments Nos. 5, 6, 7, 8, 9, 10, 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12 as amended, House Amendment No. 13, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 628, as amended;

2. The Senate recede from its position on Senate Bill No. 628;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 628, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kurt Schaefer
/s/ Mike Kehoe
/s/ Bob Dixon
/s/ Jolie Justus
/s/ Joseph Keaveny

FOR THE HOUSE:

/s/ Stan Cox
/s/ John Diehl
/s/ Kevin Elmer
/s/ Susan Carlson
/s/ Chris Kelly

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 631

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, with House Amendment Nos. 1, 2, 3, 4, 5, House Amendment No. 1 to House Amendment No. 8, and House Amendment No. 8 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, as amended;

2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 631;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 631, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Parson
/s/ Brian Munzlinger
/s/ Bill Stouffer
/s/ Victor Callahan
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Bill Reiboldt
/s/ Casey Guernsey
/s/ Tom Loehner
/s/ Ed Schieffer
/s/ Sylvester Taylor

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 749

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 749, with House Amendment Nos. 1, 2, 3 and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 749, as amended;

2. The Senate recede from its position on Senate Substitute for Senate Bill No. 749;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Lamping
/s/ Tom Dempsey
/s/ Ron Richard

FOR THE HOUSE:

/s/ Timothy Jones
/s/ Sandy Crawford
/s/ Stan Cox

CONFERENCE COMMITTEE REPORT
ON
HOUSE COMMITTEE SUBSTITUTE
FOR
SENATE SUBSTITUTE
FOR
SENATE BILL NO. 769

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 769, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2, 3, 4, 5 and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 769, as amended;

2. The Senate recede from its position on Senate Substitute for Senate Bill No. 769;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 769 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Will Kraus
/s/ Scott Rupp
/s/ Mike Kehoe
/s/ Timothy Green

FOR THE HOUSE:

/s/ Todd Richardson
/s/ Anne Zerr
/s/ Mike Cierpiot
/s/ Sylvester Taylor
/s/ Scott Sifton

RECESS

Representative Jones (89) moved that the House stand in recess until such time as the Conference Committee Report on **SS#2 SCS HB 1170, as amended**, is distributed or 1:00 a.m., whichever is sooner, then stand adjourned until 10:00 a.m., Friday, May 18, 2012.

CONFERENCE COMMITTEE REPORT
ON
SENATE SUBSTITUTE NO. 2
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1170

The Conference Committee appointed on Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, with Senate Amendment Nos. 1, 2, 3, and 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, as amended;

2. That the House recede from its position on House Bill No. 1170;

3. That the attached Conference Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for House Bill No. 1170, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Ward Franz
/s/ Anne Zerr
/s/ Todd Richardson
/s/ Mike Talboy
/s/ John Rizzo

FOR THE SENATE:

/s/ Mike Parson
/s/ Eric Schmitt
/s/ Victor Callahan

ADJOURNMENT

Pursuant to the motion of Representative Jones (89), the House adjourned until 10:00 a.m., Friday, May 18, 2012.

COMMITTEE MEETINGS

FISCAL REVIEW
Friday, May 18, 2012, 8:30 AM South Gallery.
Executive session may be held on any matter referred to the committee.
Any bills referred to the committee

RULES - PURSUANT TO RULE 25(32)(F)
Friday, May 18, 2012, 8:45 AM North Gallery.
Executive session may be held on any or all bills referred to this committee.
CORRECTED

HOUSE CALENDAR

SEVENTY-SIXTH DAY, FRIDAY, MAY 18, 2012

HOUSE JOINT RESOLUTIONS FOR PERFECTION

1 HCS HJR 89 - Schoeller
2 HCS HJR 64 - Curtman

HOUSE BILLS FOR PERFECTION

1 HCS HB 1198, as amended - Fisher
2 HCS HB 1275 - Koenig
3 HB 1718 - Scharnhorst (2 hours debate on Perfection)
4 HCS HB 1210, as amended - Gatschenberger
5 HCS HB 1795 - Ruzicka
6 HB 1966 - Burlison
7 HB 1779 - Flanigan
8 HCS HB 1794 - Grisamore
9 HCS HB 1754 - Cox
10 HCS HB 1815 - Pollock
11 HB 1842 - Lant
12 HCS HB 1935 - Franz
13 HB 2063, as amended - Denison
14 HCS HB 2100 - Denison
15 HCS HB 1709 - Hough
16 HCS#2 HB 1358 - Gatschenberger
17 HCS HB 1397 - Gatschenberger
18 HCS HBs 1542 & 1101 - Koenig
19 HCS#2 HB 1213 - Franklin

20 HCS HB 1846 - Long
21 HCS HB 1585 - Cross
22 HCS HB 1971 - Schneider
23 HB 1690 - May
24 HB 1728 - Johnson
25 HB 1790 - Torpey
26 HCS HB 1970 - Jones (117)
27 HB 1144 - Gatschenberger
28 HB 1394 - Brandom
29 HB 1456 - Black
30 HCS HB 1609 - Nasheed
31 HCS HB 1612 - Burlison
32 HB 2038 - Wallingford
33 HCS HB 1877 - Sommer

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HCS HJR 61 - Loehner

HOUSE BILLS FOR THIRD READING

1 HCS HBs 1298 & 1180 - Parkinson
2 HB 1066 - McGhee

HOUSE CONCURRENT RESOLUTIONS

1 HCR 55 - Nolte
2 HCR 57 - McNary

SENATE BILLS FOR THIRD READING

1 HCS SB 620 - Gosen
2 HCS SCS SB 856 - Barnes
3 SS SCS SBs 489 & 637, E.C. - Franz
4 SCS SB 788 - Diehl
5 HCS SCS SB 655 - Kelly (24)
6 HCS SB 667 - Korman
7 HCS SCS SB 671, E.C. - Dugger
8 HCS SB 557 - Franz
9 HCS SB 594 - Pollock
10 SCS SB 835, E.C. - Bernskoetter
11 SS SB 464 - Burlison
12 HCS SB 721, E.C. - Diehl
13 SS SB 727 - Silvey

HOUSE BILLS WITH SENATE AMENDMENTS

1 SS SCS HCS HB 1150, as amended - Smith (150)
2 SS SCS HCS HB 1498 - Hough
3 SCS HCS HB 1758 - Long
4 SCS HCS#2 HB 1323 - Black
5 SS SCS HCS HB 1280 - Korman
6 SCS HCS HB 1827 - Richardson
7 HCS HB 1171, with SA 1 - Franz
8 SS HCS HB 1576, as amended - Largent
9 SS SCS HB 1820, E.C. - Asbury
10 SCS HCS HCR 33, E.C. - Bernskoetter
11 HCS HB 1818, with SA 1 & SA 2 - Schad
12 SS SCS HB 1251, as amended, E.C. - Ruzicka
13 SS HCS HB 1647, as amended, E.C. - Riddle
14 HCS HB 1644, with SA 1 to SA 1 & SA 1, as amended - Barnes

BILLS CARRYING REQUEST MESSAGES

1 SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 AND HB1878, as amended (request House take up and pass bill) - Marshall
2 HCS SB 636, as amended (House refuses further conference/request Senate adopt CCR/pass bill) - Diehl
3 SCS HCS HB 1072, (request Senate recede/grant conference) - Sater
4 HB 1424, with SA 1 to SA 1 & SA 1, as amended, (request Senate recede/grant conference) - Marshall
5 SB 893, with HA 1, (request House recede/grant conf) - Richardson
6 HCS SB 701, as amended, (request House recede/take up and pass bill) - Wright

BILLS IN CONFERENCE

1 CCR SB 611, with HA 1, HA 2, HA 3, HA 4, HA 5, HA 6, HA 7 & HA 8 - Stream
2 CCR#2 SS SCS SB 719, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, E.C. - Brown (116)
3 CCR HCS SCS SB 569, as amended - Dugger
4 CCR SS SCS HB 1073 AND HCS HB 1477, as amended - Sater
5 CCR HCS SCS SB 498, as amended, E.C. - Shumake
6 HCS SS SCS SB 467, as amended - Cox
7 CCR#2 HCS SB 455, as amended - Thomson
8 CCR HCS SB 578, as amended, E.C. - Cox
9 CCR HCS SB 628, as amended - Kelly (24)
10 CCR HCS SCS SB 635, as amended (conferees exceed differences), E.C. - Phillips
11 CCR SS SCS HCS HB 1402, as amended, E.C. - Burlison
12 CCR HCS SS SCS SB 470, as amended - Burlison
13 CCR SS SB 665, with HA 1, HA 2, HA 3, as amended, HA 4, HA 5 & HA 6, - Asbury
14 HCS SCS SB 711, as amended - Largent

HCS SB 739, as amended - Cox
CCR HCS SCS SB 631, as amended - Reiboldt
CCR SB 599, with HA 1, HA 2, as amended, HA 3, as amended, HA 4, as amended & HA 5, E.C. - Dieckhaus
HCS SCS SB 726, as amended - Wells
CCR HCS#2 SCS SB 480, as amended - Burlison
HCS SCS SB 673, as amended, E.C. - Day
HCS SS SB 854, as amended, E.C. - Long
CCR HCS SS SB 749, as amended, E.C. - Jones (89)
HCS SB 668, as amended - Diehl
CCR HCS SS SB 769, as amended - Cierpiot
CCR SS#2 SCS HB 1170, as amended, E.C. - Franz
HCS SB 813, as amended - Dieckhaus
SS HB 1318, as amended - Riddle
HCS#2 SCS SB 729, as amended, E.C. - Kelly (24)
HCS SCS SB 510, as amended, E.C. - Diehl
SB 564, HA 1, HA 2, as amended, HA 3, HA 4, HA 6 & HA 8 - Davis

SENATE CONCURRENT RESOLUTIONS

SS SCR 16 - Asbury
SCS SCR 17 - Diehl
SCR 24 - Davis
SCR 15 - Schieffer
SCR 26 - Cierpiot

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 1219 - Elmer

SENATE BILLS VETOED FROM SECOND REGULAR SESSION

SS SCS SB 572 - Richardson

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-SIXTH DAY, FRIDAY, MAY 18, 2012

The House met pursuant to adjournment.

Speaker Tilley in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

In all these things we are more than conquerors through Him who loves us. (Romans 8:37)

Almighty and Everlasting God, Who is always more ready to hear than we are to pray, and gives more than we desire or deserve, we humbly beseech You to take our lives into Your loving hands and to hold us steady that we may feel Your power underneath us, Your love about us, Your truth above us, and Your spirit within us on this last day of session.

Help us to cast out every fear, strengthen us to walk in all good ways, set our affections upon things above, and give the joy that humble service bestows and the peace of heart that comes to those committed to You and to the coming of Your kingdom.

Bless all assembled here representing our people, especially those whose terms are concluding. Grant unto them the spirit of wisdom, goodness, and truth; and so rule their hearts and bless their endeavors, that law and order, justice, and peace may everywhere prevail to the honor of our state and glory of Your name.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Corbin Schaffter, Madison Haldiman and Mikayla Haldiman.

The Journal of the seventy-fifth day was approved as printed.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3302 through House Resolution No. 3344

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 595** and has taken up and passed **HCS SS SCS SB 595**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SB 611, as amended**, and has taken up and passed **CCS SB 611**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 625, as amended**, and has taken up and passed **HCS SCS SB 625, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 to SS SCS SB 633**, and requests the House to recede from its position on **HA 1** and take up and pass **SS SCS SB 633**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 749, as amended**, and has taken up and passed **CCS HCS SS SB 749**.

Emergency clause adopted.

BILL IN CONFERENCE

CCR SS SCS HCS HB 1402, as amended, relating to road use, was taken up by Representative Burlison.

On motion of Representative Burlison, **CCR SS SCS HCS HB 1402, as amended**, was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Guernsey	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake

Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 002

Oxford	Schupp

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Carter	Cookson	Frederick	Grisamore
Haefner	Hubbard	Kelley 126	May	McDonald
Meadows	Parkinson	Scharnhorst	Schatz	Webb
Webber				

On motion of Representative Burlison, **CCS SS SCS HCS HB 1402** was read the third time and passed by the following vote:

AYES: 142

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Swearingen	Swinger

Talboy	Taylor	Thomson	Torpey	Wallingford
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 004

Ellinger	Kirkton	Oxford	Schupp

PRESENT: 000

ABSENT WITH LEAVE: 017

Asbury	Brown 50	Carter	Cookson	Frederick
Lant	Loehner	McDonald	Meadows	Parkinson
Ruzicka	Schatz	Stream	Walton Gray	Webb
Webber	Wells			

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Burlison	Carlson	Carter
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Funderburk	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 008

Bahr	Ellinger	Ellington	Marshall	May
Nichols	Schupp	Taylor		

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Brown 116	Diehl	Frederick	Gatschenberger
Higdon	Hughes	Kelly 24	Lampe	McDonald
Meadows	Nolte	Parkinson	Riddle	Schatz
Webb	Webber			

HOUSE BILLS WITH SENATE AMENDMENTS

SS SCS HCS HB 1150, as amended, relating to salvage motor vehicles, was taken up by Representative Smith (150).

On motion of Representative Smith (150), **SS SCS HCS HB 1150, as amended**, was adopted by the following vote:

AYES: 145

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brattin
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 71	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webb	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Allen	Brandom	Brown 50	Carter	Denison
Diehl	Frederick	Funderburk	Holsman	McDonald
Meadows	Nasheed	Parkinson	Schad	Scharnhorst
Schatz	Swearingen	Webber		

On motion of Representative Smith (150), **SS SCS HCS HB 1150, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Funderburk
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hughes	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	May	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webb	Weter
Wieland	Wright	Wyatt	Zerr	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Brown 50	Carter	Frederick	McDonald
Meadows	Nasheed	Parkinson	Scharnhorst	Schatz
Webber	Wells	White		

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller assumed the Chair.

SS SCS HCS HB 1498, relating to Sunday liquor sales, was taken up by Representative Hough.

On motion of Representative Hough, **SS SCS HCS HB 1498** was adopted by the following vote:

AYES: 097

Anders	Aull	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Burlison	Carlson	Cierpiot
Colona	Conway 14	Cookson	Cox	Curtman
Day	Dieckhaus	Diehl	Ellinger	Elmer
Fallert	Fraker	Fuhr	Funderburk	Gatschenberger
Gosen	Haefner	Higdon	Hinson	Holsman
Hoskins	Hough	Houghton	Hubbard	Hughes
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Leara	Loehner	Long
McCann Beatty	McCreery	McGeoghegan	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Redmon	Riddle	Rizzo
Ruzicka	Schad	Schieber	Schieffer	Schneider
Schupp	Sifton	Silvey	Smith 71	Solon
Sommer	Spreng	Still	Swearingen	Talboy
Taylor	Torpey	Walton Gray	Webb	Weter
Wyatt	Zerr			

NOES: 050

Asbury	Bahr	Black	Brattin	Casey
Cauthorn	Conway 27	Crawford	Cross	Davis
Denison	Dugger	Ellington	Entlicher	Fisher
Fitzwater	Flanigan	Franklin	Franz	Grisamore
Guernsey	Hampton	Harris	Hodges	Lant
Lasater	Lauer	Leach	Marshall	May
McCaherty	McGhee	Nasheed	Phillips	Pollock
Reiboldt	Rowland	Sater	Schoeller	Shively
Shumake	Smith 150	Stream	Swinger	Thomson
Wallingford	Wells	White	Wieland	Wright

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Atkins	Brown 50	Brown 116	Carter
Frederick	Lichtenegger	McDonald	Meadows	Nolte
Parkinson	Richardson	Scharnhorst	Schatz	Webber
Mr Speaker				

On motion of Representative Hough, **SS SCS HCS HB 1498** was truly agreed to and finally passed by the following vote:

AYES: 095

Allen	Atkins	Aull	Barnes	Bernskoetter
Berry	Brandom	Brown 116	Burlison	Carlson
Cierpiot	Colona	Conway 14	Cookson	Cox
Curtman	Dieckhaus	Diehl	Ellinger	Elmer
Fallert	Fraker	Fuhr	Funderburk	Gosen
Haefner	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Leara
Lichtenegger	Loehner	Long	McCann Beatty	McCreery
McGeoghegan	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Redmon	Riddle	Rizzo	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schupp
Sifton	Silvey	Smith 71	Solon	Sommer
Spreng	Still	Swearingen	Talboy	Taylor
Torpey	Walton Gray	Weter	Wyatt	Zerr

NOES: 053

Anders	Asbury	Bahr	Black	Brattin
Casey	Cauthorn	Conway 27	Crawford	Cross
Davis	Day	Dugger	Ellington	Entlicher
Fisher	Fitzwater	Flanigan	Franklin	Franz
Gatschenberger	Grisamore	Guernsey	Hampton	Harris
Hodges	Lant	Lasater	Lauer	Leach
Marshall	May	McCaherty	McGhee	Meadows
Nasheed	Phillips	Pollock	Reiboldt	Rowland
Sater	Schoeller	Shively	Shumake	Smith 150
Stream	Swinger	Thomson	Wallingford	Wells
White	Wieland	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Brown 85	Carter	Denison	Frederick
Lampe	Largent	McDonald	Nolte	Parkinson
Richardson	Schatz	Webb	Webber	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

SCS HCS HB 1758, relating to parent/child relationships, was taken up by Representative Long.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McNary	Molendorp
Nance	Neth	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt

NOES: 049

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	May	McCreery	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Smith 71	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 50	Carter	Dieckhaus	Diehl	Frederick
Hughes	Klippenstein	Lampe	McCann Beatty	McDonald
McGhee	Nolte	Parkinson	Schatz	Webb
Webber	Wright	Zerr	Mr Speaker	

On motion of Representative Long, **SCS HCS HB 1758** was adopted by the following vote:

AYES: 114

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Burlison	Casey	Cauthorn	Cierpiot	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz

Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGeoghegan	McGhee	McNary	McNeil
Meadows	Molendorp	Nance	Nasheed	Neth
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 037

Anders	Asbury	Atkins	Brattin	Carlson
Colona	Conway 14	Ellinger	Ellington	Fuhr
Hodges	Holsman	Hummel	Kander	Kirkton
Lasater	Marshall	May	McCreery	McManus
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Rizzo	Schieber	Schupp	Sifton
Smith 71	Spreng	Swearingen	Talboy	Taylor
Walton Gray	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown 116	Carter	Frederick	Hughes	McCann Beatty
McDonald	Nolte	Sater	Schatz	Webb
Webber	Mr Speaker			

On motion of Representative Long, **SCS HCS HB 1758** was truly agreed to and finally passed by the following vote:

AYES: 106

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 27	Cookson	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson

Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 039

Anders	Asbury	Atkins	Carlson	Colona
Conway 14	Ellington	Fuhr	Hodges	Holsman
Hummel	Kander	Kirkton	Lampe	Lasater
Marshall	May	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieber
Schupp	Sifton	Smith 71	Spreng	Still
Swearingen	Taylor	Walton Gray	Wyatt	

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Carter	Cox	Curtman	Ellinger
Frederick	Funderburk	Hughes	Jones 89	Lant
McCann Beatty	McDonald	Nolte	Sater	Schatz
Webb	Webber	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

SS SCS HCS HB 1280, relating to a peer review for design professionals, was taken up by Representative Korman.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 098

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shumake	Silvey

Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	May	McCann Beatty	McCreery	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Carter	Dieckhaus	Frederick	Funderburk
Hubbard	Hughes	Lampe	McDonald	Sater
Schatz	Webb	Webber	Wieland	Mr Speaker

On motion of Representative Korman, **SS SCS HCS HB 1280** was adopted by the following vote:

AYES: 097

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McGhee	McNary	Nance	Nasheed
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Zerr	Mr Speaker			

NOES: 053

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Kander	Kirkton	Kratky	Lampe	Largent

Lasater	Marshall	McCaherty	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Molendorp
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Solon
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 013

Asbury	Carter	Dieckhaus	Frederick	Funderburk
Hubbard	Hughes	Jones 63	May	McDonald
Schatz	Webb	Webber		

On motion of Representative Korman, **SS SCS HCS HB 1280** was truly agreed to and finally passed by the following vote:

AYES: 095

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 50	Brown 85
Brown 116	Burlison	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McGhee	Nance	Neth	Nolte
Parkinson	Phillips	Pollock	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Zerr	Mr Speaker

NOES: 057

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kirkton	Kratky
Lampe	Largent	Lasater	Marshall	May
McCaherty	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Smith 71	Solon	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray	Wyatt			

PRESENT: 000

ABSENT WITH LEAVE: 011

Carter	Day	Dieckhaus	Frederick	Funderburk
Hughes	McDonald	McNary	Schatz	Webb
Webber				

Speaker Pro Tem Schoeller declared the bill passed.

SCS HCS HB 1827, relating to the Missouri Electronic and Prior Authorization Committee, was taken up by Representative Richardson.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Haefner	Hampton	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Kirkton
Koenig	Lair	Largent	Lasater	Lauer
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schneider	Schoeller
Shumake	Silvey	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 042

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellington	Fallert
Harris	Hodges	Hubbard	Hummel	Jones 63
Kander	Kelly 24	Kratky	Lampe	May
McCann Beatty	McCreery	McGeoghegan	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Pace	Pierson	Rizzo	Schieber	Schupp
Shively	Smith 71	Spreng	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 030

Berry	Carter	Colona	Day	Dieckhaus
Ellinger	Flanigan	Frederick	Funderburk	Gatschenberger
Guernsey	Holsman	Hughes	Klippenstein	Korman
Lant	Leach	McDonald	McManus	Oxford
Quinn	Redmon	Schatz	Schieffer	Sifton
Smith 150	Still	Swearingen	Webb	Webber

On motion of Representative Richardson, **SCS HCS HB 1827** was adopted by the following vote:

AYES: 137

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Kirkton	Klippenstein
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Scharnhorst	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 005

Brattin	Colona	Ellington	May	Schieber

PRESENT: 000

ABSENT WITH LEAVE: 021

Atkins	Carter	Curtman	Day	Dieckhaus
Diehl	Frederick	Funderburk	Guernsey	Hughes
Jones 63	Kander	Kelly 24	Koenig	Marshall
McDonald	Sater	Schatz	Schneider	Webb
Webber				

On motion of Representative Richardson, **SCS HCS HB 1827** was truly agreed to and finally passed by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Haefner	Hampton	Harris	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Korman	Kratky	Lampe
Lant	Largent	Lasater	Lauer	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Scharnhorst
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 009

Brattin	Colona	Curtman	Ellington	Koenig
Leach	Marshall	Schieber	Still	

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 116	Carter	Davis	Day	Dieckhaus
Frederick	Funderburk	Guernsey	Higdon	Hughes
Lair	May	McDonald	Molendorp	Sater
Schad	Schatz	Swinger	Webb	Webber

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1171, with Senate Amendment No. 1, relating to juvenile court jurisdiction, was taken up by Representative Franz.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 100

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dieckhaus	Dugger	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kirkton	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Shively
Shumake	Silvey	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Mr Speaker

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kratky	Lampe	May	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Nichols	Oxford	Pace
Pierson	Rizzo	Schieffer	Schupp	Sifton
Smith 71	Spreng	Swearingen	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 016

Carter	Day	Diehl	Elmer	Frederick
Funderburk	Hughes	McDonald	Molendorp	Newman
Schatz	Smith 150	Still	Webb	Webber
Zerr				

On motion of Representative Franz, the House concurred in **Senate Amendment No. 1** by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot

Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
May	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Colona	Day	Diehl	Frederick
Funderburk	Grisamore	Guernsey	Hughes	Kander
Lampe	McDonald	Schad	Schatz	Schneider
Webb	Webber			

On motion of Representative Franz, **HCS HB 1171, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 148

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Denison	Dieckhaus	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair

Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 71	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Colona	Davis	Day	Diehl
Flanigan	Frederick	Funderburk	Guernsey	Hughes
McDonald	Schatz	Walton Gray	Webb	Webber

Speaker Pro Tem Schoeller declared the bill passed.

SS HCS HB 1576, as amended, relating to state insurance for foster parents, was taken up by Representative Largent.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brattin	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Marshall	McCaherty	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schoeller	Shumake	Silvey	Smith 150	Solon

Sommer	Stream	Thomson	Torpey	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 051

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Smith 71	Spreng
Still	Swearingen	Swinger	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Carter	Day	Flanigan	Frederick
Funderburk	Hughes	Long	McDonald	McGhee
Schatz	Schneider	Wallingford	Webb	Webber
Mr Speaker				

On motion of Representative Largent, **SS HCS HB 1576, as amended**, was adopted by the following vote:

AYES: 144

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Berry	Black	Brandom	Brattin
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150

Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Allen	Bernskoetter	Carter	Day	Frederick
Funderburk	Gatschenberger	Grisamore	Holsman	Hughes
McDonald	McNeil	Nasheed	Reiboldt	Schatz
Wallingford	Walton Gray	Webb	Webber	

On motion of Representative Largent, **SS HCS HB 1576, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 151

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lampe	Lant
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	May	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 71	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Allen	Carter	Day	Frederick	Funderburk
Hughes	Lair	Largent	McDonald	Schatz
Webb	Webber			

Speaker Pro Tem Schoeller declared the bill passed.

SS SCS HB 1820, relating to a conveyance in Macon County, was taken up by Representative Asbury.

On motion of Representative Asbury, **SS SCS HB 1820** was adopted by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Elmer	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Morgan	Nance
Nasheed	Neth	Nolte	Pace	Parkinson
Phillips	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 011

Ellinger	Ellington	Kirkton	McCann Beatty	McCreery
Montecillo	Newman	Oxford	Pierson	Pollock
Talboy				

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Day	Dieckhaus	Dugger	Fisher

Frederick	Funderburk	Hughes	Jones 117	McDonald
Nichols	Schatz	Smith 71	Smith 150	Webb
Webber	Wright			

On motion of Representative Asbury, **SS SCS HB 1820** was truly agreed to and finally passed by the following vote:

AYES: 135

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Loehner	Long	Marshall
May	McCaherty	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Morgan
Nance	Neth	Nolte	Pace	Parkinson
Phillips	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 011

Ellinger	Ellington	Kirkton	McCann Beatty	McCreery
Montecillo	Newman	Oxford	Pierson	Pollock
Talboy				

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Day	Dieckhaus	Frederick	Funderburk
Hughes	Jones 117	Lichtenegger	McDonald	Nasheed
Nichols	Sater	Schatz	Smith 71	Webb
Webber	Wright			

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pierson	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schieber	Schneider	Schoeller	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 022

Carlson	Ellington	Kirkton	Marshall	May
McCann Beatty	McCreery	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pollock	Schupp	Spreng	Swearingen	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 018

Carter	Day	Dieckhaus	Frederick	Funderburk
Grisamore	Guernsey	Hughes	Jones 117	McDonald
Sater	Scharnhorst	Schatz	Schieffer	Smith 71
Webb	Webber	Wright		

SCS HCS HCR 33, relating to state employee wages, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **SCS HCS HCR 33** was adopted by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brattin	Brown 50	Brown 85	Brown 116
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Lichtenegger	Loehner	Long
Marshall	May	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Carter	Day	Dieckhaus	Elmer	Frederick
Funderburk	Gatschenberger	Hubbard	Hughes	Leara
McDonald	Schatz	Smith 71	Webb	Webber
Wright	Mr Speaker			

The emergency clause was adopted by the following vote:

AYES: 132

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	May	McCaherty	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swinger	Talboy	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Zerr	Mr Speaker			

NOES: 016

Bahr	Ellinger	Hughes	Jones 63	Kirkton
Lasater	Marshall	McCann Beatty	McCreery	Schieber
Schupp	Spreng	Swearingen	Taylor	Walton Gray
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 015

Carter	Day	Dieckhaus	Flanigan	Frederick
Funderburk	Hubbard	Long	McDonald	Nasheed
Schatz	Smith 71	Webb	Webber	Wright

HCS HB 1818, with Senate Amendment No. 1 and **Senate Amendment No. 2**, relating to property tax, was taken up by Representative Schad.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Denison
Diehl	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Thomson	Torpey	Wallingford	Weter
White	Wieland	Wyatt	Zerr	

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Casey	Colona	Conway 27	Ellinger	Ellington
Harris	Hodges	Holsman	Hubbard	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Spreng	Still	Swearingen	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 022

Carlson	Carter	Davis	Day	Dieckhaus
Fallert	Frederick	Funderburk	Hughes	Jones 117
May	McCreery	McDonald	Schad	Schatz
Smith 71	Stream	Webb	Webber	Wells
Wright	Mr Speaker			

On motion of Representative Schad, the House concurred in **Senate Amendment No. 1** and **Senate Amendment No. 2** by the following vote:

AYES: 125

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brattin
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Marshall
McCaherty	McCreery	McGhee	McManus	McNary
Meadows	Molendorp	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Swinger	Talboy
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 021

Atkins	Carlson	Ellinger	Ellington	Hughes
Hummel	Kratky	Lampe	McGeoghegan	McNeil
Montecillo	Morgan	Oxford	Pace	Rizzo
Schupp	Sifton	Spreng	Still	Swearingen
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 017

Bahr	Brown 50	Carter	Curtman	Day
Frederick	Funderburk	Long	May	McCann Beatty
McDonald	Schatz	Smith 71	Taylor	Webb
Webber	Wright			

On motion of Representative Schad, **HCS HB 1818, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 127

Allen	Anders	Asbury	Aull	Barnes
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Burlison	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Lair	Lampe	Lant	Largent	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Talboy	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wyatt	Zerr			

NOES: 021

Atkins	Bernskoetter	Carlson	Ellinger	Ellington
Hughes	Hummel	Kratky	McGeoghegan	McNeil
Morgan	Oxford	Pace	Rizzo	Schupp
Sifton	Spreng	Still	Swearingen	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 015

Bahr	Brown 116	Carter	Day	Frederick
Funderburk	May	McDonald	Montecillo	Schatz
Smith 71	Webb	Webber	Wright	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

SS SCS HB 1251, as amended, relating to Safe Drinking Water Act fees, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **SS SCS HB 1251, as amended**, was adopted by the following vote:

AYES: 135

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Black	Brandom	Brattin
Brown 50	Brown 116	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Davis	Day	Denison
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	McCaherty	McCann Beatty	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Nichols	Nolte	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wyatt	Zerr	Mr Speaker

NOES: 011

Asbury	Burlison	Curtman	Kirkton	Koenig
Marshall	McCreery	Newman	Oxford	Schupp
Spreng				

PRESENT: 000

ABSENT WITH LEAVE: 017

Berry	Brown 85	Carlson	Carter	Dieckhaus
Flanigan	Frederick	Funderburk	Long	May
McDonald	Schad	Schatz	Smith 71	Webb
Webber	Wright			

On motion of Representative Ruzicka, **SS SCS HB 1251, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 132

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Diehl	Dugger	Ellington
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Klippenstein	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Swinger
Talboy	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 015

Asbury	Brattin	Burlison	Curtman	Flanigan
Kirkton	Koenig	Marshall	McCreery	Newman
Oxford	Pace	Schupp	Spreng	Taylor

PRESENT: 000

ABSENT WITH LEAVE: 016

Carter	Dieckhaus	Ellinger	Elmer	Frederick
Funderburk	Hough	Kelly 24	May	McDonald
Richardson	Schatz	Smith 71	Webb	Webber
Wright				

Speaker Pro Tem Schoeller declared the bill passed.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Diehl	Dugger	Ellinger	Elmer
Entlicher	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schieber	Schneider
Schoeller	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr
Mr Speaker				

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 018

Carter	Davis	Dieckhaus	Flanigan	Frederick
Funderburk	Gatschenberger	May	McDonald	Nasheed
Schad	Scharnhorst	Schatz	Shumake	Smith 71
Webb	Webber	Wright		

The emergency clause was adopted by the following vote:

AYES: 122

Allen	Anders	Atkins	Aull	Bernskoetter
Berry	Black	Brandom	Brattin	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Day
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leara	Lichtenegger	Loehner	Long	McCaherty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Swinger	Talboy	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wyatt
Zerr	Mr Speaker			

NOES: 024

Asbury	Bahr	Colona	Ellington	Kander
Kirkton	Leach	Marshall	McCann Beatty	McCreery
McNeil	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Schupp	Sifton	Spreng
Still	Swearingen	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 017

Barnes	Carter	Davis	Dieckhaus	Diehl
Fisher	Flanigan	Frederick	Funderburk	May
McDonald	Scharnhorst	Schatz	Smith 71	Webb
Webber	Wright			

SS HCS HB 1647, as amended, relating to the collection of hazardous waste fees, was taken up by Representative Riddle.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 094

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Crawford
Cross	Curtman	Day	Dieckhaus	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Schieber	Schneider	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
White	Wieland	Wyatt	Zerr	

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 019

Brattin	Carter	Colona	Cox	Davis
Denison	Diehl	Frederick	Funderburk	May
McDonald	Scharnhorst	Schatz	Smith 71	Webb
Webber	Weter	Wright	Mr Speaker	

On motion of Representative Riddle, **SS HCS HB 1647, as amended**, was adopted by the following vote:

AYES: 133

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nichols	Nolte	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 017

Carlson	Ellinger	Ellington	Holsman	Hughes
Kirkton	McCann Beatty	McCreery	McNeil	Morgan
Newman	Oxford	Pace	Schupp	Sifton
Spreng	Taylor			

PRESENT: 000

ABSENT WITH LEAVE: 013

Allen	Brattin	Carter	Colona	Frederick
Funderburk	May	McDonald	Schatz	Smith 71
Webb	Webber	Mr Speaker		

On motion of Representative Riddle, **SS HCS HB 1647, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 128

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGeoghegan	McGhee	McManus
McNary	Meadows	Molendorp	Montecillo	Nance
Nasheed	Neth	Nichols	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Swinger	Talboy	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 019

Carlson	Ellinger	Ellington	Holsman	Hughes
Kirkton	McCann Beatty	McCreery	McNeil	Morgan
Newman	Oxford	Pace	Pierson	Schupp
Sifton	Spreng	Still	Taylor	

PRESENT: 000

ABSENT WITH LEAVE: 016

Allen	Black	Brattin	Carter	Colona
Flanigan	Frederick	Funderburk	Hubbard	May
McDonald	Schatz	Smith 71	Webb	Webber
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 125

Allen	Anders	Asbury	Aull	Barnes
Bernskoetter	Berry	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Casey	Cauthorn
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 89
Jones 117	Kander	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Talboy
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 021

Bahr	Colona	Ellington	Holsman	Hughes
Jones 63	Kirkton	Marshall	McCann Beatty	McCreery
McNeil	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Spreng	Still	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 017

Atkins	Black	Brattin	Carter	Cierpiot
Diehl	Frederick	Funderburk	Keeney	May
McDonald	Schatz	Schieffer	Smith 71	Webb
Webber	Mr Speaker			

SCS HCS#2 HB 1323, relating to child care, paternity and bail bonds, was taken up by Representative Black.

On motion of Representative Black, **SCS HCS#2 HB 1323** was adopted by the following vote:

AYES: 145

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Carter	Denison	Dieckhaus	Diehl
Fisher	Flanigan	Frederick	Funderburk	Hughes
May	McDonald	Scharnhorst	Schatz	Smith 71
Webb	Webber	Mr Speaker		

On motion of Representative Black, **SCS HCS#2 HB 1323** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lasater	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brattin	Carter	Flanigan	Frederick	Funderburk
Grisamore	Hubbard	Hughes	May	McDonald
Meadows	Scharnhorst	Smith 71	Webb	Webber
Wyatt	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

HCS HB 1644, with Senate Amendment No. 1 to Senate Amendment No. 1 and Senate Amendment No. 1, as amended, relating to excursion gambling boat licenses, was taken up by Representative Barnes.

On motion of Representative Barnes, the House concurred in **Senate Amendment No. 1 to Senate Amendment No. 1** and **Senate Amendment No. 1, as amended**, by the following vote:

AYES: 137

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Weter	White	Wieland
Wright	Zerr			

NOES: 006

Asbury	Bahr	Lasater	Marshall	McCaherty
Shumake				

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Carter	Conway 14	Ellington	Fisher
Flanigan	Frederick	Funderburk	Hughes	Hummel
May	McDonald	Meadows	Smith 71	Spreng
Webb	Webber	Wells	Wyatt	Mr Speaker

On motion of Representative Barnes, **HCS HB 1644, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Allen	Anders	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McCreery	McGeoghegan	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Weter	White	Wieland
Wright	Zerr	Mr Speaker		

NOES: 007

Asbury	Bahr	Ellington	Hughes	Lasater
Marshall	Shumake			

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Carter	Conway 14	Flanigan	Frederick
Funderburk	May	McDonald	McGhee	Meadows
Pollock	Scharnhorst	Smith 71	Spreng	Webb
Webber	Wells	Wyatt		

Speaker Pro Tem Schoeller declared the bill passed.

Speaker Tilley resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 769, as amended**, and has taken up and passed **CCS HCS SS SB 769**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1051**, entitled:

An act to repeal sections 361.070, 361.080, and 513.653, RSMo, and to enact in lieu thereof four new sections relating to audits, with existing penalty provisions.

With Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1051, Page 1, Section A, Line 4, by inserting immediately after said line the following:

"23.140. 1. Legislation, with the exception of appropriation bills, introduced into either house of the general assembly shall, before being acted upon, be submitted to the oversight division of the committee on legislative research for the preparation of a fiscal note. The staff of the oversight division shall prepare a fiscal note, examining the items contained in subsection 2 and such additional items as may be provided either by joint rule of the house and senate or by resolution adopted by the committee or the oversight subcommittee.

2. The fiscal note shall state:

(1) The cost of the proposed legislation to the state for the next two fiscal years;

(2) Whether or not the proposed legislation will establish a program or agency that will duplicate an existing program or agency;

(3) Whether or not there is a federal mandate for the program or agency;

(4) Whether or not the proposed program or agency will have significant direct fiscal impact upon any political subdivision of the state;

(5) Whether or not any new physical facilities will be required; and

(6) Whether or not the proposed legislation will have an economic impact on small businesses. For the purpose of this subdivision "small business" means a corporation, partnership, sole proprietorship or other business entity, including its affiliates, that:

(a) Is independently owned and operated; and

(b) Employs fifty or fewer full-time employees.

3. The fiscal note for a bill shall accompany the bill throughout its course of passage. No member of the general assembly, lobbyist or persons other than oversight division staff members shall participate in the preparation of any fiscal note unless the communication is in writing, with a duplicate to be filed with the fiscal note or unless requested for information by the fiscal analyst preparing the note. Violations of this provision shall be reported to the chairman of the legislative research committee and subject the fiscal note and proposed bill to subcommittee review. Once a fiscal note has been signed and approved by the director of the oversight division, the note shall not be changed or revised without prior approval of the chairman of the legislative research committee, except to reflect changes made in the bill it accompanies, or to correct patent typographical, clerical or drafting errors that do not involve changes of substance, nor shall substitution be made therefor. Appeals to revise, change or to substitute a fiscal note shall be made in writing by a member of the general assembly to the chairman of the legislative research committee and a hearing before the committee or subcommittee shall be granted as soon as possible. Any member of the general assembly, upon presentation of new or additional material, may, within three legislative days after the hearing on the request to revise, change or substitute a fiscal note, request one rehearing before the full committee to further consider the requested change.

The subcommittee, if satisfied that new or additional material has been presented, may recommend such rehearing to the full committee, and the rehearing shall be held as soon as possible thereafter.

4. The director of the division, hereinafter provided for, or the director's designees, shall seek information and advice from the affected department, division or agency of state government and shall call upon the research staffs of the house of representatives and of the senate, and upon the staffs of the house and senate appropriations committees for assistance in carrying out fiscal notes and **[**auditing functions and duties**]** **evaluations of programs selected by the committee**, during the interim, and each staff shall supply such information or advice as it **[**may possess**]** **deems appropriate** in response to the inquiry. The state auditor shall, upon request, cooperate and provide assistance in the conduct of audits and the preparation of reports made in connection therewith.

23.150. 1. The committee on legislative research shall organize an oversight division to prepare fiscal notes and to conduct **[**management audits and**]** program **[**audits**]** **evaluations** of state agencies**, including program evaluations involving budget transparency and accountability**. The committee may form a subcommittee of not less than six members to provide direct supervision of the personnel and practices of the division. The subcommittee shall consist of one-half of the members appointed by the **[**chairman**]** **chair** from the house which he **or she** represents and one-half of the members appointed by the vice **[**chairman**]** **chair** from the house which he **or she** represents.

2. Within the limits of the appropriations made for this division, the committee shall employ a director of the oversight division and other personnel as it deems necessary. The director shall be qualified by training and experience to conduct such **[**audits**]** **evaluations**, and he **or she** shall be directly responsible for those activities. The director of the oversight division, with the consent of the joint committee, may employ personnel necessary to carry out the duties prescribed in this chapter. Persons employed to work in the oversight division shall be professional persons possessing a wide knowledge and demonstrated expertise in governmental programming and financial planning, in conducting program review evaluations and analytic studies, and of federal, state, and local government budgetary processes, laws and regulations of the state of Missouri. **[**Office space, furniture and equipment formerly assigned to the committee on state fiscal affairs, and appropriations made therefor, shall be transferred to the committee on legislative research.**]**

23.160. 1. **[**As used in this chapter, the term "management audit" means a postaudit which determines, with regard to the purpose, functions, and duties of an audited agency:

(1) Whether the agency is managing and utilizing its resources in an economical and efficient manner; and

(2) Which identifies causes of inefficiencies or uneconomical practices including inadequacies in the use and management of information systems, internal and administrative procedures, organizational structure, use of resources, allocation of personnel, and purchasing policies.

2.**]** As used in this chapter, the term "program **[**audit"**]** **evaluation"** means a **[**postaudit**]** **study** which determines and evaluates program performance according to program objectives, responsibilities, and duties as set forth by statute or regulation. Program **[**audits**]** **evaluations**, in accordance with generally accepted program evaluation standards, shall determine:

(1) Whether the program is being performed and administered as authorized or required by law, and whether this action conforms with statutory intent;

(2) Whether the objectives and intended benefits are being achieved, and whether **[**efficiently and effectively**]** **the absence of such achievements suggest the need for correction or additional legislation**;

(3) Benefits derived from any program in relation to the expenditures made therefor; and

(4) Whether the program duplicates, overlaps, or conflicts with any other state program. **[**A program audit may include determinations within the scope of a management audit to the extent necessary or appropriate to the conduct of a particular program audit.

3.**]** **2.** As used in this chapter, the term "resources" includes appropriated funds, federal funds, grants, and personnel, and also includes equipment and space, whether assigned, owned or leased.

[4.**]** **3.** As used in this chapter, the term "agency" includes each department and office within the executive branch of government and each identifiable unit thereof, including institutions of higher learning, and each identifiable unit of the legislative and judicial branches of government.

23.170. 1. The oversight division of the committee on legislative research shall, pursuant to a duly adopted concurrent resolution of the general assembly, or pursuant to a resolution adopted by the committee on legislative research, conduct **[**management audits and**]** program **[**audits**]** **evaluations** of agencies as directed by any such resolution.

2. The staff of any agency subject to a **[**management or**]** program **[**audit**]** **evaluation** shall fully cooperate with the staff of the oversight division and shall provide all necessary information and assistance for such an **[**audit**]** **evaluation**. All records of an agency, unless otherwise expressly declared by law to be confidential, may be inspected by the oversight division staff while conducting the **[**audit**]** **evaluation**, and the agency subject to the **[**audit**]** **evaluation** shall afford the oversight division staff with ample opportunity to observe agency operations.

3. All **[**audits**]** **evaluations** shall be completed within one year unless an extension is authorized by the committee, but progress reports shall be made to the committee at least **[**monthly**]** **quarterly**. **[**The subcommittee supervising the oversight division shall meet monthly to review progress reports, hear requests for changes in fiscal notes, and provide supervision for the oversight division staff.**]**

4. Any member of the general assembly and any committee of either house of the general assembly may submit requests for **[**audits**]** **program evaluations** to the committee on legislative research, and any agency may request an **[**audit**]** **evaluation** of its operations. **The director of the division shall present program evaluations completed during the previous legislative interim period to appropriate committees of each chamber during early hearings of those committees at the next regular session.**

23.180. The committee may:

(1) Subpoena and examine witnesses by subpoena issued under the hand of the speaker of the house or the president pro tem of the senate and may require the appearance of any person and the production of any paper or document in the same manner;

(2) Cause witnesses appearing before the committee or **[**the**]** **its** staff **[**of the division**]** to give testimony under oath;

(3) Require that testimony given or a record of the proceedings of any hearing be recorded by an official court reporter or other competent person, under oath, in writing or by electronic, magnetic, or mechanical sound or video recording devices. Any such transcript or record, when certified by the reporter or recorder, shall be prima facie a correct statement of the testimony or proceedings.

23.190. 1. In making **[**audits**]** **program evaluations** the division shall make recommendations and suggestions, in writing, to the personnel of the agency being **[**audited**]** **evaluated**. Such personnel shall be given an opportunity to respond, in writing, to those recommendations and suggestions. Thereafter, as soon as practicable after completion of the **[**audit**]** **evaluation**, the committee shall issue a public report of the **[**audit**]** **evaluation**. The report shall contain recommendations for changes in practices and policies as well as recommendations for changes in statutes and regulations, and shall contain the response of the agency involved. Each report shall be a public record and shall be signed by the committee **[**chairman**]** **chair**. Each report shall be presented to the governor and the agency involved. Copies may be made available to members of the general assembly and to the general public. The committee may charge a fee to recover publication costs for copies made available to the general public.

2. One year after completion of each **[**audit**]** **evaluation**, the oversight division shall review the operations of the agency **[**audited**]** **evaluated** to determine whether or not there has been substantial compliance with the recommendations contained in the report, and if not, a further review shall be conducted at the end of another year. In each instance a further report shall be made and distributed in the same manner as an initial report is made and distributed.

23.265. 1. At the beginning of each regular session of the general assembly, the committee shall present to the general assembly and the governor a report on the programs scheduled to be sunset.

2. In the report, the committee shall include:

(1) Its specific findings regarding each of the criteria prescribed by section 23.268;

(2) Its recommendations based on the matters prescribed by section 23.271; and

(3) Any other information the committee deems necessary for a complete evaluation of the program.

3. The director of the oversight division shall present such reports to the house budget committee and the senate appropriations committee at such time as requested by the chairs of such committees."; and

Further amend said bill, Page 2, Section 513.653, Line 22, by inserting immediately after said line the following:

"**[**23.200. The staff of the committee on legislative research shall prepare a transfer-revision bill to be submitted to the ninetieth general assembly to revise the statutes so as to reflect the changes made by or pursuant to this act; except that, the committee on legislative research shall use fully the provisions of section 3.060 where such provisions will suffice. At such time as all statutory revision changes required pursuant to this act have gone into effect the revisor of statutes may prepare legislation to repeal this section.**]**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1051, Page 1, Section A, Line 4, by inserting after all of said line the following:

"21.940. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on State Employee Wages" to function in the legislative interims through December 31, 2014, for the purpose of further studying and developing of strategies for increasing the wages of Missouri's state employees so Missouri will become competitive with their peer states in regards to state employee wages.

2. The committee shall be composed of the following members:

(1) Two majority party members and one minority party member of the house of representatives, to be appointed by the speaker and minority leader of the house of representatives respectively;

(2) Two majority party members and one minority party member of the senate, to be appointed by the president pro tempore and minority leader of the senate respectively;

(3) One representative from the governor's office;

(4) One representative from the state personnel advisory board; and

(5) Two members of the public, with one to be appointed by the speaker of the house of representatives and one to be appointed by the president pro tempore of the senate.

A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.

3. The committee shall be charged with the following:

(1) Devising a focused and concise mission statement to guide actions of the committee;

(2) Requesting the office of administration to use moneys in the state employee wage study fund to invest in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures, similar to what other states have done;

(3) Requesting the office of administration, with the advice and consent of the committee, to use the data from the comprehensive study to produce a long-term strategic plan for increasing state employee wages and to present such plan to the governor, the house budget committee, and the senate appropriations committee by January 31, 2015;

(4) Such other matters as the committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues.

4. The committee may solicit input and information necessary to fulfill its obligations, including, but not limited to, soliciting input and information from any state department or agency the committee deems relevant, political subdivisions of this state, and the general public.

5. There is hereby created in the state treasury the "State Employee Wage Study Fund" which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of this section. The state treasurer shall deposit to the credit of such fund all moneys which may be appropriated to it by the general assembly and any gifts, contributions, grants, bequests, or other aid received from federal, private, or other sources. The general assembly may appropriate moneys into the fund to be used by the office of administration for the purpose of investing in a consultant to conduct salary and total compensation surveys to more comprehensively review and analyze the state classification and compensation structures. Notwithstanding the provisions of section 33.080, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. Members of the committee shall receive no compensation but may be reimbursed for reasonable and necessary expenses associated with the performance of their official duties.

7. The provisions of this section shall expire on January 31, 2015."; and

Further amend said bill, Page 8, Section 513.653, Line 26, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary to help attract and maintain a talented and dedicated workforce in order to best serve the needs of Missouri citizens, the enactment of section 21.940 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of section 21.940 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1051, Page 1, Section 29.375, Lines 8-9, by striking all of said lines and inserting in lieu thereof the following:

"**appropriation for fiscal year 2012.**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has receded from its position on **SA 1, as amended to HB 1424**, and has taken up and passed **HB 1424**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1789**, entitled:

An act to repeal sections 162.431 and 167.121, RSMo, and to enact in lieu thereof two new sections relating to travel hardships of public school pupils.

With Senate Amendment No. 3.

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1789, Pages 2-5, Section 167.121, by striking all of said section from the bill and inserting in lieu thereof the following:

"167.121. 1. If the residence of a pupil is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance, the commissioner of education or his **or her** designee may assign the pupil to another district**, except as provided in section 1 of this act**. Subject to the provisions of this section, all existing assignments shall be reviewed prior to July 1, 1984, and from time to time thereafter, and may be continued or rescinded. **Any assignment granted to a pupil under this section prior to August 28, 2012, shall remain in effect until the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil from the assignment. Any assignment granted to a pupil under this section prior to August 28, 2012, shall also be applicable to any sibling of the pupil and shall remain in effect until the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil from the assignment.** The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition shall not exceed the pro rata cost of instruction.

2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a parent or guardian residing in a lapsed public school district or a district that has scored either unaccredited or provisionally accredited, or a combination thereof, on two consecutive annual performance reports may enroll the parent's or guardian's child in the Missouri virtual school created in section 161.670 provided the pupil first enrolls in the school district of residence. The school district of residence shall include the pupil's enrollment in the virtual school created in section 161.670 in

determining the district's average daily attendance. Full-time enrollment in the virtual school shall constitute one average daily attendance equivalent in the school district of residence. Average daily attendance for part-time enrollment in the virtual school shall be calculated as a percentage of the total number of virtual courses enrolled in divided by the number of courses required for full-time attendance in the school district of residence.

(2) A pupil's residence, for purposes of this section, means residency established under section 167.020. Except for students residing in a K-8 district attending high school in a district under section 167.131, the board of the home district shall pay to the virtual school the amount required under section 161.670.

(3) Nothing in this section shall require any school district or the state to provide computers, equipment, Internet or other access, supplies, materials or funding, except as provided in this section, as may be deemed necessary for a pupil to participate in the virtual school created in section 161.670.

(4) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

Section 1. 1. For any pupil residing in any unincorporated area located in a county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants that also borders on a county with a charter form of government and with more than nine hundred fifty thousand inhabitants and a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, for any pupil residing in any village with more than three hundred twenty but fewer than three hundred sixty inhabitants and located in any county of the third classification without a township form of government and with more than twenty-three thousand but fewer than twenty-six thousand inhabitants and with a village with more than two hundred but fewer than two hundred fifty inhabitants as the county seat, or for any pupil residing in a village with more than one hundred forty but fewer than one hundred sixty inhabitants and located in any county of the third classification without a township form of government and with more than twenty thousand but fewer than twenty-three thousand inhabitants and with a city of the fourth classification with more than two thousand four hundred but fewer than two thousand seven hundred inhabitants as the county seat, the commissioner of education or his or her designee shall, upon proper application by the parent or guardian of the pupil, assign the pupil and any sibling of the pupil to another school district if the following conditions are met:

(1) The actual driving distance from the student's residence to the attendance center in the district of residence is seventeen miles or more by the shortest route available as determined by the commissioner or his or her designee;

(2) The attendance center to which the student would be assigned in the receiving district is at least seven miles closer in actual driving distance by the shortest route available to the student's residence than the current attendance center in the residence district as determined by the commissioner or his or her designee; and

(3) The attendance of the student will not cause the classroom in the receiving district to exceed the number of students per class as determined by the receiving district.

2. For pupils applying to the commissioner of education under this section, the commissioner, or his or her designee, shall assign pupils in the order in which applications are received, provided the applications are properly completed and the conditions of subsection 1 of this section are met. Once granted, the hardship assignment shall continue until the pupil, and any sibling of the pupil who attends the same attendance center, completes his or her course of study in the receiving district or the parent or guardian withdraws the pupil. If a parent or guardian withdraws a pupil from a hardship assignment, the granting of a subsequent application is discretionary. A pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in his or her district of residence during the school year prior to the application. Any pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in a district other than his or her district of residence and paid nonresident tuition for such enrollment during the school year prior to the application. Pupils who reside in the district who become eligible for kindergarten or first grade shall also be eligible to apply to the commissioner of education to be assigned to another district. A pupil who is not currently enrolled in a public school district shall become eligible to apply to the commissioner of education to be assigned to another district after the student has enrolled in and completed a full school year in a public school in his or her district of residence.

3. The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition amount shall not exceed the pro rata cost of instruction."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

BILLS IN CONFERENCE

CCR#2 SS SCS SB 719, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6, relating to boating safety identification cards, was taken up by Representative Brown (116).

On motion of Representative Brown (116), **CCR#2 SS SCS SB 719, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6** was adopted by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Colona	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGeoghegan	McManus
McNary	Molendorp	Montecillo	Morgan	Nance
Neth	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 009

Carlson	Cookson	Ellinger	Jones 63	Kirkton
McCreery	McNeil	Newman	Schupp	

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 025

Brattin	Carter	Conway 14	Conway 27	Dieckhaus
Flanigan	Frederick	Funderburk	Gatschenberger	Higdon
Hughes	Largent	Lasater	Marshall	May
McDonald	McGhee	Meadows	Nasheed	Nolte
Pollock	Scharnhorst	Smith 71	Webb	Webber

On motion of Representative Brown (116), **CCS#2 SS SCS SB 719** was truly agreed to and finally passed by the following vote:

AYES: 126

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McCaherty	McCann Beatty
McGeoghegan	McManus	McNary	Montecillo	Morgan
Nance	Neth	Nichols	Nolte	Oxford
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Still	Swinger	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 010

Carlson	Ellinger	Hughes	Jones 63	Kirkton
McCreery	McNeil	Newman	Pace	Schupp

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 026

Berry	Brattin	Carter	Conway 14	Day
Dieckhaus	Flanigan	Frederick	Funderburk	Gatschenberger
Higdon	Loehner	May	McDonald	McGhee
Meadows	Molendorp	Nasheed	Pierson	Smith 71
Sommer	Stream	Swearingen	Taylor	Webb
Webber				

Speaker Tilley declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 119

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hough	Houghton	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McManus	McNary	Meadows	Montecillo
Morgan	Nance	Neth	Nolte	Oxford
Parkinson	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Spreng	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 019

Berry	Colona	Ellington	Hubbard	Hughes
Kirkton	McCann Beatty	McCreery	McGeoghegan	McNeil
Nasheed	Newman	Nichols	Pace	Schupp
Still	Swearingen	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 025

Brattin	Carlson	Carter	Conway 14	Day
Dieckhaus	Flanigan	Franz	Frederick	Funderburk
Gatschenberger	Higdon	Hoskins	Hummel	Jones 63
May	McDonald	McGhee	Molendorp	Pierson
Smith 71	Sommer	Talboy	Webb	Webber

Speaker Pro Tem Schoeller resumed the Chair.

CCR HCS SCS SB 569, as amended, relating to elections, was taken up by Representative Dugger.

On motion of Representative Dugger, **CCR HCS SCS SB 569, as amended**, was adopted by the following vote:

AYES: 112

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McGhee	McManus	McNary	Meadows	Molendorp
Nance	Nasheed	Neth	Nichols	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Schatz	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Swinger	Thomson	Torpey	Wallingford
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 030

Aull	Colona	Ellington	Holsman	Hughes
Hummel	Jones 63	Kirkton	Lampe	Marshall
McCann Beatty	McCreery	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Oxford	Pace	Pierson
Rizzo	Schieber	Schupp	Sifton	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 021

Brattin	Carlson	Carter	Cierpiot	Conway 14
Day	Diehl	Flanigan	Frederick	Funderburk
Gatschenberger	May	McCaherty	McDonald	Nolte
Parkinson	Scharnhorst	Smith 71	Webb	Webber
Mr Speaker				

On motion of Representative Dugger, **CCS HCS SCS SB 569** was truly agreed to and finally passed by the following vote:

AYES: 108

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lasater	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McGhee	McNary	Meadows	Nance	Neth
Nichols	Phillips	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wells	Weter	White
Wieland	Wright	Wyatt		

NOES: 031

Aull	Carlson	Colona	Ellinger	Ellington
Holsman	Hummel	Jones 63	Kirkton	Lampe
Marshall	McCann Beatty	McCreery	McGeoghegan	McNeil
Montecillo	Morgan	Newman	Oxford	Pace
Pierson	Rizzo	Schieber	Schupp	Sifton
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 024

Brattin	Brown 50	Carter	Cierpiot	Davis
Day	Frederick	Funderburk	Gatschenberger	Hughes
May	McCaherty	McDonald	McManus	Molendorp
Nasheed	Nolte	Parkinson	Smith 71	Wallingford
Webb	Webber	Zerr	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

CCR HCS SCS SB 498, as amended, relating to charitable veterans' organizations, was taken up by Representative Shumake.

On motion of Representative Shumake, **CCR HCS SCS SB 498, as amended**, was adopted by the following vote:

AYES: 141

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Brattin	Brown 50	Carter	Entlicher	Franklin
Frederick	Funderburk	Gatschenberger	Hughes	Lasater
Leara	May	McDonald	McManus	Molendorp
Nolte	Parkinson	Scharnhorst	Smith 71	Webb
Webber	Mr Speaker			

On motion of Representative Shumake, **CCS HCS SCS SB 498** was truly agreed to and finally passed by the following vote:

AYES: 140

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 000

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 022

Anders	Brattin	Brown 50	Carter	Frederick
Funderburk	Gatschenberger	Hughes	Jones 117	Lasater
Leara	May	McDonald	McManus	Molendorp
Nolte	Parkinson	Scharnhorst	Smith 71	Webb
Webber	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 121

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Kander	Keeney
Kelley 126	Kelly 24	Koenig	Korman	Kratky
Lair	Lampe	Lant	Lauer	Leach
Long	McCaherty	McCann Beatty	McGeoghegan	McNary
McNeil	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Swearingen	Talboy	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 009

Anders	Carlson	Hughes	Kirkton	Marshall
McCreery	Newman	Schupp	Taylor	

PRESENT: 001

Ellington

ABSENT WITH LEAVE: 032

Brattin	Brown 50	Carter	Colona	Cox
Dugger	Flanigan	Fraker	Frederick	Funderburk
Gatschenberger	Hubbard	Jones 117	Klippenstein	Largent
Lasater	Leara	Lichtenegger	Loehner	May
McDonald	McGhee	McManus	Meadows	Nolte
Parkinson	Pollock	Scharnhorst	Smith 71	Swinger
Webb	Webber			

CCR HCS SB 628, as amended, relating to judicial procedures, was taken up by Representative Kelly (24).

On motion of Representative Kelly (24), **CCR HCS SB 628, as amended**, was adopted by the following vote:

AYES: 147

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hughes	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Long
Marshall	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Neth	Newman	Nichols	Nolte	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Brattin	Carter	Cross	Frederick	Funderburk
Gatschenberger	Haefner	Lasater	Leara	Loehner
May	McDonald	Schad	Smith 71	Webb
Webber				

On motion of Representative Kelly (24), **CCS HCS SB 628** was truly agreed to and finally passed by the following vote:

AYES: 143

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Berry	Black	Brandom
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McNary	McNeil	Meadows	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Bernskoetter	Brattin	Brown 50	Carter	Diehl
Ellington	Frederick	Funderburk	Gatschenberger	Hughes
Lasater	May	McDonald	McManus	Nolte
Schneider	Smith 71	Webb	Webber	Mr Speaker

Speaker Pro Tem Schoeller declared the bill passed.

CCR HCS SCS SB 635, as amended, relating to financial transactions, was taken up by Representative Phillips.

On motion of Representative Phillips, **CCR HCS SCS SB 635, as amended**, was adopted by the following vote:

AYES: 134

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Ellinger	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCreery	McGeoghegan	McGhee	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 002

Hughes	Marshall

PRESENT: 000

ABSENT WITH LEAVE: 027

Brattin	Brown 50	Carter	Day	Dieckhaus
Diehl	Dugger	Ellington	Elmer	Flanigan
Frederick	Funderburk	Gatschenberger	Higdon	Lasater
May	McCann Beatty	McDonald	McManus	McNary
Nasheed	Sater	Smith 71	Talboy	Webb
Webber	Mr Speaker			

On motion of Representative Phillips, **CCS HCS SCS SB 635** was truly agreed to and finally passed by the following vote:

AYES: 132

Anders	Atkins	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gosen	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr			

NOES: 002

Hughes	Marshall

PRESENT: 000

ABSENT WITH LEAVE: 029

Allen	Asbury	Brattin	Brown 50	Carlson
Carter	Day	Dieckhaus	Diehl	Dugger
Ellington	Flanigan	Frederick	Funderburk	Gatschenberger
Grisamore	Higdon	Hummel	Lasater	May
McDonald	Nasheed	Redmon	Scharnhorst	Smith 71
Swearingen	Webb	Webber	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 126

Anders	Asbury	Atkins	Aull	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Denison	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelly 24	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGeoghegan	McGhee
McNary	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Weter	Wieland	Wright	Wyatt
Zerr				

NOES: 011

Bahr	Colona	Ellington	Hughes	Kirkton
Marshall	McCreery	McNeil	Newman	Spreng
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brattin	Carter	Day	Dieckhaus
Diehl	Flanigan	Frederick	Funderburk	Gatschenberger
Higdon	Hummel	Kelley 126	Lasater	May
McDonald	McManus	Nolte	Rizzo	Scharnhorst
Smith 71	Webb	Webber	Wells	White
Mr Speaker				

CCR HCS SS SCS SB 470, as amended, relating to transportation, was taken up by Representative Burlison.

On motion of Representative Burlison, **CCR HCS SS SCS SB 470, as amended**, was adopted by the following vote:

AYES: 129

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Neth	Nichols
Nolte	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 010

Kirkton	McCann Beatty	McCreery	McNeil	Morgan
Newman	Oxford	Schupp	Spreng	Still

PRESENT: 000

ABSENT WITH LEAVE: 024

Brattin	Brown 116	Carter	Day	Ellinger
Ellington	Entlicher	Flanigan	Frederick	Funderburk
Gatschenberger	Higdon	Hubbard	Hughes	Lant
Lasater	May	McDonald	Nasheed	Parkinson
Smith 71	Webb	Webber	Mr Speaker	

On motion of Representative Burlison, **CCS HCS SS SCS SB 470** was truly agreed to and finally passed by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Dieckhaus
Dugger	Ellinger	Elmer	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Hinson	Hodges	Holsman	Hoskins
Hough	Hubbard	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McManus	McNary	Meadows
Molendorp	Montecillo	Nance	Neth	Nichols
Nolte	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Swinger	Talboy	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 012

Hummel	Kirkton	McCann Beatty	McCreery	McNeil
Morgan	Newman	Oxford	Schupp	Spreng
Still	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 023

Brattin	Carter	Day	Diehl	Ellington
Entlicher	Flanigan	Frederick	Funderburk	Gatschenberger
Higdon	Houghton	Hughes	Lant	Lasater
May	McDonald	Nasheed	Parkinson	Smith 71
Webb	Webber	Mr Speaker		

Speaker Pro Tem Schoeller declared the bill passed.

CCR SS SB 665, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6, relating to a conveyance of state property, was taken up by Representative Asbury.

On motion of Representative Asbury, **CCR SS SB 665, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6** was adopted by the following vote:

AYES: 139

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	

NOES: 002

Hughes	Pollock

PRESENT: 000

ABSENT WITH LEAVE: 022

Brattin	Carter	Cierpiot	Day	Flanigan
Frederick	Funderburk	Gatschenberger	Higdon	Hubbard
Lasater	May	McDonald	Molendorp	Neth
Parkinson	Smith 71	Spreng	Webb	Webber
Zerr	Mr Speaker			

On motion of Representative Asbury, **CCS SS SB 665** was truly agreed to and finally passed by the following vote:

AYES: 137

Anders	Asbury	Atkins	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Lichtenegger
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Montecillo	Morgan	Nance
Neth	Newman	Nichols	Nolte	Oxford
Pace	Phillips	Pierson	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Swinger
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wieland
Wright	Wyatt			

NOES: 002

Hughes	Pollock

PRESENT: 000

ABSENT WITH LEAVE: 024

Allen	Aull	Brattin	Carter	Day
Flanigan	Frederick	Funderburk	Gatschenberger	Higdon
Hubbard	Lasater	May	McDonald	Molendorp
Nasheed	Parkinson	Schneider	Smith 71	Spreng
Webb	Webber	Zerr	Mr Speaker	

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Crawford	Cross	Curtman
Davis	Denison	Dieckhaus	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	McCaherty	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Neth	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Still	Stream	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wyatt
Zerr				

NOES: 005

Bahr	Kirkton	Marshall	McCreery	Newman

PRESENT: 000

ABSENT WITH LEAVE: 027

Brattin	Carter	Cox	Day	Diehl
Fisher	Flanigan	Frederick	Funderburk	Gatschenberger
Higdon	Hubbard	Hughes	Kelly 24	Lasater
May	McDonald	Nasheed	Parkinson	Sater
Smith 71	Spreng	Swearingen	Webb	Webber
Wright	Mr Speaker			

Representative Schad assumed the Chair.

CCR HCS SCS SB 631, as amended, relating to agriculture, was taken up by Representative Reiboldt.

On motion of Representative Reiboldt, **CCR HCS SCS SB 631, as amended**, was adopted by the following vote:

AYES: 119

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Conway 27	Cookson
Cox	Crawford	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Hinson	Holsman	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McCann Beatty	McGeoghegan	McGhee	McNary
Nance	Neth	Nolte	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 018

Anders	Carlson	Ellinger	Ellington	Kirkton
Marshall	McCreery	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Schupp
Spreng	Still	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 026

Atkins	Brattin	Carter	Cross	Curtman
Davis	Day	Denison	Frederick	Funderburk
Higdon	Hodges	Hoskins	Hughes	Lasater
May	McDonald	McManus	Meadows	Molendorp
Nasheed	Scharnhorst	Smith 71	Webb	Webber
Mr Speaker				

On motion of Representative Reiboldt, **CCS HCS SCS SB 631** was truly agreed to and finally passed by the following vote:

AYES: 127

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Day	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gatschenberger
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Lichtenegger	Loehner
Long	McCaherty	McCann Beatty	McGhee	McManus
McNary	Meadows	Nance	Neth	Nolte
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Sater	Schad	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr	Mr Speaker			

NOES: 019

Anders	Carlson	Ellinger	Ellington	Kirkton
Marshall	McCreery	McGeoghegan	McNeil	Montecillo
Morgan	Newman	Nichols	Oxford	Pace
Schupp	Spreng	Still	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 017

Brattin	Carter	Cross	Denison	Frederick
Funderburk	Hughes	Lasater	Leara	May
McDonald	Molendorp	Nasheed	Scharnhorst	Smith 71
Webb	Webber			

Representative Schad declared the bill passed.

Representative Meadows assumed the Chair.

CCR SB 599, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, as amended, House Amendment No. 4, as amended, and House Amendment No. 5, relating to gifted education, was taken up by Representative Dieckhaus.

On motion of Representative Dieckhaus, **CCR SB 599, with House Amendment No. 1, House Amendment No. 2, as amended, House Amendment No. 3, as amended, House Amendment No. 4, as amended, and House Amendment No. 5** was adopted by the following vote:

AYES: 148

Allen	Anders	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nance
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Still	Stream	Swearingen	Swinger	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 001

Spreng

PRESENT: 000

ABSENT WITH LEAVE: 014

Asbury	Brattin	Carter	Cross	Ellington
Frederick	Funderburk	Hughes	Lasater	May
McDonald	Smith 71	Webb	Webber	

On motion of Representative Dieckhaus, **CCS SB 599** was truly agreed to and finally passed by the following vote:

AYES: 146

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 14	Conway 27	Cookson	Cox	Crawford
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Swinger	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Brattin	Carter	Cross	Ellington	Frederick
Funderburk	Hubbard	Hughes	Jones 117	Kelly 24
Lasater	May	McDonald	Redmon	Smith 71
Webb	Webber			

Representative Meadows declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Allen	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Still
Stream	Swinger	Talboy	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 006

Anders	Marshall	Spreng	Swearingen	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Carlson	Carter	Cross	Ellington
Frederick	Funderburk	Hubbard	Hughes	Lasater
May	McCreery	McDonald	Sater	Scharnhorst
Smith 71	Webb	Webber		

Speaker Tilley resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 636, as amended**, and has taken up and passed **CCS HCS SB 636**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 755, as amended**, and request the House to recede from its position on **HCS, as amended**, and take up and pass **SS SCS SB 755**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 and 847, as amended**, and requests the House to recede from its position on **HCS, as amended**, and take up and pass **SCS SBs 767, 653, 754, 705, 441, 528, 831, 833 and 847**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conference on **HCS SS SB 854, as amended**, has been dissolved and the Senate requests that the House recede from its position on **HCS SS SB 854, as amended**, and take up and pass **SS SB 854**.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1789, as amended, relating to student travel hardships, was taken up by Representative Schad.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 099

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
Marshall	McCaherty	McGhee	McNary	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Schatz	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr	Mr Speaker	

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hughes	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Still	Swearingen
Swinger	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 015

Brattin	Carter	Conway 14	Frederick	Funderburk
Hubbard	Lasater	May	McDonald	Sater
Scharnhorst	Smith 71	Spreng	Webb	Webber

On motion of Representative Schad, **SCS HCS HB 1789, as amended**, was adopted by the following vote:

AYES: 083

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Elmer	Fisher	Flanigan
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 63
Jones 89	Jones 117	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Lair	Lant
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Pollock	Reiboldt	Richardson
Riddle	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Sommer
Stream	Torpey	Weter	White	Wieland
Wyatt	Zerr	Mr Speaker		

NOES: 068

Anders	Asbury	Atkins	Aull	Black
Carlson	Casey	Colona	Conway 27	Cross
Dugger	Ellinger	Ellington	Entlicher	Fallert
Fitzwater	Fraker	Hampton	Harris	Hodges
Holsman	Hughes	Hummel	Kander	Kirkton
Kratky	Lampe	Largent	Lauer	Marshall
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Meadows	Molendorp	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Phillips
Pierson	Quinn	Redmon	Rizzo	Rowland
Ruzicka	Schieber	Schieffer	Schupp	Shively

Sifton	Solon	Spreng	Still	Swearingen
Swinger	Talboy	Taylor	Thomson	Wallingford
Walton Gray	Wells	Wright		

PRESENT: 000

ABSENT WITH LEAVE: 012

Brattin	Carter	Frederick	Funderburk	Hubbard
Lasater	May	McDonald	Sater	Smith 71
Webb	Webber			

On motion of Representative Schad, **SCS HCS HB 1789, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 083

Allen	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cox	Crawford	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Ellinger	Elmer	Fisher	Flanigan	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 63	Jones 89
Jones 117	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Lair	Lant	Lauer
Leach	Leara	Lichtenegger	Loehner	Long
McCaherty	McGhee	McNary	Nance	Neth
Nolte	Parkinson	Pollock	Reiboldt	Richardson
Riddle	Schad	Scharnhorst	Schatz	Schneider
Schoeller	Shumake	Silvey	Smith 150	Stream
Torpey	Weter	White	Wieland	Wright
Wyatt	Zerr	Mr Speaker		

NOES: 062

Anders	Asbury	Atkins	Aull	Black
Carlson	Casey	Colona	Conway 27	Cross
Ellington	Entlicher	Fallert	Fraker	Hampton
Harris	Hodges	Holsman	Hughes	Hummel
Kander	Kirkton	Kratky	Lampe	Largent
Marshall	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Phillips	Pierson	Quinn	Redmon	Rizzo
Rowland	Ruzicka	Schieber	Schieffer	Schupp
Shively	Sifton	Solon	Spreng	Still
Swearingen	Swinger	Talboy	Taylor	Wallingford
Walton Gray	Wells			

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Brown 50	Carter	Cookson	Dugger
Fitzwater	Frederick	Funderburk	Hubbard	Lasater
May	McDonald	Sater	Smith 71	Sommer
Thomson	Webb	Webber		

Speaker Tilley declared the bill passed.

Speaker Pro Tem Schoeller resumed the Chair.

THIRD READING OF SENATE BILL

SS SB 464, relating to a health insurance exchange, was taken up by Representative Burlison.

Representative Jones (63) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Substitute for Senate Bill No. 464, Page 2, Section 376.1186, Line 40, by inserting after "**Section 1321(c)(1)**" on said line the following:

"**, Section 1311(k), and Section 1311(d)**"; and

Further amend said bill and section, Page 3, Line 84, by inserting after "**Section 1321(c)(1)**" on said line the following:

"**, Section 1311(k), and Section 1311(d)**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Curtman
Davis	Denison	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Long	Marshall	McCaherty	McNary
Molendorp	Nance	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schneider

Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Wieland	Wright	Wyatt	Zerr

NOES: 045

Atkins	Aull	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Quinn
Rizzo	Schieffer	Schupp	Shively	Sifton
Still	Swearingen	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 033

Allen	Anders	Brattin	Carter	Conway 14
Cross	Day	Dieckhaus	Diehl	Flanigan
Frederick	Funderburk	Hinson	Hubbard	Hughes
Kander	Lasater	Loehner	May	McDonald
McGhee	Neth	Richardson	Sater	Schieber
Smith 71	Spreng	Swinger	Webb	Webber
Weter	White	Mr Speaker		

Representative Jones (63) moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Jones (89) assumed the Chair.

Representative Schoeller moved the previous question.

Which motion was adopted by the following vote:

AYES: 096

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dugger	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lant	Largent	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Neth
Nolte	Parkinson	Phillips	Pollock	Redmon
Reiboldt	Richardson	Riddle	Rowland	Ruzicka

Schad	Scharnhorst	Schatz	Schieber	Schoeller
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wright	Wyatt
Zerr				

NOES: 047

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Spreng	Still	Swinger	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Carter	Dieckhaus	Diehl	Frederick
Funderburk	Hubbard	Hughes	Kander	Lair
Lasater	May	McDonald	Sater	Schneider
Smith 71	Swearingen	Webb	Webber	Mr Speaker

On motion of Representative Burlison, **SS SB 464** was truly agreed to and finally passed by the following vote:

AYES: 108

Allen	Anders	Asbury	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Dugger	Elmer	Entlicher	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lant	Largent	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Meadows	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schatz	Schieber	Schneider	Schoeller
Shively	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Swinger	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 038

Atkins	Aull	Carlson	Colona	Conway 27
Ellinger	Ellington	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Rizzo
Schieffer	Schupp	Sifton	Spreng	Still
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 017

Brattin	Carter	Dieckhaus	Frederick	Funderburk
Grisamore	Hughes	Kander	Lair	Lasater
May	McDonald	Smith 71	Swearingen	Webb
Webber	Mr Speaker			

Representative Jones (89) declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1315**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1854**, entitled:

An act to repeal sections 209.150, 209.152, 209.200, 209.202, 288.034, 301.143, and 304.028, RSMo, and to enact in lieu thereof eight new sections relating to services provided to individuals with disabilities, with penalty provisions, an expiration date for a certain section and an emergency clause for a certain section.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 26, Section 288.034, Line 13, by inserting at the end of said line the following:

"**However, in the event an employment relationship exists between the provider and any worker as determined under this chapter, the services performed by such worker shall be deemed to be employment if the provider is an organization described in Section 501(c)(3) of the Internal Revenue Code, any governmental entity, or a federally recognized Indian tribe.**".

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1854, Page 32, Section 304.028, Line 19 of said page, by inserting after all of said line the following:

"660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;

(4) Is approved by the department to issue certificates for nursing assistants training;

(5) Is an entity licensed under chapter 197; or

(6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list. The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. **(1)** Any employer **[**who is**]** required to **[**discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire**] deny employment to an applicant or discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process under section 210.903, or subsequent, periodic screenings, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and** shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100.

(2) Notwithstanding subsections 3 and 5 of section 288.090, an employer shall not be charged for unemployment insurance benefits based on wages paid to the employee or an employer making payments in lieu of contributions for work prior to the date of discharge, pursuant to section 288.100, if the employer terminated the employee because the employee:

(a) Has been found guilty of, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;

(b) Was placed on the employee disqualification list under this section, after the date of hire;

(c) Was placed on the employee disqualification registry maintained by the department of mental health, after the date of hire;

(d) Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or

(e) Was denied a good cause waiver as provided for in subsection 10 of section 660.317.

The benefits paid to the employee shall not be attributable to service in the employ of the employer required to discharge an employee under the provisions of this subdivision and shall be deemed as such under the unemployment compensation laws of this state.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

BILLS IN CONFERENCE

CCR HCS#2 SCS SB 480, as amended, relating to transportation, was taken up by Representative Burlison.

On motion of Representative Burlison, **CCR HCS#2 SCS SB 480, as amended**, was adopted by the following vote:

AYES: 104

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Davis	Day	Denison	Diehl
Dugger	Elmer	Entlicher	Fallert	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Keeney
Kelley 126	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	McCaherty	McGeoghegan
McGhee	McNary	Meadows	Molendorp	Nance
Neth	Nichols	Nolte	Phillips	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Talboy
Taylor	Thomson	Wallingford	Wells	Weter
Wieland	Wright	Wyatt	Zerr	

NOES: 023

Atkins	Carlson	Colona	Ellinger	Ellington
Holsman	Hummel	Jones 63	Kirkton	Marshall
McCann Beatty	McCreery	McManus	McNeil	Montecillo
Morgan	Newman	Pace	Schupp	Sifton
Spreng	Still	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 036

Brattin	Carter	Cauthorn	Conway 27	Curtman
Dieckhaus	Fisher	Frederick	Funderburk	Grisamore
Guernsey	Hughes	Jones 117	Kander	Kelly 24
Klippenstein	Lasater	Lichtenegger	May	McDonald
Nasheed	Oxford	Parkinson	Pierson	Pollock
Reiboldt	Sater	Smith 71	Stream	Swearingen
Swinger	Torpey	Webb	Webber	White
Mr Speaker				

On motion of Representative Burlison, **CCS HCS#2 SCS SB 480** was truly agreed to and finally passed by the following vote:

AYES: 112

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Diehl	Dugger	Elmer
Entlicher	Fallert	Fitzwater	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 89	Keeney	Kelley 126	Kelly 24	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	McGeoghegan	McGhee	McNary
Molendorp	Nance	Nasheed	Neth	Nichols
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Talboy	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Zerr			

NOES: 024

Atkins	Colona	Ellinger	Ellington	Holsman
Hummel	Jones 63	Kirkton	Marshall	McCann Beatty
McCreery	McManus	McNeil	Montecillo	Morgan
Newman	Oxford	Pace	Pierson	Schupp
Sifton	Spreng	Still	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 027

Brattin	Carlson	Carter	Dieckhaus	Fisher
Flanigan	Frederick	Funderburk	Grisamore	Guernsey
Hughes	Jones 117	Kander	Lasater	Lichtenegger
May	McCaherty	McDonald	Meadows	Sater
Smith 71	Swearingen	Swinger	Webb	Webber
Wyatt	Mr Speaker			

Representative Jones (89) declared the bill passed.

CCR HCS SS SB 749, as amended, relating to religious beliefs and convictions, was taken up by Representative Crawford.

Representative Fuhr moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Asbury	Bahr	Barnes	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Diehl	Elmer	Entlicher	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Higdon	Hinson	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Keeney	Kelley 126
Klippenstein	Koenig	Korman	Lair	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McGhee	Molendorp
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 042

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kelly 24	Kirkton	Kratky
McCann Beatty	McCreery	McGeoghegan	McNeil	Meadows
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schieffer
Schupp	Sifton	Spreng	Still	Talboy
Taylor	Walton Gray			

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brattin	Brown 50	Carter	Dieckhaus
Dugger	Frederick	Funderburk	Grisamore	Hughes
Kander	Lampe	Lasater	Lichtenegger	May
McDonald	McManus	McNary	Redmon	Sater
Smith 71	Swearingen	Swinger	Webb	Webber
Mr Speaker				

On motion of Representative Crawford, **CCR HCS SS SB 749, as amended**, was adopted by the following vote:

AYES: 103

Asbury	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Denison	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gatschenberger	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Kratky	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	Meadows	Nance	Neth
Nolte	Parkinson	Phillips	Quinn	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schatz	Schieber	Schieffer	Schneider
Schoeller	Shively	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wieland
Wright	Wyatt	Zerr		

NOES: 034

Anders	Atkins	Carlson	Colona	Ellinger
Ellington	Holsman	Hubbard	Hughes	Hummel
Jones 63	Kelly 24	Kirkton	Lampe	McCann Beatty
McCreery	McNeil	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Spreng
Still	Talboy	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brattin	Brown 50	Carter	Day
Dieckhaus	Frederick	Funderburk	Grisamore	Kander
Lair	Lasater	Lichtenegger	May	McDonald
McManus	McNary	Pollock	Redmon	Sater
Smith 71	Swearingen	Swinger	Webb	Webber
Mr Speaker				

On motion of Representative Crawford, **CCS HCS SS SB 749** was truly agreed to and finally passed by the following vote:

AYES: 105

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Denison	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein
Koenig	Korman	Kratky	Lair	Lant
Largent	Lauer	Leach	Leara	Loehner
Marshall	McCaherty	McGeoghegan	McGhee	Meadows
Nance	Neth	Nolte	Parkinson	Phillips
Pollock	Quinn	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wieland	Wyatt	Zerr

NOES: 033

Anders	Atkins	Carlson	Colona	Ellinger
Ellington	Holsman	Hubbard	Hummel	Jones 63
Kelly 24	Kirkton	Lampe	McCann Beatty	McCreery
McNeil	Molendorp	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Sifton	Spreng	Still
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 025

Brattin	Brown 50	Carter	Day	Dieckhaus
Frederick	Funderburk	Hughes	Kander	Lasater
Lichtenegger	Long	May	McDonald	McManus
McNary	Redmon	Sater	Smith 71	Swearingen
Swinger	Webb	Webber	Wright	Mr Speaker

Representative Jones (89) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 85
Brown 116	Burlison	Casey	Cauthorn	Cierpiot
Conway 14	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Kratky
Lair	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGeoghegan	McGhee	McNary	Meadows	Nance
Neth	Nolte	Parkinson	Phillips	Pollock
Quinn	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	Weter
White	Wieland	Wright	Wyatt	Zerr

NOES: 035

Anders	Atkins	Brown 50	Carlson	Colona
Ellinger	Ellington	Holsman	Hubbard	Hummel
Jones 63	Kelly 24	Kirkton	Lampe	McCann Beatty
McCreery	McNeil	Molendorp	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Rizzo	Schupp	Sifton	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 018

Brattin	Carter	Frederick	Funderburk	Hughes
Kander	Lasater	Lichtenegger	May	McDonald
McManus	Redmon	Sater	Smith 71	Swinger
Webb	Webber	Mr Speaker		

Representative Silvey assumed the Chair.

CCR HCS SS SB 769, as amended, relating to state and local standards, was taken up by Representative Cierpiot.

On motion of Representative Cierpiot, **CCR HCS SS SB 769, as amended**, was adopted by the following vote:

AYES: 129

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Curtman	Denison	Dieckhaus
Diehl	Dugger	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gatschenberger	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	McCann Beatty	McCreery	McGeoghegan	McGhee
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Pollock	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Schatz	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wieland	Wright	Wyatt	Zerr	

NOES: 002

Atkins	Marshall

PRESENT: 000

ABSENT WITH LEAVE: 032

Brattin	Brown 116	Carter	Conway 14	Cross
Davis	Day	Entlicher	Frederick	Funderburk
Gosen	Grisamore	Higdon	Hughes	Kander
Keeney	Lasater	Lichtenegger	May	McCaherty
McDonald	McManus	Molendorp	Quinn	Sater
Scharnhorst	Schneider	Smith 71	Swinger	Webb
Webber	Mr Speaker			

On motion of Representative Cierpiot, **CCS HCS SS SB 769** was truly agreed to and finally passed by the following vote:

AYES: 124

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 27	Cookson
Cox	Crawford	Curtman	Denison	Dieckhaus
Dugger	Ellinger	Ellington	Elmer	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gatschenberger	Gosen	Guernsey	Haefner
Hampton	Harris	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hummel	Johnson
Jones 89	Jones 117	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	McCann Beatty	McCreery
McGeoghegan	McGhee	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Solon	Sommer	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Wells	Weter
White	Wieland	Wright	Zerr	

NOES: 002

Atkins	Marshall

PRESENT: 000

ABSENT WITH LEAVE: 037

Brattin	Brown 116	Carter	Conway 14	Cross
Davis	Day	Diehl	Entlicher	Flanigan
Frederick	Funderburk	Grisamore	Higdon	Hubbard
Hughes	Jones 63	Kander	Keeney	Lasater
Lichtenegger	May	McCaherty	McDonald	McManus
McNary	Nasheed	Pierson	Sater	Scharnhorst
Smith 71	Smith 150	Swinger	Webb	Webber
Wyatt	Mr Speaker			

Representative Silvey declared the bill passed.

SS HB 1318, as amended, relating to mental health facility employees, was taken up by Representative Riddle.

Representative Riddle moved that the conference committee on **SS HB 1318, as amended**, be dissolved.

Which motion was adopted.

On motion of Representative Riddle, **SS HB 1318, as amended**, was adopted by the following vote:

AYES: 128

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Curtman	Denison
Diehl	Ellinger	Ellington	Elmer	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hubbard	Hummel	Johnson	Jones 63
Jones 89	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	Marshall	McCann Beatty	McCreery
McGeoghegan	McGhee	McNary	McNeil	Molendorp
Montecillo	Morgan	Nance	Neth	Newman
Nichols	Nolte	Oxford	Pace	Phillips
Pierson	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schatz	Schieber	Schieffer	Schneider
Schoeller	Schupp	Shively	Shumake	Sifton
Silvey	Smith 150	Solon	Sommer	Spreng
Still	Stream	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 035

Brattin	Brown 116	Carter	Crawford	Cross
Davis	Day	Dieckhaus	Dugger	Entlicher
Frederick	Funderburk	Hughes	Jones 117	Kander
Keeney	Lasater	Lichtenegger	May	McCaherty
McDonald	McManus	Meadows	Nasheed	Parkinson
Redmon	Scharnhorst	Smith 71	Swearingen	Swinger
Talboy	Webb	Webber	Wieland	Mr Speaker

On motion of Representative Riddle, **SS HB 1318, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Curtman	Denison
Diehl	Ellinger	Ellington	Elmer	Fallert
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gatschenberger	Gosen	Guernsey
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hughes	Hummel	Johnson	Jones 63
Jones 89	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	Marshall	McCann Beatty	McCreery
McGeoghegan	McGhee	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Neth
Newman	Nichols	Nolte	Oxford	Pace
Phillips	Pierson	Pollock	Quinn	Reiboldt
Richardson	Riddle	Rizzo	Rowland	Ruzicka
Sater	Schad	Scharnhorst	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 032

Brattin	Brown 116	Carter	Crawford	Cross
Davis	Day	Dieckhaus	Dugger	Entlicher
Frederick	Funderburk	Grisamore	Jones 117	Kander
Keeney	Lasater	Lichtenegger	May	McCaherty
McDonald	McManus	Nasheed	Parkinson	Redmon
Smith 71	Swinger	Walton Gray	Webb	Webber
Wieland	Mr Speaker			

Representative Silvey declared the bill passed.

HCS#2 SCS SB 729, as amended, relating to political subdivisions, was taken up by Representative Kelly (24).

Representative Kelly (24), having voted on the prevailing side, moved that the vote by which the conference on **HCS#2 SCS SB 729, as amended**, was granted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 130

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Curtman	Davis
Day	Diehl	Ellinger	Ellington	Elmer
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gosen	Grisamore
Haefner	Hampton	Harris	Higdon	Hinson
Hodges	Holsman	Hoskins	Hough	Houghton
Hubbard	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCann Beatty	McCreery	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Nolte	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Schatz	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wyatt	Zerr

NOES: 002

Denison	Gatschenberger

PRESENT: 000

ABSENT WITH LEAVE: 031

Brattin	Brown 116	Carter	Crawford	Cross
Dieckhaus	Dugger	Entlicher	Frederick	Funderburk
Guernsey	Hughes	Kander	Keeney	Lant
Lasater	Lichtenegger	May	McCaherty	McDonald
McManus	Reiboldt	Scharnhorst	Silvey	Smith 71
Swinger	Webb	Webber	Wieland	Wright
Mr Speaker				

Representative Kelly (24) withdrew the motion that the House refuse to recede from its position on **HCS#2 SCS SB 729, as amended**, and grant the Senate a conference.

Representative Kelly (24) moved that the House recede from its position on **HCS#2 SCS SB 729, as amended**.

Which motion was adopted.

On motion of Representative Kelly (24), **SCS SB 729** was truly agreed to and finally passed by the following vote:

AYES: 125

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Curtman	Davis	Day	Diehl	Dugger
Ellinger	Ellington	Elmer	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Largent
Lauer	Leach	Leara	Loehner	Long
Marshall	McCann Beatty	McCreery	McGeoghegan	McGhee
McNary	McNeil	Meadows	Montecillo	Morgan
Nance	Nasheed	Neth	Newman	Nichols
Nolte	Oxford	Pace	Parkinson	Phillips
Pierson	Quinn	Redmon	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Weter	White	Wyatt	Zerr

NOES: 002

Pollock	Wells

PRESENT: 000

ABSENT WITH LEAVE: 036

Brattin	Brown 50	Brown 116	Carter	Colona
Conway 27	Crawford	Cross	Denison	Dieckhaus
Entlicher	Frederick	Funderburk	Gatschenberger	Hughes
Kander	Keeney	Lant	Lasater	Lichtenegger
May	McCaherty	McDonald	McManus	Molendorp
Reiboldt	Sater	Schatz	Schneider	Smith 71
Swinger	Webb	Webber	Wieland	Wright
Mr Speaker				

Representative Silvey declared the bill passed.

THIRD READING OF SENATE BILLS

SCS SB 835, relating to the regulation of fireworks, was taken up by Representative Bernskoetter.

On motion of Representative Bernskoetter, **SCS SB 835** was truly agreed to and finally passed by the following vote:

AYES: 125

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Black	Brandom
Brown 50	Brown 85	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Cookson
Cox	Curtman	Davis	Diehl	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hubbard
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCann Beatty	McCreery	McGeoghegan
McGhee	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Pierson	Pollock	Quinn	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Sater	Schad
Scharnhorst	Schieber	Schieffer	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Still	Stream	Swearingen
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Wells	Weter	White	Wyatt	Zerr

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 038

Berry	Brattin	Brown 116	Carter	Conway 27
Crawford	Cross	Day	Denison	Dieckhaus
Dugger	Frederick	Funderburk	Gatschenberger	Hughes
Kander	Klippenstein	Lasater	Lichtenegger	May
McCaherty	McDonald	McManus	Nolte	Phillips
Redmon	Reiboldt	Schatz	Schneider	Smith 71
Spreng	Swinger	Talboy	Webb	Webber
Wieland	Wright	Mr Speaker		

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Allen	Anders	Asbury	Atkins	Aull
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 85	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Diehl	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lauer	Leach	Leara	Loehner
Long	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNary	McNeil	Meadows	Molendorp
Montecillo	Morgan	Nance	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Sater
Schad	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Still	Stream
Talboy	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Zerr	

NOES: 005

Ellinger	Marshall	Swearingen	Taylor	Walton Gray

PRESENT: 000

ABSENT WITH LEAVE: 034

Bahr	Brattin	Brown 50	Brown 116	Carter
Conway 27	Cross	Day	Denison	Dieckhaus
Dugger	Frederick	Funderburk	Gatschenberger	Hodges
Hughes	Lasater	Lichtenegger	May	McCaherty
McDonald	Nolte	Redmon	Reiboldt	Scharnhorst
Schatz	Smith 71	Spreng	Swinger	Webb
Wieland	Wright	Wyatt	Mr Speaker	

SS SCS SBs 489 & 637, relating to weapons, was taken up by Representative Franz.

On motion of Representative Franz, **SS SCS SBs 489 & 637** was truly agreed to and finally passed by the following vote:

AYES: 115

Allen	Aull	Bahr	Barnes	Bernskoetter
Berry	Black	Brandom	Brown 50	Brown 85
Brown 116	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Colona	Conway 14	Cookson	Cox
Crawford	Curtman	Davis	Day	Diehl
Ellington	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Hughes	Hummel
Johnson	Jones 89	Jones 117	Kander	Keeney
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Long	Marshall	McCann Beatty
McGeoghegan	McGhee	McManus	McNary	McNeil
Meadows	Molendorp	Nance	Nasheed	Neth
Nolte	Parkinson	Phillips	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Ruzicka
Sater	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swearingen
Talboy	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wyatt	Zerr

NOES: 019

Anders	Atkins	Ellinger	Holsman	Jones 63
McCreery	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Schupp	Sifton
Spreng	Still	Taylor	Walton Gray	

PRESENT: 000

ABSENT WITH LEAVE: 029

Asbury	Brattin	Carter	Conway 27	Cross
Denison	Dieckhaus	Dugger	Elmer	Frederick
Funderburk	Gatschenberger	Kelley 126	Kelly 24	Lasater
Lichtenegger	Loehner	May	McCaherty	McDonald
Reiboldt	Rowland	Schatz	Smith 71	Swinger
Webb	Wieland	Wright	Mr Speaker	

Representative Silvey declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 110

Allen	Asbury	Aull	Bahr	Barnes
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Diehl	Dugger	Ellington	Entlicher	Fallert
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gosen	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Hoskins
Hough	Houghton	Hubbard	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Largent	Lauer	Leach	Leara
Loehner	Marshall	McCaherty	McGeoghegan	McGhee
McManus	McNary	Meadows	Molendorp	Nance
Neth	Nolte	Phillips	Pollock	Quinn
Redmon	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Shively	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Talboy	Thomson	Torpey	Wallingford	Webber
Wells	Weter	White	Wyatt	Zerr

NOES: 026

Anders	Atkins	Carlson	Colona	Holsman
Hummel	Jones 63	Kirkton	McCann Beatty	McCreery
McNeil	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Pierson	Schupp
Sifton	Spreng	Still	Swearingen	Taylor
Walton Gray				

PRESENT: 000

ABSENT WITH LEAVE: 027

Brattin	Carter	Denison	Dieckhaus	Ellinger
Elmer	Flanigan	Frederick	Funderburk	Gatschenberger
Grisamore	Hughes	Lant	Lasater	Lichtenegger
Long	May	McDonald	Parkinson	Reiboldt
Schatz	Smith 71	Swinger	Webb	Wieland
Wright	Mr Speaker			

Representative McGhee assumed the Chair.

HCS SB 557, relating to weapons, was taken up by Representative Franz.

Representative Pollock offered **House Amendment No. 1**.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 557, Page 1, In the Title, Lines 3 and 4, by deleting all of said lines and inserting in lieu thereof the words, "relating to motor vehicles"; and

Further amend said bill, Page 7, Section 301.193, Line 68, by inserting after all of said line the following:

"**301.4040. 1. Notwithstanding any other provision of law to the contrary, any person after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.**

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon presentation of the annual emblem-use authorization statement and payment of a twenty-five dollar fee in addition to the regular registration fees, and presentation of any documents which may be required by law, the director of revenue shall issue to the vehicle owner a specialty personalized license plate which shall bear the emblem of the Missouri Chapter of the American Red Cross, and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner prescribed by the director of revenue. Such license plates shall be made with fully reflective material with a common color scheme and design of the standard license plate, shall be clearly visible at night, shall have a reflective white background in the area of the plate configuration, and shall be aesthetically attractive, as prescribed by section 301.130. Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalization of license plates issued under this section.

3. A vehicle owner who was previously issued a plate with the Missouri Chapter of the American Red Cross' emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Missouri Chapter of the American Red Cross' emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a Missouri Chapter of the American Red Cross specialty personalized plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty personalized plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such specialized license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.

5. The specialty personalized plate shall not be redesigned unless the organization pays the director in advance for all redesigned plate fees for the plate established in this section. If a member chooses to replace the specialty personalized plate for the new design the member must pay the replacement fees prescribed in section 301.300 for the replacement of the existing specialty personalized plate. All other applicable license plate fees in accordance with this chapter shall be required.

Section 1. 1. The department of transportation shall designate 1078 South Jefferson Street in Lebanon recognizing the "Independent Stave Company" as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations.

Section 2. 1. The department of transportation shall designate 111 West Broadway in Bolivar recognizing "Douglas, Haun, and Heidemann, P.C." as a centennial business.

2. Costs associated with the erection and maintenance of such recognition shall be paid by private donations."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pollock, **House Amendment No. 1** was adopted.

Representative Smith (150) offered **House Amendment No. 2**.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 557, Page 1, Section A, Line 2, by inserting after all of said line the following:

"**37.853. 1. The office of administration shall maintain municipal government, including any city not within a county, accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of municipal government, including any city not within a county, financial information as a means of creating better public understanding of municipal government, including any city not within a county, practices and operations.**

2. Individual municipal governmental, including any city not within a county, entities shall collect and transmit to the office of administration, by electronic mail or United States postal mail, the public information applicable to all municipal government, including any city not within a county, as provided in this section. Notwithstanding any other provision of law or rule to the contrary, municipal governmental, including any city not within a county, entities that provide the annual report required under section 105.145 to the office of administration are not required to provide a copy of the report to the state auditor.

3. Municipal governmental, including any city not within a county, entities shall annually provide to the office of administration a copy of the annual report of the financial transactions of the municipality that the municipality is required to provide to the state auditor under section 105.145.

4. This section shall become effective December 31, 2012.

37.855. 1. The office of administration shall maintain public school accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of school district and charter school financial information as a means of creating better public understanding of public school practices and operations.

2. The department of elementary and secondary education shall annually collect and transmit to the office of administration the public information regarding school districts and public charter schools as provided in this section.

3. School districts and public charter schools shall annually provide the department of elementary and secondary education with detailed compensation information for all school employees, including all extra duty compensation and all employee benefits, and the district's annual operating budget and bonded indebtedness. The department shall provide all information required under this subsection to the office of administration by electronic mail or United States postal mail.

4. This section shall become effective June 30, 2013.

37.857. 1. The office of administration shall maintain county government accountability information on the Missouri accountability portal established under section 37.850. The Missouri accountability portal shall provide public access to a complete, transparent, and comprehensive database of county government financial information as a means of creating better public understanding of county government practices and operations.

2. Individual county governmental entities shall collect annually and transmit, by electronic mail or United States postal mail, to the office of administration the public information applicable to all county governments as provided in this section.

3. Specifically, the county government shall annually provide to the office of administration detailed compensation information for all elected county officials, including all extra duty compensation and all employee benefits, a copy of the detailed financial statement required under section 50.800, and any cash reserves. In addition to bonded debt, the county shall disclose any expenditures made pursuant to a real property lease, specifying the nature and duration of the lease. The office of administration may establish clear standards for budget format and detail, to ensure that all county government budgets contain all necessary information. Notwithstanding any other provision of law or rule to the contrary, any information reported annually to the office of administration under this section shall not be required to be reported to the state auditor.

4. This section shall become effective December 31, 2013."; and

Further amend said bill and page, Section B, Line 2, by inserting immediately after the word "funds," the following:

"the enactment of section 33.087 and the repeal and reenactment of section 37.850 of"; and

Further amend said bill, Page 3, Section B, Line 4, by inserting immediately after the words "constitution, and" the following:

"the enactment of section 33.087 and the repeal and reenactment of section 37.850 of"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (150), **House Amendment No. 2** was adopted.

Representative Schad moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Burlison	Cauthorn
Cierpiot	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Dugger	Entlicher
Fisher	Fitzwater	Flanigan	Fraker	Franklin
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGhee	McNary	Molendorp	Nance	Parkinson
Phillips	Pollock	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wyatt	Zerr			

NOES: 048

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hughes	Hummel	Jones 63	Kander
Kelly 24	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray		

PRESENT: 000

ABSENT WITH LEAVE: 028

Brattin	Brown 116	Carter	Conway 14	Day
Denison	Dieckhaus	Elmer	Frederick	Funderburk
Gatschenberger	Kirkton	Lasater	Lichtenegger	May
McDonald	Neth	Newman	Nolte	Redmon
Schatz	Smith 71	Swinger	Webb	Webber
Wieland	Wright	Mr Speaker		

On motion of Representative Franz, **HCS SB 557, as amended**, was adopted.

On motion of Representative Franz, **HCS SB 557, as amended**, was read the third time and passed by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Diehl	Ellington	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Grisamore	Guernsey
Haefner	Hampton	Harris	Hinson	Hodges
Holsman	Hoskins	Hough	Houghton	Hummel
Johnson	Jones 63	Jones 89	Jones 117	Kander
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Marshall	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nance	Nasheed
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Silvey	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Talboy

Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 032

Brattin	Carter	Conway 14	Day	Denison
Dieckhaus	Dugger	Ellinger	Elmer	Frederick
Funderburk	Gatschenberger	Gosen	Higdon	Hubbard
Hughes	Lasater	Lichtenegger	Long	May
McDonald	McNary	Neth	Nolte	Schatz
Smith 71	Spreng	Swinger	Webb	Wieland
Wright	Mr Speaker			

Representative McGhee declared the bill passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1029**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1037**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1114**, entitled:

An act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to emergency service boards.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND House Bill No. 1114, Page 1, Section Title, Line 3, by striking all of said line and inserting in lieu thereof the following: "county government."; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

"50.622. **1.** Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease

the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, 2015.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget pursuant to the terms of its charter."; and

Further amend said bill, Page 4, Section 190.335, Line 95, by inserting immediately after said line the following:

"Section B. Because of the immediate need of counties to balance their budgets, the repeal and reenactment of section 50.622 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 50.622 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HCS HB 1402, as amended**, and has taken up and passed **CCS SS SCS HCS HB 1402**.

Emergency clause adopted.

BILL CARRYING REQUEST MESSAGE

SB 893, with House Amendment No. 1, relating to reinstating driving privileges, was taken up by Representative Richardson.

Representative Richardson moved that the House refuse to recede from its position on **House Amendment No. 1** to **SB 893** and request the Senate to concur in **House Amendment No. 1** and take up and pass **SB 893, as amended**.

Which motion was adopted.

THIRD READING OF SENATE BILL

SCS SB 788, relating to the appointment of circuit clerks, was taken up by Representative Diehl.

Representative Jones (89) offered **House Amendment No. 1**.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 788, Page 1, In the Title, Line 3, by deleting from said line the phrase "appointment of circuit clerks" and inserting in lieu thereof the phrase "judiciary"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"453.010. 1. Any person desiring to adopt another person as his or her child shall petition the juvenile division of the circuit court of the county in which:

(1) The person seeking to adopt resides;

(2) The child sought to be adopted was born;

(3) The child **[**is located at the time of**]** **has resided for at least ninety days prior to** the filing of the **adoption** petition; or

(4) Either birth person resides.

2. A petition to adopt shall not be dismissed or denied on the grounds that the petitioner is not domiciled or does not reside in any of the venues set forth in subdivision (2), (3) or (4) of subsection 1 of this section.

3. If the person sought to be adopted is a child who is under the prior and continuing jurisdiction of a court pursuant to the provision of chapter 211, any person desiring to adopt such person as his or her child shall petition the juvenile division of the circuit court which has jurisdiction over the child for permission to adopt such person as his or her child. Upon receipt of a motion from the petitioner and consent of the receiving court, the juvenile division of the circuit court which has jurisdiction over the child may transfer jurisdiction to the juvenile division of a circuit court within any of the alternative venues set forth in subsection 1 of this section.

4. If the petitioner has a spouse living and competent to join in the petition, such spouse may join therein, and in such case the adoption shall be by them jointly. If such a spouse does not join the petition the court in its discretion may, after a hearing, order such joinder, and if such order is not complied with may dismiss the petition.

5. Upon receipt of a properly filed petition, a court, as defined in this section, shall hear such petition in a timely fashion. A court or any child-placing agency shall not deny or delay the placement of a child for adoption when an approved family is available, regardless of the approved family's residence or domicile. The court shall expedite the placement of a child for adoption pursuant to subsection 3 of this section.

6. A licensed child-placing agency may file a petition for transfer of custody if a birth parent consents in writing by power of attorney for placement of a minor child, a consent to adoption, or any other document which evidences a desire to place the child with the licensed child-placing agency for the purposes of transfer of custody of the child to the licensed child-placing agency. The written consent obtained from the birth parent shall strictly comply with section 453.030."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dugger	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland

Ruzicka	Sater	Schad	Scharnhorst	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Thomson	Torpey
Wallingford	Wells	Weter	White	Wright
Wyatt				

NOES: 049

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	McCann Beatty	McCreery	McGeoghegan
McManus	McNeil	Meadows	Montecillo	Morgan
Nasheed	Newman	Nichols	Oxford	Pace
Pierson	Quinn	Rizzo	Schieffer	Schupp
Shively	Sifton	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webber	

PRESENT: 000

ABSENT WITH LEAVE: 028

Brattin	Carter	Colona	Day	Denison
Dieckhaus	Elmer	Frederick	Funderburk	Gatschenberger
Higdon	Hughes	Lant	Lasater	Lichtenegger
May	McDonald	McNary	Nance	Neth
Nolte	Schatz	Smith 71	Swinger	Webb
Wieland	Zerr	Mr Speaker		

On motion of Representative Jones (89), **House Amendment No. 1** was adopted.

Representative Wright moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Diehl
Dugger	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McGhee	Molendorp	Neth	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Schieber
Schneider	Schoeller	Shumake	Silvey	Smith 150
Solon	Sommer	Stream	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt

NOES: 050

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Harris	Hodges	Holsman
Hubbard	Hummel	Jones 63	Kander	Kelly 24
Kirkton	Kratky	Lampe	McCann Beatty	McCreery
McGeoghegan	McManus	McNeil	Meadows	Montecillo
Morgan	Nasheed	Newman	Nichols	Oxford
Pace	Pierson	Quinn	Rizzo	Schieffer
Schupp	Shively	Sifton	Spreng	Still
Swearingen	Talboy	Taylor	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 028

Brattin	Carter	Day	Denison	Dieckhaus
Elmer	Frederick	Funderburk	Gatschenberger	Higdon
Hughes	Lant	Lasater	Lichtenegger	May
McDonald	McNary	Nance	Nolte	Scharnhorst
Schatz	Smith 71	Swinger	Thomson	Webb
Wieland	Zerr	Mr Speaker		

On motion of Representative Diehl, **SCS SB 788, as amended**, was read the third time and passed by the following vote:

AYES: 082

Allen	Asbury	Barnes	Berry	Black
Brandom	Brown 50	Brown 85	Cauthorn	Cierpiot
Colona	Conway 14	Cookson	Crawford	Cross
Davis	Day	Diehl	Dugger	Elmer
Entlicher	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Fuhr	Gosen	Grisamore	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Hubbard	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Klippenstein	Lair
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	McCaherty	McGhee	Molendorp
Nasheed	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Sater	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Torpey	Wallingford	Weter
Wright	Zerr			

NOES: 061

Anders	Atkins	Aull	Bahr	Bernskoetter
Burlison	Carlson	Casey	Conway 27	Cox
Curtman	Denison	Ellinger	Ellington	Fallert
Franz	Guernsey	Harris	Hodges	Holsman
Hummel	Jones 63	Kander	Kirkton	Koenig
Korman	Kratky	Lampe	Marshall	McCann Beatty
McCreery	McGeoghegan	McManus	McNeil	Meadows
Montecillo	Morgan	Neth	Newman	Nichols

Oxford	Pace	Pierson	Quinn	Rizzo
Schad	Schieffer	Schupp	Shively	Sifton
Spreng	Still	Swearingen	Talboy	Taylor
Thomson	Walton Gray	Webber	Wells	White
Wyatt				

PRESENT: 000

ABSENT WITH LEAVE: 020

Brattin	Brown 116	Carter	Dieckhaus	Frederick
Funderburk	Gatschenberger	Hughes	Lasater	Lichtenegger
May	McDonald	McNary	Nance	Schatz
Smith 71	Swinger	Webb	Wieland	Mr Speaker

Representative McGhee declared the bill passed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1900**, entitled:

An act to repeal sections 3.060, 3.070, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 37.005, 37.010, 37.020, 37.110, 160.545, 161.418, 161.424, 181.110, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.935, 196.1103, 209.251, 210.1014, 217.575, 251.100, 251.240, 253.320, 261.010, 301.020, 302.171, 311.650, 311.730, 313.210, 320.260, 334.125, 361.010, 595.036, 595.037, 595.060, 610.029, 610.120, 620.1100, and 620.1580, RSMo, and to enact in lieu thereof sixty-nine new sections for the sole purpose of restructuring statutes based on executive branch reorganizations.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1900, Pages 33-34, Section 210.1014, by striking all of said section from the bill; and

Further amend said bill, Pages 39-40, Section 301.4040, by striking all of said section from the bill; and

Further amend said bill, Page 43, Section 311.730, by striking all of said section from the bill; and

Further amend said bill, Pages 43-44, Section 311.735, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1900, Page 20, Section 37.110, Line 5, by inserting immediately after said line the following:

"71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town or village pursuant to this section. The term "contiguous and compact" does not include a

situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. The term "contiguous and compact" does not prohibit voluntary annexations pursuant to this section merely because such voluntary annexation would create an island of unincorporated area within the city, town or village, so long as the owners of the unincorporated island were also given the opportunity to voluntarily annex into the city, town or village. Notwithstanding the provisions of this section, the governing body of any city, town or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and **the** Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village or the governing body in any city, town or village in any county of the third classification without a township form of government with a population of at least twenty-four thousand inhabitants but not more than thirty thousand inhabitants and such county contains a state correctional center may voluntarily annex such correctional center pursuant to the provisions of this section if the correctional center is along a road or highway within two miles from the existing boundaries of the city, town or village.

2. (1) When a **[**verified**] notarized** petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, or a request for annexation signed under the authority of the governing body of any common interest community and approved by a majority vote of unit owners located within the area proposed to be annexed is presented to the governing body of the city, town or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in a newspaper of general circulation qualified to publish legal matters and located within the boundary of the petitioned city, town or village. If no such newspaper exists within the boundary of such city, town or village, then the notice shall be published in the qualified newspaper nearest the petitioned city, town or village. For the purposes of this subdivision, the term "common-interest community" shall mean a condominium as said term is used in chapter 448, or a common-interest community, a cooperative, or a planned community.

(a) A "common-interest community" shall be defined as real property with respect to which a person, by virtue of such person's ownership of a unit, is obliged to pay for real property taxes, insurance premiums, maintenance or improvement of other real property described in a declaration. "Ownership of a unit" does not include a leasehold interest of less than twenty years in a unit, including renewal options;

(b) A "cooperative" shall be defined as a common-interest community in which the real property is owned by an association, each of whose members is entitled by virtue of such member's ownership interest in the association to exclusive possession of a unit;

(c) A "planned community" shall be defined as a common-interest community that is not a condominium or a cooperative. A condominium or cooperative may be part of a planned community.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation.

If, after holding the hearing, the governing body of the city, town or village determines that the annexation is reasonable and necessary to the proper development of the city, town or village, and the city, town or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town or village not later than fourteen days after the public hearing by at least five percent of the qualified voters of the city, town or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015 and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town or village shall cause three certified copies of the same to be filed with the county assessor and the clerk of the county wherein the city, town or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town or village as so extended.

4. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust

such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.014. **1.** Notwithstanding the provisions of section 71.015, the governing body of any city, town, or village which is located within a county which borders a county of the first classification with a charter form of government with a population in excess of six hundred fifty thousand, proceeding as otherwise authorized by law or charter, may annex unincorporated areas which are contiguous and compact to the existing corporate limits upon **[**verified**]** **notarized** petition requesting such annexation signed by the owners of all fee interests of record in all tracts located within the area to be annexed.

2. Any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.

71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a plan of intent to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the plan of intent and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, **and** refuse collection**[**, etc.**]**;

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, and either before or after the election held in subdivision (6) of this subsection, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, the governing body of the city, town or village shall file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective.

Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding.

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required. If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation

of the land owned by them pursuant to the procedures in section 71.012 **or 71.014**. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the plan of intent within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court **not later than four years after the effective date of the annexation** by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area. **Except for a cause of action for deannexation under this subdivision (2) of this subsection, any action of any kind seeking to deannex from any city, town, or village any area annexed under this section or seeking, in any way, to reverse, invalidate, set aside, or otherwise challenge such annexation or oust such city, town, or village from jurisdiction over such annexed area shall be brought within three years of the date of adoption of the annexation ordinance.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1900, Page 10, Section 34.031, Line 76, by inserting after all of said line the following:

"**34.225. 1. This section shall be known and may be cited as the "Iran Energy Divestment Act".**

2. As used in this section, the following terms shall mean:

(1) "Awarding body", a department, board, agency, authority, or officer, agent, or other authorized representative of the public entity awarding a contract for goods or services;

(2) "Energy sector", activities to develop petroleum or natural gas resources or nuclear power;

(3) "Financial institution", the term as used in Section 14(5) of the Iran Sanctions Act of 1996 (Public Law 104-172; 50 U.S.C. 1701 note);

(4) "Iran", any agency or instrumentality of Iran;

(5) "Person", any of the following:

(a) A natural person, corporation, company, limited liability company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(b) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3));

(c) Any successor, subunit, parent company, or subsidiary of, or company under common ownership or control with, any entity described in paragraph (a) or (b) of this subsection;

(6) "Proscribed investor", a person that directly engages in investment activities in the energy sector in Iran. A person engages directly in investment activities in the energy sector in Iran if any of the following is true:

(a) The person directly invests twenty million dollars or more in the energy sector in Iran;

(b) The person provides oil or liquified natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquified natural gas, for the energy sector in Iran;

(c) The person is a financial institution that directly provides a commercial loan of twenty million dollars or more to another person, for forty-five days or more, if such financial institution had actual knowledge that such person would use the proceeds from the commercial loan to invest in the energy sector in Iran;

(7) "Public entity", the state or any officer, official, authority, board, or commission of the state and any county, city, or other political subdivision of the state, or any institution supported in whole or in part by public funds.

3. A proscribed investor is ineligible to, and shall not, bid on, submit a proposal for, or enter into, a contract with a public entity for goods or services in excess of one million dollars.

4. A public entity shall require a person that submits a bid or proposal to, or otherwise proposes to enter into a contract with, a public entity with respect to a contract for goods or services in excess of one million dollars, that currently has business activities or other operations outside of the United States, to certify that the person is not a proscribed investor. A person may rely on one or more lists of persons engaging in investment activities in the energy sector in Iran developed by other states acting under the authority of the Federal Comprehensive Iran Sanctions Accountability and Divestment Act of 2010 when certifying that it is not a proscribed investor.

5. (1) The awarding body shall report to the attorney general the name of the person that the awarding body determines has submitted a false certification together with its information as to the false certification. The

attorney general has the sole authority to determine whether to bring a civil action against the person to collect the penalty described in paragraph (a) of subdivision (2) of this subsection. No private right of action is created by this section. If it is determined in the action that the person submitted a false certification, the person shall pay all costs and fees the plaintiff incurred in a civil action, including costs incurred by the awarding body for investigations that led to the finding of the false certification and all costs and fees incurred by the attorney general.

(2) If the attorney general determines that a person has submitted a false certification under subsection 4 of this section, the person shall be subject to the following:

(a) A civil penalty of two hundred fifty thousand dollars;

(b) Termination, without penalty, of an existing contract with the awarding body;

(c) Ineligibility to bid on, or enter into, a contract with a public entity for a period of three years from the date of the determination that the person submitted the false certification.

6. (1) If the awarding body determines that a person that has an existing contract with the awarding body, has submitted a pending bid or contract proposal to, or otherwise proposes to enter into a contract with the awarding body by using credible information available to the public and determines that the person is a proscribed investor, the awarding body shall provide ninety days written notice of its intent to not enter into or renew a contract for goods or services with the person. The notice shall specify that the person may become eligible for a future contract for goods or services with the awarding body if it ceases its direct engagement in investment activities in the energy sector in Iran.

(2) The awarding body shall provide a person determined to be a proscribed investor with an opportunity to demonstrate in writing to the awarding body that it is not engaged in investment activities in the energy sector in Iran. If the awarding body determines that the person is not engaged in investment activities in the energy sector in Iran, the person shall be eligible to enter into or renew a contract for goods or services with the awarding body."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1900, Page 23, Section 161.424, Line 14, by inserting after all of said line the following:

"**161.870. 1. By September 1, 2012, the department of elementary and secondary education shall establish a work group to assess the available resources needed for effective work experiences for students and young adults with disabilities. The work group shall review all interagency coordination of services that match young adults who have disabilities with employers who need employees to ensure that these services are adequately meeting the following needs of students and young adults with disabilities who seek employment and need assistance with job placement:**

(1) Recruitment;

(2) Assessment;

(3) Counseling;

(4) Pre-employment skills training;

(5) Vocational training;

(6) Student wages for try-out employment;

(7) Placement in unsubsidized employment; and

(8) Other assistance with transition to a quality adult life.

2. The goal of the work group shall be to evaluate the current efforts and available resources and to promote the involvement of key stakeholders including students, families, educators, employers and other agencies in planning and implementing an array of services that will culminate in successful student transition to employment, lifelong learning, and quality of life. The work group shall focus on secondary students and young adults with disabilities.

3. The work group shall:

(1) Assess the strengths and need for improvement in services for transition services, instruction, and experiences that reinforce core curriculum concepts and skills leading to gainful employment for students and young adults with disabilities;

(2) Determine if any additional state partnerships provided through nonfinancial interagency agreements between the department of health and senior services, the department of economic development, the department of mental health, or the department of social services, or in the private sector, are needed to enhance the employment potential of students and young adults with disabilities;

(3) Focus its efforts in developing careers for students and young adults with disabilities, in order to prevent economic and social dependency on state and community agencies and resources; and

(4) Report its findings to the director.

4. The department of elementary and secondary education shall make recommendations based on the findings of the work group and report them to the general assembly prior to January 1, 2013.

5. The work group shall be administered and its members chosen by the commissioner of education. Work group members shall include existing personnel and human resources available to the department of elementary and secondary education including but not limited to representatives from state agencies, local advocacy groups and community members with valuable input regarding the needs of disabled students and individuals, or members of the general assembly.

6. The department of elementary and secondary education may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void."; and

Further amend said bill, Page 32, Section 209.015, Line 26, by inserting after all of said line the following:

"209.150. 1. Every person with a visual, aural or **[**physical**] other** disability**, as defined in section 213.010,** shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a visual, aural or **[**physical**] other** disability**, as defined in section 213.010,** is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a visual, aural or **[**physical**] other** disability**, as defined in section 213.010,** shall have the right to be accompanied by a guide dog, hearing dog, or service dog, which is especially trained for the purpose, in any of the places listed in subsection 2 of this section without being required to pay an extra charge for the guide dog, hearing dog or service dog; provided that such person shall be liable for any damage done to the premises or facilities by such dog.

4. As used in sections 209.150 to 209.190, the term "service dog" means any dog specifically trained to assist a person with a physical **or mental** disability by performing necessary **[**physical**]** tasks **or doing work** which the person cannot perform. Such tasks shall include, but not be limited to, pulling a wheelchair, retrieving items, **[**and**]** carrying supplies**, and search and rescue of an individual with a disability**.

209.152. Any trainer, from a recognized training center, of a guide dog, hearing assistance dog or service dog**, or any member of a service dog team, as defined in section 209.200,** shall have the right to be accompanied by such dog in or upon any of the premises listed in section 209.150 while engaged in the training of the dog without being required to pay an extra charge for such dog. Such trainer **or service dog team member** shall be liable for any damage done to the premise of facilities by such dog.

209.200. As used in sections 209.200 to 209.204, the following terms shall mean:

(1) "Disability", as defined in section 213.010;

(2) "Service dog", a dog that is being or has been specially trained to do work or perform tasks which benefit a particular person with a disability. Service dog includes **but is not limited to**:

(a) "Guide dog", a dog that is being or has been specially trained to assist a particular blind or visually impaired person;

(b) "Hearing dog", a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;

(c) "Medical alert or **[**respond**]** **response** dog", a dog that is being or has been trained to alert a person with a disability that a particular medical event is about to occur or to respond to a medical event that has occurred;

(d) "Mobility dog", a dog that is being or has been specially trained to assist a person with a disability caused by physical impairments**;**

(e) "Professional therapy dog", a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler's occupation or profession. Such dogs, with their handlers, perform such functions in institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy;

(f) "Search and rescue dog", a dog that is being or has been trained to search for or prevent a person with a mental disability, including but not limited to verbal and nonverbal autism, from becoming lost;

(3) "Service team dog", a team consisting of a trained service dog, a disabled person or child, and a person who is an adult and who has been trained to handle the service dog.

209.202. 1. Any person who **[**knowingly, intentionally, or recklessly causes substantial physical injury to or the death of a service dog**], with reckless disregard, injures or kills or permits a dog that he or she owns or is in the immediate control of to injure or kill a service animal** is guilty of a class A misdemeanor. **[**The provisions of this subsection shall not apply to the destruction of a service dog for humane purposes.**]**

2. Any person who **[**knowingly or intentionally fails to exercise sufficient control over an animal such person owns, keeps, harbors, or exercises control over to prevent the animal from causing the substantial physical injury to or death of a service dog, or the subsequent inability to function as a service dog as a result of the animal's attacking, chasing, or harassing the service dog**], with reckless disregard, interferes with or permits a dog that he or she owns or is in the immediate control of to interfere with the use of a service animal by obstructing, intimidating, or otherwise jeopardizing the safety of the service animal or its user is guilty of a class B misdemeanor. Any second or subsequent violation of this section** is guilty of a class A misdemeanor.

3. Any person who **[**harasses or chases a dog known to such person to be a service dog is guilty of a class B misdemeanor.

4. Any person who owns, keeps, harbors, or exercises control over an animal and who knowingly or intentionally fails to exercise sufficient control over the animal to prevent such animal from chasing or harassing a service dog while such dog is carrying out the dog's function as a service dog, to the extent that the animal temporarily interferes with the service dog's ability to carry out the dog's function is guilty of a class B misdemeanor**] intentionally injures or kills or permits a dog that he or she owns or is in the immediate control of to injure or kill a service animal is guilty of a class D felony**.

5. **[**An owner of a service dog or a person with a disability who uses a service dog may file a cause of action to recover civil damages against any person who:

(1) Violates the provisions of subsection 1 or 2 of this section; or

(2) Steals a service dog resulting in the loss of the services of the service dog.

6. Any civil damages awarded under subsection 5 of this section shall be based on the following:

(1) The replacement value of an equally trained service dog, without any differentiation for the age or experience of the service dog;

(2) The cost and expenses incurred by the owner of a service dog or the person with a disability who used the service dog, including:

(a) The cost of temporary replacement services, whether provided by another service dog or by a person;

(b) The reasonable costs incurred in efforts to recover a stolen service dog; and

(c) Court costs and attorney's fees incurred in bringing a civil action under subsection 5 of this section.

7. An owner of a service dog or a person with a disability who uses a service dog may file a cause of action to recover civil damages against a person who:

(1) Violates the provisions of subsections 1 to 4 of this section resulting in injury from which the service dog recovers to an extent that the dog is able to function as a service dog for the person with a disability; or

(2) Steals a service dog and the service dog is recovered resulting in the service dog being able to function as a service dog for the person with a disability.

8. Any civil damages awarded under subsection 7 of this section shall be based on the following:

(1) Veterinary medical expenses;

(2) Retraining expenses;

(3) The cost of temporary replacement services, whether provided by another service dog or by a person;

(4) Reasonable costs incurred in the recovery of the service dog; and

(5) Court costs and attorney's fees incurred in bringing the civil action under subsection 7 of this section.**] (1) In addition to any other penalty, a person who is convicted of a violation of this section shall make full restitution for all damages that arise out of or are related to the offense, including but not limited to incidental and consequential damages incurred by the service animal's user.**

(2) Restitution includes, but is not limited to:

(a) The value of the animal;

(b) Replacement and training or retraining expenses for the service animal and the user;

(c) Veterinary and other medical and boarding expenses for the service animal;

(d) Medical expenses for the user; and

(e) Lost wages or income incurred by the user during any period that the user is without the services of the service animal.

[9.**] 6.** The provisions of this section shall not apply**:**

(1) If a person with a disability, an owner, or a person having custody or supervision of a service dog commits criminal or civil trespass**; or**

(2) To the destruction of a service dog for humane purposes.

[10.**] 7.** Nothing in this section shall be construed to preclude any other remedies available at law."; and

Further amend said bill, Page 36, Section 261.010, Line 6, by inserting after all of said line the following:

"288.034. 1. "Employment" means service, including service in interstate commerce, performed for wages or under any contract of hire, written or oral, express or implied, and notwithstanding any other provisions of this section, service with respect to which a tax is required to be paid under any federal unemployment tax law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund or which, as a condition for full tax credit against the tax imposed by the Federal Unemployment Tax Act, is required to be covered under this law.

2. The term "employment" shall include an individual's entire service, performed within or both within and without this state if:

(1) The service is localized in this state; or

(2) The service is not localized in any state but some of the service is performed in this state and the base of operations, or, if there is no base of operations, then the place from which such service is directed or controlled, is in this state; or the base of operations or place from which such service is directed or controlled is not in any state in which some part of the service is performed but the individual's residence is in this state.

3. Service performed by an individual for wages shall be deemed to be employment subject to this law:

(1) If covered by an election filed and approved pursuant to subdivision (2) of subsection 3 of section 288.080;

(2) If covered by an arrangement pursuant to section 288.340 between the division and the agency charged with the administration of any other state or federal unemployment insurance law, pursuant to which all services performed by an individual for an employing unit are deemed to be performed entirely within this state.

4. Service shall be deemed to be localized within a state if the service is performed entirely within such state; or the service is performed both within and without such state, but the service performed without such state is incidental to the individual's service within the state; for example, is temporary or transitory in nature or consists of isolated transactions.

5. Service performed by an individual for remuneration shall be deemed to be employment subject to this law unless it is shown to the satisfaction of the division that such services were performed by an independent contractor. In determining the existence of the independent contractor relationship, the common law of agency right to control shall be applied. The common law of agency right to control test shall include but not be limited to: if the alleged employer retains the right to control the manner and means by which the results are to be accomplished, the individual who performs the service is an employee. If only the results are controlled, the individual performing the service is an independent contractor.

6. The term "employment" shall include service performed for wages as an agent-driver or commission-driver engaged in distributing meat products, vegetable products, fruit products, bakery products, beverages (other than milk), or laundry or dry-cleaning services, for his or her principal; or as a traveling or city salesman, other than as an agent-driver or commission-driver, engaged upon a full-time basis in the solicitation on behalf of, and the transmission to, his or her principal (except for sideline sales activities on behalf of some other person) of orders from wholesalers,

retailers, contractors, or operators of hotels, restaurants, or other similar establishments for merchandise for resale or supplies for use in their business operations, provided:

(1) The contract of service contemplates that substantially all of the services are to be performed personally by such individual; and

(2) The individual does not have a substantial investment in facilities used in connection with the performance of the services (other than in facilities for transportation); and

(3) The services are not in the nature of a single transaction that is not part of a continuing relationship with the person for whom the services are performed.

7. Service performed by an individual in the employ of this state or any political subdivision thereof or any instrumentality of any one or more of the foregoing which is wholly owned by this state and one or more other states or political subdivisions, or any service performed in the employ of any instrumentality of this state or of any political subdivision thereof, and one or more other states or political subdivisions, provided that such service is excluded from employment as defined in the Federal Unemployment Tax Act by Section 3306(c)(7) of that act and is not excluded from employment pursuant to subsection 9 of this section, shall be employment subject to this law.

8. Service performed by an individual in the employ of a corporation or any community chest, fund, or foundation organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, or other organization described in Section 501(c)(3) of the Internal Revenue Code which is exempt from income tax under Section 501(a) of that code if the organization had four or more individuals in employment for some portion of a day in each of twenty different weeks whether or not such weeks were consecutive within a calendar year regardless of whether they were employed at the same moment of time shall be employment subject to this law.

9. For the purposes of subsections 7 and 8 of this section, the term "employment" does not apply to service performed:

(1) In the employ of a church or convention or association of churches, or an organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches; or

(2) By a duly ordained, commissioned, or licensed minister of a church in the exercise of such minister's ministry or by a member of a religious order in the exercise of duties required by such order; or

(3) In the employ of a governmental entity referred to in subdivision (3) of subsection 1 of section 288.032 if such service is performed by an individual in the exercise of duties:

(a) As an elected official;

(b) As a member of a legislative body, or a member of the judiciary, of a state or political subdivision;

(c) As a member of the state national guard or air national guard;

(d) As an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood or similar emergency;

(e) In a position which, under or pursuant to the laws of this state, is designated as (I) a major nontenured policy-making or advisory position, or (ii) a policy-making or advisory position the performance of the duties of which ordinarily does not require more than eight hours per week; or

(4) In a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market, by an individual receiving such rehabilitation or remunerative work; or

(5) As part of an unemployment work-relief or work-training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof, by an individual receiving such work relief or work training; or

(6) By an inmate of a custodial or penal institution; or

(7) In the employ of a school, college, or university, if such service is performed (I) by a student who is enrolled and is regularly attending classes at such school, college, or university, or (ii) by the spouse of such a student, if such spouse is advised, at the time such spouse commences to perform such service, that (I) the employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college, or university, and (II) such employment will not be covered by any program of unemployment insurance.

10. The term "employment" shall include the service of an individual who is a citizen of the United States, performed outside the United States (except in Canada), if:

(1) The employer's principal place of business in the United States is located in this state; or

(2) The employer has no place of business in the United States, but:

(a) The employer is an individual who is a resident of this state; or

(b) The employer is a corporation which is organized under the laws of this state; or

(c) The employer is a partnership or a trust and the number of the partners or trustees who are residents of this state is greater than the number who are residents of any one other state; or

(3) None of the criteria of subdivisions (1) and (2) of this subsection is met but the employer has elected coverage in this state or, the employer having failed to elect coverage in any state, the individual has filed a claim for benefits, based on such service, under the law of this state;

(4) As used in this subsection and in subsection 11 of this section, the term "United States" includes the states, the District of Columbia and the Commonwealth of Puerto Rico.

11. An "American employer", for the purposes of subsection 10 of this section, means a person who is:

(1) An individual who is a resident of the United States; or

(2) A partnership, if two-thirds or more of the partners are residents of the United States; or

(3) A trust, if all of the trustees are residents of the United States; or

(4) A corporation organized under the laws of the United States or of any state.

12. The term "employment" shall not include:

(1) Service performed by an individual in agricultural labor;

(a) For the purposes of this subdivision, the term "agricultural labor" means remunerated service performed:

a. On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife;

b. In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm;

c. In connection with the production or harvesting of any commodity defined as an agricultural commodity in Section 15(g) of the Federal Agricultural Marketing Act, as amended (46 Stat. 1550, Sec. 3; 12 U.S.C. 1441j), or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, used exclusively for supplying and storing water for farming purposes;

d. (i) In the employ of the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity; but only if such operator produced more than one-half of the commodity with respect to which such service is performed;

(ii) In the employ of a group of operators of farms (or a cooperative organization of which such operators are members) in the performance of services described in item (I) of this subparagraph, but only if such operators produced more than one-half of the commodity with respect to which such service is performed;

(iii) The provisions of items (I) and (ii) of this subparagraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption; or

e. On a farm operated for profit if such service is not in the course of the employer's trade or business. As used in this paragraph, the term "farm" includes stock, dairy, poultry, fruit, furbearing animals, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures, used primarily for the raising of agricultural or horticultural commodities, and orchards;

(b) The term "employment" shall include service performed after December 31, 1977, by an individual in agricultural labor as defined in paragraph (a) of this subdivision when such service is performed for a person who, during any calendar quarter, paid remuneration in cash of twenty thousand dollars or more to individuals employed in agricultural labor or for some portion of a day in a calendar year in each of twenty different calendar weeks, whether or not such weeks were consecutive, employed in agricultural labor ten or more individuals, regardless of whether they were employed at the same moment of time;

(c) For the purposes of this subsection any individual who is a member of a crew furnished by a crew leader to perform service in agricultural labor for any other person shall be considered as employed by such crew leader:

a. If such crew leader holds a valid certificate of registration under the Farm Labor Contractor Registration Act of 1963; or substantially all the members of such crew operate or maintain tractors, mechanized harvesting or crop-dusting equipment, or any other mechanized equipment, which is provided by such crew leader; and

b. If such individual is not in employment by such other person;

c. If any individual is furnished by a crew leader to perform service in agricultural labor for any other person and that individual is not in the employment of the crew leader:

(i) Such other person and not the crew leader shall be treated as the employer of such individual; and

(ii) Such other person shall be treated as having paid cash remuneration to such individual in an amount equal to the amount of cash remuneration paid to such individual by the crew leader (either on his or her own behalf or on behalf of such other person) for the service in agricultural labor performed for such other person;

d. For the purposes of this subsection, the term "crew leader" means an individual who:

(i) Furnishes individuals to perform service in agricultural labor for any other person;

(ii) Pays (either on his or her own behalf or on behalf of such other person) the individuals so furnished by him or her for the service in agricultural labor performed by them; and

(iii) Has not entered into a written agreement with such other person under which such individual is designated as in employment by such other person;

(2) Domestic service in a private home except as provided in subsection 13 of this section;

(3) Service performed by an individual under the age of eighteen years in the delivery or distribution of newspapers or shopping news but shall not include delivery or distribution to any point for subsequent delivery or distribution;

(4) Service performed by an individual in, and at the time of, the sale of newspapers or magazines to ultimate consumers under an arrangement under which the newspapers or magazines are to be sold by him or her at a fixed price, his or her compensation being based on the retention of the excess of such price over the amount at which the newspapers or magazines are charged to him or her, whether or not he or she is guaranteed a minimum amount of compensation for such service, or is entitled to be credited with the unsold newspapers or magazines turned back;

(5) Service performed by an individual in the employ of his or her son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his or her father or mother;

(6) Except as otherwise provided in this law, service performed in the employ of a corporation, community chest, fund or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(7) Services with respect to which unemployment insurance is payable under an unemployment insurance system established by an act of Congress;

(8) Service performed in the employ of a foreign government;

(9) Service performed in the employ of an instrumentality wholly owned by a foreign government:

(a) If the service is of a character similar to that performed in foreign countries by employees of the United States government or of an instrumentality thereof; and

(b) If the division finds that the foreign government, with respect to whose instrumentality exemption is claimed, grants an equivalent exemption with respect to similar service performed in the foreign country by employees of the United States government and of instrumentalities thereof. The certification of the United States Secretary of State to the United States Secretary of Treasury shall constitute prima facie evidence of such equivalent exemption;

(10) Service covered by an arrangement between the division and the agency charged with the administration of any other state or federal unemployment insurance law pursuant to which all services performed by an individual for an employing unit during the period covered by the employing unit's approved election are deemed to be performed entirely within the jurisdiction of such other state or federal agency;

(11) Service performed in any calendar quarter in the employ of a school, college or university not otherwise excluded, if such service is performed by a student who is enrolled and regularly attending classes at such school, college, or university, and the remuneration for such service does not exceed fifty dollars (exclusive of board, room, and tuition);

(12) Service performed by an individual for a person as a licensed insurance agent, a licensed insurance broker, or an insurance solicitor, if all such service performed by such individual for such person is performed for remuneration solely by way of commissions;

(13) Domestic service performed in the employ of a local college club or of a local chapter of a college fraternity or sorority, except as provided in subsection 13 of this section;

(14) Services performed after March 31, 1982, in programs authorized and funded by the Comprehensive Employment and Training Act by participants of such programs, except those programs with respect to which unemployment insurance coverage is required by the Comprehensive Employment and Training Act or regulations issued pursuant thereto;

(15) Service performed by an individual who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program, taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such

program, and such institution has so certified to the employer; except, that this subdivision shall not apply to service performed in a program established for or on behalf of an employer or group of employers;

(16) Services performed by a licensed real estate salesperson or licensed real estate broker if substantially all of the remuneration, whether or not paid in cash, for the services performed, rather than to the number of hours worked, is directly related to sales or other output, including the performance of services, performed pursuant to a written contract between such individual and the person for whom the services are performed and such contract provides that the individual will not be treated as an employee with respect to such services for federal tax purposes;

(17) Services performed as a direct seller who is engaged in the trade or business of the delivering or distribution of newspapers or shopping news, including any services directly related to such trade or business, or services performed as a direct seller who is engaged in the trade or business of selling, or soliciting the sale of, consumer products in the home or otherwise than in, or affiliated with, a permanent, fixed retail establishment, if eighty percent or more of the remuneration, whether or not paid in cash, for the services performed rather than the number of hours worked is directly related to sales performed pursuant to a written contract between such direct seller and the person for whom the services are performed, and such contract provides that the individual will not be treated as an employee with respect to such services for federal tax purposes;

(18) Services performed as a volunteer research subject who is paid on a per-study basis for scientific, medical or drug-related testing for any organization other than one described in Section 501(c)(3) of the Internal Revenue Code or any governmental entity.

13. The term "employment" shall include domestic service as defined in subdivisions (2) and (13) of subsection 12 of this section performed after December 31, 1977, if the employing unit for which such service is performed paid cash wages of one thousand dollars or more for such services in any calendar quarter after December 31, 1977.

14. The term "employment" shall include or exclude the entire service of an individual for an employing unit during a pay period in which such individual's services are not all excluded under the foregoing provisions, on the following basis: if the services performed during one-half or more of any pay period constitute employment as otherwise defined in this law, all the services performed during such period shall be deemed to be employment; but if the services performed during more than one-half of any such pay period do not constitute employment as otherwise defined in this law, then none of the services for such period shall be deemed to be employment. (As used in this subsection, the term "pay period" means a period of not more than thirty-one consecutive days for which a payment of remuneration is ordinarily made to the individual by the employing unit employing such individual.) This subsection shall not be applicable with respect to service performed in a pay period where any such service is excluded pursuant to subdivision (8) of subsection 12 of this section.

15. The term "employment" shall not include the services of a full-time student who performed such services in the employ of an organized summer camp for less than thirteen calendar weeks in such calendar year.

16. For the purpose of subsection 15 of this section, an individual shall be treated as a full-time student for any period:

(1) During which the individual is enrolled as a full-time student at an educational institution; or

(2) Which is between academic years or terms if:

(a) The individual was enrolled as a full-time student at an educational institution for the immediately preceding academic year or term; and

(b) There is a reasonable assurance that the individual will be so enrolled for the immediately succeeding academic year or term after the period described in paragraph (a) of this subdivision.

17. For the purpose of subsection 15 of this section, an "organized summer camp" shall mean a summer camp which:

(1) Did not operate for more than seven months in the calendar year and did not operate for more than seven months in the preceding calendar year; or

(2) Had average gross receipts for any six months in the preceding calendar year which were not more than thirty-three and one-third percent of its average gross receipts for the other six months in the preceding calendar year.

18. The term "employment" shall not mean service performed by a remodeling salesperson acting as an independent contractor; however, if the federal Internal Revenue Service determines that a contractual relationship between a direct provider and an individual acting as an independent contractor pursuant to the provisions of this subsection is in fact an employer-employee relationship for the purposes of federal law, then that relationship shall be considered as an employer-employee relationship for the purposes of this chapter.

19. The term "employment" shall not mean in-home or community-based services performed by a provider contracted to provide such services for the clients of a county board for developmental disability services organized and existing under sections 205.968 to 205.973, provided however, that the vendor shall perform the payroll and fringe benefits accounting functions for the consumer. However, in the event an employment

relationship exists between the provider and any worker as determined under this chapter, the services performed by such worker shall be deemed to be employment if the provider is an organization described in Section 501(c)(3) of the Internal Revenue Code, any governmental entity, or a federally recognized Indian tribe."; and

Further amend said bill, Page 39, Section 301.020, Line 87, by inserting after all of said line the following:

"301.143. 1. As used in this section, the term "vehicle" shall have the same meaning given it in section 301.010, and the term "physically disabled" shall have the same meaning given it in section 301.142.

2. Political subdivisions of the state may by ordinance or resolution designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or 301.142. Owners of private property used for public parking shall also designate parking spaces for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or 301.142. Whenever a political subdivision or owner of private property so designates a parking space, the space shall be indicated by a sign upon which shall be inscribed the international symbol of accessibility and may also include any appropriate wording such as "Accessible Parking" to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard**. The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "$50 to $300 fine.". **[**Beginning August 28, 2011, When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot, one in every four accessible spaces, but not less than one, shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto.**]** **When any political subdivision or owner of private property restripes a parking lot or constructs a new parking lot with twenty-five or more parking spaces, the parking lot and accessible signs shall meet the minimum requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto, for the number of required accessible parking spaces, which shall not be less than one, and shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "van accessible". If any accessible space is one hundred thirty-two inches wide or wider, then the adjacent access aisle shall be a minimum of sixty inches wide. If any accessible space is less than one hundred thirty-two inches wide, then the adjacent access aisle shall be a minimum of ninety-six inches wide.**

3. Any political subdivision, by ordinance or resolution, and any person or corporation in lawful possession of a public off-street parking facility or any other owner of private property may designate reserved parking spaces for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or 301.142 as close as possible to the nearest accessible entrance. Such designation shall be made by posting immediately adjacent to, and visible from, each space, a sign upon which is inscribed the international symbol of accessibility, and may also include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard**.

4. The local police or sheriff's department may cause the removal of any vehicle not displaying a distinguishing license plate or **[**card**]** **placard** on which is inscribed the international symbol of accessibility and the word "disabled" issued pursuant to section 301.142 or a "disabled veteran" license plate issued pursuant to section 301.071 or a distinguishing license plate or **[**card**]** **placard** issued by any other state from a space designated for physically disabled persons if there is posted immediately adjacent to, and readily visible from, such space a sign on which is inscribed the international symbol of accessibility and may include any appropriate wording to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard**. Any person who parks in a space reserved for physically disabled persons and is not displaying distinguishing license plates or a **[**card**]** **placard** is guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than fifty dollars nor more than three hundred dollars. Any vehicle which has been removed and which is not properly claimed within thirty days thereafter shall be considered to be an abandoned vehicle.

5. Spaces designated for use by vehicles displaying the distinguishing "disabled" license plate issued pursuant to section 301.142 or 301.071 shall meet the requirements of the federal Americans with Disabilities Act, as amended, and any rules or regulations established pursuant thereto. Notwithstanding the other provisions of this section, on-street parking spaces designated by political subdivisions in residential areas for the exclusive use of vehicles displaying a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or 301.142 shall meet the requirements of the federal Americans with Disabilities Act pursuant to this subsection and any such space shall have clearly and visibly painted upon it the international symbol of accessibility **[**and any curb adjacent to the space shall be clearly and visibly painted blue**]**.

6. Any person who, without authorization, uses a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or 301.142 to park in a parking space reserved under authority of this section shall be guilty of a class B misdemeanor.

7. Law enforcement officials may enter upon private property open to public use to enforce the provisions of this section and section 301.142, including private property designated by the owner of such property for the exclusive use of vehicles which display a distinguishing license plate or **[**card**]** **placard** issued pursuant to section 301.071 or 301.142.

8. Nonconforming signs or spaces otherwise required pursuant to this section which are in use prior to August 28, 2011, shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or spaces be extended by means other than those means used to maintain any sign or space on the owner's property which is not used for vehicles displaying a disabled license plate.

9. Beginning August 28, 2011, all new signs erected under this section shall not contain the words "Handicap Parking" or "Handicapped Parking".**"**; and

Further amend said bill, Page 43, Section 302.171, Line 106, by inserting after all of said line the following:

"304.028. 1. **(1)** There is hereby created in the state treasury for use by the department of health and senior services a fund to be known as the "Brain Injury Fund". All judgments collected pursuant to this section, federal grants, private donations and any other moneys designated for the brain injury fund shall be deposited in the fund. Moneys deposited in the fund shall, upon appropriation by the general assembly to the department of health and senior services, be received and expended by the department for the purpose of transition **[**and**],** integration**, and provision** of **[**medical**]** **community-based consumer services in comprehensive brain injury day rehabilitation therapy, vocational, home and community support**, social and educational **[**services or**]** activities for purposes of outreach and supports to enable individuals with **[**traumatic**]** brain injury and their families to live in the community.

(2) The department of health and senior services, in cooperation with the department of social services, shall seek waivers from the federal Department of Health and Human Services to allow moneys from the brain injury fund to be used under the MO HealthNet program to provide services under this section. Upon the granting of such waiver, fifty percent of all moneys in the fund shall be designated as MO HealthNet federal match moneys under the waiver. The waivers under this subdivision shall be designed so that parity is established in funding for each of the eligible MO HealthNet service areas to create a balance for access to all brain injury services.

(3) A committee shall be created to develop service descriptions, regulations, and parity of funding for eligible MO HealthNet service areas, as needed. The ten-member volunteer committee shall be organized by the department and shall be comprised of two representatives from each of the following: Missouri Association of Rehabilitation Facilities, the Brain Injury Association, the Brain Injury Advisory Council, the department of social services, and the department of health and senior services. The committee composition shall include at least one individual with a brain injury. Once services are established under this section, the committee shall, at a minimum, meet annually to review services using the most current department of health and senior services brain injury needs assessment. The review process shall require the ten-member volunteer committee to be responsible for addressing any modifications needed in the program services. Such review process shall ensure services are meeting the needs of brain injury consumers.

(4) Notwithstanding the provisions of section 33.080 to the contrary, any unexpended balance in the brain injury fund at the end of any biennium shall not be transferred to the general revenue fund.

2. In all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of this state, including an infraction, there shall be assessed as costs a surcharge in the amount of two dollars. No such surcharge shall be collected in any proceeding involving a violation of an ordinance or state law when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality.

3. Such surcharge shall be collected and distributed by the clerk of the court as provided in sections 488.010 to 488.020. The surcharge collected pursuant to this section shall be paid to the state treasury to the credit of the brain injury fund established in this section."; and

Further amend said bill, Page 50, Section 621.275, Line 19, by inserting after all of said line the following:

"660.315. 1. After an investigation and a determination has been made to place a person's name on the employee disqualification list, that person shall be notified in writing mailed to his or her last known address that:

(1) An allegation has been made against the person, the substance of the allegation and that an investigation has been conducted which tends to substantiate the allegation;

(2) The person's name will be included in the employee disqualification list of the department;

(3) The consequences of being so listed including the length of time to be listed; and

(4) The person's rights and the procedure to challenge the allegation.

2. If no reply has been received within thirty days of mailing the notice, the department may include the name of such person on its list. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director or the director's designee, based upon the criteria contained in subsection 9 of this section.

3. If the person so notified wishes to challenge the allegation, such person may file an application for a hearing with the department. The department shall grant the application within thirty days after receipt by the department and set the matter for hearing, or the department shall notify the applicant that, after review, the allegation has been held to be unfounded and the applicant's name will not be listed.

4. If a person's name is included on the employee disqualification list without the department providing notice as required under subsection 1 of this section, such person may file a request with the department for removal of the name or for a hearing. Within thirty days after receipt of the request, the department shall either remove the name from the list or grant a hearing and set a date therefor.

5. Any hearing shall be conducted in the county of the person's residence by the director of the department or the director's designee. The provisions of chapter 536 for a contested case except those provisions or amendments which are in conflict with this section shall apply to and govern the proceedings contained in this section and the rights and duties of the parties involved. The person appealing such an action shall be entitled to present evidence, pursuant to the provisions of chapter 536, relevant to the allegations.

6. Upon the record made at the hearing, the director of the department or the director's designee shall determine all questions presented and shall determine whether the person shall be listed on the employee disqualification list. The director of the department or the director's designee shall clearly state the reasons for his or her decision and shall include a statement of findings of fact and conclusions of law pertinent to the questions in issue.

7. A person aggrieved by the decision following the hearing shall be informed of his or her right to seek judicial review as provided under chapter 536. If the person fails to appeal the director's findings, those findings shall constitute a final determination that the person shall be placed on the employee disqualification list.

8. A decision by the director shall be inadmissible in any civil action brought against a facility or the in-home services provider agency and arising out of the facts and circumstances which brought about the employment disqualification proceeding, unless the civil action is brought against the facility or the in-home services provider agency by the department of health and senior services or one of its divisions.

9. The length of time the person's name shall appear on the employee disqualification list shall be determined by the director of the department of health and senior services or the director's designee, based upon the following:

(1) Whether the person acted recklessly or knowingly, as defined in chapter 562;

(2) The degree of the physical, sexual, or emotional injury or harm; or the degree of the imminent danger to the health, safety or welfare of a resident or in-home services client;

(3) The degree of misappropriation of the property or funds, or falsification of any documents for service delivery of an in-home services client;

(4) Whether the person has previously been listed on the employee disqualification list;

(5) Any mitigating circumstances;

(6) Any aggravating circumstances; and

(7) Whether alternative sanctions resulting in conditions of continued employment are appropriate in lieu of placing a person's name on the employee disqualification list. Such conditions of employment may include, but are not limited to, additional training and employee counseling. Conditional employment shall terminate upon the expiration of the designated length of time and the person's submitting documentation which fulfills the department of health and senior services' requirements.

10. The removal of any person's name from the list under this section shall not prevent the director from keeping records of all acts finally determined to have occurred under this section.

11. The department shall provide the list maintained pursuant to this section to other state departments upon request and to any person, corporation, organization, or association who:

(1) Is licensed as an operator under chapter 198;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities;

(4) Is approved by the department to issue certificates for nursing assistants training;

(5) Is an entity licensed under chapter 197; or

(6) Is a recognized school of nursing, medicine, or other health profession for the purpose of determining whether students scheduled to participate in clinical rotations with entities described in subdivision (1), (2), or (5) of this subsection are included in the employee disqualification list. The department shall inform any person listed above who inquires of the department whether or not a particular name is on the list. The department may require that the request be made in writing.

12. No person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section shall knowingly employ any person who is on the employee disqualification list. Any person, corporation, organization, or association who received the employee disqualification list under subdivisions (1) to (5) of subsection 11 of this section, or any person responsible for providing health care service, who declines to employ or terminates a person whose name is listed in this section shall be immune from suit by that person or anyone else acting for or in behalf of that person for the failure to employ or for the termination of the person whose name is listed on the employee disqualification list.

13. **(1)** Any employer **[**who is**]** required to **[**discharge an employee because the employee was placed on a disqualification list maintained by the department of health and senior services after the date of hire**] deny employment to an applicant or discharge an employee, provisional or otherwise, as a result of information obtained through any portion of the background screening and employment eligibility determination process, or subsequent, periodic screenings, under section 210.903, shall not be liable in any action brought by the applicant or employee relating to discharge where the employer is required by law to terminate the employee, provisional or otherwise, and** shall not be charged for unemployment insurance benefits based on wages paid to the employee for work prior to the date of discharge, pursuant to section 288.100.

(2) Notwithstanding subsections 3 and 5 of section 288.090, an employer shall not be charged for unemployment insurance benefits based on wages paid to the employee or an employer making payments in lieu of contributions for work prior to the date of discharge, pursuant to section 288.100, if the employer terminated the employee because the employee:

(a) Has been found guilty of, pled guilty or nolo contendere in this state or any other state of a crime as listed in subsection 6 of section 660.317;

(b) Was placed on the employee disqualification list under this section, after the date of hire;

(c) Was placed on the employee disqualification registry maintained by the department of mental health, after the date of hire;

(d) Has a disqualifying finding under this section, section 660.317, or is on any of the background check lists in the family care safety registry under sections 210.900 to 210.936; or

(e) Was denied a good cause waiver as provided for in subsection 10 of section 660.317.

The benefits paid to the employee shall not be attributable to service in the employ of the employer required to discharge an employee under the provisions of this subdivision and shall be deemed as such under the unemployment compensation laws of this state.

14. Any person who has been listed on the employee disqualification list may request that the director remove his or her name from the employee disqualification list. The request shall be written and may not be made more than once every twelve months. The request will be granted by the director upon a clear showing, by written submission only, that the person will not commit additional acts of abuse, neglect, misappropriation of the property or funds, or the falsification of any documents of service delivery to an in-home services client. The director may make conditional the removal of a person's name from the list on any terms that the director deems appropriate, and failure to comply with such terms may result in the person's name being relisted. The director's determination of whether to remove the person's name from the list is not subject to appeal."; and

Further amend said bill, Page 51, Section 33.753, Line 9, by inserting after all of said line the following:

"Section B. The provisions of section 161.870 of this act shall terminate on January 1, 2013.

Section C. Because immediate action is necessary to ensure compliance with the federal Americans With Disabilities Act, the repeal and reenactment of section 301.143 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 301.143 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1900, Page 20, Section 37.110, Line 5, by inserting after all of said line the following:

"99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to article VI, section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to article VI, section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of article III, section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of section 6 of article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains

in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, **taxes imposed on sales pursuant to section 650.399 for the purpose of emergency communication systems,** licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, or any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of

economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(1) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(2) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsections 4 and 5 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri; and

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee

begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsections 4 and 5 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

SENATE CONCURRENT RESOLUTIONS

SCS SCR 17, relating to "The Great Rivers State," was taken up by Representative Diehl.

On motion of Representative Diehl, **SCS SCR 17** was adopted by the following vote:

AYES: 108

Anders	Atkins	Aull	Barnes	Black
Brandom	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Conway 14	Conway 27	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Diehl	Dugger	Elmer	Entlicher
Fallert	Fitzwater	Fraker	Franklin	Fuhr
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Hubbard	Hummel	Johnson	Jones 89	Jones 117
Kander	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lampe	Largent
Lauer	Leara	Loehner	Long	Marshall
McCaherty	McCann Beatty	McCreery	McGeoghegan	McGhee
McManus	McNeil	Meadows	Molendorp	Morgan
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon

Reiboldt	Riddle	Ruzicka	Schad	Scharnhorst
Schieber	Schieffer	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Wells
Weter	Wright	Zerr		

NOES: 028

Allen	Asbury	Bahr	Bernskoetter	Carlson
Colona	Ellinger	Ellington	Fisher	Flanigan
Franz	Guernsey	Hinson	Houghton	Jones 63
Keeney	Lair	Leach	Montecillo	Neth
Richardson	Rizzo	Sater	Sifton	Swearingen
Webber	White	Wyatt		

PRESENT: 000

ABSENT WITH LEAVE: 027

Berry	Brattin	Brown 50	Carter	Denison
Dieckhaus	Frederick	Funderburk	Gatschenberger	Hughes
Lant	Lasater	Lichtenegger	May	McDonald
McNary	Nance	Nasheed	Nolte	Rowland
Schatz	Schneider	Smith 71	Swinger	Webb
Wieland	Mr Speaker			

SCR 24, relating to motor carrier safety, was taken up by Representative Davis.

Representative Keeney assumed the Chair.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fisher	Fitzwater	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	Marshall	McCaherty	McGhee
Molendorp	Neth	Phillips	Pollock	Reiboldt
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schneider	Schoeller	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wyatt	Zerr			

NOES: 046

Atkins	Aull	Black	Carlson	Casey
Colona	Conway 27	Ellinger	Ellington	Fallert
Harris	Hodges	Holsman	Hummel	Jones 63
Kander	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Meadows	Montecillo	Morgan	Nasheed	Newman
Nichols	Oxford	Pace	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swearingen	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 030

Anders	Brattin	Brown 50	Carter	Dieckhaus
Flanigan	Frederick	Funderburk	Gatschenberger	Hubbard
Hughes	Lasater	Lichtenegger	May	McDonald
McNary	Nance	Nolte	Parkinson	Pierson
Redmon	Richardson	Sater	Schatz	Smith 71
Swinger	Webb	Wieland	Wright	Mr Speaker

On motion of Representative Davis, **SCR 24** was adopted by the following vote:

AYES: 127

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Burlison	Carlson	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Diehl	Dugger	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Kelly 24	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	Marshall	McCaherty	McCreery
McGeoghegan	McGhee	McManus	Meadows	Molendorp
Montecillo	Morgan	Neth	Newman	Nichols
Nolte	Oxford	Pace	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 010

Colona	Ellinger	Ellington	Hubbard	Jones 63
Kander	McCann Beatty	Nasheed	Talboy	Webber

PRESENT: 000

ABSENT WITH LEAVE: 026

Allen	Brattin	Brown 85	Brown 116	Carter
Dieckhaus	Frederick	Funderburk	Gatschenberger	Hughes
Lasater	Lichtenegger	May	McDonald	McNary
McNeil	Nance	Parkinson	Sater	Schatz
Smith 71	Swearingen	Swinger	Webb	Wieland
Mr Speaker				

Speaker Pro Tem Schoeller resumed the Chair.

SCR 15, relating to flood control, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **SCR 15** was adopted by the following vote:

AYES: 122

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dugger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hinson	Hodges	Holsman
Hoskins	Hough	Houghton	Hubbard	Johnson
Jones 63	Jones 89	Kander	Keeney	Kelley 126
Kelly 24	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Long	Marshall	McCaherty
McCann Beatty	McGeoghegan	McGhee	McManus	McNeil
Meadows	Morgan	Neth	Newman	Parkinson
Phillips	Pollock	Quinn	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Smith 150	Solon
Sommer	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 011

Carlson	Ellinger	Hummel	Kirkton	McCreery
Montecillo	Nichols	Oxford	Pace	Schupp
Spreng				

PRESENT: 000

ABSENT WITH LEAVE: 030

Brattin	Brown 50	Carter	Dieckhaus	Diehl
Frederick	Funderburk	Gatschenberger	Hughes	Jones 117
Lasater	Lichtenegger	Loehner	May	McDonald
McNary	Molendorp	Nance	Nasheed	Nolte
Pierson	Redmon	Sater	Schatz	Silvey
Smith 71	Swinger	Webb	Wieland	Mr Speaker

SCR 26, relating to transportation needs, was taken up by Representative Cierpiot.

On motion of Representative Cierpiot, **SCR 26** was adopted by the following vote:

AYES: 131

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cauthorn	Cierpiot	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Davis	Day	Denison	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Flanigan	Fraker	Franklin	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Lauer	Leach	Leara	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNeil	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Oxford
Pace	Parkinson	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Scharnhorst	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Sifton	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webber
Wells	Weter	White	Wright	Wyatt
Zerr				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 032

Brattin	Carter	Colona	Dieckhaus	Diehl
Ellington	Fitzwater	Franz	Frederick	Funderburk
Gatschenberger	Hughes	Largent	Lasater	Lichtenegger
May	McDonald	McNary	Meadows	Molendorp

Nance	Nolte	Sater	Schad	Schatz
Silvey	Smith 71	Swinger	Talboy	Webb
Wieland	Mr Speaker			

BILL IN CONFERENCE

CCR SB 611, with House Amendment No. 1, House Amendment No. 2, **House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7 and House Amendment No. 8**, relating to the regulation of transportation, was taken up by Representative Stream.

On motion of Representative Stream, **CCR SB 611, with House Amendment No. 1, House Amendment No. 2**, **House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7 and House Amendment No. 8** was adopted by the following vote:

AYES: 129

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Dugger
Ellinger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Long	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNeil
Montecillo	Morgan	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Talboy	Taylor	Thomson
Torpey	Wallingford	Walton Gray	Webber	Wells
Weter	White	Wyatt	Zerr	

NOES: 004

Allen	Ellington	Flanigan	Marshall

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 029

Brattin	Carter	Colona	Diehl	Frederick
Funderburk	Gatschenberger	Guernsey	Hubbard	Hughes
Lasater	Lichtenegger	Loehner	May	McDonald
McNary	Meadows	Molendorp	Nance	Nasheed
Nolte	Sater	Schatz	Smith 71	Swinger
Webb	Wieland	Wright	Mr Speaker	

On motion of Representative Stream, **CCS SB 611** was truly agreed to and finally passed by the following vote:

AYES: 127

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brandom	Brown 50
Brown 85	Brown 116	Burlison	Carlson	Casey
Cauthorn	Cierpiot	Colona	Conway 14	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Dugger	Ellinger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Fraker
Franklin	Franz	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	Montecillo	Morgan	Nasheed
Neth	Newman	Nichols	Oxford	Pace
Parkinson	Phillips	Pierson	Pollock	Quinn
Redmon	Reiboldt	Richardson	Riddle	Rizzo
Rowland	Ruzicka	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 004

Allen	Ellington	Flanigan	Marshall

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 031

Barnes	Brattin	Carter	Denison	Dieckhaus
Diehl	Frederick	Funderburk	Gatschenberger	Hubbard
Hughes	Lasater	Lichtenegger	Loehner	Long
May	McDonald	McNary	McNeil	Meadows

Molendorp	Nance	Nolte	Sater	Schad
Schatz	Smith 71	Swinger	Webb	Wieland
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

BILL CARRYING REQUEST MESSAGE

SS SCS HB 1807, **HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended**, relating to the "Fred F. Guthrie, Jr. Memorial Highway", was taken up by Representative Marshall.

Representative Jones (89) moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Allen	Asbury	Bahr	Bernskoetter	Berry
Brandom	Brown 85	Brown 116	Burlison	Cauthorn
Cierpiot	Conway 14	Cookson	Crawford	Cross
Curtman	Davis	Day	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Grisamore
Guernsey	Haefner	Hampton	Higdon	Hinson
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Leach
Leara	Loehner	Marshall	McGhee	McNary
Molendorp	Nasheed	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Smith 150	Solon	Sommer
Stream	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr

NOES: 037

Anders	Atkins	Aull	Black	Carlson
Casey	Colona	Conway 27	Ellington	Fallert
Hodges	Holsman	Hummel	Jones 63	Kander
Kratky	Lampe	McCann Beatty	McGeoghegan	McManus
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Rizzo	Schupp	Shively
Sifton	Spreng	Still	Swearingen	Talboy
Walton Gray	Webber			

PRESENT: 000

ABSENT WITH LEAVE: 041

Barnes	Brattin	Brown 50	Carter	Cox
Denison	Dieckhaus	Ellinger	Frederick	Funderburk
Gatschenberger	Gosen	Harris	Hubbard	Hughes
Kelly 24	Kirkton	Lasater	Lauer	Lichtenegger

Long	May	McCaherty	McCreery	McDonald
Meadows	Nance	Neth	Nolte	Pierson
Quinn	Sater	Schatz	Schieffer	Silvey
Smith 71	Swinger	Taylor	Webb	Wieland
Mr Speaker				

On motion of Representative Marshall, **SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended**, was adopted by the following vote:

AYES: 132

Anders	Asbury	Atkins	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brown 85
Burlison	Carlson	Casey	Cauthorn	Cierpiot
Colona	Conway 27	Cookson	Cox	Crawford
Cross	Curtman	Davis	Day	Denison
Dieckhaus	Diehl	Dugger	Ellinger	Ellington
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Hampton	Harris	Higdon
Hinson	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 63	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Loehner
Long	Marshall	McCaherty	McCann Beatty	McCreery
McGeoghegan	McGhee	McManus	McNary	McNeil
Molendorp	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 002

Flanigan	Leara

PRESENT: 007

Allen	Brandom	Brown 116	Conway 14	Haefner
Lauer	Leach			

ABSENT WITH LEAVE: 022

Brattin	Brown 50	Carter	Frederick	Funderburk
Gatschenberger	Hubbard	Hughes	Lasater	Lichtenegger
May	McDonald	Meadows	Nance	Nolte
Sater	Schatz	Smith 71	Swinger	Webb
Wieland	Mr Speaker			

On motion of Representative Marshall, **SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 and HB 1878, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 124

Anders	Asbury	Atkins	Aull	Bahr
Bernskoetter	Berry	Black	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Colona
Conway 27	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Fisher
Fitzwater	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Hampton	Harris
Higdon	Hodges	Holsman	Hoskins	Hough
Houghton	Hummel	Johnson	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kelly 24	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Loehner
Marshall	McCaherty	McCann Beatty	McCreery	McGeoghegan
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nasheed	Neth	Newman	Nichols
Oxford	Pace	Parkinson	Phillips	Pierson
Pollock	Quinn	Redmon	Reiboldt	Richardson
Riddle	Rizzo	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wright	Wyatt	Zerr	

NOES: 002

Flanigan	Leara

PRESENT: 005

Allen	Brandom	Conway 14	Haefner	Leach

ABSENT WITH LEAVE: 032

Barnes	Brattin	Brown 50	Carlson	Carter
Cookson	Entlicher	Fallert	Frederick	Funderburk
Gatschenberger	Hinson	Hubbard	Hughes	Jones 63
Lasater	Lichtenegger	Long	May	McDonald
McGhee	Meadows	Nance	Nolte	Sater
Schatz	Smith 71	Still	Swinger	Webb
Wieland	Mr Speaker			

Speaker Pro Tem Schoeller declared the bill passed.

BILL IN CONFERENCE

CCR HCS SB 636, as amended, relating to judicial procedures, was taken up by Representative Diehl.

On motion of Representative Diehl, **CCR HCS SB 636, as amended**, was adopted by the following vote:

AYES: 133

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 27
Cookson	Cox	Crawford	Cross	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Ellinger	Ellington	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Kander	Keeney	Kelley 126	Kirkton
Klippenstein	Koenig	Korman	Kratky	Lair
Lampe	Lant	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McCann Beatty	McCreery	McGeoghegan	McGhee	McManus
McNary	McNeil	Molendorp	Montecillo	Morgan
Nasheed	Neth	Newman	Nichols	Nolte
Oxford	Pace	Phillips	Pierson	Pollock
Quinn	Redmon	Reiboldt	Richardson	Riddle
Rizzo	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 150
Sommer	Spreng	Still	Stream	Swearingen
Talboy	Taylor	Thomson	Torpey	Wallingford
Walton Gray	Webber	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 030

Brattin	Brown 50	Carter	Conway 14	Curtman
Elmer	Entlicher	Frederick	Funderburk	Gatschenberger
Hinson	Hubbard	Hughes	Jones 117	Kelly 24
Lasater	Lichtenegger	May	McDonald	Meadows
Nance	Parkinson	Sater	Schatz	Smith 71
Solon	Swinger	Webb	Wieland	Mr Speaker

On motion of Representative Diehl, **CCS HCS SB 636** was truly agreed to and finally passed by the following vote:

AYES: 137

Allen	Anders	Asbury	Atkins	Aull
Bahr	Barnes	Bernskoetter	Berry	Black
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Casey	Cierpiot	Colona	Conway 27
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Ellinger	Ellington	Elmer	Entlicher
Fallert	Fisher	Fitzwater	Flanigan	Fraker
Franklin	Franz	Fuhr	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hodges	Holsman	Hoskins	Hough	Houghton
Hummel	Johnson	Jones 63	Jones 89	Jones 117
Kander	Keeney	Kelley 126	Kirkton	Klippenstein
Koenig	Korman	Kratky	Lair	Lampe
Lant	Largent	Lauer	Leach	Leara
Loehner	Long	Marshall	McCaherty	McCann Beatty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Molendorp	Montecillo	Morgan	Neth
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schieffer
Schneider	Schoeller	Schupp	Shively	Shumake
Sifton	Silvey	Smith 150	Solon	Sommer
Spreng	Still	Stream	Swearingen	Talboy
Taylor	Thomson	Torpey	Wallingford	Walton Gray
Webber	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Brattin	Carter	Cauthorn	Conway 14	Frederick
Funderburk	Gatschenberger	Hinson	Hubbard	Hughes
Kelly 24	Lasater	Lichtenegger	May	McDonald
Meadows	Nance	Nasheed	Newman	Sater
Schatz	Smith 71	Swinger	Webb	Wieland
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

BILL CARRYING REQUEST MESSAGE

HCS SS SCS SB 755, as amended, relating to public safety, was taken up by Representative Cookson.

Representative Cookson moved that the House recede from its position on **HCS SS SCS SB 755, as amended**.

Representative Wells moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Cookson	Cox	Crawford
Curtman	Davis	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fisher	Flanigan
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Higdon
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Keeney	Kelley 126	Klippenstein	Koenig
Korman	Lair	Lant	Largent	Lauer
Leach	Leara	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Neth
Nolte	Parkinson	Phillips	Quinn	Redmon
Reiboldt	Richardson	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schneider	Schoeller	Shumake
Smith 150	Solon	Sommer	Stream	Thomson
Torpey	Wallingford	Wells	Weter	White
Wright	Wyatt	Zerr		

NOES: 043

Anders	Atkins	Aull	Black	Brown 50
Carlson	Casey	Colona	Conway 27	Ellinger
Fallert	Harris	Hodges	Holsman	Hummel
Kander	Kelly 24	Kirkton	Kratky	Lampe
McCann Beatty	McCreery	McGeoghegan	McManus	McNeil
Montecillo	Morgan	Newman	Nichols	Oxford
Pace	Pierson	Rizzo	Schieffer	Schupp
Shively	Sifton	Still	Swearingen	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 032

Brattin	Carter	Conway 14	Cross	Day
Ellington	Fitzwater	Frederick	Funderburk	Gatschenberger
Hinson	Hubbard	Hughes	Jones 63	Lasater
Lichtenegger	May	McDonald	Meadows	Nance

Nasheed	Pollock	Riddle	Sater	Schatz
Silvey	Smith 71	Spreng	Swinger	Webb
Wieland	Mr Speaker			

Representative Cookson again moved that the House recede from its position on **HCS SS SCS SB 755, as amended**.

Which motion was adopted.

On motion of Representative Cookson, **SS SCS SB 755** was truly agreed to and finally passed by the following vote:

AYES: 111

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Conway 14	Conway 27
Cookson	Cox	Crawford	Curtman	Davis
Denison	Dieckhaus	Diehl	Dugger	Elmer
Entlicher	Fallert	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Fuhr	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hodges	Hoskins	Hough	Houghton
Johnson	Jones 89	Jones 117	Kander	Keeney
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Lant	Largent	Lauer
Leach	Leara	Loehner	Long	Marshall
McCaherty	McGeoghegan	McGhee	McManus	McNary
Molendorp	Nasheed	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Richardson
Riddle	Rowland	Ruzicka	Schad	Schieber
Schieffer	Schneider	Schoeller	Schupp	Shively
Shumake	Silvey	Smith 150	Solon	Sommer
Still	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt
Zerr				

NOES: 026

Atkins	Colona	Ellinger	Ellington	Holsman
Hummel	Jones 63	Kelly 24	McCann Beatty	McCreery
McNeil	Montecillo	Morgan	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Sifton
Spreng	Swearingen	Talboy	Taylor	Walton Gray
Webber				

PRESENT: 000

ABSENT WITH LEAVE: 026

Brattin	Carter	Cross	Day	Frederick
Funderburk	Gatschenberger	Hinson	Hubbard	Hughes
Kelley 126	Lasater	Lichtenegger	May	McDonald

Meadows	Nance	Reiboldt	Sater	Scharnhorst
Schatz	Smith 71	Swinger	Webb	Wieland
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

BILL IN CONFERENCE

CCR HCS SB 578, as amended, relating to state property, was taken up by Representative Cox.

On motion of Representative Cox, **CCR HCS SB 578, as amended**, was adopted by the following vote:

AYES: 134

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brown 50	Brown 85	Brown 116	Burlison	Carlson
Casey	Cauthorn	Cierpiot	Colona	Conway 14
Conway 27	Cookson	Cox	Crawford	Cross
Curtman	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fallert	Fisher	Fitzwater
Flanigan	Fraker	Franklin	Franz	Fuhr
Gosen	Grisamore	Guernsey	Haefner	Hampton
Harris	Higdon	Hodges	Holsman	Hoskins
Hough	Houghton	Hummel	Johnson	Jones 63
Jones 89	Jones 117	Kander	Keeney	Kelley 126
Kelly 24	Kirkton	Klippenstein	Koenig	Korman
Kratky	Lair	Lampe	Lant	Largent
Lauer	Leach	Leara	Loehner	Long
Marshall	McCaherty	McCann Beatty	McCreery	McGeoghegan
McGhee	McManus	McNary	McNeil	Meadows
Molendorp	Montecillo	Morgan	Nasheed	Neth
Newman	Nichols	Nolte	Pace	Parkinson
Phillips	Pierson	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rizzo	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Shively	Shumake	Sifton	Silvey	Smith 150
Solon	Sommer	Spreng	Still	Stream
Swearingen	Talboy	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wright	Wyatt	Zerr	

NOES: 005

Atkins	Ellinger	Ellington	Oxford	Schupp

PRESENT: 000

ABSENT WITH LEAVE: 024

Brattin	Carter	Davis	Day	Frederick
Funderburk	Gatschenberger	Hinson	Hubbard	Hughes
Lasater	Lichtenegger	May	McDonald	Nance
Pollock	Rowland	Sater	Schatz	Smith 71
Swinger	Webb	Wieland	Mr Speaker	

CCS HCS SB 578 was laid over.

HOUSE BILL WITH SENATE AMENDMENTS

HCS HB 1900, **with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4 and Senate Amendment No. 5**, relating to executive branch reorganizations, was taken up by Representative Redmon.

On motion of Representative Redmon, the House concurred in **Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4** and **Senate Amendment No. 5** by the following vote:

AYES: 090

Allen	Asbury	Bahr	Barnes	Bernskoetter
Brandom	Brown 50	Brown 85	Brown 116	Burlison
Casey	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Dieckhaus	Diehl	Elmer	Entlicher	Fraker
Franz	Fuhr	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McCann Beatty	McGhee
McNary	Molendorp	Neth	Nichols	Nolte
Parkinson	Phillips	Redmon	Reiboldt	Richardson
Riddle	Rowland	Ruzicka	Schad	Scharnhorst
Schieber	Schieffer	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Taylor	Thomson	Torpey	Wallingford	Wells
Weter	White	Wright	Wyatt	Zerr

NOES: 037

Anders	Atkins	Black	Carlson	Colona
Conway 27	Ellinger	Ellington	Fallert	Harris
Hodges	Holsman	Hummel	Jones 63	Kelly 24
Kirkton	Kratky	Lampe	McCreery	McGeoghegan
McManus	McNeil	Montecillo	Morgan	Newman
Oxford	Pace	Pierson	Rizzo	Schupp
Shively	Spreng	Still	Swearingen	Talboy
Walton Gray	Webber			

PRESENT: 001

Sifton

ABSENT WITH LEAVE: 035

Aull	Berry	Brattin	Carter	Day
Denison	Dugger	Fisher	Fitzwater	Flanigan
Franklin	Frederick	Funderburk	Gatschenberger	Hubbard
Hughes	Kander	Lair	Lant	Lasater
Lichtenegger	May	McDonald	Meadows	Nance
Nasheed	Pollock	Quinn	Sater	Schatz
Smith 71	Swinger	Webb	Wieland	Mr Speaker

On motion of Representative Redmon, **HCS HB 1900, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 092

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Largent	Lauer	Leach	Leara	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Taylor	Thomson	Torpey
Wallingford	Wells	Weter	White	Wright
Wyatt	Zerr			

NOES: 045

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kelly 24	Kirkton	Kratky
Lampe	McCann Beatty	McCreery	McGeoghegan	McManus
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Quinn	Rizzo
Schieffer	Schupp	Shively	Sifton	Spreng
Still	Swearingen	Talboy	Walton Gray	Webber

PRESENT: 000

ABSENT WITH LEAVE: 026

Aull	Brattin	Carter	Day	Dugger
Frederick	Funderburk	Gatschenberger	Hubbard	Hughes
Lant	Lasater	Lichtenegger	May	McDonald
McNeil	Meadows	Nance	Riddle	Sater
Schatz	Smith 71	Swinger	Webb	Wieland
Mr Speaker				

Speaker Pro Tem Schoeller declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 091

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brown 85	Brown 116	Burlison
Cauthorn	Cierpiot	Conway 14	Cookson	Cox
Crawford	Cross	Curtman	Davis	Denison
Dieckhaus	Diehl	Elmer	Entlicher	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Higdon	Hinson	Hoskins	Hough
Houghton	Johnson	Jones 89	Jones 117	Keeney
Kelley 126	Klippenstein	Koenig	Korman	Lair
Largent	Lauer	Leach	Leara	Loehner
Long	McCaherty	McGhee	McNary	Molendorp
Neth	Nolte	Parkinson	Phillips	Pollock
Redmon	Reiboldt	Richardson	Riddle	Rowland
Ruzicka	Schad	Scharnhorst	Schieber	Schneider
Schoeller	Shumake	Silvey	Smith 150	Solon
Sommer	Stream	Thomson	Torpey	Wallingford
Wells	Weter	White	Wright	Wyatt
Zerr				

NOES: 048

Anders	Atkins	Black	Brown 50	Carlson
Casey	Colona	Conway 27	Ellinger	Ellington
Fallert	Harris	Hodges	Holsman	Hummel
Jones 63	Kander	Kirkton	Kratky	Lampe
Marshall	McCann Beatty	McCreery	McGeoghegan	McManus
McNeil	Meadows	Montecillo	Morgan	Nasheed
Newman	Nichols	Oxford	Pace	Pierson
Quinn	Rizzo	Schieffer	Schupp	Shively
Sifton	Spreng	Still	Swearingen	Talboy
Taylor	Walton Gray	Webber		

PRESENT: 000

ABSENT WITH LEAVE: 024

Aull	Brattin	Carter	Day	Dugger
Frederick	Funderburk	Gatschenberger	Hubbard	Hughes
Kelly 24	Lant	Lasater	Lichtenegger	May
McDonald	Nance	Sater	Schatz	Smith 71
Swinger	Webb	Wieland	Mr Speaker	

HOUSE CONCURRENT RESOLUTION

HCR 55, relating to U.S. trade laws, was taken up by Representative Nolte.

On motion of Representative Nolte, **HCR 55** was adopted by the following vote:

AYES: 123

Allen	Anders	Asbury	Atkins	Bahr
Barnes	Bernskoetter	Berry	Black	Brown 50
Brown 85	Brown 116	Burlison	Casey	Cauthorn
Cierpiot	Conway 14	Conway 27	Crawford	Cross
Curtman	Davis	Day	Denison	Dieckhaus
Diehl	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Fuhr	Gosen	Grisamore	Guernsey	Haefner
Hampton	Harris	Higdon	Hinson	Hodges
Hoskins	Hough	Houghton	Johnson	Jones 89
Jones 117	Kander	Keeney	Kelley 126	Kelly 24
Kirkton	Klippenstein	Koenig	Korman	Kratky
Lair	Lampe	Largent	Lauer	Leach
Leara	Loehner	Long	Marshall	McCaherty
McCreery	McGeoghegan	McGhee	McManus	McNary
McNeil	Meadows	Molendorp	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Schad
Scharnhorst	Schieber	Schieffer	Schneider	Schoeller
Schupp	Shively	Shumake	Sifton	Silvey
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Taylor	Thomson	Torpey
Wallingford	Walton Gray	Webber	Wells	Weter
White	Wright	Wyatt		

NOES: 013

Colona	Ellinger	Ellington	Holsman	Hummel
Jones 63	McCann Beatty	Montecillo	Morgan	Pierson
Rizzo	Talboy	Zerr		

PRESENT: 000

ABSENT WITH LEAVE: 027

Aull	Brandom	Brattin	Carlson	Carter
Cookson	Cox	Dugger	Frederick	Funderburk
Gatschenberger	Hubbard	Hughes	Lant	Lasater
Lichtenegger	May	McDonald	Nance	Nasheed
Sater	Schatz	Smith 71	Swinger	Webb
Wieland	Mr Speaker			

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 639 - Health Care Policy

REFERRAL OF GOVERNOR'S REORGANIZATION PLAN

The following Governor's Reorganization Plan was referred to the Committee indicated:

GRP 1 - Health Care Policy

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 14 - Utilities
HCR 16 - General Laws
HCR 17 - Health Care Policy
HCR 24 - General Laws
HCR 51 - Children and Families
HCR 56 - Health Care Policy
HCR 58 - Elementary and Secondary Education
HCR 59 - General Laws
HCR 60 - Children and Families

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 40 - Elections
HJR 54 - General Laws
HJR 56 - Ways and Means
HJR 69 - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1056 - Ways and Means
HB 1080 - Ethics
HB 1086 - General Laws
HB 1121 - Financial Institutions
HB 1173 - General Laws
HB 1205 - General Laws
HB 1207 - Judiciary
HB 1230 - General Laws

HB 1247 - Transportation
HB 1294 - Financial Institutions
HB 1322 - Corrections
HB 1360 - Crime Prevention and Public Safety
HB 1401 - Health Care Policy
HB 1450 - Health Care Policy
HB 1464 - Ethics
HB 1530 - General Laws
HB 1538 - General Laws
HB 1591 - Ways and Means
HB 1622 - Health Care Policy
HB 1663 - Health Care Policy
HB 1748 - General Laws
HB 1756 - Ethics
HB 1791 - Downsizing State Government
HB 1892 - General Laws
HB 1939 - Ethics
HB 1943 - Economic Development
HB 1949 - Ways and Means
HB 1956 - General Laws
HB 1967 - General Laws
HB 1974 - Utilities
HB 1978 - Downsizing State Government
HB 1987 - Children and Families
HB 1996 - Health Care Policy
HB 2093 - Elections
HB 2102 - Local Government

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1172**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1661**.

The Benediction was given by Msgr. Kurwicki.

The fear of the Lord is the beginning of wisdom: a good understanding have all they that do His commandments. (Psalm: 111:10)

O God, Creator and Sustainer, without Whose benediction all our labor is in vain. The end of this legislative session has arrived. We now ask Your blessing on all that has been accomplished through Your graces and the work of our minds and hearts. Bless all here who have given their best in this House Chamber this year. May those members whose terms of office are concluding know they will never be forgotten. May those former members who died this past year rest in peace. May all staff, clerks, aides and doormen now be granted a period of rest and renewal. Ever Ancient God, all our hope is in You. Be our refuge now and bless the work of our hands!

And the House says, "Amen!"

ADJOURNMENT

On motion of Representative Jones (89), the House adjourned until 10:00 a.m., Wednesday, May 30, 2012.

CORRECTIONS TO THE HOUSE JOURNAL

AFFIDAVITS

I, State Representative Steve Cookson, District 153, hereby state and affirm that my vote presence as recorded today by which Senate Committee Substitute for House Committee Substitute for House Bill No. 789, as amended, was Truly Agreed to and Finally Passed was incorrectly recorded as Absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, my vote was incorrectly recorded, and should have been recorded as Yes.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of May 2012.

/s/ Stephen C. Cookson
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 18th day of May in the year 2012.

/s/ Leticia J. Long
Notary Public

_____

I, State Representative Thomas Flanigan, District 127, hereby state and affirm that my vote presence as recorded today by which Senate Substitute for Senate Committee Substitute for House Bill No. 1251 was Truly Agreed to and Finally Passed was incorrectly recorded as No. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, my vote was incorrectly recorded, and should have been recorded as Yes.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of May 2012.

/s/ Thomas Flanigan
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 18th day of May in the year 2012.

/s/ Leticia J. Long
Notary Public

_____

I, State Representative Ed Schieffer, District 11, hereby state and affirm that my vote presence as recorded today by which Senate Substitute for Senate Bill No. 464 was Truly Agreed to and Finally Passed was incorrectly recorded as No. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I was present, my vote was incorrectly recorded, and should have been recorded as Yes.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 18th day of May 2012.

/s/ Ed Schieffer
State Representative

State of Missouri)
) ss.
Signed in County of Cole)
Notary Commissioned in County of Miller)

Subscribed and sworn to before me this 18th day of May in the year 2012.

/s/ Leticia J. Long
Notary Public

[CORRECTED]

JOURNAL OF THE HOUSE

Second Regular Session, 96th GENERAL ASSEMBLY

SEVENTY-SEVENTH DAY, WEDNESDAY, MAY 30, 2012

The House met pursuant to adjournment.

Representative Dugger in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Glory be to the Father and to the Son and to the Holy Ghost.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

Speaker Tilley assumed the Chair.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HB 1029**, **SCS HB 1036**, **HB 1037**, **HB 1039**, **SCS HCS HB 1042**, **SS SCS HCS HB 1094**, **HB 1103**, **HB 1105**, **SS HCS HB 1106**, **HCS HB 1108**, **SCS HB 1112**, **SS HB 1128**, **HB 1131**, **CCS SCS HB 1135**, **HB 1141**, **SS SCS HCS HB 1150**, **HCS HB 1171**, **HB 1172**, **HB 1179**, **HB 1188**, **HB 1231**, **HB 1236**, **HB 1250**, **SS SCS HB 1251**, **SS SCS HCS HB 1280**, **HCS HB 1308**, **HB 1315**, **SS HB 1318**, **SCS HCS#2 HB 1323**, **HCS HB 1340**, **SS SCS HCS HB 1400**, **CCS SS SCS HCS HB 1402**, **HB 1424**, **SCS HB 1460**, **HCS#2 HB 1462**, **SCS HCS HB 1495**, **SS SCS HCS HB 1498**, **SCS HB 1504**, **SCS HCS HB 1525**, **HCS HB 1527**, **HB 1540**, **HCS HB 1549**, **SS SCS HCS HB 1563**, **SS HCS HB 1576**, **HB 1577**, **HCS HB 1608**, **HCS HB 1644**, **SS HCS HB 1647**, **SCS HCS HBs 1659 & 1116**, **HCS HB 1661**, **HB 1680**, **SS SCS HCS HB 1731**, **SCS HCS HB 1789**, **SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 & HB 1878**, **HCS HB 1818**, **SS SCS HB 1820**, **SCS HCS HB 1827**, **HCS HB 1900**, **HB 1909**, **SS HCS HB 2001**, **CCS SS SCS HCS HB 2002**, **CCS SS SCS HCS HB 2003**, **CCS SS SCS HCS HB 2004**, **CCS SS SCS HCS HB 2005**, **CCS SS SCS HCS HB 2006**, **CCS SS SCS HCS HB 2007**, **CCS SS SCS HCS HB 2008**, **CCS SS SCS HCS HB 2009**, **CCS SS SCS HCS HB 2010**, **CCS SS SCS HCS HB 2011**, **CCS SS SCS HCS HB 2012** and **CCS SS SCS HCS HB 2013** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Representative Marshall offered an objection to **SS HCS HB 1329**, which was appended to the bill.

OBJECTION TO SIGNING AND ENACTMENT OF
SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 1329

WHEREAS, Article III, Section 30 of the Constitution of the State of Missouri provides if any member shall object in writing to the signing of a bill, the objection shall be noted in the journal and annexed to the bill to be considered by the governor in connection therewith; and

WHEREAS, Senate Substitute for House Committee Substitute for House Bill 1329 (SS for HCS for HB1329) violates the Missouri Constitution in the following manner:

1. The Missouri Supreme Court on January 31, 2012 in *Street v. Director of Revenue* determined that State Law allows only for the imposition and collection of sales tax if the sale occurs within Missouri. This was applied to the collection of local sales taxes as a political subdivision may only impose a tax only to the extent allowed under the state sales tax.

2. SS for HCS for HB1329 attempts to abrogate *Street v. Director of Revenue* and impose a sales tax on all sales or motor vehicles, trailers, boats and outboard motors, within and outside of Missouri's boundaries at the time of registration with the Department of Revenue; this includes imposition of a local sales tax.

3. This Bill requires the tax to be imposed retroactively.

4. Missouri Constitution Article X Section 18(e) prohibits the General Assembly from increasing taxes or fees without voter approval that in total produce new annual revenues greater than 50 million adjusted annually, or one percent of total state revenues for the second fiscal year prior to the General Assembly's action, or whichever is less. The Section also requires any such tax or fee that exceeds the limit to be submitted to a public vote. Finally, the Section clarifies that an "increase in taxes or fees" means any law or laws passed by the General Assembly which broaden the scope of a tax or fee.

5. Missouri Constitution Article X Section 22 prohibits the levying of any local tax, license or fees not authorized when Section 22 was adopted without the approval of the required majority of the qualified voters of the political subdivision voting on the issue. The Section further requires that if any broadening of the definition of the base of any local tax results in an increase in revenues, the levy must be reduced to yield the same gross revenue to the political subdivision.

6. SS for HCS for HB1329 clearly imposes a new tax that is not allowed by existing Missouri sales tax law upon the People of Missouri without a public vote and consequently violates Article X.

THEREFORE, I conclude that Senate Substitute for House Committee Substitute for House Bill 1329 violates the Missouri Constitution and should not be signed by the Officers of the House or Senate, nor should this Bill be signed by the governor.

Respectfully submitted,

/s/ Representative Nick Marshall
District 30, Platte County

Representative Marshall offered an objection to **SCS HCS HB 1758**, which was appended to the bill.

OBJECTION TO SIGNING AND ENACTMENT OF
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL 1758

WHEREAS, Article III, Section 30 of the Constitution of the State of Missouri provides if any member shall object in writing to the signing of a bill, the objection shall be noted in the journal and annexed to the bill to be considered by the governor in connection therewith; and

WHEREAS, Senate Committee Substitute for House Committee Substitute for House Bill 1758 (SCS for HCS for HB1758) violates the United States and Missouri Constitution in the following manner:

1. SCS for HCS for HB1758 drastically changes Missouri law allowing for a person, who is not a child's natural or legal parent, to petition a court of competent jurisdiction or intervene in a pending action for an order of custody or visitation rights.

2. This action for custody or visitation rights may be maintained by a non-natural parent who has an "ongoing parent child relationship" which is broadly defined in the bill.

3. SCS for HCS for HB1758 permits the action by a person who is not a child's natural or legal parent despite the existence of a fit, involved, natural parent.

4. The bill creates a rebuttable presumption that the natural parent acts in the minor child's best interest but allows the Court to rebut that presumption by considering any factor.

5. SCS for HCS for HB1758 directs the Court to award custody or visitation to the petitioner or intervener who is not the child's natural parent if the Court finds it is in the best interest of the child.

6. The Fourteenth Amendment to the United States Constitution declares that the States "shall not deprive any person of life, liberty, or property, without due process of law." This has been held to protect our fundamental rights and liberty interests, including the liberty interests of parents in the care, custody and control of their children. The United States Supreme Court has also consistently cited this natural parental right as one of the oldest and enduring of the fundamental liberty interests.

7. Similarly, Missouri's Constitution declares in Article I Section 2 that "all persons have a natural right to life, liberty, the pursuit of happiness and the enjoyment of the gains of their own industry," and in Article I Section 10 "that no person shall be deprived of life, liberty or property without due process of law." These Constitutional protections prohibit the State from interfering in the fundament rights of fit natural parents to raise their children based solely upon the States determination of the child's best interest:

THEREFORE, I conclude that Senate Committee Substitute for House Committee Substitute for House Bill 1758 violates both the Missouri and United States Constitutions and should not be signed by the Officers of the House or Senate, nor should the Bill be signed by the governor.

Respectfully submitted,

/s/ Representative Nick Marshall
District 30, Platte County

All other business of the House was suspended while **SS HCS HB 1329** and **SCS HCS HB 1758** were read at length and were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 1029**, **SCS HB 1036**, **HB 1037**, **HB 1039**, **SCS HCS HB 1042**, **SS SCS HCS HB 1094**, **HB 1103**, **HB 1105**, **SS HCS HB 1106**, **HCS HB 1108**, **SCS HB 1112**, **SS HB 1128**, **HB 1131**, **CCS SCS HB 1135**, **HB 1141**, **SS SCS HCS HB 1150**, **HCS HB 1171**, **HB 1172**, **HB 1179**, **HB 1188**, **HB 1231**, **HB 1236**, **HB 1250**, **SS SCS HB 1251**, **SS SCS HCS HB 1280**, **HCS HB 1308**, **HB 1315**, **SS HB 1318**, **SCS HCS#2 HB 1323**, **SS HCS HB 1329**, **HCS HB 1340**, **SS SCS HCS HB 1400**, **CCS SS SCS HCS HB 1402**, **HB 1424**, **SCS HB 1460**, **HCS#2 HB 1462**, **SCS HCS HB 1495**, **SS SCS HCS HB 1498**, **SCS HB 1504**, **SCS HCS HB 1525**, **HCS HB 1527**, **HB 1540**, **HCS HB 1549**, **SS SCS HCS HB 1563**, **SS HCS HB 1576**, **HB 1577**, **HCS HB 1608**, **HCS HB 1644**, **SS HCS HB 1647**, **SCS HCS HBs 1659 & 1116**, **HCS HB 1661**, **HB 1680**, **SS SCS HCS HB 1731**, **SCS HCS HB 1758**, **SCS HCS HB 1789**, **SS SCS HB 1807, HB 1093, HB 1107, HB 1156, HB 1221, HB 1261, HB 1269, HB 1641, HB 1668, HB 1737, HB 1782, HB 1868 & HB 1878**, **HCS HB 1818**, **SS SCS HB 1820**, **SCS HCS HB 1827**, **HCS HB 1900**, **HB 1909**, **SS HCS HB 2001**, **CCS SS SCS HCS HB 2002**, **CCS SS SCS HCS HB 2003**, **CCS SS SCS HCS HB 2004**, **CCS SS SCS HCS HB 2005**, **CCS SS SCS HCS HB 2006**, **CCS SS SCS HCS HB 2007**, **CCS SS SCS HCS HB 2008**, **CCS SS SCS HCS HB 2009**, **CCS SS SCS HCS HB 2010**, **CCS SS SCS HCS HB 2011**, **CCS SS SCS HCS HB 2012** and **CCS SS SCS HCS HB 2013** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE JOINT RESOLUTION

All other business of the House was suspended while **SCS SJR 51** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SS SB 464**, **HCS SS SCS SB 469**, **CCS HCS SS SCS SB 470**, **CCS HCS#2 SCS SB 480**, **HCS SCS SB 485**, **SS SCS SBs 489 & 637**, **CCS HCS SCS SB 498**, **HCS SCS SB 562**, **HCS SCS SB 563**, **SCS SB 566**, **CCS HCS SB 568**, **CCS HCS SCS SB 569**, **SS SCS SB 576**, **HCS SS SCS SB 595**, **CCS SB 599**, **SS SB 607**, **CCS SB 611**, **HCS SCS SB 625**, **CCS HCS SB 628**, **CCS HCS SCS SB 631**, **CCS HCS SCS SB 635**, **CCS HCS SB 636**, **CCS SS SB 665**, **HCS SS SCS SB 682**, **SS SCS SB 689**, **SCS SB 715**, **CCS#2 SS SCS SB 719**, **SCS SB 729**, **SB 736**, **CCS HCS SS SB 749**, **SS SCS SB 755**, **CCS HCS SS SB 769**, **SCS SB 789**, **SCS SB 835** and **SCS SB 837** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

May 30, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731** entitled:

"AN ACT"

To repeal sections 42.300, 161.215, and 313.835, RSMo, and to enact in lieu thereof six new sections relating to the use of gaming moneys, with an emergency clause.

On May 30, 2012, I approved said **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1731**.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

The following members' presence was noted: Cookson, Fisher, Kelly (24), Marshall and Riddle.

ADJOURNMENT

The Speaker declared the House of Representatives of the Ninety-sixth General Assembly, convened in Second Regular Session on January 4, 2012, adjourned sine die as of midnight, May 30, 2012, pursuant to the Constitution.

STEVEN TILLEY
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House

[CORRECTED]

JOURNAL OF THE HOUSE

VETO SESSION

Second Regular Session, 96th GENERAL ASSEMBLY

WEDNESDAY, SEPTEMBER 12, 2012

Speaker Pro Tem Schoeller in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

Cleanse Thou me from secret faults. (Psalm 19:12)

O God, facing the demanding duties of this day and conscious of our pressing problems we feel our need of You - so we come lifting our hearts to You in prayer. Make us ready for every responsibility, equal to every experience and adequate for every activity. May we be more than a match for the mood of this moving moment.

Remove from us any resentment which may be ruining our disposition, any bitterness that may be blighting our lives, and any animosity which may activate ill will in us. Cleanse the thoughts of our hearts by the inspiration of Your Holy Spirit, that we may perfectly love You, worthily magnify Your Holy Name, and truly serve our state well this day.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

NOMINATION FOR SPEAKER

Representative Crawford nominated Representative Tim Jones as Speaker of the House.

Representative Torpey seconded the nomination.

Representative Talboy moved that nominations cease and that Representative Jones (89) be elected by acclamation.

Which motion was adopted

OATH OF OFFICE

Representative Jones (89) advanced to the bar and subscribed to the oath of office which was administered by the Honorable Mary Rhodes Russell, Judge of the Supreme Court of the State of Missouri.

Speaker Jones (89) assumed the Chair and addressed the House.

ADDRESS BY SPEAKER TIMOTHY JONES

Good afternoon.

Speaker Pro Tem Schoeller, Justice Russell, colleagues and friends, thank you very much.

I humbly accept the decision of this body to elect me to serve out the remainder of Speaker Tilley's term. This change comes at a busy time for all of us. Today's veto session brings with it critical issues that require our immediate, undivided attention. It also allows us to consider the future of our state.

To begin, I would like to share some personal reflections on this day, this time in our history, and on the hard work that we all know lies ahead of us, for us and for all the citizens of our state.

First, I owe a deep debt of gratitude and an immeasurable amount of thanks to the many people who have supported me, counseled me, comforted me, and yes, even constructively criticized me for these past many years. Last but absolutely not least, I thank all the citizens of the 89th District and the new 110th District. Without their constant support, guidance, counsel, and assistance, I would not be standing before you today.

My family is first and foremost in my mind today. While many of them are unable to attend, my dear wife, Suzanne, and one of our beautiful, cherished daughters, Abigail, were able to make the journey here. Suzanne has been my staunchest supporter, my fiercest defender, and the rock to which I cling when the world seems engulfed in storm and fire. She is patient, she is kind, she is thoughtful, she is wise. We do not always agree on "Tim's Political Topic of the Day," but then again, what two people ever agree on everything? As of this year, we have been married for ten years and I can tell you that every day I am thankful that this wonderful person chose me as her husband and partner in this business we call life. Suzanne, I cannot thank you enough for all you do and continue to do.

We have two daughters, Katherine Sophia and Abigail Elizabeth. Katie is seven and currently attending second grade at Geggie Elementary in the Rockwood School District. She excels in reading and writing… and arguing. I wonder where she gets it? I could not be more proud of my spirited little girl who tells me every day when I have to travel that she is sorry I am going and that she misses me very much.

Little Abby is a treasure. Her bright eyes and bright smile can light up the most somber of situations and remind us all to be more joyful. Abby has also begun her education as she attends pre-school at St. Mark's Lutheran in Eureka. These three ladies endure so much given the interesting career path that their husband and father has taken; yet their love is endless. For that, I am so blessed.

What I have learned, through colleagues like Sandy and Noel, is that Missourians are caring, hard-working, and industrious people. Missourians foster faithful families, make extraordinary products, and lead the way to new markets in agriculture, science, and technology. Despite what others might say, Missourians – WE BUILT IT.

We are now caught up in the worst economy of our lives and face what is arguably the most challenging period in our nation's history, but Missourians continue to forge ahead, to create, to innovate, to grow, and to BUILD.

So what do we…
…as public servants…
…as representatives of the people…
owe to our constituents and to the citizens of our great state?
Leadership.

Whatever the issue may be, whatever the policy decision laid before us, wherever and however the political winds may blow, we owe our great state principled, determined LEADERSHIP.

The people deserve the kind of leadership that transcends party lines and overcomes the differences we have too often seen between this chamber and our esteemed colleagues on the other side of the building.

As your Speaker, I promise you this: We will work together with our colleagues in the Missouri Senate. Several of our members here today will soon make that trek across the rotunda to the east side of the Capitol. I know they realize a change in location doesn't mean a change in their policy positions. And even though they will find themselves on the other side of the building next year, I know they will work with their new colleagues in the Senate and their old friends here in the House to find the common ground we all know exists.

As we look at the session ahead, know that I will work faithfully with our friends in the Senate to advance a principled policy agenda that will ensure our state is nationally competitive and is in the best interests of all Missourians.

Though I cannot speak for any other leader in our government, I promise you that I will lead with the House's agenda from the forefront. With my colleagues, we will unveil a bold, specific agenda that is rooted in optimism as we look to our better days ahead. Our agenda will inspire growth, innovation, and creativity by building a better Missouri through three basic building blocks:

We will foster an environment that encourages job creation and economic development through streamlined government, tax relief, and a reduced regulatory burden;

We will encourage research and innovation that brings new jobs to our state and leads Missouri closer to energy independence;

We will reform our failing education bureaucracy to guarantee all of our children – no matter their address or zipcode – a quality, affordable education.

These are issues that are near and dear to all Missourians, no matter your philosophy and no matter your political party.

Missourians have also made it clear at the ballot box that elected leaders are expected to stay true to our core values and beliefs. While I am committed to working with all elected officials, I will not waiver on my core principles. I am dedicated to protecting life, ensuring our second amendment rights, and advancing the cause of freedom and liberty that is guaranteed in the Constitution that we have all taken a sacred oath to protect.

My friends, our nation was promised hope and change. These are lofty goals that we all should embrace. But hope and change require more than just speeches and statements, sound bites and talking points. Hope and change requires leaders to do more than talk about the problems and lay blame upon those of the past. Hope and change requires action. It requires pragmatism and cooperation. Hope and change succeeds only in the presence of those willing to face with true grit the challenges that place the future of our state and nation in harm's way.

I believe there is a new dawn on the horizon.

It is our responsibility to take principled stands and to create a new, more prosperous tomorrow. That tomorrow must be full of promise and brimming with optimism and strength. Missouri is known as the Show-Me State because our citizens demand results. They demand action to back up the promises of a greater tomorrow. The solutions we present, the solutions we "show" to the extremely challenging issues before us will not come easy without leadership, integrity, hard work, and perseverance.

But Missourians are a hard lot...an industrious lot…a serious people who encountered this great land so long ago and found it to be one of abundance and prosperity. We have before us a bright future where that abundance and prosperity is simply waiting for us to harness it and place it to a bountiful use.

I again thank you for the humble opportunity to serve you in this role, to lead you, to walk with you, to that more promising tomorrow. May God bless you and your families, the Great State of Missouri, and may God bless America.

Speaker Pro Tem Schoeller resumed the Chair.

HOUSE RESOLUTION

Representative Riddle offered **House Resolution No. 1**, which was read.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-sixth General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2012 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Riddle, **House Resolution No. 1** was adopted by the following vote:

AYES: 157

Allen	Anders	Asbury	Aull	Bahr
Barnes	Bernskoetter	Berry	Black	Brandom
Brattin	Brown 50	Brown 85	Brown 116	Burlison
Carlson	Carter	Casey	Cauthorn	Cierpiot
Colona	Conway 14	Conway 27	Cookson	Cox
Crawford	Cross	Curtman	Davis	Day
Denison	Dieckhaus	Diehl	Dugger	Ellinger
Ellington	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Franz
Frederick	Fuhr	Funderburk	Gatschenberger	Gosen
Grisamore	Guernsey	Haefner	Hampton	Harris
Higdon	Hinson	Hodges	Holsman	Hoskins
Hough	Houghton	Hubbard	Hummel	Johnson
Jones 63	Jones 89	Jones 117	Kander	Keeney
Kelley 126	Kelly 24	Kirkton	Klippenstein	Koenig
Korman	Kratky	Lair	Lampe	Lant
Largent	Lasater	Lauer	Leach	Leara
Lichtenegger	Loehner	Long	Marshall	May
McCaherty	McCann Beatty	McCreery	McDonald	McGhee
McManus	McNary	McNeil	Molendorp	Montecillo
Morgan	Nance	Nasheed	Neth	Newman
Nichols	Nolte	Oxford	Pace	Parkinson
Phillips	Pierson	Pollock	Quinn	Redmon
Reiboldt	Richardson	Riddle	Rizzo	Rowland
Ruzicka	Sater	Schad	Scharnhorst	Schatz
Schieber	Schieffer	Schneider	Schoeller	Schupp
Shively	Shumake	Sifton	Silvey	Smith 71
Smith 150	Solon	Sommer	Spreng	Still
Stream	Swearingen	Swinger	Talboy	Taylor
Thomson	Torpey	Wallingford	Walton Gray	Webb
Webber	Wells	White	Wieland	Wright
Wyatt	Zerr			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Atkins Hughes McGeoghegan Meadows

VACANCIES: 002

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

MESSAGES FROM THE GOVERNOR

March 16, 2012

TO THE CHIEF CLERK OF THE
HOUSE OF REPRESENTATIVES
96TH GENERAL ASSEMBLY
SECOND REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you **House Bill No. 1219** entitled:

"AN ACT"

To repeal sections 213.010, and 213.111, RSMo, and to enact in lieu thereof three new sections relating to unlawful discriminatory practices.

I disapprove of **House Bill No. 1219**. My reasons for disapproval are as follows:

Much like Senate Committee Substitute for Senate Bill No. 188, which I vetoed in 2011, **House Bill No. 1219** weakens Missouri's commitment to address discriminatory conduct and limits existing protections for whistleblowers in the workplace.

The following are several of the unacceptable provisions contained in **House Bill No. 1219** that collectively evince a desire to undo decades of progress in Missouri.

Eliminates individual responsibility for discrimination. House Bill No. 1219 ignores a basic tenet of the Missouri Human Rights Act in that it releases from liability the very person who committed the discriminatory act. The Missouri Human Rights Act was established to protect Missourians from such treatment by holding those who discriminate and harass accountable for their actions.

Exempts private clubs and seasonal employers from suit. House Bill No. 1219 would exempt private clubs and many seasonal employers from the type of conduct prohibited by the Missouri Human Rights Act. This Act must continue to protect against discrimination regardless of where it occurs.

Significantly reduces the availability of damages in discrimination cases. House Bill No. 1219 would establish a cap on damages in discrimination cases. And while federal law also establishes limits, the federal caps apply against the aggregate of only compensatory and punitive damages. **House Bill No. 1219**, meanwhile, would apply that same

monetary limit to the sum of awarded "back pay, interest on back pay, other equitable relief **[**front pay**]**, court costs and reasonable attorneys fees," as well as compensatory and punitive damages. Such limits would significantly reduce the potential award in any given case and would undermine the effectiveness of the Missouri Human Rights Act.

Prevents a court from awarding any damages in housing discrimination cases. State law makes it unlawful to discriminate in housing decisions because of race, color, religion, national origin, ancestry, sex, disability or familial status and provides for the recovery of damages for such conduct. **House Bill No. 1219**, by way of Section 213.111.8, RSMo, would inexplicably eliminate a court's ability to award damages in housing discrimination cases brought under Sections 213.040, 213.045 or 213.050, RSMo.

Prohibits punitive damages against government. House Bill No. 1219 would bar punitive damages in discrimination suits against the State or political subdivisions except in certain housing cases, effectively holding governmental entities less accountable to its citizens than their private sector counterparts. Discrimination and unfair treatment does not become more or less abhorrent based on who is doing the discriminating, and the Missouri Human Rights Act should therefore make no such distinction.

Reduces protection for Whistleblowers. House Bill No. 1219 would narrow the protections that currently exist against retaliation in the workplace. Whistleblowers provide an important service to all Missourians, and laws should not be written to discourage individuals from exposing misconduct.

In accordance with the above stated reasons for disapproval, I am returning **House Bill No. 1219** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

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July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Bill No. 1250** entitled:

"AN ACT"

To repeal sections 77.080, 78.090, and 115.123, RSMo, and to enact in lieu thereof four new section [sic] relating to elections.

I disapprove of **House Bill No. 1250**. My reasons for disapproval are as follows:

The proposed new section 77.085.1 in **House Bill No. 1250**, which would allow an ordinance prohibiting smoking to be passed by the voters of Farmington, includes a defective intersectional reference. The bill indicates that the term "smoking" is defined in subdivision (6) of section 191.765, RSMo. However, subdivision (6) of section 191.765 defines the term "restaurant." Because this intersectional reference to the definition of "restaurant" cannot be reconciled with any rational understanding of the term "smoking," it would deprive the public of any ability to understand the scope of the proposed ordinance. Moreover, it is not permissible to substitute what the legislature might have meant for what it actually said. Accordingly, this error, while perhaps inadvertent, is fatal to the bill.

In accordance with the above stated reasons for disapproval, I am returning **House Bill No. 1250** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

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July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Substitute for House Committee Substitute for House Bill No. 1329** entitled:

"AN ACT"

To repeal sections 32.087, 144.069, 144.757, and 301.140, RSMo, and to enact in lieu thereof five new sections relating to the regulation of motor vehicles, with an emergency clause and a contingent effective date for a certain section.

I disapprove of **Senate Substitute for House Committee Substitute for House Bill No. 1329**. My reasons for disapproval are as follows:

Senate Substitute for House Committee Substitute for House Bill No. 1329 seeks to impose a local tax on the out-of-state purchase of motor vehicles, boats, trailers and outboard motors (collectively "vehicles"). But it does so without a vote of the people and for that reason earns my disapproval.

***Street* Decision**

Senate Substitute for House Committee Substitute for House Bill No. 1329 is intended to overrule the recent Missouri Supreme Court decision in *Street v. Director of Revenue*. In that case, the Court confirmed that vehicles purchased outside of Missouri, and registered here, are subject to the State and local use tax, and not the State and local sales tax. The two are easily distinguished – a sales tax is imposed upon retailers, on in-state transactions, for the privilege of doing business in the State, whereas a use tax is imposed on the consumer for the benefit of using the State's roads and bridges. In so ruling, the Court stated that in order for a local jurisdiction to impose a local use tax, it "must be authorized by voters in local referendums."

Local jurisdictions with a voter-approved local use tax have been unaffected by the *Street* decision, including more than 90 cities and now 40 counties (last month the voters of Dunklin County approved a local use tax by nearly a two-to-one margin). It is the remaining cities and counties – where the measure has either not yet gone before the voters or the people have voted against such a tax - to which **Senate Substitute for House Committee Substitute for House Bill No. 1329** is directed.

Senate Substitute for House Committee Substitute for House Bill No. 1329 would create the fiction that all vehicle purchases are made within the State, regardless of where they actually occur, so that such transactions would be treated as sales tax events. However, manipulating the location of the sale in such a way would circumvent the local referendum process, in defiance of the Supreme Court's directive in *Street*, and deny voters the ability to approve or reject a local use tax on such purchases. Moreover, it exploits the voters' prior consent to a local sales tax by expanding the breadth of that tax beyond what was approved. In sum, **Senate Substitute for House Committee Substitute for House Bill No. 1329** undermines the fundamental principle that the imposition and rate of local taxes is an issue for Missouri voters, and with my action today, the people will retain that authority.

New and Retroactive Tax

Today, no local tax is collected on out-of-state vehicle sales in jurisdictions that do not have a voter-approved local use tax. Despite this fact, **Senate Substitute for House Committee Substitute for House Bill No. 1329** attempts to convey the opposite, in part by stating that the tax created by this legislation "shall continue to be imposed" (emphasis added). Exacerbating this fabrication, **Senate Substitute for House Committee Substitute for House Bill No. 1329** would apply the tax retroactively to transactions that have already been finalized (i.e., [the legislation] "restores, retroactively and prospectively, the application of Missouri's local sales tax law . . . on the sale of all motor vehicles, trailers, boats, and outboard motors . . ." (emphasis added). Under a plain reading of that provision, individuals living in jurisdictions without a local use tax, who have purchased a vehicle out-of-state since the Court's mandate in *Street*, and have registered that vehicle and paid all applicable taxes, would, upon the effective date of **Senate Substitute for House Committee Substitute for House Bill No. 1329**, become liable for an additional "sales" tax of potentially hundreds of

dollars. Such individuals would require no additional confirmation that **Senate Substitute for House Committee Substitute for House Bill No. 1329** imposes a new tax – and does so without voter approval.

Other Concerns

While my disapproval of **Senate Substitute for House Committee Substitute for House Bill No. 1329** unequivocally centers on the imposition of a new tax without voter approval, other concerns remain.

First, the Commerce Clause of the United States Constitution, which prevents states from discriminating against interstate commerce, would become relevant when a Missourian purchases a vehicle in another state that imposes a tax at the time of sale. To avoid duplicative taxation (a tax at the time of purchase and a tax upon registration), states, including Missouri, offset the assessment of a use tax with any tax that has been paid in the other state at the time of purchase. State and federal courts have held that failing to provide such an offset creates double taxation on out-of-state transactions in violation of the Commerce Clause. **Senate Substitute for House Committee Substitute for House Bill No. 1329**, however, does not provide an offset.

And for those who cite the difficulty that local jurisdictions are having in carrying out essential local functions following the reduction in revenue caused by *Street*, it is important to be mindful of the limitation that Article X, Section 10(a) of the Missouri Constitution imposes upon the General Assembly. This section states, in relevant part, that "[e]xcept as provided in this constitution, the general assembly shall not impose taxes upon counties or other political subdivisions or upon the inhabitants or property thereof for municipal, county or other corporate purposes."

Both the Commerce Clause and Article X, Section 10(a) are important because **Senate Substitute for House Committee Substitute for House Bill No. 1329** contains a non-severability clause. If any provision is found to be unenforceable, the entire legislation would become invalid.

Conclusion

Senate Substitute for House Committee Substitute for House Bill No. 1329 is an affront to every Missourian who has not yet had the opportunity to vote on whether to impose a local use tax, and especially to those voters in jurisdictions that have explicitly rejected such a tax. And while I recognize the impact that the *Street* decision is having on local governments and auto dealers across the State, that is not justification for usurping the authority of the voters on matters dealing with local taxation.

In accordance with the above stated reasons for disapproval, I am returning **Senate Substitute for House Committee Substitute for House Bill No. 1329** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

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July 12, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758** entitled:

"AN ACT"

To repeal section 453.005, RSMo, and to enact in lieu thereof two new sections relating to rights of persons with parental relationships.

I disapprove of **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758**. My reasons for disapproval are as follows:

Senate Committee Substitute for House Committee Substitute for House Bill No. 1758 would extend visitation and custody rights to certain persons other than a child's natural parents when a "parent/child relationship" has been established. While present-day family dynamics might very well merit measured expansion in this area when it is in the best interests of a child, establishing a legal mechanism that overrides the objection of an otherwise fit and willing natural parent presents cause for further review.

The stated purpose of **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758** is commendable: "to protect the psychological, emotional, and physical well-being of Missouri children by ensuring continuing interaction between a minor child and those persons with whom the minor child shares a substantial bond . . . ." This objective appropriately recognizes individuals who have assumed the role of parent for a meaningful period of time as well as the potential harm that can occur to the child if that relationship is severed. That said, given the breadth of circumstances that can give rise to a custody determination, which is backed by a well-settled body of law, this proposal would benefit from additional scrutiny so that it can achieve the end sought and avoid the hidden peril of all well-intended legislation – the unintended consequence.

Adding to the need for continued study are the drafting missteps that are present within **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758**. For one, while the bill gives a court the authority to impose a support obligation on a non-biological parent in the same manner as existing law, it fails to amend corresponding sections of law referencing the "parent and child relationship" so that the Department of Social Services, Family Support Division, can modify and terminate such orders. Moreover, **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758** neglects to amend the criminal non-support statute so that those in a recognized "parent/child relationship" are subject to the same types of penalties as those levied against natural parents who fail to meet their support obligations. These oversights are more than just untidy drafting; because the standards and procedures for imposing support orders in Missouri are both clear and reliable, any inconsistency that is introduced could jeopardize the welfare of the very children the bill seeks to help.

To be sure, **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758** strikes at the confluence of two important policy objectives: the best interests of a child and the rights of natural parents. Therefore, it is critical that any adjustment made to that balance is delicately crafted to prevent unintended outcomes and avoid disturbing the existing process for administering support obligations.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Committee Substitute for House Bill No. 1758** without my approval.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

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June 27, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Committee Substitute for House Bill No. 1789** entitled:

"AN ACT"

To repeal sections 162.431 and 167.121, RSMo, and to enact in lieu thereof three new sections relating to travel hardships of public school pupils.

I disapprove of **Senate Committee Substitute for House Committee Substitute for House Bill No. 1789**. My reasons for disapproval are as follows:

Existing law already establishes a reasoned process by which a pupil can be reassigned to another school district if the student's residence "is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance." These requests are governed by detailed regulations promulgated by the Department of Elementary and Secondary Education with the discretion to grant a request vested in the Commissioner of Education. The existing process has statewide application and has resulted in students being granted transportation hardships.

Senate Committee Substitute for House Committee Substitute for House Bill No. 1789 would deviate from this statewide approach by establishing a substantially different standard for transportation hardship requests submitted on behalf of pupils from three communities specifically described in the legislation. In contrast to current law, the new standard would mandate approval based solely on mileage without regard to whether a particular student's circumstance constitutes a "hardship."

This bill violates the Hancock Amendment by imposing an unfunded mandate on resident school districts affected by the new standard. This new standard does not require an applicant establish a transportation hardship but rather focuses exclusively on differences in driving distance. Students permitted to transfer under this new standard impose a new or increased activity on their resident school district which will be responsible for the cost of tuition in the receiving school district. This is particularly problematic when the cost of tuition exceeds the per pupil state aid received by the resident school district.

In addition, the driving distance between a pupil's residence and the "attendance center" in both the resident school district and the proposed receiving school district is a critical component to the new standard. However, the term "attendance center" is undefined in **Senate Committee Substitute for House Committee Substitute for House Bill No. 1789** creating a real and practical inability to implement the new standard. For instance, the school administration building, the school the pupil would attend or the geographic center of the school district could all constitute the "attendance center."

Senate Committee Substitute for House Committee Substitute for House Bill No. 1789 also makes permanent all transportation hardships previously granted by the Commissioner of Education. Under this provision, the Commissioner of Education would no longer be able to terminate a previously granted hardship assignment due to improvements in transportation circumstances implemented by a resident school district. The elimination of periodic reviews by the Commissioner of Education will unnecessarily extend the financial strain on an affected resident school district that has implemented appropriate steps to address a transportation issue.

In accordance with the above stated reasons for disapproval, I am returning **Senate Committee Substitute for House Committee Substitute for House Bill No. 1789** without my approval.

Sincerely,

/s/ Jeremiah W. (Jay) Nixon
Governor

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June 20, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **House Committee Substitute for House Bill No. 1900** entitled:

"AN ACT"

To repeal sections 3.060, 3.070, 8.110, 8.115, 8.180, 8.200, 8.260, 8.310, 8.315, 8.316, 8.320, 8.325, 8.330, 8.340, 8.350, 8.360, 8.800, 8.830, 8.843, 33.710, 33.750, 33.752, 33.753, 33.756, 34.031, 37.005, 37.010, 37.020, 37.110, 71.012, 71.014, 71.015, 99.845, 160.545, 161.418, 161.424, 181.110, 191.850, 191.853, 191.855, 191.857, 191.858, 191.859, 191.861, 191.863, 191.865, 191.867, 192.935, 196.1103, 209.150, 209.152, 209.200, 209.202, 209.251, 217.575, 251.100, 251.240, 253.320, 261.010, 288.034, 301.020, 301.143, 302.171, 304.028, 311.650, 313.210, 320.260, 334.125, 361.010, 595.036, 595.037, 595.060, 610.029, 610.120, 620.1100, 620.1580, and 660.315, RSMo, and to enact in lieu thereof eighty new sections for the sole purpose of restructuring statutes based on executive branch reorganizations, with penalty provisions.

I disapprove of **House Committee Substitute for House Bill No. 1900**. My reasons for disapproval are as follows:

Since 1875, the Missouri Constitution has required legislation to be limited to its original purpose and a single subject. These basic requirements promote an open process that alert legislators and the general public to the substance of pending legislation. They further prevent "logrolling," in which several matters that would not individually command a majority vote are bundled into a single bill to ensure passage. Nevertheless, despite repeated admonitions from the courts, the development of omnibus legislation continues to trample upon these tenets of legislative transparency en route to passage. **House Committee Substitute for House Bill No. 1900** is the most recent example.

House Committee Substitute for House Bill No. 1900 was introduced as a simple housekeeping measure to reconcile state statutes with organizational changes that have been made within the executive branch. Its title reflected this singular purpose – "for the sole purpose of restructuring statutes based on executive branch reorganizations." Indeed, the bill went through most of the legislative process in that form, including committee review and public hearings. But in the final days of the session, discipline waned as amendment upon unrelated amendment was added, transforming the bill into a seventy-nine page hodgepodge of unrelated matters, and abandoning the constitutional guideposts for legislative transparency in the process.

Original Purpose Requirement

The Missouri Constitution requires that "no bill shall be so amended in its passage through either house as to change its original purpose." *Mo. Const. Art. III, Sec. 21*. This prohibition on adding "subject matter that is not germane to the object of the legislation or that is unrelated to its original subject" is meant to fairly apprise citizens of the subject of legislation being considered. *C.C. Dillon Co. v. City of Eureka*, 12 S.W.3d 322, 326-327 (Mo. Banc 2000).

In this instance, the added matters must be germane to "restructuring statutes based on executive branch reorganizations." However, the numerous provisions added at the end of the legislative session bear no resemblance to this purpose; instead, they run the policy gamut, from reducing the statute of limitations on municipal annexation challenges, to divesting from Iran in order to diminish its nuclear capacity, to increasing the penalty for injuring or killing a service dog - to name just a few. Further frustrating the transparency that the legislative process requires, not all of the newly

added provisions received a public hearing. Regardless, when **House Committee Substitute for House Bill No. 1900** departed from its original purpose, it ran afoul of Art. III, Sec. 21 of the Missouri Constitution.

Single Subject/Clear Title

As a corollary to the "original purpose" limitation, Article III, Section 23 of the Missouri Constitution requires that "[n]o bill shall contain more than one subject which shall be clearly expressed in its title . . . ." This prohibition of multiple subjects is intended to protect legislators from having to vote for some matter that offends them in order to enact another that they support. The test is "whether all provisions of the bill fairly relate to the same subject, have a natural connection therewith or are incidents or means to accomplish its purpose." *Hammerschmidt v. Boone County,* 877 S.W.2d 98, 101-102 (Mo. Banc 1994).

Admittedly, terms such as "relate" and "natural connection" lend themselves to a subjective examination where rational people may reach different conclusions in some cases. This is not such a case. Rather, the presence of multiple subjects within **House Committee Substitute for House Bill No. 1900** is unequivocal. Beyond the already-stated topics of service dogs, municipal annexation, and divestment from Iran, the bill also addresses tax increment financing, unemployment benefits, disabled parking, and a 911 sales tax. Undeniably, the bill contains multiple subjects.

Also, "[t]he 'clear title' provision [of Mo. Const. Art. III, Sec. 23], like the 'single subject' restriction, was designed to prevent fraudulent, misleading, and improper legislation, by providing that the title should indicate in a general way the kind of legislation that was being enacted." *Fust v. Attorney Gen. for the State of Mo*., 947 S.W.2d 424, 429 (Mo. Banc 1997). The title of **House Committee Substitute for House Bill No. 1900** is not only narrowly crafted but is self-limiting to affirmatively exclude any matter that is not "*for the sole purpose* of restructuring statutes based on executive branch reorganizations…." (emphasis added). In cases such as this one, where the "title of a bill contains a particular limitation or restriction, a provision that goes beyond the limitation . . . is invalid" because it is deemed to mislead the reader. *Id*.

The manifest disregard for openness and transparency in furtherance of this legislation has revealed **House Committee Substitute for House Bill No. 1900** for what it is, a sanctuary for orphaned ideas in search of safe transport to becoming law. But it cannot be. And while my action today will unfortunately preclude the enactment of certain important provisions contained in this bill, it will preserve the constitutional safeguards for accountability in the legislative process.

In accordance with the above stated reasons for disapproval, I am returning **House Committee Substitute for House Bill No. 1900** without my approval.

Sincerely,

/s/ Jeremiah W. (Jay) Nixon
Governor

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June 22, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of

the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Section 4.520

I hereby veto $50,000 State Transportation Fund and $80,000 Federal Funds for a port authority. Section 1.100, RSMo requires the use of 2010 census data after July 1, 2011. Based on 2010 census data, the location description in the bill does not match any existing port authority.

For the Waterways Program.
From $80,000 to $0 Federal Funds.
From $50,000 to $0 State Transportation Fund.
From $755,000 to $625,000 in total for the section.

On June 22, 2012 I approved said **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2004** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

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June 22, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Section 7.095

I hereby veto $80,000 Missouri Humanities Council Trust Fund for the 2012 Blues in Schools Program. This appropriation attempts to bypass the well-established process that is in place to ensure accountability and fairness in selecting recipients of humanities grants.

For the 2012 Blues in Schools Program.
From $80,000 to $0 Missouri Humanities Council Trust Fund.
From $430,000 to $350,000 in total from Missouri Humanities Council Trust Fund.
From $11,189,252 to $11,109,252 in total for the section.

On June 22, 2012 I approved said **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

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June 21, 2012

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2012 and ending June 30, 2013; provided that no funds from these sections shall be expended for the purpose of costs associated with the offices of the Governor, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, or Attorney General.

Section 10.215

I hereby veto $30,000 General Revenue Fund for Boone County Legal Fees. These funds are unable to be expended because they do not qualify under Section 56.700, RSMo.

For distribution through the Office of Administration to counties pursuant to Section 56.700, RSMo from $162,550 to $132,550 General Revenue Fund.
From $900,916 to $870,916 in total from General Revenue Fund.
From $900,916 to $870,916 in total for the section.

On June 21, 2012 I approved said **Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Jeremiah W. (Jay) Nixon
Governor

HOUSE BILLS VETOED FROM THE SECOND REGULAR SESSION

The Speaker read the following House Bills vetoed from the Second Regular Session: **HB 1219**, **HB 1250**, **SS HCS HB 1329**, **SCS HCS HB 1758**, **SCS HCS HB 1789**, **HCS HB 1900**, **CCS SS SCS HCS HB 2004**, **CCS SS SCS HCS HB 2007** and **CCS SS SCS HCS HB 2010**.

HOUSE RESOLUTION

Representative Riddle offered **House Resolution No. 2**, which was read.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **HB 1219, HB 1250, SS HCS HB 1329, SCS HCS HB 1758, SCS HCS HB 1789, HCS HB 1900, CCS SS SCS HCS HB 2004, CCS SS SCS HCS HB 2007** and **CCS SS SCS HCS HB 2010** when the bills were called by the Speaker.

On motion of Representative Riddle, **House Resolution No. 2** was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has passed **Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749**, the objections of the Governor thereto notwithstanding.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the attached is a certified copy of the Roll Call on **Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 749**.

SENATE BILL VETOED FROM THE SECOND REGULAR SESSION

The Speaker read the following Senate Bill vetoed from the Second Regular Session: **CCS HCS SS SB 749**.

CCS HCS SS SB 749, relating to religious beliefs and convictions, was taken up by Representative Crawford.

Representative Crawford moved that **CCS HCS SS SB 749**, be passed, the objections of the Governor thereto notwithstanding.

Representative Riddle moved the previous question.

Which motion was adopted by the following vote:

AYES: 104

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Cauthorn	Cierpiot	Conway 14	Cookson
Cox	Crawford	Cross	Curtman	Davis
Day	Denison	Dieckhaus	Diehl	Dugger
Elmer	Entlicher	Fisher	Fitzwater	Flanigan
Fraker	Franklin	Franz	Frederick	Fuhr

Funderburk	Gatschenberger	Gosen	Grisamore	Guernsey
Haefner	Hampton	Higdon	Hinson	Hoskins
Hough	Houghton	Johnson	Jones 89	Jones 117
Keeney	Kelley 126	Klippenstein	Koenig	Korman
Lair	Lant	Lasater	Lauer	Leach
Leara	Lichtenegger	Loehner	Long	Marshall
McCaherty	McGhee	McNary	Molendorp	Nance
Nasheed	Neth	Nolte	Parkinson	Phillips
Pollock	Redmon	Reiboldt	Richardson	Riddle
Rowland	Ruzicka	Sater	Schad	Scharnhorst
Schatz	Schieber	Schneider	Schoeller	Shumake
Silvey	Smith 150	Solon	Sommer	Stream
Thomson	Torpey	Wallingford	Wells	White
Wieland	Wright	Wyatt	Zerr	

NOES: 048

Anders	Aull	Black	Brown	Carlson
Carter	Casey	Colona	Conway 27	Ellinger
Ellington	Fallert	Hodges	Holsman	Hubbard
Hummel	Jones 63	Kander	Kelly 24	Kirkton
Kratky	Lampe	May	McCann Beatty	McCreery
McDonald	McManus	McNeil	Montecillo	Morgan
Newman	Nichols	Oxford	Pace	Pierson
Rizzo	Schupp	Shively	Sifton	Smith 71
Spreng	Still	Swearingen	Talboy	Taylor
Walton Gray	Webb	Webber		

PRESENT: 004

Harris	Quinn	Schieffer	Swinger

ABSENT WITH LEAVE: 005

Atkins	Hughes	Largent	McGeoghegan	Meadows

VACANCIES: 002

Representative Crawford again moved that **CCS HCS SS SB 749** be passed, the objections of the Governor thereto notwithstanding.

Which motion was adopted by the following vote:

AYES: 109

Allen	Asbury	Bahr	Barnes	Bernskoetter
Berry	Brandom	Brattin	Brown 85	Brown 116
Burlison	Casey	Cauthorn	Cierpiot	Conway 14
Cookson	Cox	Crawford	Cross	Curtman
Davis	Day	Denison	Dieckhaus	Diehl
Dugger	Elmer	Entlicher	Fallert	Fisher
Fitzwater	Flanigan	Fraker	Franklin	Frederick
Fuhr	Funderburk	Gatschenberger	Gosen	Grisamore
Guernsey	Haefner	Hampton	Harris	Higdon
Hinson	Hoskins	Hough	Houghton	Johnson
Jones 89	Jones 117	Keeney	Kelley 126	Klippenstein

Koenig	Korman	Lair	Lant	Lasater
Lauer	Leach	Leara	Lichtenegger	Loehner
Long	Marshall	McCaherty	McGhee	McNary
Molendorp	Nance	Neth	Nolte	Parkinson
Phillips	Pollock	Quinn	Redmon	Reiboldt
Richardson	Riddle	Rowland	Ruzicka	Sater
Schad	Scharnhorst	Schatz	Schieber	Schieffer
Schneider	Schoeller	Shively	Shumake	Silvey
Smith 150	Solon	Sommer	Stream	Swinger
Thomson	Torpey	Wallingford	Wells	White
Wieland	Wright	Wyatt	Zerr	

NOES: 045

Anders	Aull	Black	Carlson	Carter
Colona	Conway 27	Ellinger	Ellington	Hodges
Holsman	Hubbard	Hummel	Jones 63	Kander
Kelly 24	Kirkton	Kratky	Lampe	May
McCann Beatty	McCreery	McDonald	McManus	McNeil
Montecillo	Morgan	Nasheed	Newman	Nichols
Oxford	Pace	Pierson	Rizzo	Schupp
Sifton	Smith 71	Spreng	Still	Swearingen
Talboy	Taylor	Walton Gray	Webb	Webber

PRESENT: 000

ABSENT WITH LEAVE: 007

Atkins	Brown 50	Franz	Hughes	Largent
McGeoghegan	Meadows			

VACANCIES: 002

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 3**.

SENATE RESOLUTION NO. 3

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of Senate Committee Substitute for Senate Bill No. 566; Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 569; Senate Substitute for Senate Bill No. 607; Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 635; Senate Committee Substitute for Senate Bill No. 715; and Senate Committee Substitute for Senate Bill No. 837 when the bills were so called by the President.

ADJOURNMENT

On motion of Representative Wright, the Veto Session of the Ninety-sixth General Assembly, Second Regular Session, adjourned sine die pursuant to the Constitution.

TIMOTHY W. JONES
Speaker of the House

D. ADAM CRUMBLISS
Chief Clerk of the House

COMMITTEE HEARINGS

INTERIM COMMITTEE ON LOCAL GOVERNANCE ISSUES
Thursday, September 13, 2012, 8:30 AM House Hearing Room 3.
Executive session may be held on any matter referred to the committee.
Organizational meeting.
Public comments welcome.
Please contact Rep. Allen's office at (573) 751-9765 to register for testimony.